

Eviron Road Quarry and Landfill Project: Environmental Audit

Tweed Shire Council



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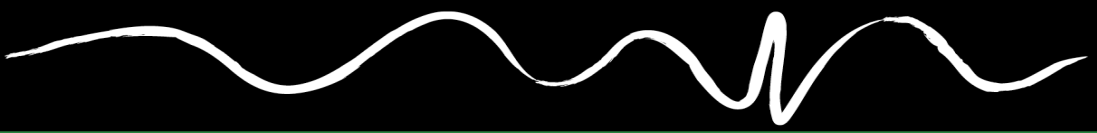
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Certification


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Table of Contents

1.	Audit Outline	1
1.1	Introduction	1
1.2	Eviron Road Quarry and Landfill Project	1
1.3	Audit Type	2
1.4	Previous Environmental Audit	2
1.5	Reasons for Audit	2
1.6	Auditee and Representatives	3
1.7	The Audit Team	3
1.8	Audit and Site Inspection	3
2.	Audit Plan	4
2.1	Objectives	4
2.2	Confidentiality	4
2.3	Distribution	4
2.4	Audit Scope	4
2.5	Consultation	5
2.6	Audit Criteria	6
2.7	Audit Approach and Methodology	6
2.8	Interview and Site Inspection	7
3.	Audit Findings	8
3.1	Summary of 2022 Environmental Audit Findings	8
3.1.1	Non-Compliance 1: Biodiversity Offset Strategy approval	8
3.1.2	Non-Compliance 2: Landscape Management Plan approval	9
3.1.3	Non-Compliance 3: Conservation and Rehabilitation Bond Payment	10
3.1.4	Non-Compliance 4: Conservation and Rehabilitation Bond Review	11
3.1.5	Non-Compliance 5: Environmental Management System Review Schedule	11
3.1.6	Non-Compliance 6: Timing of Independent Audit	12
3.1.7	Non-Compliance 7: Timing of Independent Environmental Audit	12
3.1.8	Non-Compliance 8: Site Inspection	12
3.2	Level of Awareness	13
3.3	Status of Environmental Compliance	13
3.4	Summary of 2018 Environmental Audit Findings	13
3.4.1	Administrative Non-Compliance	13
3.4.2	Administrative Non-Compliance	14
3.4.3	Administrative Non-Compliance	14
3.4.4	Administrative Non-Compliance	15
3.4.5	Administrative Non-Compliance	16
3.4.6	Administrative Non-Compliance	16
3.4.7	Administrative Non-Compliance	16
3.4.8	Administrative Non-Compliance	17



3.5	<u>Environmental Management Documentation</u>	17
4.	<u>Recommendation and Conclusions</u>	18
4.1	<u>Recommendations</u>	18
4.2	<u>Conclusions</u>	18

Appendices

Appendix A Audit Methodology

Appendix B Audit Table

Appendix C Audit Team Curriculum Vitae

Appendix D DPE Auditor Approval

Appendix E Independent Audit Certification Form

Appendix F Photographs

Appendix G Audit Agenda and Register



1. Audit Outline

1.1 Introduction

GeoLINK was engaged by Tweed Shire Council (TSC) to carry out an Independent Environmental Audit (Audit) of its Eviron Road Quarry and Landfill Project (Eviron Quarry and Landfill), located at Leddays Creek Road, Stotts Creek, NSW.

The Audit was undertaken pursuant to the Minister's Conditions of Approval (MCoA) (Application No. 08-0068) to undertake an independent environmental audit at the quarry and landfill operation against inter alia, the project approval conditions issued by Department of Planning and Environment (DPE).

1.2 Eviron Road Quarry and Landfill Project

In 2012, Council sought an approval from the DPE to develop new waste infrastructure at Eviron Road, Eviron. On 21 November 2012, approval was granted (Project Approval 08_0068) following an environmental assessment prepared in accordance with the requirements of Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This approval includes:

- A landfill within the void space created by Quirks Quarry;
- Development of two further quarries to be used as landfills after exhaustion of quarry resources (West Valley and North Valley quarries); and
- Operational infrastructure such as haul roads, an acid sulphate soil treatment area and other service buildings/ storage facilities as required.


In June 2014, the NSW Department of Planning and Environment agreed to stage the project in three phases as shown below:

- Phase 1 Early Works (geotechnical testing and investigation, survey, electricity supply works and relocations and road design and construction)
- Phase 2 Quirks Quarry Landfill (development of a new landfill within the quarry void)
- Phase 3 West Valley Quarry (development of a new quarry within the west valley quarry footprint).

Works carried out at the site relate only to Phase 1 and have been minimal. As reported in the 2020 Annual Environmental Management Report the following general works activities were carried out at the site:

General Activities

- Ongoing environmental baseline monitoring of groundwater and surface water as per the Environmental Assessment recommendations.
- Monitoring, maintenance and rectification (as required) of vegetation protection measures installed at the site.
- Monitoring, maintenance and rectification (as required) of environmental controls installed at the site.
- Extension of Council's Resource Recovery Order and Exemption for the importation and placement of excavated public road material within the alignment. The order and exemption was extended for an additional two years, until the 31st May 2022. In addition, the definition for the maximum volume of material permitted to be imported to the site under the order and exemption was clarified as meaning the total 'compacted' volume based on field surveys.



Construction Activities

- Importation, placement and compaction of approximately 8,720m³ of loose imported fill material, including excavated public road material under Council's Resource Recovery Order and Exemption, June 2020. Imported fill material was placed along the length of the alignment, however, was concentrated in the soft soil areas between approximately CH0 and CH280.
- Completion of cross road culverts at CH90, CH130, CH240, CH310 and CH380.
- Management and maintenance of the fob activated boom gate at the entry to the site to manage, control and monitor all material coming into the site during construction.
- Installation, monitoring and maintenance of permanent and temporary erosion and sediment controls in current active areas of disturbance.

Biodiversity Offsets

- During the 2020 reporting period ongoing maintenance and weed control within the planting areas was undertaken in accordance with the maintenance program for the site. Significant growth of planted trees and effective weed control, including stem injection of Camphor laurel, is providing a positive impact on the success of the planted biodiversity offset for this development.

1.3 Audit Type

This audit is an Independent Environmental Audit of the Eviron Quarry, and Landfill project conducted by GeoLINK. The audit was limited to the operations being undertaken pursuant to the DPE approval for development of waste and landfill facilities as per approval 08-0068 (2012) pursuant to the MCoA.

1.4 Previous Environmental Audit

An Independent Environmental Audit pursuant to the Minister's Conditions of Approval, Schedule 6, Condition 10 was undertaken in 2018 by GeoLINK. The close out of the matters raised are included in this audit.

1.5 Reasons for Audit

Pursuant to Minister's Conditions of Approval, Schedule 6, Condition 10, Independent Environmental Audit states:

Within a year of the date of this approval, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:

- be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General;*
- include consultation with the relevant agencies;*
- assess the environmental performance of the project and whether it is complying with the relevant requirements in this approval and any relevant EPL and/or Water License (including any assessment, plan or program required under these approvals);*
- review the adequacy of any approved strategy, plan or program required under these approvals; and*
- recommend measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under these approvals.*

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



The audit has been prepared to satisfy this requirement.

1.6 Auditee and Representatives

Tweed Shire Council representatives for the audit were:

Name	Position	Role
Wesley Knight	Waste Operations Manager	Primary responsibility for existing and proposed landfill.
Mitchell Cambridge	Environmental Scientist	Environmental Compliance

1.7 The Audit Team

The GeoLINK Audit Team for the 2022 audit comprised of:

Mr Simon Williams Lead Environmental Auditor

Mr Duncan Thomson Environmental Audit Reviewer

Simon was the Lead Auditor for the project, and coordinated the Environmental Audit, reviewed the available records and documents, attended project meetings and the site visit and reviewed the final audit findings. He was approved by the Department of Planning and Environment to undertake this audit; pursuant to MCoA Schedule 6, Condition 10 clause (a). DPE approval correspondence is provided in **Appendix D**.

Duncan reviewed the environmental audit, provided advice and ensured Quality Assurance requirements were satisfied.

The audit team were selected on their specialist skills in environmental management, environmental compliance, environmental law and auditing.

1.8 Audit and Site Inspection

The audit was conducted at Tweed Council Chambers at Murwillumbah on the 2 June 2022 and the site inspection was also undertaken at the Haul Road, Quarry and landfill areas on the same day.



2. Audit Plan

2.1 Objectives

The primary objective of the audit was to assess compliance of the Eviron Quarry and Landfill with the Minister's Conditions of the Approval issued by the Department of Planning and Environment, and other environmental management requirements. The secondary objectives of the Audit were to:

- Verify legislative and regulatory compliance
- Assess conformance with internal policy and procedures
- Establish the status of current practices
- Identify opportunities for improvement.

The audit focussed on the landfill and quarry operations since the last audit in 2018 until the current 2022 audit. The work that has taken place has predominantly been preparation of management plans, environmental works (offsetting and revegetation) and placement of settlement fill for a part of the Haul Road.

2.2 Confidentiality

As an Environmental Auditing organisation, GeoLINK are given access to documents and information that are considered to be highly confidential. We also work closely with clients that are in direct commercial competition. For these reasons it is important to our business that we maintain a strict high level of confidentiality for all of our clients.

Whilst our client's information remains confidential, information is made available to the NSW Department of Planning and Environment through our work. This information includes this Audit Report, and we accept no responsibility for third-party handling.

The nature of an audit also presents a risk for maintaining confidentiality, as our auditors have client files on their laptops and there is also a potential for client information to be released during conversation. In order to control these risks, all auditors as employees of GeoLINK are required to complete a Confidentiality Statement as part of their employment contract. Furthermore, all auditors' laptops are password protected and when left unattended are locked.

2.3 Distribution

The audit would be approved and distributed as per below.

Delegated Client Audit Contact	Mitchell Cambridge	Tweed Shire Council
External Audit Approval (DPE)	Phillip Rose	Compliance, DPE
Internal Audit Distribution	Wes Knight	Tweed Shire Council

2.4 Audit Scope

The scope of the Independent Environmental Audit was developed with consideration of the nature of the operation, its environmental aspects and potential impacts, the various site activities, and following a review of the project Conditions of Approval.

The scope of the Audit included:

- General requirements of the Conditions of Approval (CoA) Reference: 08-0068
- Statement of Commitments (SoC)
- Preparation of pre-construction Environmental documentation
 - DPE Approval of Post Approval Documentation and Timing Extensions (June 2014)
 - Environmental Management Strategy (September 2017)
 - Landscape Management Plan (March 2014)
 - Heritage Management Plan (January 2014)
 - White lace Flower Translocation Plan (June 2019)
 - Restoration Plan V3 (2016)
 - Soil and Water Management Plan (July 2019)
 - Nest Box Plan (July 2016)
 - Excavated Road Material Management Plan (September 2017)
 - Biodiversity Offset Strategy Letter (December 2013)
 - Greenhouse Gas and Energy Management Strategy (December 2013)
 - Complaints Register and Monitoring Data (April 2022)
- Operations, limits, monitoring and reporting
- Public enquiry and complaints responses
- Site inspection

The physical scope of the Audit included quarry operations and facilities within the Eviron Quarry and Landfill project, including:

- Quirks Quarry (approved landfill area)
- Stage 1 of Phase 1 of the works (Haul Road)
- Project area including the revegetation and offsetting areas.

2.5 Consultation

Contact was made with stakeholders prior to the site inspection to obtain feedback and draw the auditors attention to any key issues within the agreed scope of the audit. The stakeholders contacted are in the table below:

Agency	Contact	Email/s / Comms	Correspondence	Comments
DPE Compliance	Philip Rose	phillip.rose@planning.nsw.gov.au Portal	Email 17/3/2022 Portal 3/6/2022	Y – See below
DPE – Post Approvals	Sheelagh Laguna	nicholas.hall@planning.nsw.gov.au information@planning.nsw.gov.au	Email 17/3/2022 Portal 3/6/2022	No Comments
NSW Environmental Protection Authority	Geff Cramb	info@epa.nsw.gov.au	17/3/2022	No Comments
Office of Environment and Heritage		No involvement / N/A	-	-
Department of Resources and Energy		No involvement / N/A	-	-
NSW Office of Water		No involvement / N/A	--	-



Department of Planning and Environment (DPE) comments can be categorised as follows:

- Comprehensive review of the conditions of approval.
- Review the erosion and sediment control measures onsite and consider any improvements or maintenance that may be required in this area

DPE requirements are integrated into the audit report.

2.6 Audit Criteria

The content of the audit is provided by the Minister's Condition of Approval Schedule 6, Condition 10 whereby the proponent must undertake an independent audit every three years following the first year and must:

- Be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General
- Include consultation with the relevant agencies
- Assess the environmental performance of the project and whether it is complying with the relevant requirements in this approval and any relevant EPL and/or Water License
- Review the adequacy of any approved strategy, plan or program required under these approvals
- Recommend measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under these approvals.

2.7 Audit Approach and Methodology

The DPE released an *Independent Audit, Post Approval Requirements May 2020*. The guideline was developed to ensure audits are undertaken in a consistent manner and meet minimum quality standards.

The Audit approach followed the standardised procedures for environmental management systems auditing established under ISO 19011:2018 Guidelines for auditing management systems and the Independent Audit, Post Approval Requirements May 2020. Details of the methodology are provided in **Appendix A** In summary, the methodology consisted of an Implementation Stage followed by the Pre-Audit, Audit and Post-Audit stages as follows:

Initiation Stage

- Organisational review
- Review of available background information
- Review of previous audit findings from the 2013 environmental audit.


Pre-Audit Stage

- Development of an audit plan
- Development of audit protocol and checklist.

Audit Stage

- Opening meeting
- Review of documentation
- Detailed site inspection
- Interviews with relevant personnel
- Review of audit evidence
- Closing meeting.

Post-Audit Stage

- 
- Review of audit data
 - Preparation of audit report.

The checklist provided in **Section 3** documents the specifics of the audit and the responses of the TSC's team in relation to these requirements.

2.8 Interview and Site Inspection

Staff interviews and document review was undertaken on 2nd June 2022 at the offices of TSC in Murwillumbah with:

- Mitchell Cambridge
- Wes Knight

A site inspection also occurred with Mitchell Cambridge and Wes Knight of Tweed Shire Council on 2nd June 2022. The site inspection included:

- Landfill and Quarry areas
- Haul Road
- Surrounding areas.

The Audit and attendance register is provided in **Appendix F**.

3. Audit Findings

The 2022 audit findings and observations are presented and discussed in **Section 3.1**. The 2022 audit findings are provided within the completed Audit Table which is located in **Appendix B**

Findings within the Protocol are listed as Compliant, Non-compliant or Not triggered. and are included in the following sections. They are described (where applicable) as follows:

- *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 had not been met during the temporal scope of the audit being undertaken (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant.

Overall, the level of compliance with good environmental management practices is satisfactory. Management and staff at the facility are fully committed to implementing and complying with the project approval requirements.

3.1 Summary of 2022 Environmental Audit Findings

3.1.1 Non-Compliance 1: Biodiversity Offset Strategy approval

Requirement

By 31 December 2013, unless the Director-General agrees otherwise, the Proponent shall:
(a) implement the biodiversity offset strategy as described in the EA, summarised in Table 9, and described and depicted in the figure in Appendix 4; and
(b) make suitable arrangements, in consultation with OEHL, to provide appropriate long term conservation security for Area 1, to the satisfaction of the Director-General.


Table 9: Biodiversity Offset Strategy

Area	Summary of Offset	Minimum Size
Area 1	Retention and management of existing vegetation to be designated as natural area of bushland	6.5 hectares
Area 2	Revegetation of drainage line using locally sourced swamp sclerophyll/koala feed trees and provide alternative corridor for connectivity across cleared area	1.9 hectares
Area 3	Revegetation of ridgeline using koala feed trees and other fauna resources to enhance connectivity along ridgeline	0.4 hectares
Area 5	Retention and management of native vegetation including potential koala feed trees	1.1 hectares
Area 6	Retention of vegetated corridor along ridgeline and connectivity to native vegetation	2.2 hectares

Findings

TSC is currently in discussions with DPE to negotiate an appropriate outcome. BCD correspondence of 21 February 2020, BCD agreed in principle to the use of an s88B. TSC is in negotiations with DPE (Post Approvals) to action the s88B.

In the meantime, TSC have commenced actions and management of offset areas (trees) in anticipation of approval consistent with the Biodiversity Offset Strategy (BOS). Offsetting measures outlined in the CoA 29, Areas 1 to 6 have been undertaken. It is noted that the Area 1's actual size is 3.5Ha not 6.5Ha. The EIS approved plans show the correct area and were used for the offset. The 6.5Ha is in error.



The offsetting requirements have been implemented but not by 31 December 2013, however DPE have not approved the BOS.

Discussion

TSC actions to commence offsetting have been consistent with the BOS and have been successful. Notwithstanding this, DPE approval of the BOS should be sought and an s88b covenant created once agreement is reached.

Correction of the minor administrative error in the Area 1 should be undertaken in order to close out compliance of this condition.

3.1.2 Non-Compliance 2: Landscape Management Plan approval

Requirement

The Proponent shall prepare and implement a Landscape Management Plan for the project to the satisfaction of the Director-General. This plan must:

- (a) be prepared in consultation with OEH, DRE and DPI (Agriculture);*
- (b) be submitted to the Director-General for approval prior to commencement of quarrying operations;*
- (c) describe how the implementation of the Biodiversity Offset Strategy will be integrated with the overall rehabilitation of the site and the proposed Tweed Regional Botanical Gardens Project;*
- (d) describe the short, medium and long term measures that will be implemented to:*

- manage remnant vegetation and habitat on site;*
- minimise the visual impacts of the project on surrounding receivers;*
- implement the Biodiversity Offset Strategy; and*
- ensure compliance with the rehabilitation objectives and progressive rehabilitation obligations in this approval;*


(e) include detailed performance and completion criteria for evaluating the performance of the Biodiversity Offset Strategy and the rehabilitation of the site, including triggering remedial action (if necessary);

(f) include a detailed description of the measures that will be implemented over the next 3 years, including the procedures to be implemented for:

- ensuring compliance with the rehabilitation objectives and progressive rehabilitation obligations in this approval;*
- enhancing the quality of remnant vegetation and fauna habitat with a focus on restoring Lowland Forest EEC and providing Koala feed trees;*
- restoring native endemic vegetation and fauna habitat within the biodiversity offset areas and rehabilitation area;*
- maximising the salvage of environmental resources within the approved disturbance area – including vegetative and soil resources – for beneficial reuse in the enhancement of the biodiversity areas or rehabilitation area;*
- collecting and propagating seed;*
- minimising the impacts on native fauna on site, including undertaking appropriate preclearance surveys and providing nest boxes;*
- the White Lace Flower Translocation Plan (see Condition 30 of this schedule);*
- controlling weeds and feral pests;*
- controlling erosion;*
- managing grazing and agriculture on site;*
- controlling access; and*
- bushfire management;*

(g) include a program to monitor the effectiveness of these measures, and progress against the performance and completion criteria;

(h) identify the potential risks to successful implementation of the Biodiversity Offset Strategy and rehabilitation of the site, and include a description of the contingency measures that will be implemented to mitigate against these risks; and



(i) include details of who will be responsible for monitoring, reviewing, and implementing the plan.

Findings

Actions outlined in the LMP have progressed. For example, 14,000 plants have been planted, nest boxes were installed, tallwood hollows were installed (not a requirement) and maintenance has occurred from 2016-2021. However, these actions have been undertaken from the BOS / LMP which has not, as yet been approved.

On the basis of the notes and interviews for Condition 30 (above), we understand TSC is in negotiations with DPE to approve the LMP and proceed with the s88B.

Discussion

TSC actions to commence offsetting have been consistent with the BOS and has been successful. Notwithstanding this, DPE approval of the LMP should be sought and an s88b covenant created once agreement is reached.

3.1.3 Non-Compliance 3: Conservation and Rehabilitation Bond Payment

Requirement

Within 6 months of the approval of the Landscape Management Plan, the Proponent shall lodge a Conservation and Rehabilitation Bond with the Department to ensure that the Biodiversity Offset Strategy and the rehabilitation of the site is implemented in accordance with the performance and completion criteria set out in the Landscape Management Plan. The sum of the bond shall be determined by:

- (a) calculating the full future cost of implementing the Biodiversity Offset Strategy;*
- (b) calculating the cost of rehabilitating the site, taking into account the likely surface disturbance over the next 3 years of quarrying operations; and*
- (c) employing a suitably qualified quantity surveyor or other expert to verify the calculated costs; to the satisfaction of the Director-General.*

Notes:

- If capital and other expenditure required by the Landscape Management Plan is largely complete, the Director-General may waive the requirement for lodgement of a bond in respect of the remaining expenditure.*
- If the Biodiversity Offset Strategy and rehabilitation of the site area are completed to the satisfaction of the Director-General, the Director-General will release the bond. If the Biodiversity Offset Strategy and rehabilitation of the site are not completed to the satisfaction of the Director-General, the Director-General will call in all or part of the bond and arrange for the completion of the relevant works.*

Findings

Bond not paid as the BOS and LMP has not been approved by DPE.

Discussion

Once the LMP is approved by DPE, TSC will be in a position to pay the Bond and satisfy this condition. See Section 3.1.2 for audit results for Condition 31 relating to the LMP.

3.1.4 Non-Compliance 4: Conservation and Rehabilitation Bond Review

Requirement

Within 3 months of each Independent Environmental Audit (see Condition 10 of Schedule 6), the Proponent shall review, and if necessary revise, the sum of the Conservation and Rehabilitation Bond to the satisfaction of the Director-General. This review must consider the:

- (a) effects of inflation;*
- (b) likely cost of implementing the Biodiversity Offset Strategy and rehabilitating the site (taking into account the likely surface disturbance over the next 3 years of the project); and*
- (c) performance of the implementation of the Biodiversity Offset Strategy and rehabilitation of the site to date.*

Findings

The Bond not been reviewed as the BOS and LMP has not been approved by DPE.

Discussion

Once the LMP is approved by DPE, TSC will be able to review and if necessary, revise the Bond and satisfy this condition. See Section 3.1.2 and 3.1.3 for audit results for Condition 31 and 32 relating to the LMP.

3.1.5 Non-Compliance 5: Environmental Management System Review Schedule

Requirement

The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy must:

- (a) be submitted to the Director-General for approval prior to any development being carried out on the site under this approval;*
- (b) provide the strategic framework for environmental management of the project;*
- (c) identify the statutory approvals that apply to the project;*
- (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;*
- (e) describe the procedures that will be implemented to:*
 - keep the local community and relevant agencies informed about the operation and environmental performance of the project;*
 - receive, handle, respond to, and record complaints;*
 - resolve any disputes that may arise during the course of the project;*
 - respond to any non-compliance; and*
 - respond to emergencies; and*
- (f) include:*
 - copies of any strategies, plans and programs approved under the conditions of this approval; and*
 - a clear plan depicting all the monitoring required to be carried out under the conditions of this approval.*

Findings

No Change from the 2018 audit. EMS has been approved by DPE (4.6.14). DPE stated the EMS was a dynamic document which was to be reviewed quarterly. The works on site have been minimal and hence TSC have not needed to review the EMS. This will be required as the project matures.

Discussion

The works onsite have been minimal and restricted to placing settlement material on Stage 1 of Phase 1 of the Haul Road. Other works include offsetting works, weed management and revegetation. It is considered given the minor nature of the works that the failing to review the EMS quarterly is a negligible issue.



Furthermore, it is considered this requirement relates to the full operation of the land and/or quarry.

3.1.6 Non-Compliance 6: Timing of Independent Audit

Requirement

Within a year of the date of this approval, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:

- (a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General;*
- (b) include consultation with the relevant agencies;*
- (c) assess the environmental performance of the project and whether it is complying with the relevant requirements in this approval and any relevant EPL and/or Water License (including any assessment, plan or program required under these approvals);*
- (d) review the adequacy of any approved strategy, plan or program required under the these approvals; and*
- (e) recommend measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under these approvals.*

Findings

This audit addresses this requirement. The audit is now complete however is late, mainly due to delays getting access to the site due to the northern rivers flooding, flood damage, and various parties to the audit contracting covid and needing to isolate.

Discussion

Given the circumstances, this noncompliance is considered negligible.

3.1.7 Non-Compliance 7: Timing of Independent Environmental Audit

Requirement

Within 3 months of commissioning this audit, or as otherwise agreed by the Director-General, the Proponent shall submit a copy of the audit report to the Director-General, together with its response to any recommendations contained in the audit report.

Findings

This audit team was approved by DPE on the 4 February 2022 however due to flooding, access and covid the audit does not meet this requirement. Site inspection and audit occurred on the 2 June 2022.

Discussion

Under the circumstances, this noncompliance is considered negligible.

3.1.8 Non-Compliance 8: Site Inspection

Requirement

A Site Inspection was undertaken on the site which includes a general inspection of matters such as ERSED controls, installation of required infrastructure (i.e.: weather station, flicker tape), weed management, etc.

Findings

During the site inspection it was noted that the ERSED controls were in place however a number of rock checks had sediment built up.

Discussion

Although, it is a positive sign that ERSED controls are in place and working they need regular inspection and cleaning out to ensure they are operating as designed and are prepared for the next wet weather event.

3.2 Level of Awareness

The level of awareness of good environmental management practices within management and operations staff was assessed through discussions with management and observation of environmental practices during the site inspection.

3.3 Status of Environmental Compliance

At the time of the Audit, Eviron Quarry and Landfill was generally compliant with the requirements of Eviron Quarry and Landfill Project Approval, Statement of Commitments, relevant regulations and good management practice. In summary, there were eight (8) noncompliance matters raised.

3.4 Summary of 2018 Environmental Audit Findings

The 2018 identified following issues of non-compliance with the relevant requirements were identified during the 2018 Audit.

3.4.1 Administrative Non-Compliance

Requirement

Minister's Condition of Approval: Schedule 4, Condition 29

By 31 December 2013, unless the Director-General agrees otherwise, the Proponent shall:

(a) implement the biodiversity offset strategy as described in the EA, summarised in Table 9, and described and depicted in the figure in Appendix 4; and

(b) make suitable arrangements, in consultation with OEHL, to provide appropriate long-term conservation security for Area 1, to the satisfaction of the Director-General.

Table 9: Biodiversity Offset Strategy

Area	Summary of Offset	Minimum Size
Area 1	Retention and management of existing vegetation to be designated as natural area of bushland	6.5 hectares
Area 2	Revegetation of drainage line using locally sourced swamp sclerophyll/koala feed trees and provide alternative corridor for connectivity across cleared area	1.9 hectares
Area 3	Revegetation of ridgeline using koala feed trees and other fauna resources to enhance connectivity along ridgeline	0.4 hectares
Area 5	Retention and management of native vegetation including potential koala feed trees	1.1 hectares
Area 6	Retention of vegetated corridor along ridgeline and connectivity to native vegetation	2.2 hectares


Findings

TSC prepared and sent a Biodiversity Offset Strategy (BOS) to the DPE on 18 December 2013. DPE responded on 4 June 2014 stating they were reviewing the adequacy of the BOS in consultation with other government agencies. No further correspondence has occurred relating to the BOS.

TSC have commenced a number of actions as outlined in the BOS including revegetation and weed management.

Discussion

In light of TSC commencement of works as set out in the BOS which are technically unapproved, it is



recommended TSC engage with DPE with the aim of obtaining approval from the DPE for the BOS to ensure consistency.

2022 Audit Review Findings

Refer to this audit.

3.4.2 Administrative Non-Compliance

Requirement

Minister's Condition of Approval: Schedule 4, Condition 30

The Proponent shall prepare and implement a Translocation Plan for the White Lace Flower to the satisfaction of the Director-General. This plan must:

- (a) be prepared by suitably qualified and experienced persons whose appointment has been approved by the Director-General;*
- (b) be prepared in consultation with OEH;*
- (c) be submitted to the Director-General for approval by the end of July 2013 or as otherwise agreed to in writing by the Director-General;*
- (d) describe the measures that will be implemented to:*
 - translocate and manage the orchids;*
 - monitor and report on the success of the translocation; and*
 - ensure suitable contingency measures are implemented if the monitoring suggests the translocation is not working as well as intended; and*
- (e) provide for the findings of the translocation process to be published in a suitable scientific publication.*

Findings

The White Lace Flower Translocation Plan (WLFTP) appears to satisfy the condition and was submitted to DPE on 28 August 2013 and approved on 4 June 2014. However, it was noted by the TSC ecologist that Council has been unable to satisfy the condition of the WLFTP relating to sourcing local WLF seed with several attempts to survey and extract seeds.

Discussion

The WLFTP was prepared by the TSC ecologist in the best interest of maintaining localised WLF genetics. Given the attempts that have been made to source seed without success, it is recommended that the WLFTP be amended to discuss and justify the opportunity to source seed other than local seed.

2022 Audit Review Findings

The WLFTP was reviewed and amended to remove the need to source local WLF seeds. The current WLFTP is revision 5.

3.4.3 Administrative Non-Compliance

Requirement

Minister's Condition of Approval: Schedule 6, Condition 3

The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy must:

- (a) be submitted to the Director-General for approval prior to any development being carried out on the site under this approval;*
- (b) provide the strategic framework for environmental management of the project;*
- (c) identify the statutory approvals that apply to the project;*
- (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;*
- (e) describe the procedures that will be implemented to:*
 - keep the local community and relevant agencies informed about the operation and environmental performance of the project;*

- receive, handle, respond to, and record complaints;
- resolve any disputes that may arise during the course of the project;
- respond to any non-compliance; and
- respond to emergencies; and

(f) include:

- copies of any strategies, plans and programs approved under the conditions of this approval; and
- a clear plan depicting all the monitoring required to be carried out under the conditions of this approval.

Findings

The Environmental Management Strategy appears to be consistent with the requirements set out in the condition and was approved by DPE on 4 June 2014. DPE also stated the document is a dynamic document to be reviewed quarterly. TSC has not reviewed the EMS quarterly.

Discussion

The works onsite have been minimal and restricted to placing settlement material on Stage 1 of Phase 1 of the Haul Road. Other works include offsetting works, weed management and revegetation. It is considered given the minor nature of the works that the failing to review the EMS quarterly is negligible. It is considered this could be amended to a more appropriate review timeframe which would appear to be annually.

2022 Audit Review Findings

Refer to 3.1.5.

3.4.4 Administrative Non-Compliance

Requirement

Minister's Condition of Approval: Schedule 6, Condition 12

The Proponent shall:

(a) make the following information publicly available on its website:

- the EA;
 - current statutory approvals for the project;
 - approved strategies, plans or programs;
 - a summary of the monitoring results of the project, which have been reported in accordance with the various plans and programs approved under the conditions of this approval;
 - a complaints register, updated on a quarterly basis;
 - copies of any annual reviews (over the last 5 years);
 - any independent environmental audit, and the Proponent's response to the recommendations in any audit; and
 - any other matter required by the Director-General; and
- (b) keep this information up-to-date, to the satisfaction of the Director-General.*

Findings

The TSC website was reviewed to ensure the above documents were listed on the website

<https://www.tweed.nsw.gov.au/EvironRoadLandfill>

The following document were not listed:

- Restoration Plan (Preliminary)
- Haul Road S&WMP
- Nest Box Plan.

Discussion

Documents were uploaded to the website.

3.4.5 Administrative Non-Compliance

Requirement

Environmental Management Strategy – NB3 Nest Boxes

Monitoring of nest boxes, once per year for the first two years, skip the third year and check nest boxes on the fourth year. The need for future monitoring will be reviewed at this stage.

Findings

The monitoring requirements for nest boxes state the monitoring must occur 12 months following installation. The monitoring occurred 18 months following installation.

Discussion

Although this is technically not consistent with the monitoring report, there was no effect or harm to the environment. It is recommended that the nest box monitoring requirements be re-assessed based on the timing of the first monitoring round.

2022 Audit Review Findings

Completed.

3.4.6 Administrative Non-Compliance

Requirement

Environmental Management Strategy – T1 - Movement of Heavy Vehicles

Traffic Management Plan

Contractors to prepare progressive traffic control plans for the movement of vehicles into and around the site for clearing and road construction. Traffic control plans are to be prepared in consultation with the operators of the existing landfill to ensure construction traffic does not impact on the operation of the landfill and vice versa.

Findings

There has not been a Traffic Management Plan prepared for the construction at this point.

Discussion

On the basis of the small amount of truck movements (<50 per annum) and the ease of access, it appears unnecessary to prepare a TMP at this stage of the construction. A further recommendation is to revisit this requirement when more intense construction commences.

2022 Audit Review Findings

No further action.

3.4.7 Administrative Non-Compliance

Requirement

Preliminary Restoration Plan (May 2011) – Section 5.1

Records will be kept for each sample of propagation material and maintained from the time of collection, to the raising of seed/cuttings, planting out of tubestock and maintenance and monitoring period. The following information will be collected for each sample:

- *Sample id code (unique code to be created for each sample – e.g. ‘EP_1’, which represents Eucalyptus pilularis, plant 1);*
- *Source plant location (GPS coordinates and description);*
- *Date of collection;*
- *Type of material collected (e.g. seed, cutting);*
- *Amount of material collected;*
- *Seed treatment technique;*

- *Date of sowing;*
- *Date of germination;*
- *Date of out-planting;*
- *Location of out-planting (GPS coordinates and description);*
- *Monitoring results (refer to Section 5.6.2 for proposed monitoring method).*

Each sample will be tagged with its Sample id code for the duration of its life cycle.

Findings

For various technical (genetic) and lead-time reasons, seed collection and propagation were unable to occur. Comments and justification have been provided by the ecologist. Instead, tube stock was sourced from local nurseries and used for revegetation.

Discussion

Given the PRP is quite specific regarding the need to source local seed, propagate and include details of propagation, it is recommended that the PRP is amended (with justification) and re-issued.

2022 Audit Review Findings

PRP has been amended to reflect this outcome. .

3.4.8 Administrative Non-Compliance

Requirement

Haul Road - Eviron Quarry & Road Soil Water Management Plan

Section 6.1

Inspections would be documented with the weekly or detailed inspection sheet (refer to templates in Appendix G)

Findings

Currently due to the limited construction works occurring there is no process in place to hold weekly inspections.

Discussion

Although construction is minimal, it is recommended that inspection of erosion and sediment control are undertaken, perhaps quarterly.

2022 Audit Review Findings

Inspections are undertaken general twice a month and are reported in Section 9.0 Environmental Controls Inspection of the Eviron Haul Road, Preloading Construction, Stage 1, Quarterly Environmental Report

3.5 Environmental Management Documentation

The adequacy of the environmental management documents listed in **section** Error! Reference source not found. has been reviewed as part of this audit. No issues were identified, except for those noted and discussed in the preceding sections.

It is noted that there are delays in approval of some of the documents, mainly due to technical reasons. Given the project has not commenced and the site is relevant environmentally low risk, this is not considered a key issue. Notwithstanding, a key outcome of this audit is to finalise the documentation and requirement within the documentation to satisfy the relevant MCoA.



4. Recommendation and Conclusions

4.1 Recommendations

A number of recommendations are provided in **Section 3** above. The following section summarises these recommendations.

- *Section 3.1.1:* TSC actions to commence offsetting have been consistent with the BOS and have been successful. Notwithstanding this, DPE approval of the BOS should be sought and an s88b covenant created once agreement is reached. Correction of the minor administrative error in the Area 1 should be undertaken in order to close out compliance of this condition.
- *Section 3.1.2:* TSC actions to commence offsetting have been consistent with the BOS and has been successful. Notwithstanding this, DPE approval of the LMP should be sought and an s88b covenant created once agreement is reached.
- *Section 3.1.3:* Once the LMP is approved by DPE, TSC will be in a position to pay the Bond and satisfy this condition. See Section 3.1.2 for audit results for Condition 31 relating to the LMP.
- *Section 3.1.4:* Once the LMP is approved by DPE, TSC will be able to review and if necessary, revise the Bond and satisfy this condition. See Section 3.1.2 and 3.1.3 for audit results for Condition 31 and 32 relating to the LMP.
- *Section 3.1.5:* The works onsite have been minimal and restricted to placing settlement material on Stage 1 of Phase 1 of the Haul Road. Other works include offsetting works, weed management and revegetation. It is considered given the minor nature of the works that the failing to review the EMS quarterly is a negligible issue. Furthermore, it is considered this requirement relates to the full operation of the land and/or quarry.
- *Section 3.1.8:* Although, it is a positive sign that ERSED controls are in place and working they need regular inspection and cleaning out to ensure they are operating as designed and are prepared for the next wet weather event.

4.2 Conclusions

The commitment of Eviron Road Quarry and Landfill and its staff to the quarry's environmental management was apparent, and site operations, work practices and documentary records were found to be generally in compliance with the Conditions of Approval, Statement of Commitments and relevant legislation, and consistent with good Environmental practices.

There were six Non-compliances made mainly with approval documentation.

The six Administrative Non-compliances related to:

- Correction and finalisation of the biodiversity offsetting strategy
- Landscape Management Plan approval
- Conservation and Rehabilitation Bond Payment
- Conservation and Rehabilitation Bond Review
- Environmental Management System Review Schedule
- Timing of Independent Environmental Audit
- ERSED controls improvement



Each of the Non-compliances should be addressed prior to the next scheduled audit. However, the ERSED control matter requires more immediate action, and a timeframe for this recommendation should be developed and implemented by the Tweed Shire Council management team. The findings of this audit will be auditable within forthcoming audits.

The level of awareness among staff of good environmental practice was generally satisfactory. Several examples of good environmental practices were observed during the site inspection. The findings obtained during this Audit shows that, except where noted above, Eviron Road Quarry and Landfill is generally compliant with the Conditions of Approval, Statement of Commitments, and with relevant environmental legislation.



References

Independent Audit Guideline, Post approval requirements for State Significant Developments October 2015; [Online]. Available: <http://www.planning.nsw.gov.au/~media/Files/DPE/Guidelines/independent-audit-guideline-2015-10-23.ashx>

ISO 19011:2018 Guidelines for auditing management systems

Thomson Reuters: Environmental Audit Guidebook 2011



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Appendix A

Audit Methodology

Project Eviron Quarry and Landfill Project Audit **Date** 7 March 2022
To Mitchell Cambridge **Email** MCambridge@tweed.nsw.gov.au
Of Tweed Shire Council **Page 1 of** 3
From Simon Williams **Ref No** 3116-1008
Subject Environmental Compliance Audit Methodology

Meeting Notes	File Notes	Facsimile	Transmittal	X	Telephone Notes
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Initiation Stage

Project Start-up

ABN 79 896 839 729
ACN 101 084 557

Return address:
PO Box 1446
COFFS HARBOUR
NSW 2450

COFFS HARBOUR
T 02 6651 7666

LENNOX HEAD
T 02 6687 7666
F 02 6687 7782

ARMIDALE
T 02 6772 0454

LISMORE
T 02 6621 6677

www.geolink.net.au

A project start-up teleconference or communications (dialogue) will be held prior to conducting the site audit. The dialogue is to involve representatives of Tweed Shire Council and the GeoLINK audit team to discuss the project, introduce members of each team, and to establish communications protocols. The start-up dialogue provides a forum for Council to identify and provide handover of relevant documentation that may be required during the forthcoming audit stages. Details to be addressed include:

- The quarry site and facility boundaries;
- The scope and objectives of the audit;
- The proposed audit activities, such as document reviews, personnel interviews and site inspections, communication protocols, logistics and administrative arrangements;
- Identification of the audit team and site facilitation arrangements; and
- The audit schedule and milestones.

Organisational Review

GeoLINK will review Council's current management plans and approvals in order to gain an understanding of the organisational structure of Eviron Landfill and Quarry and the environmental management required of the operation.

Review of Background Information

Council is to provide all background information prepared for the project. The background information will then be reviewed, and any questions will be raised with Tweed Shire Council.

Pre-Audit Stage

A number of pre-audit activities are to be undertaken in consultation with Council staff. These activities include development of an audit table for the on-site activities and making the necessary preparation and arrangements for the site visit by the GeoLINK audit team.

Audit Plan

A site-specific audit plan (checklist) is being developed for the project and the site. The audit plan details a step by step series of questions and evaluation criteria designed to assess:

- Compliance with the approval requirements of the Eviron Landfill and Quarry Project;
- Compliance with management and monitoring plans;
- Compliance with and performance against EPL 12777 (if required);
- Current environmental management practices and their status; and
- Staff awareness.

Audit Stage

The audit is a systems performance assessment that every staff member can take part in contributing towards an overall performance improvement.

Opening Meeting

GeoLINK will conduct an audit Opening Meeting prior to the commencement of the site audit. The Opening Meeting is to be attended by GeoLINK audit team and Eviron Quarry and Landfill management team and nominated Council staff. The purpose of the Opening Meeting is to:

- Introduce the audit team members to quarry staff;
- Present the audit scope and explain the objectives;
- Outline the audit approach and methodology;
- Address any questions or concerns that site personnel may have at this early stage; and
- Gain the support and assistance of management and operations staff in conducting the audit.

Document Review

During the audit we will review the following compliance documents as provided by TVC:

- RFO2018034 Eviron Road Stage One Project Approval V3
- TSC07286_Environmental_Assessment_Eviron_Road_Quarry_and_Landfill_Proposal
- TSC07289_Environmental_Management_Strategy_2017
- RFO2018034 LandscapeMP_March2014
- RFO2018034 Landscape Management Measures Fig 51
- RFO2018034 HeritageManagementPlan_Eviron_final_V1_07012014
- EQL_translocation_plan_7Jun19(v5) - NEW
- EQL_restoration_plan_Jun16_v3 - NEW
- Eviron Haul Rd SWMP 15 July 2019_ - NEW
- EQL Nest Box Plan_Jul16 - NEW
- Eviron Haul Road Excavated Road Material Management Plan (Ver 2.0)
- TSC07288_Biodiversity_Offset_Strategy_Letter
- TSC07290_Greenhouse_Gas_and_Energy_Management_Strategy (1)
- Any notices or amendments issued against the MCoA and EPL.

Detailed Site Inspection

As part of the site audit the GeoLINK audit team will undertake a detailed, but efficient and practical, site inspection. During the site inspection we will observe the existing conditions at the site and adjoining land, including management measures for mitigation of potential environmental impacts, including: air, biodiversity, water, wastewater, noise and waste materials, and look for evidence of:

- Compliance with legislative and regulatory requirements;
- Conformance with the approval and with management plans and programs;
- Actual operational practices; and
- Staff participation in environmental management at the Quarry.

Interview/s with Key Staff

During the site audit the GeoLINK audit team will hold one or more interviews with appropriate staff in order to obtain information on:

- Actual past and present work practices;
- The level of compliance with approval and statutory requirements; and
- The level of awareness of those requirements.

Review Audit Evidence

GeoLINK will review the adequacy and completeness of the audit evidence at the conclusion of the site audit. GeoLINK will:

- Review the information gathered and seek additional information where needed;
- Attempt to substantiate the findings of the audit;
- Summarise and document the audit findings and observations;
- Identify issues that require immediate attention;
- Note any outstanding issues that require a follow-up; and
- Prepare for the closing meeting.

Closing Teleconference

At the conclusion of the audit a closing teleconference to debrief will be undertaken with the Eviron Quarry and Landfill management. If possible the attendees at this teleconference should be the same people who were in attendance at the Opening Meeting. Areas covered in this teleconference would include:

- Summarise the audit activities and findings;
- Highlight compliance strengths and weaknesses at the quarry;
- Discuss the preliminary findings and recommended corrective actions, and in particular, any findings that will require immediate attention; and
- Clarify outstanding issues and address staff questions or concerns.

Post-Audit Stage

The outcome of the post-audit stage, and the purpose of the project, is to produce an Environmental Audit Report that addresses all of the audit findings and recommendations.

Review of Audit Data

At the completion of the audit Council will review the draft Environmental Audit Report and provide any comments to the GeoLINK audit team for review and where supported for inclusion in the final audit report.

Do not hesitate to contact me on 02 6772 0454 or 0488 677 666 should you have any queries.



Simon Williams
Director
Principal Environmental Auditor



Appendix B

Audit Table

CoA	Requirement	Triggered by Haul Road	Triggered by Quirks Landfill	Triggered by West Valley Quarry	Compliance Status	Evidence Collected	Independent Audit Findings and Recommendations	Unique Identification on Non Compliance
08_00068 - Schedule 2 - Administrative Conditions								
Condition 1	The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the project.	Yes	No	No	Compliant	This IEA Annual Environmental Reporting Environmental Incident Register	Works over the past three years have been limited to the Haul Road and appear to be generally consistent with the MCoA and SoC.	
Condition 2	The Proponent shall carry out the project generally in accordance with the: (a) EA; (b) statement of commitments (see Appendix 1); and (c) conditions of this approval.	Yes	No	No	Compliant	This IEA EA Statement of Commitments MCoA	This IEA concludes the works during the audit period have been undertaken generally consistent with the EA, SoC and MCoA	
Condition 3	If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of any inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.	Yes	No	No	Compliant	EA Statement of Commitments MCoA	Following a review of the evidence collected and the site inspection, there appears to be no inconsistencies.	
Condition 4	The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of: (a) any reports, plans, strategies, programs or correspondence that are submitted in accordance with this approval; and (b) the implementation of any actions or measures contained in these reports, plans, strategies, programs or correspondence.	Yes	No	No	Compliant	DPE correspondence	Documentation reviewed as part of the IEA indicates TSC has complied with DPE requirements during the audit period.	
Landfilling Operations								
Condition 5	The Proponent is only permitted to commence landfilling operations at Quirks Quarry once: (a) the leachate management and collection system has been installed to the satisfaction of the EPA (see Condition 4 of Schedule 3); and (b) quarrying operations have been substantially completed and the internal haul road has been constructed and sealed to the satisfaction of the Director-General (see Condition 24 of Schedule 3).	No	No	No	Non Triggered	Site inspection and interviews	No landfilling or quarrying has been undertaken.	
Waste Material Volume								
Condition 6	The Proponent shall not receive more than 75,000 tonnes of General Solid Waste on the site in any calendar year.	No	No	No	Non Triggered	Site inspection and interviews	No landfilling or quarrying has been undertaken.	
Quarrying Operations								
Condition 7	The Proponent must not commence operations at West Valley Quarry until it has received written approval to do so from the Director-General. Note: In seeking the Director-General's written approval, the Proponent must demonstrate that quarrying operations will have negligible groundwater impacts and that the relevant requirements of Conditions 20 and 21 of Schedule 4 have been addressed.	No	No	No	Non Triggered	Site inspection and interviews	Quarry activities have not commenced.	
Condition 8	Once quarrying operations commence, the Proponent may operate West Valley Quarry for a period of no more than 11 years. Note: Under this approval, the Proponent is required to rehabilitate the site and carry out additional undertakings to the satisfaction of the Director-General. Consequently, this approval will continue to apply in all other respects other than the right to conduct quarrying operations until the rehabilitation of West Valley Quarry and those undertakings have been carried out to a satisfactory standard.	No	No	No	Non Triggered	Site inspection and interviews	Quarry activities have not commenced.	
Extractive Material Extraction								
Condition 9	The Proponent must not extract more than 200,000 tonnes of extractive materials from the West Valley Quarry in any calendar year.	No	No	No	Non Triggered	Site inspection and interviews	Quarry activities have not commenced.	
Condition 10	Unless the Director-General agrees otherwise, the Proponent must not carry out quarrying operations below a pit base level of RL 4 metres. Note: This condition does not apply to the construction of any bores approved by NOW or pollution and sediment control structures described in the EA.	No	No	No	Non Triggered	Site inspection and interviews	Quarry activities have not commenced.	
Extractive Material Transport								
Condition 11	The Proponent shall not transport more than 200,000 tonnes of extractive material from the site in any calendar year.	No	No	No	Non Triggered	Site inspection and interviews	Quarry activities have not commenced.	
Condition 12	The Proponent shall: (a) provide annual quarry production data to DRE using the standard form for that purpose; and (b) include a copy of this data in the Annual Review (see Condition 6 of Schedule 6).	No	No	No	Non Triggered	Site inspection and interviews	Quarry activities have not commenced.	
Condition 13	The Proponent 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. Notes: · Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works. · Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.	No	No	No	Non Triggered	Site inspection and interviews	There are no new buildings or structures and there has been no alterations or additions to buildings or structures.	
Condition 14	The Proponent shall: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the project.	Yes	No	No	Compliant	Site inspection and interviews	Minor work has commenced with no damage to public infrastructure.	
Condition 15	The Proponent shall ensure that all demolition work is carried out in accordance with Australian Standard AS 2601:2001: The Demolition of Structures, or its latest version.	No	No	No	Non Triggered	Site inspection and interviews	There has been no demolition.	

Condition 16	The Proponent shall ensure that all plant and equipment used for the project is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Yes	No	No	Compliant	Interview, EMS and TSC maintenance program. 16 of the Environmental Management Strategy States " <i>Staff involved in environmental monitoring shall be trained and competent in the operation, calibration and maintenance of the equipment. Sampling staff shall also be trained and competent in sample collection, handling, storage and transport methodologies and techniques.</i> "	TSC is responsible for plant and machinery used onsite. The plant and machinery are maintained pursuant to TSC's maintenance program which requires maintenance consistent with the manufacturers standards.	
Condition 17	With the approval of the Director-General, the Proponent may: (a) submit any strategy, plan or program required by this approval on a progressive basis; and/or (b) combine any strategy, plan or program required by this approval.	Yes	Yes	Yes	Compliant	Document review and interviews.	Refer to Section 3 and 4 of the Audit Report.	
Condition 18	Until they are replaced by an equivalent strategy, plan or program approved under this approval, the Proponent shall continue to implement existing strategies, plans or programs for operations on site that have been approved by previous consents or approvals. Notes: · If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages and the trigger for updating the strategy, plan or program. · There must be a clear relationship between the strategy, plan or program that are to be combined.	Yes	Yes	Yes	Compliant	Reviewed the plans and strategies against the MCoA. They all generally appear to have been or are being implemented. This audit provide the findings for those matters they have not.	TSC has implemented the strategies and plans that have been approved by the DPE.	

CoA	Requirement	Triggered by Haul Road	Triggered by Quirks Landfill	Triggered by West Valley Quarry	Compliance Status	Evidence Collected	Independent Audit Findings and Recommendations	Unique Identification on Non Compliance
08_00068 - Schedule 3 - Specific Environmental Conditions - Quirks Quarry Landfill								
Restrictions on Receipt, Storage and Handling and Disposal of Waste								
Condition 1	The Proponent shall only receive, store, handle or dispose of General Solid Waste or other classes of waste that are authorised for receipt on site by an EPL.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill is not operational.	
Landfill Operations								
Condition 2	Unless otherwise authorised by an EPL, the Proponent shall: (a) minimise the exposed or cleared areas at the landfill; (b) progressively revegetate all completed areas of the landfill and stabilise any exposed areas that are not required for operational purposes for a period greater than 90 days; (c) minimise the tracking of mud and waste from the site on public roads; (d) fill the landfill cells in a systematic manner; (e) maximise landfill compaction rates; (f) cover the active landfill area with at least 0.15 metres of VENM soil (or an alternative material approved by the EPA) at the end of daily waste disposal and compaction activities; (g) progressively cap the landfill cells with a capping layer approved by the EPA; (h) revegetate the covered landfill cells following the capping of each cell and once they reach their final design height. (i) rehabilitate all areas in accordance with the rehabilitation objectives in Condition 35 of this schedule. Note: There is an accompanying requirement to prepare and implement a Landfill Management Plan under condition 2 of Schedule 6 of this approval.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill is not operational.	
Leachate Management and Collection System								
Condition 3	No waste is permitted to be disposed of in the landfill until the Proponent has constructed the leachate management and collection system to the satisfaction of the EPA.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.	
Leachate Management								
Condition 4	The Proponent shall: (a) design and install the leachate management and collection system generally in accordance with the conceptual design in the EA and applicable Australian Standards or unless otherwise approved by the EPA; (b) ensure that leachate generated in the landfill is minimised and appropriately contained, collected and disposed of; (c) collect and store all leachate generated by the landfill within the landfill itself, until it is transferred to the leachate treatment plant for processing; (d) install a leachate barrier to be used for the direct impoundment of leachate (see Condition 5 of this schedule); (e) design and operate the leachate management system to prevent leachate from escaping to surface water, groundwater or the surrounding subsoils; (f) direct all surface water from areas not subject to waste disposal or leachate disposal away from the leachate management system; and (g) treat all water that has entered areas filled with waste, or been contaminated by leachate, as leachate; to the satisfaction of the Director-General.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.	
Stormwater Management								
Condition 5	The Proponent shall: (a) design and install the stormwater management and collection system generally in accordance with the conceptual design in the EA and applicable Australian Standards; (b) ensure that the system capacity has been designed in accordance with the Blue Book Volumes 1 and 2B; (c) divert existing clean surface water around operational areas of the site; (d) direct all sediment laden water in overland flow away from the leachate management system; and (e) prevent cross-contamination of clean and sediment or leachate laden water, to the satisfaction of the Director-General.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.	
Soil, Water and Leachate Management Plan								

Condition 6	The Proponent shall prepare and implement a Soil, Water and Leachate Management Plan for landfilling operations in consultation with NOW and the EPA and to the satisfaction of the Director-General. This plan must be prepared and implemented by a suitably qualified and experienced person and be submitted for approval prior to commencement of landfilling operations. The plan must include: (a) a site water balance that: · identifies the source of all water collected or stored on site, including rainfall, stormwater and groundwater; · includes details of all water use on site and any discharges; and · describes the measures that will be implemented to minimise water use on site. (b) an erosion and sediment control plan that: · is consistent with the requirements in the latest version of the Blue Book Volume 1 and Volume 2B; · identifies the activities on site that could cause soil erosion and generate sediment; and · describe the measures that will be implemented to: > minimise soil erosion and the transport of sediment to downstream waters, including the location, function and capacity of any erosion and sediment control structures and maintain these structures over time; > ensure that any topsoil stockpiles on site are suitably managed to ensure that the topsoil in these stockpiles can be beneficially used in the proposed revegetation and rehabilitation of the site. (c) a leachate management plan that: · includes final detailed design specifications of the leachate management and collection system on site; and · demonstrates how the requirements of Conditions 3 and 4 of this schedule have been addressed; (d) a stormwater management plan that: · is consistent with the guidance in the latest version of the Blue Book Volume 1 and Volume 2B.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill is not operational.	
Surface Water Discharges								
Condition 7	The Proponent shall ensure that all surface water discharges from the site comply with the discharge limits (both volume and quality) set for the project in the EPL or with Section 120 of the POEO Act.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill is not operational.	
Bunding								
Condition 8	The Proponent shall store all liquid chemicals, fuels and oils used on the site in appropriately banded areas that have been designed and installed in accordance with the requirements of all relevant Australian Standards and DECCW's Storing and Handling Liquids: Environmental Protection manual.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.	
Meteorological Monitoring								
Condition 9	During the life of the project, the Proponent shall ensure that there is a suitable meteorological station on the site that complies with the requirements in the latest version of the Approved Methods for Sampling of Air Pollutants in New South Wales guideline. The meteorological station must be maintained so as to be capable of continuously monitoring the following parameters: air temperature, wind direction, wind speed, rainfall and relative humidity.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.	
Operating Conditions								
Condition 10	The Proponent shall: (a) implement best management practice, including all reasonable and feasible dust and odour mitigation measures to prevent and minimise dust emissions from landfilling operations; (b) prevent and minimise the air quality impacts of landfilling operations during adverse meteorological conditions and extraordinary events (see Note d to Tables 3 to 5 in Schedule 4); (c) regularly assess air quality monitoring data and relocate, modify, and/or stop landfilling operations to ensure compliance with the relevant conditions of this approval; (d) minimise any visible off-site air pollution; and (e) minimise surface disturbance of the site, other than as permitted under this approval.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.	
Air Quality Management Plan								

Condition 11	The Proponent shall prepare and implement an Air Quality Management Plan for landfilling operations in consultation with the EPA and to the satisfaction of the Director-General. The plan must: (a) be prepared and implemented by a suitably qualified and experienced person whose appointment has been approved by the Director-General; (b) be submitted for approval by the Director-General prior to commencement of landfilling operations; (c) describe the measures that will be implemented to ensure: · best management practice is employed; · the air quality impacts from landfilling are minimised during adverse meteorological conditions and extraordinary events; and · compliance with the relevant conditions of this approval. (d) describes the air quality management system; (e) includes an air quality monitoring program that: · is capable of evaluating the performance of the landfill; · includes a protocol for determining any exceedances of the relevant conditions of approval and responding to complaints; · adequately supports the air quality management system; and · evaluates and reports on the effectiveness of the air quality management system.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill is not operational.												
Greenhouse Gas																			
Condition 12	The Proponent shall implement all reasonable and feasible measures to minimise: (a) energy use from landfilling operations; and (b) greenhouse gas emissions from landfilling operations, to the satisfaction of the Director-General.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.												
Greenhouse Gas Abatement Strategy																			
Condition 13	The Proponent shall prepare and implement a Greenhouse Gas Abatement Investigation Report to the satisfaction of the Director-General. The report must: (a) be submitted to the Director-General by 31 December 2013; and (b) examine opportunities to flare or reuse greenhouse gas emissions from landfilling operations.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.												
Energy Savings Action Plan																			
Condition 14	The Proponent shall prepare and implement an Energy Savings Action Plan for the project to the satisfaction of the Director-General. This plan must: (a) be prepared in accordance with the Guidelines for Energy Savings Action Plans (DEUS 2005, or its latest version); (b) be submitted to the Director-General for approval by 31 December 2013; and (c) include a program to monitor the effectiveness of measures to reduce energy use on site.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.												
Odour																			
Condition 15	The Proponent shall not cause or permit the emission of offensive odours from the site, as defined under Section 129 of the POEO Act.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.												
Landfill Operating Hours																			
Condition 16	The Proponent must comply with the hours of operation in Table 1, unless agreed to in writing by the Director-General. <table border="1"> <thead> <tr> <th>Activity</th> <th>Days</th> <th>Hours</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Landfilling and associated activities</td> <td>Monday to Friday</td> <td>7am to 4pm</td> </tr> <tr> <td>Saturday and Sunday</td> <td>9am to 4pm</td> </tr> <tr> <td></td> <td>Public Holidays</td> <td>9am to 4pm</td> </tr> </tbody> </table> Note: Operational activities are permitted to take place outside of these hours provided they are inaudible from surrounding receivers.	Activity	Days	Hours	Landfilling and associated activities	Monday to Friday	7am to 4pm	Saturday and Sunday	9am to 4pm		Public Holidays	9am to 4pm	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.	
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Operating Conditions																			
Condition 17	The Proponent shall: (a) implement best management practice, including all reasonable and feasible noise management and mitigation measures to prevent and minimise operational, low frequency and traffic noise generated by landfilling operations; (b) minimise the noise impacts of landfilling operations during adverse meteorological conditions when noise criteria do not apply; (c) maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired; and (d) regularly assess noise monitoring data and relocate, modify and/or stop landfilling operations to ensure compliance with the relevant conditions of this approval.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.												
Noise Management Plan																			

Condition 18	The Proponent shall prepare and implement a Noise Management Plan for landfilling operations in consultation with the EPA and to the satisfaction of the Director-General. The plan must: (a) be prepared and implemented by a suitably qualified and experienced person whose appointment has been approved by the Director-General; (b) be submitted for approval by the Director-General prior to commencement of landfilling operations; (c) describe the measures that will be implemented to ensure: · best management practice is being employed on site; and · the noise impacts of landfilling operations are minimised during any meteorological conditions when the noise criteria in this approval do not apply; · compliance with the relevant conditions of this approval. (d) describe the noise management system; (e) includes a noise monitoring program that: · is capable of evaluating the performance of the landfill; · includes a protocol for determining exceedances of the relevant conditions of this approval and responding to complaints; and · adequately supports the noise management system; and · evaluates and reports on the effectiveness of the noise management system.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.	
Traffic Monitoring								
Condition 19	The Proponent shall: (a) keep accurate records of the volume of waste transported to the site; (b) nominate a haulage route to be used by heavy vehicles accessing the landfill; and (c) make these records available in its Annual Report.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.	
Road Signage								
Condition 20	Prior to carrying out landfilling operations under this approval, the Proponent shall: (a) clear roadside vegetation and install intersection distance advisory sign on the approach to the Leddays Creek Road/Site Access intersection to improve driver awareness of the intersection; (b) install hinged "Trucks entering" warning signs 200 metres either side of the Site Access, and ensure that these signs are open during hours in which the landfill is operating (see Condition 17 of this schedule); and (c) install Koala crossing signs on either side of the landfill entrance, to the satisfaction of the Director-General.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.	
Operating Conditions								
Condition 21	The Proponent shall ensure that: (a) landfill vehicles on site do not exceed a speed limit of 30 kilometres per hour; (b) all loaded landfill vehicles entering or leaving the site have their loads covered; and (c) all loaded landfill vehicles leaving the site are cleaned of dirt, sand and other materials before they leave the site, to avoid tracking these materials on public roads.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.	
Condition 22	The Proponent shall implement all reasonable and feasible measures to minimise project-related heavy vehicle traffic on the landfill haulage routes during hours in which school buses are operating these routes to the satisfaction of the Director-General.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill is not operational.	
Traffic Management Plan								
Condition 23	The Proponent shall prepare and implement a Transport Management Plan for landfilling operations in consultation with RMS and to the satisfaction of the Director-General. The plan must: (a) be prepared and implemented by a suitably qualified and experienced person whose appointment has been approved by the Director-General; (b) be submitted for approval by the Director-General prior to commencement of landfilling operations; (c) include a plan showing the landfill haulage route to be used by heavy vehicles; (d) include a drivers code of conduct; (e) describe the measures that will be implemented to ensure: · the nominated haulage route in used; · haulage is minimised or routes altered to avoid school buses; · a CB radio communication protocol is established with local bus companies, to improve driver awareness of landfill truck and school bus locations along haulage routes; · drivers adhere to the code of conduct; and · compliance with the relevant conditions of this approval. (f) include a program to monitor the effectiveness of these measures.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill is not operational.	
Internal Haul Road								

Condition 24	The Proponent shall ensure that the internal haul road from the Site Access to Quirks Quarry Landfill is constructed generally in accordance with the concept design in the EA and applicable Australian Standards to the satisfaction of the Director-General.	Yes	No	No	Compliant	2022 - Refer to 2018 Audit. No change. 2018 - John McIntosh - Interview: developed plans based on concept design. Alex Doyle provided and inspected plans on file.	2022 - refer to 2022 Audit. Part of Haul Road flooded during the march 2022. 2018 - John McIntosh - Supervisor - Civil Engineering Design. Internally designed the preload. Road will be designed to Council standards and Austroads standard. There is no AS for haul road. AS relates more to the materials, signs, curves, kerbs, etc. Haul Road is designed consistent with the concept plan.	
Bushfire								
Condition 25	The Proponent shall prepare and implement a Bushfire Assessment for the site to the satisfaction of the Director-General. This plan must: (a) be prepared in consultation with NSW RFS; (b) be submitted to the Director-General for approval prior to commencement of landfilling operations; (c) be prepared in accordance with Planning for Bush Fire Protection 2006 and any other relevant guidelines.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.	
Fire Management								
Condition 26	The Proponent shall: (a) implement suitable measures to prevent and minimise the risk of fire on site; (b) extinguish any fires on site promptly; and (c) maintain adequate fire-fighting capacity on site, including a fire fighting tanker.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.	
Infrastructure and Services								
Condition 27	The Proponent shall prepare and implement an Infrastructure and Services Plan for the project to the satisfaction of the Director-General. This plan must: (a) be prepared in consultation with relevant utility and service providers; (b) include an implementation schedule which shows how all essential infrastructure and services are to be provided on site, including: · water supply, sewer, gas, electricity, telecommunications services; · fire-fighting services, including the location of fire brigade access; · external lighting; · stormwater management, including the provision of any rainwater harvesting infrastructure; and · parking and access. (c) provide a copy of all necessary approvals from relevant utility and service providers showing that access to these utilities and services is available and secured.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.	
Lighting								
Condition 28	The Proponent shall ensure that the lighting associated with the project: (a) complies with the latest version of AS 4282(INT) – Control of Obtrusive Effects of Outdoor Lighting; and (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.	
Signing and Fencing								
Condition 29	The Proponent shall not install any signage or fencing on site without the written approval of the Director- General. In seeking this approval, the Proponent shall: (a) submit detailed plans of the proposed signage or fencing; and (b) demonstrate that the proposed signage or fencing is consistent with the relevant requirements of Council’s DCP.	Yes	No	No	Compliant	Site inspection and interviews.	No additional signage or fencing has been installed on the site. This was inspected during the site visit.	
Site Security								
Condition 30	The Proponent shall: (a) install and maintain a perimeter stock fence and security gates on the site; and (b) ensure that the security gates on site are locked whenever the site is unattended.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.	
Litter Control								
Condition 31	31. The Proponent shall: (a) implement suitable measures to prevent the proliferation of litter both on and off site, including the installation and maintenance of a mesh fence of not less than 1.8 metres high around the proposed landfill area; and (b) inspect daily and clear the site (and the surrounding area) of litter on at least a weekly basis.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.	
Pest, Vermin and Noxious Weed Management								

Condition 32	The Proponent shall: (a) implement suitable measures to manage pests, vermin and declared noxious weeds on site; and (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in surrounding area. Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.													
Condition 33	The Proponent shall (a) minimise the waste generated by the project; and (b) ensure that the waste generated by the project is appropriately stored, handled and disposed of, to the satisfaction of the Director-General.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.													
Condition 34	The Proponent shall prepare and implement a Waste Management Plan for the project in consultation with the EPA and to the satisfaction of the Director-General. This plan must: (a) be submitted for approval prior to commencement of landfilling operations; (b) identify the waste streams of the project; and (c) monitor the volumes of waste material being generated by the project.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.													
Rehabilitation Objectives																				
Condition 35	The Proponent shall rehabilitate the site to the satisfaction of the Director-General. This rehabilitation must be generally consistent with the proposed rehabilitation strategy in the EA and depicted in Appendix 5, and comply with the objectives in Table 2. <table border="1" data-bbox="261 779 931 961"> <caption>Table 2: Rehabilitation Objectives</caption> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>Site (as a whole)</td> <td>Safe, stable & non-polluting</td> </tr> <tr> <td>Quirks Quarry Landfill</td> <td>Suitable for grazing</td> </tr> <tr> <td>Benched Quarry Walls</td> <td>Landscaped with native endemic flora species</td> </tr> <tr> <td>Quarry Pit Floors</td> <td>Suitable for grazing</td> </tr> <tr> <td>Other land affected by the project</td> <td>Restore ecosystem function, including maintaining or self sustaining eco-systems comprising of native endemic species</td> </tr> </tbody> </table>	Feature	Objective	Site (as a whole)	Safe, stable & non-polluting	Quirks Quarry Landfill	Suitable for grazing	Benched Quarry Walls	Landscaped with native endemic flora species	Quarry Pit Floors	Suitable for grazing	Other land affected by the project	Restore ecosystem function, including maintaining or self sustaining eco-systems comprising of native endemic species	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.	
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Progressive Rehabilitation																				
Condition 36	The Proponent 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 rehabilitation strategies shall be employed when areas prone to dust generation cannot yet be permanently rehabilitated.	No	No	No	Non Triggered	Site inspection and interviews.	Landfilling and quarrying is not operational.													

CoA	Requirement	Triggered by Haul Road	Triggered by Quirks Landfill	Triggered by West Valley Quarry	Compliance Status	Evidence Collected	Independent Audit Findings and Recommendations	Unique Identification on Non Compliance																							
08_00068 - Schedule 4 - Specific Environmental Conditions - West Valley Quarry																															
Condition 1	Prior to carrying out quarrying operations under this approval, the Proponent shall: (a) engage a registered surveyor to mark out the boundaries of the approved limits of extraction; and (b) submit a survey plan of these boundaries to the Director-General.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill and Quarry are not operational.																								
Condition 2	Whenever quarrying operations are being carried out, the Proponent shall ensure that these boundaries are clearly marked at all times in a permanent manner that allows operating staff and inspecting officers to clearly identify the limits of extraction.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill and Quarry are not operational.																								
Air Quality Criteria																															
Condition 3	The Proponent shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated on site do not exceed the criteria in Tables 3 to 5 at any residence on privately-owned land, or on more than 25% of any privately-owned land. <table border="1"> <caption>Table 3: Long-Term Impact Assessment Criteria for Particulate Matter</caption> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>^a Criterion</th> </tr> </thead> <tbody> <tr> <td>Total Suspended particulates (TSP)</td> <td>Annual</td> <td>^a 90 µg/m³</td> </tr> <tr> <td>Particulate matter < 10 µg (PM10)</td> <td>Annual</td> <td>^a 30 µg/m³</td> </tr> </tbody> </table> <table border="1"> <caption>Table 4: Short Term Impact Assessment Criteria for Particulate Matter</caption> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>^d Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter < 10 µg (PM10)</td> <td>24 hour</td> <td>^a 50 µg/m³</td> </tr> </tbody> </table> <table border="1"> <caption>Table 5: Long-Term Impact Assessment Criteria for Deposited Dust</caption> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Maximum increase in deposited dust level</th> <th>Maximum total deposited dust level</th> </tr> </thead> <tbody> <tr> <td>^c Deposited dust</td> <td>Annual</td> <td>^b 2 g/m²/month</td> <td>^a 4 g/m²/month</td> </tr> </tbody> </table>	Pollutant	Averaging Period	^a Criterion	Total Suspended particulates (TSP)	Annual	^a 90 µg/m ³	Particulate matter < 10 µg (PM10)	Annual	^a 30 µg/m ³	Pollutant	Averaging Period	^d Criterion	Particulate matter < 10 µg (PM10)	24 hour	^a 50 µg/m ³	Pollutant	Averaging Period	Maximum increase in deposited dust level	Maximum total deposited dust level	^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month	No	No	No	Non Triggered	Site inspection and interviews.	Landfill and Quarry are not operational.	
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Condition 4	The Proponent shall: (a) implement best management practice, including all reasonable and feasible dust mitigation measures to prevent and minimise dust emissions from quarrying operations; (b) minimise the air quality impacts of quarrying operations during adverse meteorological conditions and extraordinary events (see Note d to Tables 3 to 5 in this schedule); (c) regularly assess air quality monitoring data and relocate, modify, and/or stop quarrying operations at to ensure compliance with the relevant conditions of this approval; (d) minimise any visible off-site air pollution; and (e) minimise surface disturbance of the site, other than as permitted under this approval.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill and Quarry are not operational.																								
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Condition 6	The Proponent shall implement all reasonable and feasible measures to minimise: (a) energy use from quarrying operations; and (b) the greenhouse gas emissions produced from quarrying operations, to the satisfaction of the Director-General.	No	No	No	Non Triggered	Site inspection and interviews.	Quarry is not operational.																								
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Condition 7	<p>The Proponent shall ensure that the noise generated by the project does not exceed the criteria in Table 6 at any residence on privately-owned land.</p> <table border="1" data-bbox="231 220 920 304"> <caption>Table 6: Noise Criteria</caption> <thead> <tr> <th>Receivers</th> <th>L_{Aeq} (15 minute) dB(A)</th> </tr> </thead> <tbody> <tr> <td>1, 2, 4, 5, 6, 7</td> <td>47</td> </tr> <tr> <td>All other privately owned land</td> <td>35</td> </tr> </tbody> </table> <p>Notes:</p> <ul style="list-style-type: none"> To identify the receivers referred to in Table 6, see the plan in Appendix 3. Noise generated by the site is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy. <p>These criteria do not apply if the Proponent has a written agreement with the relevant landowner to exceed the criteria, and the Proponent has advised the Department in writing of the terms of this agreement.</p>	Receivers	L _{Aeq} (15 minute) dB(A)	1, 2, 4, 5, 6, 7	47	All other privately owned land	35	No	No	No	Non Triggered	Site inspection and interviews.	Landfill and Quarry are not operational.															
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Condition 9	<p>The Proponent shall:</p> <ul style="list-style-type: none"> (a) implement best management practice, including all reasonable and feasible noise management and mitigation measures to minimise operational, low frequency and traffic noise generated by quarrying operations; (b) minimise the noise impacts of quarrying operations during adverse meteorological conditions when noise criteria do not apply; (c) maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired; and (d) regularly assess the monitoring data and relocate, modify and/or stop quarrying operations to ensure compliance with the relevant conditions of this approval. 	No	No	No	Non Triggered	Site inspection and interviews.	Landfill and Quarry are not operational.																					
Noise Management Plan																												
Condition 10	<p>The Proponent shall prepare and implement a Noise Management Plan for quarrying operations in consultation with the EPA and to the satisfaction of the Director-General. The plan must:</p> <ul style="list-style-type: none"> (a) be prepared and implemented by a suitably qualified and experienced person whose appointment has been approved by the Director-General; (b) be submitted for approval by the Director-General prior to commencement of quarrying operations; (c) describe the measures that will be implemented to ensure: <ul style="list-style-type: none"> best management practice is being employed on site; the noise impacts of quarrying operations are minimised during any meteorological conditions when the noise criteria in this approval do not apply; and compliance with the relevant conditions of this approval. (d) describe the noise management system; (e) includes a noise monitoring program that: <ul style="list-style-type: none"> is capable of evaluating the performance of the quarry, including individual items of plant such as the hard rock drill and the quarry processing plant; includes a protocol for determining exceedances of the relevant conditions of this approval; and evaluates and reports on the effectiveness of the noise management system. 	No	No	No	Non Triggered	Site inspection and interviews.	Quarry is not operational.																					
Blasting Criteria																												

Condition 11	The Proponent shall ensure that blasting on site does not cause exceedances of the criteria in Tab <i>Table 8: Blasting Criteria</i>	No	No	No	Non Triggered	Site inspection and interviews.	Quarry is not operational.														
	<table border="1"> <thead> <tr> <th>Receiver</th> <th>Airblast Overpressure (dB(Lin Peak))</th> <th>Ground Vibration (ppv(mm/s))</th> <th>Allowable Exceedance</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Residence on privately-owned land</td> <td>115</td> <td>5</td> <td>5% of the total number of blasts over a period of 12 months</td> </tr> <tr> <td>120</td> <td>10</td> <td>0%</td> </tr> <tr> <td>All public infrastructure</td> <td>--</td> <td>50, or alternatively a specific limit determined to the satisfaction of the Director-General by the structural design methodology in AS 2187.2-2006, or its latest version</td> <td>0%</td> </tr> </tbody> </table> <p>Note: These criteria do not apply if the Proponent has a written agreement with the relevant owner, and has advised the Department in writing of the terms of this agreement.</p>	Receiver	Airblast Overpressure (dB(Lin Peak))	Ground Vibration (ppv(mm/s))	Allowable Exceedance	Residence on privately-owned land	115	5	5% of the total number of blasts over a period of 12 months	120	10	0%	All public infrastructure	--	50, or alternatively a specific limit determined to the satisfaction of the Director-General by the structural design methodology in AS 2187.2-2006, or its latest version	0%					
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	Blasting Hours																				
Condition 12	The Proponent shall only carry out blasting on site between 9am and 3pm Monday to Friday inclusive. No blasting is permitted on Saturdays, Sundays, public holidays, or at any other time without the written approval of the Director-General.	No	No	No	Non Triggered	Site inspection and interviews.	Quarry is not operational.														
	Blasting Frequency																				
Condition 13	The Proponent shall not carry out more than 1 blast a day unless an additional blast is required following a blast misfire.	No	No	No	Non Triggered	Site inspection and interviews.	Quarry is not operational.														
	Property Investigations																				
Condition 14	<p>If the owner of any of the receivers shown on the plan in Appendix 3 claims that buildings and/or structures on his/her land have been damaged as a result of blasting on the site, then within 2 months of receiving this claim the Proponent shall:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties to investigate the claim; and</p> <p>(b) give the landowner a copy of the property investigation report.</p> <p>If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Proponent shall repair the damage to the satisfaction of the Director-General.</p> <p>If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Proponent or the landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Director-General for resolution.</p>	No	No	No	Non Triggered	Site inspection and interviews.	Quarry is not operational.														
	Operating Conditions																				
Condition 15	<p>During quarrying operations on site, the Proponent shall:</p> <p>(a) implement best management practice to:</p> <ul style="list-style-type: none"> - protect the safety of people and livestock in the surrounding area; - protect public or private infrastructure/property in the surrounding area from any damage; and - minimise the dust and fume emissions of any blasting; <p>(b) minimise the frequency and duration of any road closures, and avoid road closures during peak traffic periods; and</p> <p>(c) operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site, to the satisfaction of the Director-General.</p>	No	No	No	Non Triggered	Site inspection and interviews.	Quarry is not operational.														
Condition 16	<p>The Proponent shall not undertake blasting on site within 500 metres of:</p> <p>(a) any public road without the approval of the appropriate road authority; or</p> <p>(b) any land outside the site that is not owned by the Proponent, unless:</p> <ul style="list-style-type: none"> - the Proponent has a written agreement with the relevant landowner to allow blasting to be carried out closer to the land, and the Proponent has advised the Department in writing of the terms of this agreement, or - the Proponent has: <ul style="list-style-type: none"> > demonstrated to the satisfaction of the Director-General that the blasting can be carried out closer to the land without compromising the safety of the people or livestock on the land, or damaging the buildings and/or structures on the land; and > updated the Blast Management Plan to include the specific measures that will be implemented while blasting is being carried out within 500 metres of the land. 	No	No	No	Non Triggered	Site inspection and interviews.	Quarry is not operational.														
	Blast Management Plan																				

Condition 17	The Proponent shall prepare and implement a Blast Management Plan for quarrying operations in consultation with the EPA and to the satisfaction of the Director-General. The plan must: (a) be prepared and implemented by a suitably qualified and experienced person whose appointment has been approved by the Director-General; (b) be submitted for approval by the Director-General prior to commencement of quarrying operations; (c) describe the blast management and mitigation measures that will be implemented to ensure compliance with the relevant conditions of this approval; (d) describe the measures that will be implemented to ensure that the public can get up to date information on the proposed blasting schedule on the site; and (e) including a blast monitoring program to evaluate the performance of the project.	No	No	No	Non Triggered	Site inspection and interviews.	Quarry is not operational.	
Licensing								
Condition 18	Prior to commencement of quarry construction, the Proponent is required to obtain the necessary water licences for the project under the Water Act 1912 and/or the Water Management Act 2000. Note: Licenses are required for groundwater bores, dams, excavations that may intercept groundwater, dewatering activities and extraction or interception of surface water.	No	No	No	Non Triggered	Site inspection and interviews.	Quarry construction has not commenced.	
Water Supply								
Condition 19	The Proponent shall ensure that it has sufficient water during all stages of the project and, if necessary, adjust the scale of quarrying operations to match its available supply.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill and Quarry are not operational.	
Groundwater Assessment								
Condition 20	The Proponent shall prepare a groundwater assessment for quarrying operations in consultation with NOW and to the satisfaction of the Director-General. The plan must: (a) be prepared by a suitably qualified and experienced person whose appointment has been approved by the Director-General; (b) be submitted for approval by the Director-General prior to commencement of quarrying operations; (c) include a monitoring program including: · installation and monitoring of groundwater bores to determine groundwater levels, flow direction and quality within the alluvium of the Tweed River flood plain and adjacent hard rock aquifers; · provision of bore logs showing construction details and geological units; · 6 hourly data logging of groundwater levels and fortnightly sampling data of groundwater quality to establish temporal trends for a minimum period of 12 months; and · pump testing to determine hydraulic properties and yield for the alluvium and hard rock aquifers; (d) a groundwater model that identifies: · the extent of depressurisation resulting from the project; · the predicted drawdown or loss of supply to any water courses or groundwater users; and · the predicted impacts on any groundwater dependent ecosystems.	No	No	No	Non Triggered	Site inspection and interviews.	Quarry is not operational.	
Water Management Plan								

Condition 21	The Proponent shall prepare and implement a Water Management Plan for quarrying operations in consultation with the EPA and NOW and to the satisfaction of the Director-General. The plan must be prepared and implemented by a suitably qualified and experienced person whose appointment has been approved by the Director-General and be submitted for approval by the Director-General prior to commencement of quarrying operations. The plan must be consistent with the latest version of the Blue Book Volume 2E. The plan must include a: (a) Site Water Balance that: · includes details of: > sources and security of water supply, including contingency planning for future reporting periods; > water use on site; > any off-site water transfers; > water management on site; > reporting procedures, including comparisons of the site water balance each calendar year; and · the measures that will be implemented to minimise clean water use on site. (b) Surface Water Management Plan that includes: · detailed baseline data on surface water flows and quality in the creeks and water-bodies that could be affected by the project; · a detailed description of the surface water management system on site, including the: > clean water diversion systems; > erosion and sediment controls; and > water storages. · a plan for extracting, handling, and emplacing any long term potentially acid-forming material identified on the site; · detailed plans, including design objectives and performance criteria, for: > the water storage dams; > reinstatement of drainage lines on the rehabilitated areas of the site; and > control of water pollution from rehabilitated areas of the site. <i>performance criteria, including trigger levels for investigating any potentially adverse or</i>	No	No	No	Non Triggered	Site inspection and interviews.	Quarry is not operational.	
Condition 22	The Proponent shall: (a) carry out Acid Sulphate Soil (ASS) testing for areas of the site to be disturbed in accordance with the NSW State Government's Acid Sulphate Soils Manual (ASSMAC 1998); (b) provide all results of this testing to OEH; and (c) should testing indicate that any potential or actual ASS may be disturbed during the life of the project, the Proponent shall prepare and implement an ASS Management Plan in accordance with Condition 23 of this schedule.	Yes	No	No	Non Triggered	Site inspection and interviews.	No disturbance of ASS from construction of haul road.	
Condition 23	If potential or actual ASS are identified on the site (refer to Condition 22 of this schedule), the Proponent shall prepare and implement an ASS Management Plan for the project to the satisfaction of the Director-General. This Plan must: (a) be prepared in consultation with OEH and NOW by a suitably qualified and experienced expert; (b) be submitted for approval by the Director-General prior to disturbing areas of the site where potential or actual ASS is present; (c) outline the preliminary investigations that have been undertaken to test for the presence of ASS; (d) detail the protocols to be put in place and followed in the event that ASS is encountered; (e) detail how the ASS will be tested, handled and stockpiled; (f) detail measures to prevent erosion and sedimentation of ASS; and, if necessary (g) outline how the ASS will be disposed of off-site (e.g. at a licensed facility).	Yes	No	No	Non Triggered	Site inspection and interviews.	No disturbance of ASS from construction of haul road.	
Traffic Monitoring								
Condition 24	The Proponent shall: (a) keep accurate records of amount of the volume of quarry products transported from the site; (b) nominate a haulage route to be used by heavy vehicles accessing the quarry; and (c) make these records available in its Annual Report.	No	No	No	Non Triggered	Site inspection and interviews.	Quarry is not operational.	
Operating Conditions								
Condition 25	The Proponent shall ensure that: (a) quarry vehicles on site do not exceed a speed limit of 30 kilometres per hour; (b) all loaded quarry vehicles entering or leaving the site have their loads covered; and (c) all loaded quarry vehicles leaving the site are cleaned of dirt, sand and other materials before they leave the site, to avoid tracking these materials on public roads.	No	No	No	Non Triggered	Site inspection and interviews.	Quarry is not operational.	
Condition 26	The Proponent shall implement all reasonable and feasible measures to minimise project-related heavy vehicle traffic on the nominated quarry haulage routes during hours in which school buses are operating these routes to the satisfaction of the Director-General.	No	No	No	Non Triggered	Site inspection and interviews.	Quarry is not operational.	
Traffic Management Plan								

Condition 27	<p>The Proponent shall prepare and implement a Transport Management Plan for quarrying operations in consultation with RMS and to the satisfaction of the Director-General. The plan must:</p> <ul style="list-style-type: none"> (a) be prepared and implemented by a suitably qualified and experienced person whose appointment has been approved by the Director-General; (b) be submitted for approval prior to commencement of quarrying operations; (c) include a plan showing the quarry haulage route to be used by heavy vehicles; (d) include a drivers code of conduct; (e) describe the measures that will be implemented to ensure: <ul style="list-style-type: none"> · the nominated haulage route in used; · haulage is minimised or routes altered to avoid school buses; · a CB radio communication protocol is established with local bus companies, to improve driver awareness of quarry truck and school bus locations along haulage routes; · drivers adhere to the code of conduct; and · compliance with the relevant conditions of this approval. (f) include a program to monitor the effectiveness of these measures. 	No	No	No	Non Triggered	Site inspection and interviews.	Quarry is not operational.																			
Heritage Management Plan																										
Condition 28	<p>The Proponent shall prepare and implement a Heritage Management Plan for the project to the satisfaction of the Director-General. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared in consultation with OEH and Aboriginal stakeholders; (b) be submitted to the Director-General for approval prior to commencement of surface disturbance; (c) include an Aboriginal Cultural Heritage Induction Program for all personnel and contractors involved in construction and operational activities on the site; (d) describe the measures that will be implemented to: <ul style="list-style-type: none"> · monitor all new surface disturbance on site for unidentified heritage objects; · manage the discovery of any human remains or previously unidentified heritage objects on site; and · ensure ongoing consultation with Aboriginal stakeholders in the conservation and management of any Aboriginal cultural heritage values on site. 	Yes	No	No	Compliant	<p>2022 - no change.</p> <p>2018 - Letter from DPE to TSC (4.6.14)</p>	<p>2022 - no change.</p> <p>2018 - DPE wrote to TSC approving the HMP (4.6.14)</p>																			
Biodiversity Offset																										
Condition 29	<p>By 31 December 2013, unless the Director-General agrees otherwise, the Proponent shall:</p> <ul style="list-style-type: none"> (a) implement the biodiversity offset strategy as described in the EA, summarised in Table 9, and described and depicted in the figure in Appendix 4; and (b) make suitable arrangements, in consultation with OEH, to provide appropriate long term conservation security for Area 1, to the satisfaction of the Director-General. <table border="1" data-bbox="252 1228 934 1459"> <caption>Table 9: Biodiversity Offset Strategy</caption> <thead> <tr> <th>Area</th> <th>Summary of Offset</th> <th>Minimum Size</th> </tr> </thead> <tbody> <tr> <td>Area 1</td> <td>Retention and management of existing vegetation to be designated as natural area of bushland</td> <td>6.5 hectares</td> </tr> <tr> <td>Area 2</td> <td>Revegetation of drainage line using locally sourced swamp sclerophyll/koala feed trees and provide alternative corridor for connectivity across cleared area</td> <td>1.9 hectares</td> </tr> <tr> <td>Area 3</td> <td>Revegetation of ridgeline using koala feed trees and other fauna resources to enhance connectivity along ridgeline</td> <td>0.4 hectares</td> </tr> <tr> <td>Area 5</td> <td>Retention and management of native vegetation including potential koala feed trees</td> <td>1.1 hectares</td> </tr> <tr> <td>Area 6</td> <td>Retention of vegetated corridor along ridgeline and connectivity to native vegetation</td> <td>2.2 hectares</td> </tr> </tbody> </table>	Area	Summary of Offset	Minimum Size	Area 1	Retention and management of existing vegetation to be designated as natural area of bushland	6.5 hectares	Area 2	Revegetation of drainage line using locally sourced swamp sclerophyll/koala feed trees and provide alternative corridor for connectivity across cleared area	1.9 hectares	Area 3	Revegetation of ridgeline using koala feed trees and other fauna resources to enhance connectivity along ridgeline	0.4 hectares	Area 5	Retention and management of native vegetation including potential koala feed trees	1.1 hectares	Area 6	Retention of vegetated corridor along ridgeline and connectivity to native vegetation	2.2 hectares	Yes	No	No	Non-Compliant	TSC letter to DPE (18 December 2013) outlining the Biobank Offset Strategy Landscape Management Plan	<p>TSC is currently in discussions with DPE to negotiate an appropriate outcome. BCD correspondence of 21 February 2020, BCD agreed in principle to the use of an s88B. TSC is in negotiations with DPE (Post Approvals) to action the s88B.</p> <p>TSC have commenced planting and management of offset areas (trees) in anticipation of approval.</p> <p>Mitigation Measures outlined in the CoA 29 Areas 1 to 6 have been undertake. It is noted that the Area 1 actual size is 3.5Ha not 6.5Ha. The EIS approved plans are correct and were used for the offset. The 6.5Ha is in error and should be amended.</p> <p>The offsetting requirements have been implemented but not by 31 December 2013, however DPE have not approved the Biodiversity Offset Strategy.</p>	1
Area	Summary of Offset	Minimum Size																								
Area 1	Retention and management of existing vegetation to be designated as natural area of bushland	6.5 hectares																								
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White Lace Flower Translocation Plan																										

Condition 30	The Proponent shall prepare and implement a Translocation Plan for the White Lace Flower to the satisfaction of the Director-General. This plan must: (a) be prepared by suitably qualified and experienced persons whose appointment has been approved by the Director-General; (b) be prepared in consultation with OEH; (c) be submitted to the Director-General for approval by the end of July 2013 or as otherwise agreed to in writing by the Director-General; (d) describe the measures that will be implemented to: · translocate and manage the orchids; · monitor and report on the success of the translocation; and · ensure suitable contingency measures are implemented if the monitoring suggests the translocation is not working as well as intended; and (e) provide for the findings of the translocation process to be published in a suitable scientific publication.	Yes	No	No	Compliant	2022 - WLF TP Rev 5. 2018 - WLF Translocation Plan - in file. DPE approval letter has been provided by TSC (4.6.14).	2022 - WLF TP reviewed and amended to remove the requirement to purchase of local seed. The current WTFTP is Revision 5. 2018 - WLF Translocation Plan submitted to DPE on the 28 August 2013 and DPE approved on the 4 June 2014. Unable to source local seed for the WLF and hence Ecologist is in favour of purchasing local seed.	
Landscape Management Plan								
Condition 31	The Proponent shall prepare and implement a Landscape Management Plan for the project to the satisfaction of the Director-General. This plan must: (a) be prepared in consultation with OEH, DRE and DPI (Agriculture); (b) be submitted to the Director-General for approval prior to commencement of quarrying operations; (c) describe how the implementation of the Biodiversity Offset Strategy will be integrated with the overall rehabilitation of the site and the proposed Tweed Regional Botanical Gardens Project; (d) describe the short, medium and long term measures that will be implemented to: · manage remnant vegetation and habitat on site; · minimise the visual impacts of the project on surrounding receivers; · implement the Biodiversity Offset Strategy; and · ensure compliance with the rehabilitation objectives and progressive rehabilitation obligations in this approval; (e) include detailed performance and completion criteria for evaluating the performance of the Biodiversity Offset Strategy and the rehabilitation of the site, including triggering remedial action (if necessary); (f) include a detailed description of the measures that will be implemented over the next 3 years, including the procedures to be implemented for: · ensuring compliance with the rehabilitation objectives and progressive rehabilitation obligations in this approval; · enhancing the quality of remnant vegetation and fauna habitat with a focus on restoring Lowland Forest EEC and providing Koala feed trees; · restoring native endemic vegetation and fauna habitat within the biodiversity offset areas and rehabilitation area; · maximising the salvage of environmental resources within the approved disturbance area – including vegetative and soil resources – for beneficial reuse in the enhancement of the biodiversity areas or rehabilitation area; · collecting and propagating seeds;	Yes	No	No	Non-Compliant	Landscape Management Plan Biodiversity Offset Strategy	Actions outlined in the LMP have progressed. For example, 14,000 plants have been planted, nest boxes were installed, tallwood hollows were installed (not a requirement) and maintenance has occurred from 2016-2021. However, these actions have been undertaken from the BOS / LMP which has not yet been approved. On the basis of the notes and interviews for Condition 30, TSC is in negotiations with DPE to approve the LMP and proceed with the s88B.	2
Conservation and Rehabilitation Bond								
Condition 32	Within 6 months of the approval of the Landscape Management Plan, the Proponent shall lodge a Conservation and Rehabilitation Bond with the Department to ensure that the Biodiversity Offset Strategy and the rehabilitation of the site is implemented in accordance with the performance and completion criteria set out in the Landscape Management Plan. The sum of the bond shall be determined by: (a) calculating the full future cost of implementing the Biodiversity Offset Strategy; (b) calculating the cost of rehabilitating the site, taking into account the likely surface disturbance over the next 3 years of quarrying operations; and (c) employing a suitably qualified quantity surveyor or other expert to verify the calculated costs; to the satisfaction of the Director-General. Notes: · If capital and other expenditure required by the Landscape Management Plan is largely complete, the Director- General may waive the requirement for lodgement of a bond in respect of the remaining expenditure. · If the Biodiversity Offset Strategy and rehabilitation of the site area are completed to the satisfaction of the Director-General, the Director-General will release the bond. If the Biodiversity Offset Strategy and rehabilitation of the site are not completed to the satisfaction of the Director-General, the Director-General will call in all or part of the bond, and arrange for the completion of the relevant works.	Yes	No	No	Non-Compliant	Landscape Management Plan Biodiversity Offset Strategy	Bond not paid as the BOS and LMP has not been approved by DPE.	3

Condition 33	<p>Within 3 months of each Independent Environmental Audit (see Condition 10 of Schedule 6), the Proponent shall review, and if necessary revise, the sum of the Conservation and Rehabilitation Bond to the satisfaction of the Director-General. This review must consider the:</p> <p>(a) effects of inflation;</p> <p>(b) likely cost of implementing the Biodiversity Offset Strategy and rehabilitating the site (taking into account the likely surface disturbance over the next 3 years of the project); and</p> <p>(c) performance of the implementation of the Biodiversity Offset Strategy and rehabilitation of the site to date.</p>	Yes	No	No	Non-Compliant	<p>Independent Environmental Audit (2018)</p> <p>Independent Environmental Audit (2022) - current</p> <p>Landscape Management Plan</p>	<p>TSC is awaiting for BOS and LMP to be approved by DPE to then trigger the need for the bond.</p>	4
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CoA	Requirement	Triggered by Haul Road	Triggered by Quirks Landfill	Triggered by West Valley Quarry	Compliance Status	Evidence Collected	Independent Audit Findings and Recommendations	Unique Identification on Non Compliance
08_00068 - Schedule 5 - Additional Procedures								
Condition 1	As soon as practicable after obtaining monitoring results showing an: (a) exceedance of any relevant criteria in Schedule 4, the Proponent shall notify affected landowners in writing of the exceedance, and provide regular monitoring results to each of affected landowner until the project is again complying with the relevant criteria; and (b) an exceedance of the relevant air quality criteria in Schedule 4, the proponent 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/or existing tenants of the land.	No	No	No	Non Triggered	Site inspection and interviews.	The Landfill and Quarry are not operational and hence monitoring of the criteria in Schedule 4 has not commenced.	
Condition 2	If an owner of privately-owned land considers the project to be exceeding the relevant criteria in Schedule 4, then he/she may ask the Director-General in writing for an independent review of the impacts of the project on his/her land. If the Director-General is satisfied that an independent review is warranted, then within 2 months of the Director-General's decision the Proponent shall: (a) commission a suitably qualified, experienced and independent expert, whose appointment has been approved by the Director-General, to: · consult with the landowner to determine his/her concerns; · conduct monitoring to determine whether the project is complying with the relevant criteria in Schedule 4; and · if the project is not complying with these criteria, then identify the measures that could be implemented to ensure compliance with the relevant criteria; and (b) give the Director-General and landowner a copy of the independent review.	No	No	No	Non Triggered	Site inspection and interviews.	The Landfill and Quarry are not operational.	
Condition 3	If the independent review determines that the project is complying with the relevant criteria in Schedule 4, then the Proponent may discontinue the independent review with the approval of the Director-General. If the independent review determines that the project is not complying with the relevant criteria in Schedule 4, then the Proponent shall: (a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent expert, and conduct further monitoring until the project complies with the relevant criteria; or (b) secure a written agreement with the landowner to allow exceedances of the relevant criteria, to the satisfaction of the Director-General.	No	No	No	Non Triggered	Site inspection and interviews.	The Landfill and Quarry are not operational.	

CoA	Requirement	Triggered by Haul Road	Triggered by Quirks Landfill	Triggered by West Valley Quarry	Compliance Status	Evidence Collected	Independent Audit Findings and Recommendations	Unique Identification on Non Compliant
08_00068 - Schedule 6 - Environmental management, reporting and auditing								
Condition 1	The Proponent shall prepare and implement a Community Education Program for the project to the satisfaction of the Director-General. This program must be submitted to the Director-General for approval prior to the commencement of landfilling operations, and shall at a minimum focus on: (a) promoting the: · resource recovery activities provided at the site; · community benefits of composting food and garden waste; and · importance of food waste recovery from all waste streams, but particularly the commercial and industrial waste stream.	No	No	No	Compliant	2022 - no change 2018 - DPE Letter.	2022 - no change 2018 - Letter from DPE allows staging hence this condition is not required at this stage. DPE have agreed to three phases: 1. Haul Road 2. Landfill 3. Quarry	
Condition 2	The Proponent shall prepare and implement a Landfill Environmental Management Plan for the landfill in consultation with the EPA and NOW and to the satisfaction of the Director-General. This plan must: (a) be prepared by suitably qualified and experienced experts whose appointment has been endorsed by the Director-General; (b) be submitted to the Director-General for approval prior to commencement of landfilling operations; (c) describe the management measures that will be implemented to address: · the Environmental Guidelines for Solid Waste Landfills; and · the conditions of this approval; (d) include a copy of: · the relevant plans and programs required under this approval; · a quality assurance plan for the design and installation of the leachate management system and any capping of the landfill cells that covers the relevant issues outlined in the Environmental Guidelines for Solid Waste Landfills; (e) describe the procedures that will be implemented to: · keep the local community and relevant agencies informed about the operation and environmental performance of the project; · receive, handle, respond to, and record complaints; · resolve any disputes that may arise during the course of the project; and · respond to emergencies; and (f) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill and Quarry are not operational	
Condition 3	The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy must: (a) be submitted to the Director-General for approval prior to any development being carried out on the site under this approval; (b) provide the strategic framework for environmental management of the project; (c) identify the statutory approvals that apply to the project; (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project; (e) describe the procedures that will be implemented to: • keep the local community and relevant agencies informed about the operation and environmental performance of the project; • receive, handle, respond to, and record complaints; • resolve any disputes that may arise during the course of the project; • respond to any non-compliance; and • respond to emergencies; and	Yes	No	No	Non-Compliant	DPE approval letter on file (4.6.14)	No Change from the 2018 audit. EMS has been approved by DPE (4.6.14). DPE stated the EMS was a dynamic document which was to be reviewed quarterly. The works on site have been minimal and hence TSC have not needed to review the EMS. This will be required as the project matures.	5

Condition 4	<p>The Proponent shall assess and manage project-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedules 3 and 4. Any exceedances of these criteria and/or performance measures constitute a breach of this approval 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 Proponent shall, at the earliest opportunity:</p> <p>(a) take all reasonable and feasible measures to ensure that the exceedance ceases and does not recur:</p>	No	No	No	Non Triggered	Site inspection and interviews.	Landfill and Quarry are not operational	
Condition 5	<p>The Proponent shall ensure that the Management Plans required under this approval are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p> <ul style="list-style-type: none"> · the relevant statutory requirements (including any relevant approval, licence or lease conditions); · any relevant limits or performance measures/criteria; and · the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures; <p>(c) a description of the measures that will be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> · impacts and environmental performance of the project; and · effectiveness of any management measures (see (c) above); <p>(e) a contingency plan to manage any unpredicted impacts and their consequences;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the project over time;</p> <p>(g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> · incidents; · complaints; · non-compliances with statutory requirements; and · exceedances of the impact assessment criteria and/or performance criteria; and <p>(h) a protocol for periodic review of the plan.</p>	Yes	No	No	Compliant	<p>2022 - below plans are still relevant and in force. The following have been updated:</p> <ul style="list-style-type: none"> * Translocation Plan (2019) * Haul Road Soil and Water Management Plan <p>2018 -</p> <ul style="list-style-type: none"> * Environmental Management Strategy * Landscape Management Plan * WLF Translocation Plan * Restoration Plan (Prelim) * S&W MP (Haul Road) * Next Box Plan * Haul Road Excavated Road Materials Management Plan * Biodiversity Offset Strategy * Greenhouse Gas an Energy Management Strategy * Complaints Register 	<p>2022 - Existing approved plans are consistent with approval.</p> <p>There appears to still be two plans which have not been approved by DPE (source: 2020 Annual Environmental Management Report, Page 2:</p> <ul style="list-style-type: none"> * Biodiversity Offset Strategy; and * Landscape Management Plan. <p>2018 - A number of plans have been prepared (see adjacent cell) and sent to the DPE for approval. All plans (as are listed adjacent) have been approved by DPE except the Biodiversity Offset Plan and the Landscape Management Plan.</p> <p>The BOP and LMP appear to be consistent with this condition.</p>	
Condition 6	<p>By the end of March each year, the Proponent shall review the environmental performance of the project to the satisfaction of the Director-General. This review must:</p> <p>(a) describe the development (including rehabilitation) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the project over the previous calendar year, which includes a comparison of these results against:</p> <ul style="list-style-type: none"> • the relevant statutory requirements, limits or performance measures/criteria; • the monitoring results of previous years; and • the relevant predictions in the EA; <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 project;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the project, 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 project.</p>	Yes	Yes	Yes	Compliant	<p>2021 Annual Environmental Management Review</p> <p>Interviews</p>	<p>2021 Annual Environmental Management Review was due in March 2022. A draft was submitted to DPE and on 26th April 2022 TRC received a response from DPE accepting the AR 2022.</p> <p>Annual Reviews have been prepared for 2014 to 2020.</p> <p>2018 - The 2017 AR was compared against the required elements as set out in the Condition 2. Monitoring data is still considered background as no major works have commenced. Hence it is considered the results and commentary in the AR are considered adequate. DPE comment that the AR should be consistent with DPE guideline. the only guideline found was the DPE AR guideline relating to mining projects.</p>	

Condition 7	<p>Within 3 months of the submission of an:</p> <p>(a) annual review under Condition 6 of this schedule;</p> <p>(b) incident report under Condition 9 of this schedule;</p> <p>(c) audit report under Condition 11 of this schedule; and</p> <p>(d) any modifications to this approval,</p> <p>the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Director-General.</p>	Yes	No	No	Compliant	Site inspection and interviews. Independent Audit Report 2018	Annual Reviews - There has been no requirements or requests to change. Incident Reports - no incidents to report Independent Audit Report 2018 - following the report, the relevant plans and programs were updated. Review to this IEA for follow up.	
Condition 8	<p>The Proponent shall notify the Director-General and any other relevant agencies of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment associated with the project as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of this incident, the Proponent shall provide the Director-General and any relevant agencies with a detailed report on the incident.</p>	Yes	No	No	Compliant	Site inspection and interviews. Athol Kiem - Technical Officer, Quarry Operations and Quality	No environmental incidents A Quarterly Report is developed but Athol Kiem on the Eviron Haul Road and Section 9 Environmental Controls details inspections and incidents that occur. There has been no environmental incidents noted for the project.	
Condition 9	<p>The Proponent shall provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval.</p>	No	No	No	Compliant	Site inspection and interviews.	Landfill and Quarry are not operational	
Condition 10	<p>Within a year of the date of this approval, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:</p> <p>(a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General;</p> <p>(b) include consultation with the relevant agencies;</p> <p>(c) assess the environmental performance of the project and whether it is complying with the relevant requirements in this approval and any relevant EPL and/or Water License (including any assessment, plan or program required under these approvals):</p>	Yes	No	No	Non-Compliant	Site inspection, interviews and this report.	This audit addresses this requirement. The audit is now complete however is late which is mainly due to delays getting access to the site due to flooding and various parties to the audit contracting covid and needing to isolate.	6
Condition 11	<p>Within 3 months of commissioning this audit, or as otherwise agreed by the Director-General, the Proponent shall submit a copy of the audit report to the Director-General, together with its response to any recommendations contained in the audit report.</p>	Yes	No	No	Non-Compliant	Site inspection and interviews.	This audit team was approved by DPE on the 4 February however due to flooding, access and covid the audit does not meet this requirement. Site audit occurred on the 2 June 2022.	7

Condition 12	<p>The Proponent shall:</p> <p>(a) make the following information publicly available on its website:</p> <ul style="list-style-type: none"> • the EA; • current statutory approvals for the project; • approved strategies, plans or programs; • a summary of the monitoring results of the project, which have been reported in accordance with the various plans and programs approved under the conditions of this approval; • a complaints register, updated on a quarterly basis; • copies of any annual reviews (over the last 5 years); • any independent environmental audit, and the Proponent's response to the recommendations in any audit; and • any other matter required by the Director-General; and <p>(b) keep this information up-to-date, to the satisfaction of the Director-General.</p>	Yes	No	No	Compliant	<p>2022 - Interviews and checking the website. https://www.tweed.nsw.gov.au/environment/client-sustainability/sustainable-operations/environmental-monitoring</p> <p>2018 - website.</p>	<p>2022 - All document have been uploaded to the website. 2021 Annual Report has recently been approved and is in the process of being uploaded.</p> <p>2018 - When audited the 2017 ER was not on the website. As of 19.9.18 it is not on website. * Restoration Plan (Preliminary) is not on website * Haul Road S&WMP is not on website. * Nest Box Plan is not on website.</p>	
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SoC	Requirement	Triggered by Haul Road	Triggered by Quirks Landfill	Triggered by West Valley Quarry	Compliance Status	Evidence Collected	Independent Audit Findings and Recommendations	Unique Identification on Non Compliance
Appendix 1 - Statement of Commitments								
Environmental Management Plans								
Condition 1	Environmental management plans would be prepared and implemented to guide environmental management and monitoring activities during establishment and operation of all landfills and quarries. This will take the form of an LEMP for Quirks Quarry Landfill and a Plan of Management for West Valley Quarry. Council is committed to best practice environmental management for both the quarry and landfill activities.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill and Quarry are not operational	
Condition 2	A draft LEMP has already been prepared for the Quirks Quarry Landfill which outlines environmental management requirements for the waste disposal activities, including conceptual leachate management. The final LEMP will be developed in conjunction with the detail design of the landfill and will include a Soil, Water and Leachate Management Plan. It will address the EPA's requirements outlined in the recommended conditions of approval provided on 19 January 2012, and will include a surface water, groundwater and leachate response plan providing protocols to investigate and respond to potential surface or groundwater contamination associated with the development. The Office of Water and EPA will be consulted in the development of the LEMP which will be undertaken in conjunction with the detailed landfill design, particularly regarding the monitoring and management of stormwater, groundwater, leachate and landfill gas.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill and Quarry are not operational	
Condition 3	The quarry plan of management will include the following sub-plans: > Surface Water management and response plan – The plan would include a site water balance, the measures to retain and re-use the maximum amount of water on-site and ensure the surface run-off water is maintained at acceptable levels. The plan would also include erosion and sediment mitigation measures. > Groundwater management and response plan – the plan would include baseline groundwater data, impact assessment criteria, trigger levels, a program to monitor, assess and report on groundwater inflows and impacts on regional aquifers and surrounding watercourses. > Air quality management plan – The plan would include mitigation measures for control of odours, dust and particles and monitoring undertaken. > Noise management plan – The noise management plan will include noise and vibration control measures and the required monitoring activities. > Traffic management plan – The plan will include parking and access requirements, safety signage and training of personnel in traffic management. > Fire management plan – The plan would include details of sources of water for firefighting, the need for fire extinguishers on all mobile equipment and suitable training for site-based personnel as well as a fire response plan.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill and Quarry are not operational	
Surface Water								
Condition 4	Specific measures to maintain the quality of onsite and downstream surface water quality for the Stage 1 Project Application have been outlined in the Quirks Quarry Landfill Concept Design Report and draft Landfill Environmental Management Plan. General concepts for the West Valley Quarry have been provided in the Preliminary Quarry Study and include the following (note that a Soil, Water and Leachate Management Plan will accompany the application for an Environmental Protection Licence which will include further detail):	No	No	No	Non Triggered	Site inspection and interviews.	Landfill and Quarry are not operational	
Condition 5	A site water balance for quarrying and landfilling activities will be undertaken which will provide details of water sources and security of water supply, site water use and water management, off site water transfers, measure to minimise reuse of contaminated water	No	No	No	Non Triggered	Site inspection and interviews.	Landfill and Quarry are not operational	
Condition 6	Clean stormwater runoff from undisturbed or areas upstream of the quarry and landfill activities will be diverted around the activities to minimise the quantity of stormwater required to be stored (and potentially treated) onsite.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill and Quarry are not operational	
Condition 7	Stormwater runoff generated from active areas of the quarry and landfill will be captured in sediment basins and reused onsite wherever possible (for example for dust suppression). Concept designs for sediment basins associated with the Stage 1 Project Application have been developed and devices have been sized to minimise the opportunity for uncontrolled discharge from the site. Sizing and location of the stormwater management devices will be further refined during detail design.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill and Quarry are not operational	

Condition 8	A perimeter bund will be established around the northern end of the Quirks Quarry Landfill to a minimum RL of 6.5m AHD to address flooding in a 100 yr ARI regional flood event. In addition, the base of the landfill in Stage 3 will be raised by between 1m and 3m (based on the finished quarrying levels) such that the base of the landfill will fall towards the eastern end of the cell to reduce the impacts of potential overflowing of the perimeter bund.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill and Quarry are not operational	
Condition 9	The haul road from Stotts Creek has been designed to provide flood immunity to activities in the North and West Valley areas in 100 yr ARI regional flood event.	Yes	No	No	Compliant	Site inspection, interviews and 2018 Audit results.	The 2018 Audit reviewed this condition and it was found to be compliant. There has been no change to this outcome. 2018 - John McIntosh - Supervisor - Civil Engineering Design. Internally designed the preload. Road will be designed to Council standards and Austroads standard. There is no AS for haul road. AS relates more to the materials, signs, curves and kerbs.	
Condition 10	Any works within 40 m of a watercourse will be undertaken in a manner consistent with the NOW (2008) Guidelines for Controlled Activity Approvals.	No	No	No	Non Triggered	Waterway Mapping	No waterway within 40m of the Haul Road.	
Condition 11	Leachate generated by the landfill activities and any stormwater which comes into contact with waste will initially be stored within the waste cell and once characteristics such as quantity, quality and generation rates are determined a leachate treatment process will be established. Prior to the establishment of a leachate treatment process, leachate levels within the landfill will be closely monitored to ensure that the storage capacity of the waste is not exceeded and if necessary leachate can be pumped out and appropriately disposed of to avoid impacts on surface water quality.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill and Quarry are not operational	
Condition 12	Should any of the sediment basins proposed, be classified as dams under SEPP 52 Farm Dams, they will be constructed and operated in accordance with this policy and with any Harvestable Right Order published under section 54 of the Water Management Act 2000.	No	No	No	Non Triggered	Site inspection and interviews.	Landfill and Quarry are not operational	
Condition 13	The baseline surface water monitoring program will continue in the lead up to the establishment of the landfill and quarry such that site specific water quality objectives/trigger values can be established. During quarry and landfill operations surface water monitoring will be conducted in accordance with the conditions of the Environmental Protection Licence (including specified frequencies and analytical suite).	Yes	No	No	Compliant	Annual Environmental Management Review - surface water monitoring.	AEMR including monitoring results for pre-construction	
Condition 14	Following completion of landfilling, sediment basins used for stormwater detention will be converted to wetlands.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Groundwater								
Condition 15	Preparation of a Soil, Water and Leachate Management Plan including details of planned responses and proposed measures to investigate potential groundwater contamination associated with the development.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 16	Further geotechnical and hydrogeological investigations will be undertaken during detail design of the landfills and quarries to address potential issues associated groundwater management such as dewatering during quarrying and hydraulic conductivity and connectivity between alluvial deposits and bedrock.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 17	The additional groundwater investigations for West Valley Quarry will be undertaken in consultation with the Office of Water and will include installation and monitoring of groundwater bores to determine groundwater levels, flow direction and quality within the alluvium and hard rock aquifers, bore logs, data logging of groundwater levels and fortnightly sampling data of groundwater quality to establish temporal trends for a minimum period of 12 months, and pump testing to determine hydraulic properties and yield for the alluvium and hard rock aquifers.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 18	A groundwater model for the West Valley Quarry will be prepared that identifies the extent of depressurisation resulting from the project, predicted drawdown or loss of supply to any water courses or groundwater users, and the predicted impacts on any groundwater dependent ecosystems	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 19	No further excavation below the final quarry floor levels will be undertaken for the establishment of the waste cells for Quirks Quarry (and future North and West Valley) landfills.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	

Condition 20	Council will ensure the proper compaction of the floor of each landfill cell to achieve a uniform low permeability equivalent to less than 1 x 10 ⁻⁹ m/s for a depth of at least 0.9 m. The in situ permeability of compacted material would be tested by sampling and laboratory testing to ensure the required permeability level has been achieved in accordance with a construction quality assurance (CQA) plan. In addition a high density polyethylene liner will be installed across the base of the landfill to further prevent migration of leachate to the local groundwater environment.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational		
Condition 21	The base of the Stage 3 cell of the Quirks Quarry Landfill will also be raised by between 1m and 3m (based on the finished quarrying levels) to further reduce potential impacts to the local groundwater environment.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational		
Condition 22	Council would continue to undertake a groundwater monitoring program including groundwater level and quality monitoring both for continued baseline data collection prior to commissioning of site activities and will continue the program in accordance with the eventual EPL's for the proposed activities.	Yes	No	No	Compliant	2022 - Annual Review and discussion with TSC staff. 2018 - Annual Review and discussion with TSC staff.	2022 - No Change. GW monitoring being undertaken. Is in the AR which is released annually. 2018 - GW monitoring being undertaken. Is in the AR which is released annually.		
Condition 23	In the event that any onsite infrastructure intercepts the water table, or if dewatering is required consultation will be undertaken with NOW officers during detail design to determine licencing issues.	Yes	No	No	Compliant	Site inspection and interviews	No infrastructure onsite and no proposed dewatering during this stage.		
Condition 24	Any required groundwater licenses will be obtained and associated works appropriately authorised prior to works commencing.	No	No	No	Non Triggered	Site inspection and interviews	No groundwater licenses are required.		
Condition 25	Additional acid sulphate soils investigations along the haul road during detail design to better characterise potential issues and identify management requirements for construction of the road;	Yes	No	No	Compliant	Site inspection and interviews	During detailed design it was concluded that no excavation was required on the Haul Road and hence no further ASS investigation was warranted.		
Condition 26	Development of a revised Acid Sulphate Soils Management Plan following completion of additional investigations;	No	No	No	Non Triggered	Site inspection and interview	Not applicable for the Haul Road works.		
Condition 27	Ongoing groundwater monitoring as described in the groundwater commitments to monitoring acid sulphate soil indicators; and	Yes	No	No	Compliant	GW monitoring and AEMR	TSC reviews GW monitoring results for ASS indicators and is included in the Water Management chapter under Environmental Performance.		
Condition 28	Vigilant monitoring of any clay imported from offsite sources for the construction of landfill liners.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational		
Condition 29	If required, the design of a management system for pyritic materials site will follow detailed drilling, testing and delineation of PAF material to be conducted as part of the detailed design for the quarry. The key management measure for pyritic materials will be to avoid disturbance or drainage of PAF. Where this is not feasible, typical management options will be based on: - Maintaining saturated conditions to exclude oxygen and prevent oxidisation; - Excluding air to prevent oxidisation; - Capping to exclude water, to prevent leachate generation, by separate cell construction or storage in or beneath post-quarry landfill; - Carbonate-rich capping, to develop alkaline infiltration to neutralise leachate and coat sulphide grains to reduce oxidisation (passivation); - Direct neutralisation of potential acidity of excavated PAF material; or - A combination of the above.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational		
Condition 30	Additional soil and rock testing for net acid generation (NAG) and net acid potential (NAPP) and metallic elements will be undertaken during detail design together with geotechnical investigations.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational		
Soils and Land Capability									
Condition 31	Additional hydrogeological assessment will also be performed, based on water level data from all existing monitoring bores and core holes, to assess the final post-operation water table, to determine if significant quantities of PAF will be drained in-situ, leading to additional risk of AMD generation.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational		
Condition 32	A Soil, Water and Leachate Management Plan will be prepared to the satisfaction of the EPA as part of the application for an Environmental Protection Licence and will include all detailed measures for managing soils and land capability. As a minimum Council will implement the following measures:	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational		

Condition 33	Minimise soil erosion and sediment mobilisation to the downstream receiving environment identification of high risk activities and areas, and development of appropriate mitigation and control measures.	Yes	No	No	Compliant	Interview and review of Eviron Quarry and Landfill Project Site Haul Road Construction Soil and Water Management Plan (2019)	As part of the Haul Road development a Haul Road Construction Soil and Water Management Plan (July 2019) has been prepared. Upon review, this plan is consistent with introduction of appropriate soil and water mitigation and control measures.	
Condition 34	Topsoil removed for quarrying would be stockpiled and used later for revegetation and rehabilitation of the final landfill cover.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 35	Care would be taken to ensure that topsoils and subsoils are not stripped when they are too moist.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 36	Topsoil stockpiles would be up to 1 m high and subsoil/overburden stockpiles would not exceed 3 m in height.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 37	Subsoil and topsoil stockpiles would be located within the footprint of the landfill, quarry or on the upper surface of completed landfill stages.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 38	Stabilisation measures would be used until vegetation is established on the stockpiled soil.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
	Biodiversity							
	<i>Substantially avoid clearing of areas of higher ecological significance.</i>							
Condition 39	The quarry footprint and haul road have been designed such that they minimise clearing of native vegetation and predominantly avoid areas of higher ecological value vegetation.	Yes	No	No	Compliant	Site inspection, EIS Haul Road SWMP	The Haul Road was designed to minimise clearing and the post approval documents are consistent with this design.	
Condition 40	Council has realigned the haul road concept to avoid clearing of vegetation type 7, and commits to the avoidance of clearing of an area of this vegetation type that falls within the eastern section of the quarry footprint currently shown. The quarry footprint would be revised to reflect this during detailed design.	Yes	No	No	Compliant	Site inspection, EIS and Haul Road SWMP.	The Haul Road was designed to minimise clearing and the post approval documents are consistent with this design.	
Condition 41	Retain and Manage Higher Ecological Value Areas – Council commits to a restriction on use on a portion of Lot 1 DP 1159532 registered on the title imposing a legal obligation in perpetuity to abide by the management actions of a Habitat Management Plan (to be developed by Council). A plan showing the habitat areas on the lot would be registered with the s88B instrument to identify the area burdened by the restriction.	Yes	No	No	Compliant	Biodiversity Offset Strategy 21.2.2020 - BCD letter	This relates to the Biodiversity Offset Strategy. TSC is currently in discussion with DPE to negotiate an appropriate outcome. 21 February 2020, BCD have agreed in principle to the use of an s88B. Council in negotiations with DPE (Post Approvals) to finalise.	
Condition 42	Areas of higher ecological value will be clearly marked by fencing with high visibility fauna permeable fencing or similar. Include these areas as 'vegetation protection areas' in an approved Environmental Management Plan.	Yes	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
	<i>Maintain and enhance or restore habitat connectivity.</i>							
Condition 43	Retain a vegetated corridor along the ridgeline - the quarry footprints have been designed such that they retain a vegetated corridor along the western ridgeline.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 44	Develop an east-west movement corridor - To provide future potential habitat and an alternate route for connectivity across the site, planting of suitable riparian / floodplain vegetation will be undertaken adjacent to the watercourse in Lot 1 DP1159352. This will create a vegetated corridor that connects the lowland areas to the ridgeline and effectively connect vegetation adjacent to the eastern side of Quirks Quarry to retained eucalypt open forest in the central western area of the site and link to the ridgeline.	Yes	No	No	Compliant	The Staged Landscape Management Plan, Offset Strategy and Management Measures Figure 51.	Plans developed post approval are consistent with establishing a vegetated corridor.	
Condition 45	Restore connectivity along the southern boundary – a vegetated corridor would be developed along the southern boundary of Lot 1 DP 34555 along Eviron Road that would contain species consistent with existing remnant vegetation along the ridgeline.	Yes	No	No	Compliant	The Staged Landscape Management Plan, Offset Strategy and Management Measures Figure 51.	Plans developed post approval are consistent with establishing a vegetated corridor.	
Condition 46	Undertake works as per a finalised Restoration Plan. A Preliminary Restoration Plan (refer Appendix L) has been prepared by Council to guide works in the abovementioned corridors.	Yes	No	No	Compliant	Eviron Road Quarry and Landfill Restoration Plan (June 2016).	The ERQLRP has been developed consistent with approved biodiversity Plan and works onsite have been consistent with the Restoration Plan.	
	<i>Minimise impact to conservation significant fauna species.</i>							
Condition 47	Manage Clearing - all clearing of vegetation will be undertaken in the presence of an experienced fauna spotter-catcher.	Yes	No	No	Compliant	Site inspection and interviews	No clearing has occurred site.	
Condition 48	Contractor awareness – all contractors (construction and operation) to be made aware of the potential presence of fauna species.	Yes	No	No	Compliant	Interviews and Induction Pack.	TSC has prepared Induction Pack. Information included regarding fauna is included in the pack.	
Condition 49	Heavy vehicle movements - restricted speed limits to be implemented near to vegetated areas.	Yes	No	No	Compliant	Site inspection and interview	Speed limit signs are located on the site indicating approved speed limit.	

Condition 50	Environmental Management Plans - management plans will include actions for management of potential direct and indirect impacts to fauna species.	Yes	No	No	Compliant	Environmental Management Strategy (2017)	The EMS includes actions for management of potential impact to fauna (Table 7)	
	<i>Locate and translocate threatened plant species.</i>							
Condition 51	Target surveys for threatened plant species will be undertaken once the final development footprint has been confirmed.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 52	A 'Preliminary Translocation Plan for Threatened Plants' has been prepared by Council in accordance with the Guidelines for the Translocation of Threatened Plants in Australia (Appendix L).	Yes	No	No	Compliant	Translocation Plan (June 2019)	A Translocation Plan (June 2019) has been prepared for the site.	
Condition 53	In the event that any additional threatened species are located in the development footprint, the Preliminary Translocation Plan would be revised to incorporate additional individuals or species.	No	No	No	Non Triggered	Interview.	No additional species has been found onsite that requires the translocation plan to be updated.	
	<i>Maintain habitat values.</i>							
Condition 54	Environmental Management - implement measures detailed in the approved EMP and undertake site works in general accordance with AS 4970-2009.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 55	Maintain habitat - nest boxes will be installed in vegetation to be retained and managed on Lot 1 DP 1159532 in order to offset a reduction in hollow recruitment.	Yes	No	No	Compliant	Nest Box Plan (2016) and interviews	Nest boxes have been installed as per the Nest Box Management Plan.	
Condition 56	Establish vegetation protection areas prior to construction.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 57	Activities permitted in the vegetation protection area would include weed management, habitat management, and restoration / translocation activities.	Yes	No	No	Compliant	Eviron Road Quarry and Landfill Restoration Plan (June 2016).	Eviron Road Quarry and Landfill Restoration Plan has measures to control weeds (Section 5.4).	
Condition 58	Activities prohibited in the vegetation protection areas would include: use of or parking of vehicles and equipment (unless associated with a permitted activity), placement of construction materials, refuse, excavated spoils and stockpiling, use of tree trunks as a winch support.	Yes	No	No	Compliant	Eviron Road Quarry and Landfill Restoration Plan (June 2016).	Eviron Road Quarry and Landfill Restoration Plan sets out the management measures for enhancement and protection of the vegetation protection areas. Flicker tape has been used to fence off the vegetation. TSC plans to install steel fence. This effectively prohibits the use prohibited by this condition. 2018 - Flicker tape has been used to fence off the vegetation. Fence has deteriorated with time and needs to be replaced. 2020 - follow up - flicker tape to be replaced.	
	Cultural Heritage							
Condition 59	On-going consultation with all registered local Aboriginal representatives to develop a Cultural Heritage Management Plan for the site;	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 60	All reasonable efforts will be made to avoid items of Aboriginal and European Cultural Heritage. If impacts are unavoidable, mitigation measures will be negotiated with the EPA and local community.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 61	The Cultural Heritage Management Plan will include as a minimum: - Procedures for ongoing Aboriginal consultation and involvement. - Management of any recorded sites of higher archaeological potential within project footprint. - Responsibilities of all stakeholders. - Details of proposed mitigation and management strategies of all sites. - Procedures for the identification and management of previous unrecorded sites (excluding human remains). - Details of an Aboriginal cultural heritage education program for contractors and personnel associated with construction activities. - Corrective procedures in the unlikely event that a non compliance with the CHMP is identified.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 62	A program of site monitoring by representatives of the Aboriginal Party during activities causing ground disturbance for the recognised areas with a higher potential for the presence of unidentified cultural heritage. In the event that additional Aboriginal objects are uncovered during the monitoring program, the objects are to be recorded and managed in accordance with the requirements of the National Parks and Wildlife Act 1974.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	

Condition 63	If human remains are located, all works must halt in the immediate area and the NSW Police must be immediately contacted. No action is to be undertaken until police provide written notification.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 64	An Aboriginal Cultural Education Program will be developed in collaboration with the local Aboriginal community for the induction of all personnel and contractors involved in the construction activities.	Yes	No	No	Compliant	Aboriginal Cultural Education Program, which is contained within the Induction Pack.	2022 - ACEP has not been prepared for Stage 1 of Phase 1. However, an induction pack has been prepared which includes Aboriginal Cultural Heritage Information. This was prepared with input from Ian Fox (Consultant - Converge) who was also part of the LALC. It is considered this requirement relates to the construction and operation of the landfill and quarry. 2018 - ACEP has not been prepared for Stage 1 of Phase 1. However, an induction pack has been prepared which includes Aboriginal Cultural Heritage Information. This was prepared with input from Ian Fox (Consultant - Converge) and he also worked for the LALC. It is TSC intention to prepare a ACEP Stage 2 of Phase 1 (i.e.: haul road) for the high risk areas (i.e.: ridge lines)	
Condition 65	The five springboard trees will be retained in situ wherever possible and relocated to an appropriate location where they can be preserved and displayed along with appropriate interpretation where they cannot be retained in situ.	No	No	No	Non Triggered	Interviews	Landfill and Quarry are not operational	
Condition 66	Cultural heritage inductions will be undertaken so that work crews are aware of specific obligations to look for cultural heritage material aiming at informing workers what archaeological materials may look like and give them clear instructions on procedures for inadvertent discoveries	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Noise and Vibration								
Condition 67	Council will design and operate the facilities to ensure that there are no adverse noise and vibration impacts at sensitive receivers.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 68	Follow up noise monitoring will be undertaken at the commencement of the Stage 1 activities.	No	No	No	Non Triggered	Interviews and MCoA	Stage 1 under the EIS and SoC is the Landfill and Quarry as referred to under this commitment is relating to the Landfill. The Haul Road is early works	
<i>Specific Control Measures</i>								
Condition 69	Hard rock drill: Although its operation is expected to be limited, it has potential to cause short-term noise impacts at the nearest receivers. Therefore, the use of other quarry equipment, such as the processing plant and dozer will be limited (or ceased) during times when drilling is occurring.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 70	Quarry processing plant: Specific noise mitigation measures will be implemented at West Valley Quarry to reduce the impacts of noise from the processing plant. Potential options include the following, however the feasibility will be reviewed during detail design when the quarry layout is developed, such that the most practical option can be adopted: - Locating the processing plant in locations on site which are naturally shielded by the existing topography will also assist in minimising noise impacts.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 71	As a last resort, treating the building facades of affected receivers will assist in minimising internal noise. Building treatments should generally be considered only when other measures, such as noise barriers are impractical or not cost-effective. Approaches to the acoustic treatment of buildings include improved window glazing and insulation to external walls.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
<i>Blasting Controls</i>								
Condition 72	Blasting will be limited to times when condition are suitable and avoided at times, as outlined below:	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 73	Avoid at times of adverse wind condition, as this may promote the impact of blast over pressure.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 74	Avoid at times of temperature inversion.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 75	Avoid overfilling holes with blasting agent.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	

Condition 76	Avoid firing holes in the front row which have insufficient burden. - All blasting designs should contain considerations to minimise factors such as ground vibration and air blast. The blast design should include an assessment of noise and vibration impacts based on blast specific parameters.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
General Management Controls								
Condition 77	General noise management controls that would be implemented during operation of the quarries and landfills are as follows.							
Condition 78	All activities would be undertaken during the approved operating hours only: Monday to Friday 7am – 5pm, Saturday 7am to 12pm noting that blasting can only occur Monday to Friday 9am – 3pm and Saturday 9am – 12pm.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 79	Review available fixed and mobile equipment fleet and prefer more recent and silenced equipment whenever possible.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 80	All equipment, particularly the quarry fleet and waste delivery trucks, will be maintained to a high standard to ensure there are no unnecessary noise emissions.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 81	All vehicles accessing the site will use the designated haul routes and approved access points only.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 82	Neighbouring properties shall be notified of the date and time of blasting activities in advance.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Air Quality and Odour								
Condition 83	Council will design and operate the facilities to maintain the existing rural air quality. A dust management plan will be included for both the landfill and quarry activities with the LEMP and Quarry Plan of Management, respectively. The following will be implemented:							
Condition 84	Installation of a meteorological station onsite.	Yes	No	No	Compliant	Meteorological Station has been set up	Sighted weather station, located on the northern end of the haul road.	
Condition 85	High dust-generating activities would be avoided during adverse wind conditions when blowing directly towards the nearest residences.	No	No	No	Non Triggered	Site inspection and interviews	Not relevant to Phase 1 of the development.	
Condition 86	Cease or reduce operations when prevailing winds are in the direction of sensitive receptors, particularly to the south and south-west of the quarry (northerly or north-easterly winds).	No	No	No	Non Triggered	Site inspection and interviews	Not relevant to Phase 1 of the development.	
Condition 87	The use of a real-time reactive dust monitoring at locations representative of the nearest sensitive receptors to alert the quarry manager when dust levels exceed the nominated criteria.	No	No	No	Non Triggered	Site inspection and interviews	Not relevant to Phase 1 of the development.	
Condition 88	Specific dust control measures to increase the moisture content of quarried material.	No	No	No	Non Triggered	Site inspection and interviews	Not relevant to Phase 1 of the development.	
Condition 89	Use of water sprays/trucks and sprays to wet down access and haul roads. Clean sealed roads at access and egress points regularly to minimise the re-suspension of dust on sealed roads.	No	No	No	Non Triggered	Site inspection and interviews	Not relevant to Phase 1 of the development.	
Condition 90	Ensure materials are appropriately stored and contained to prevent windborne releases to the atmosphere.	No	No	No	Non Triggered	Site inspection and interviews	Not relevant to Phase 1 of the development.	
Condition 91	Where material is removed from the site or fill brought to the site, trucks will be covered whenever conditions are such that dust nuisance is occurring.	Yes	No	No	Non Triggered	Site inspection and interviews	It was noted during the site inspection that incoming trucks has there loads covered.	
Condition 92	To address dust generated by crushing and screening, install spray systems on equipment and stabilise working surfaces around the work area.	No	No	No	Non Triggered	Site inspection and interviews	Not relevant to Phase 1 of the development.	
Condition 93	Exposed surfaces, including stockpiles unless revegetated or have a stable surface, would be watered.	No	No	No	Non Triggered	Site inspection and interviews	Not relevant to Phase 1 of the development.	
Condition 94	Completed areas of the landfill would be progressively rehabilitated and revegetated to minimise dust emissions.	No	No	No	Non Triggered	Site inspection and interviews	Not relevant to Phase 1 of the development.	
Condition 95	Odour emissions from the landfill will be minimised by limiting the working face of disposal areas, covering all exposed waste at the end of each day, limiting the disposal of malodorous wastes, planning for receipt of malodorous waste to minimise the time such wastes would be exposed and minimising the disturbance of previously filled areas.	No	No	No	Non Triggered	Site inspection and interviews	Not relevant to Phase 1 of the development.	
Condition 96	Records of any complaints would be kept with respect to odour and dust and correlating with weather conditions and deliveries of particularly odorous wastes.	Yes	No	No	Non Triggered	TSC has a general Complaints Register	No complaints relating to the landfill or quarry	
Traffic and Transport								
<i>Council will commit to the following measures:</i>								
Condition 98	Cessation of access to the site via Eviron Road;	No	No	No	Non Triggered	Site inspection and interviews	Not relevant to Phase 1 (Haul) of the development.	

Condition 99	Design of the Haul Road in accordance with good practice for heavy vehicle traffic.	Yes	No	No	Compliant	2022 - No change. 2018 - John McIntosh - Interview: developed plans based on concept design. Alex Doyle - plan on file	2022 - No change. 2018 - John McIntosh - Supervisor - Civil Engineering Design. Internally designed the pre-load. Road will be designed to Council standards and Austroads standard. There is no AS for haul road. AS relates more to the materials, signs, curves, kerbs, etc. Haul Road is designed consistent with the concept plan.	
Condition 100	Safety audit for the Tweed Valley Way and Leddays Creek Road intersection to ensure safe access to and from the major arterial, especially for heavy quarry traffic.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 101	Maintenance of the Leddays Creek Road access intersection and provision of maintenance for the duration of the operation of the quarry and landfill activities.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 102	Preparation of traffic management plans (as part of the environmental management plans) to ensure safe movement of vehicles into and around each the site.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 103	Requirement that each driver would sign a Code of Conduct (during their first visit to the operational site).	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
	Visual							
Condition 104	Review the vantage point analysis conducted in the Environmental Assessment to include the property at 355 Farrants Hill Road. If necessary, undertake additional screening planting where feasible or consider other alternatives.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 105	Council will undertake strategic tree planting for screening purposes, including along a drainage line across Lot 1 DP1159352, which will in the longer term facilitate sheltered movement of species such as koalas across the presently cleared lowland area of the site.	Yes	No	No	Compliant	Site inspection and interviews	Screening planting has been undertaken onsite identified as Area 2 in the Biodiversity Offset Strategy.	
Condition 106	Progressive rehabilitation and revegetation of all landfill sites would be undertaken to visually blend the landfill capping with the surrounding landscape.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 107	The site will be kept clean and tidy at all times as per the LEMP and Quarry Plan of Management (or other site operations plans as relevant).	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
	Greenhouse Gas							
Condition 108	Greenhouse gas emissions from landfilling activities will be minimised through active landfill gas management (as per the LEMP). Depending on the quantity of landfill gas generated and captured infrastructure such as a flare will be installed as a minimum, and investigations into the viability and feasibility of tapping into or replicating the Stotts Creek Renewable Energy Facility.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 109	As and when appropriate Council will consider alternative fuels for the onsite plant and equipment as well as more fuel efficient equipment (where cost competitive).	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
	Hazards							
	<i>Council will implement the following measures to address potential hazards:</i>							
Condition 111	Hazard and risk associated with the proposed activities would be managed through development and implementation of a site operations plan which will address safety hazards and develop occupational health and safety procedures and emergency management procedures.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 112	The siltstone present at the site is likely to contain silica, which could potentially be released as respirable crystalline silica in rock dust released during crushing operations. Site-specific data on the mineral composition of the rock resource and the particle size distribution of the rock dust released during crushing operations will be analysed during detail design to facilitate an assessment of potential RCS exposure.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 113	A preliminary assessment of the hazard to building infrastructure and other assets within the lands under the care and control of Council will be undertaken as a priority when the initial activities on site begin as potential sources of ignition may become evident or will be reduced in some areas.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 114	A fire management plan will be included in the site management plans for fires caused by onsite and offsite activities. As part of the management plan, Council will identify risk reduction measures.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	

Condition 115	Occupational health and safety procedures and appropriate personal protective equipment would be followed during use of plant and equipment as relevant to the particular activity.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 116	Residents would not be permitted to deliver waste to or access any of the landfills. All public access to waste management facilities will be conducted at Stotts Creek RRC.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 117	All landfills will be lined to prevent off-site migration of landfill gas, and a gas management system would be designed in the detailed design phase to prevent methane from being discharged to the atmosphere from closed areas of the landfill.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 118	No dangerous goods would be stored on site, apart from small quantities primarily used for equipment maintenance, and herbicides used for controlling weeds on site.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 119	All chemicals, fuels and oils stored onsite will be contained within an appropriately designed impervious bunded area capable of containing 110% of the largest container stored within the bund. Bunds shall be design and installed in accordance with the requirements of relevant Australian Standards and/or the EPA Environment Protection Manual Technical Bulletin Bunding and Spill Management.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 120	Implement suitable measures to manage pests, vermin and declared noxious weeds including regular inspections, monitoring and management.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Revegetation, rehabilitation and post closure management								
<i>Council commits to the following:</i>								
Condition 122	Preparation and implementation of a Rehabilitation and Closure Plan prepared by a suitably qualified and experience expert in consultation with EPA.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 123	Undertake a program of progressive revegetation in those areas disturbed by the operations taking account of the intended future Botanic Gardens.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 124	Conversion of stormwater detention areas to wetlands following cessation of landfilling activities.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 125	Continue to manage the site following closure of the landfill facility, in accordance with the commitments and procedures to be documented within the Site Closure plan. This includes long term monitoring of groundwater, leachate, surface water, landfill gas, revegetation success and capping integrity	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Community								
Condition 126	Council will undertake consultation with relevant community stakeholders including during the site establishment period and will proactively engage with the community during operations. This will as a minimum include residents whose properties directly adjoining Council's landholding.	Yes	No	No	Compliant	Your Say Tweed.	Consultation has occurred with the relevant adjoining landowners, the Hawkins and O'Keefe's. Other adjoining owners will be engaged once the project matures. Your Say Tweed is a TSC initiative in the waste section to provide information on the waste facilities and has specific information on Eviron to the for the local community. Resource Recovery Annual Report 2021 provides and update the Eviron Landfill and Quarry. Intent of the SoC is to keep the neighbouring	
Condition 127	The waste education facility at Kingscliff Wastewater Treatment Plant – adjacent to the Stotts Creek RRC will continue to be utilised.	Yes	No	No	Compliant	Site inspection and interviews Website	Kingscliff Wastewater Treatment Plant continues to be utilised.	
Condition 128	Areas not required for project-related activities will be maintained in a manner that enhances their ecological values as described in the Biodiversity and Rehabilitation section.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 129	The site will ultimately be returned as a community asset in the form of the Tweed Shire Botanic Gardens in accordance with the existing Master Plan.	No	No	No	Non Triggered	Site inspection and interviews	Landfill and Quarry are not operational	
Condition 130	Council will implement a complaints management system that includes: - A hotline for receiving complaints about the development; - A commitment to investigate the source of all complaints and take the required immediate action to reduce the impact where valid, and to communicate this to the complainant; - A record of complaints and responses/actions which is readily accessible to the community and regulatory authorities; - A system for providing feedback to the community	Yes	No	No	Compliant	https://www.tweed.nsw.gov.au/council/customer-service/report-problem	TSC has a website based complaints system which the public can use to register complaints regarding the landfill and quarry project.	



Appendix C

Audit Team Curriculum Vitae



Simon WILLIAMS

BEnvP, MEnvLaw, CEnvP, Registered Lead Auditor (IEMA)

Principal Environmental Planner & Auditor | Director

Qualifications

Master of Environment Law, University of Sydney
Bachelor of Environmental Planning, University of Western Sydney

Professional Summary

Simon is a Principal environment and planning specialist with extensive experience in the development consulting industry. Simon is experienced in the areas of environmental regulations, environmental auditing, impact assessment, expert evidence, community consultation and environmental approvals and permitting.

Simon has extensive experience in environmental auditing of large construction and commercial operation including road construction, quarry, mining, bridges, dams and pipelines.

With specific expertise in environmental regulations, Simon has been the Government appointed Environmental Representative for a number of project including the Coffs Harbour Bypass Project, The Newcastle Inner City Bypass Project, the new Grafton Bridge and Keepit Dam upgrade project. His auditing experience includes working on mining, quarries, roads, bridges and dam projects.

Simon is a member of the Environmental Institute of Australia and New Zealand, Certified Environmental Practitioner, and a registered environmental auditor. NSW Department of Environment, Planning and Infrastructure approved Environmental Representative with specific experience on roads, mining, bridge and water infrastructure projects.

Key Skills

- Environmental auditing of construction, industrial and mining, dam and pipeline construction and operations.
- Department of Planning, Industry and Environmental approved and experienced Environmental Representative.
- Preparation of environment and planning advice, including specialist advice on NSW and Commonwealth environmental legislation.
- Expert evidence and witness for the NSW Land and Environment Court and Commonwealth Administrative Appeals Tribunal.
- Management and preparation of Environmental Impact Assessment reports, including Statements of Environmental Effects, Environmental Impact Statements and Reviews of Environmental Factors.
- Preparation of environment and planning advice, including specialist advice on NSW and Commonwealth environmental legislation.
- Community Consultation.

Key Projects

- Coffs Harbour Bypass, Transport for NSW
- Newcastle Inner City Bypass - Rankin Park to Jesmond, Transport for NSW
- Keepit Dam Safety Upgrade, Water NSW
- Additional Crossing of the Clarence River at Grafton (Grafton Bridge), Transport for NSW
- Eviron Quarry and Landfill, Tweed Shire Council
- Grafton Correctional Centre, John Holland



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Duncan THOMSON

BE (Env) (Hons)

Principal Environmental Engineer | Director

Qualifications

Bachelor of Environmental Engineering (1st Class Honours), University of Queensland (1999)

Professional Summary

Duncan is a qualified environmental auditor with a broad range of skills and experience. He has worked for environmental consulting firms for more than 20 years and has been involved in a variety of infrastructure, development and environmental management projects. He has undertaken environmental management system audits, sometimes as an external independent auditor and other times as an internal auditor. He has been the NSW government appointed Environmental Representative on several large infrastructure construction projects and he has completed water and energy audits of commercial buildings and factories.

Duncan has also provided on-site environmental management services for infrastructure construction sites and industrial facilities. He has substantial experience liaising with regulatory authorities regarding environmental approvals and has prepared a range of environmental assessment and management documents.

Aside from his technical skills and knowledge, Duncan has substantial experience in project management, team collaboration, strategy development and stakeholder consultation. He can provide services ranging from general advice on environmental improvement opportunities through to full independent environmental audits.

Key Skills

- Environmental audits, including independent audits required by development consents.
- Assess compliance with approvals, permits and licenses.
- Undertake environmental reporting to regulatory authorities and management.
- On-site environmental management of infrastructure projects and industrial facilities.
- Audits of sites with high energy and/or water use, including commercial buildings and factories.

Key Projects

- Coffs Harbour Bypass, *Transport for NSW* (Environmental Representative)
- Blakebrook Quarry Environmental Audit, *Lismore City Council*
- Newcastle Inner City Bypass - Rankin Park to Jesmond, *Transport for NSW* (Environmental Representative)
- Lead auditor for an independent environmental audit of Lismore City Council's Blakebrook Quarry.
- Keepit Dam Safety Upgrade, *Water NSW* (Environmental Representative)
- Additional Crossing of the Clarence River at Grafton (Grafton Bridge), *Transport for NSW* (Environmental Representative)
- Clarence Correctional Centre Independent Environmental Audit, *John Holland Pty Ltd*
- Ballina Bypass Pacific Highway Upgrade, *Transport for NSW*

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Appendix D

DPE Auditor Approval



Department of Planning and Environment

Mr Wesley Knight
Tweed Shire Council
Murwillumbah Civic & Cultural Centre 10-14
Tumbulgum Road
MURWILLUMBAH NSW 2484

04/02/2022

Dear Mr Wesley Knight

**Eviron Quarry/Waste Facility (MP06_0068)
IEA – Auditors Approval**

I refer to your request (MP06_0068-PA-3) for the Secretary's approval of suitably qualified persons to prepare the Auditors Approval for Eviron Quarry.

The Department has reviewed the nominations and information you have provided and is satisfied that these experts are suitably qualified and experienced. Consequently, I can advise that the Secretary approves the appointment of the following auditors to prepare the Independent Environmental Audit (IEA).

In accordance with Schedule 6, Condition 10 of MP06_0068 (the 'Approval') and the Independent Audit Post Approval Requirements, the Secretary has agreed to the following audit team:

- Mr Duncan Thomson; and
- Mr Simon Williams.

Please ensure this correspondence is appended to the IEA Report.

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

The Department reserves the right to request an alternate auditor or audit team for future audits.

Notwithstanding the agreement for the above listed audit team for this Project, each respective project approval or consent requires a request for the agreement to the auditor or audit team be submitted to the Department, for consideration of the Secretary. Each request



Department of Planning and Environment

is reviewed and depending on the complexity of future projects, the suitability of a proposed auditor or audit team will be considered.

Should you wish to discuss the matter further, please contact Phillip Rose on (02) 6670 8657 or compliance@planning.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read "Shelley McPhee".

Shelley McPhee
Compliance Team Leader
Compliance
As nominee of the Planning Secretary



Appendix E

Independent Audit Certification Form

Independent Audit Certification Form

Development Name	Eviron Road Quarry and Landfill Project – Stage 1
Development Consent No.	08_0068
Description of Development	<ul style="list-style-type: none">■ A landfill within the void space created by Quirks Quarry;■ Development of two further quarries to be used as landfills after exhaustion of quarry resources (West Valley and North Valley quarries); and■ Operational infrastructure such as haul roads, an acid sulphate soil treatment area and other service buildings/storage facilities as required.
Development Address	Leddays Creek Road, Stotts Creek, NSW.
Operator	Tweed Shire Council
Operator Address	Murwillumbah Administration Office Civic and Cultural Centre 10-14 Tumbulgum Road Murwillumbah NSW 2484

Independent Audit

Title of Audit

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

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

Note.

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

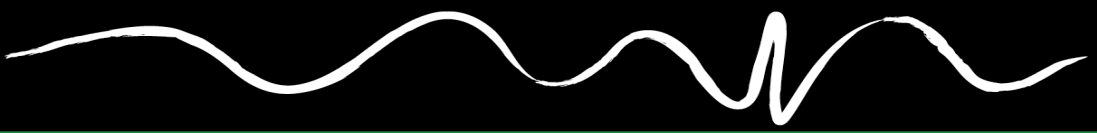
The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty five years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty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

Signature



Name of Lead/ Principal Auditor

Simon Williams

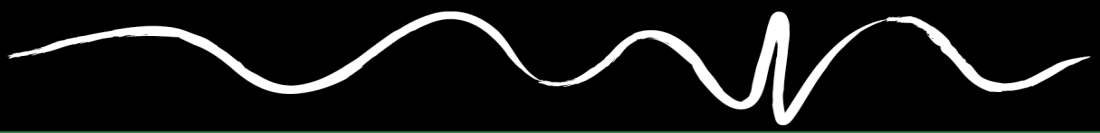


Company	GeoLINK
Position	Director, Principal Environmental Auditor
Address	2/119 Rusden Street, Armidale
Email Address	swilliams@geolink.net.au
Date	20/6/2022

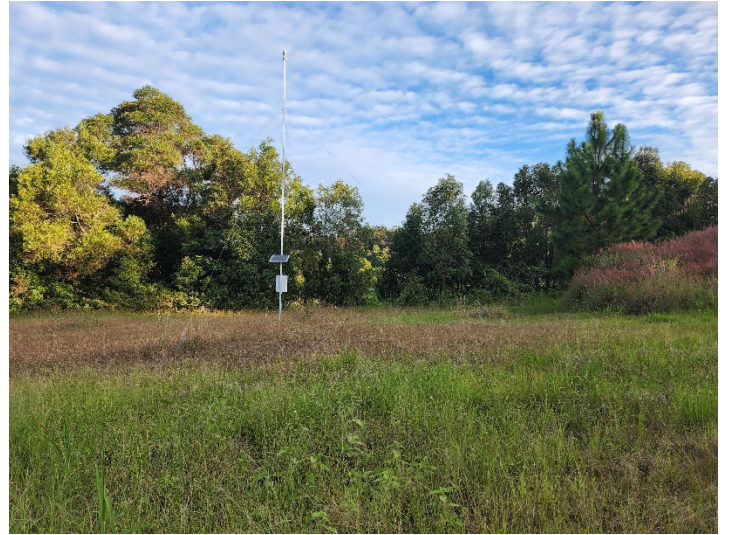


Appendix F

Photographs



Photograph 1: Haul Road



Photograph 2: Weather Station



Photograph 3: Haul Road edging



Photograph 4: Boundary Flicker Tape



Photograph 5: Haul Road Rock Check ERSED control



Photograph 6: Offsetting plantings



Appendix G

Audit Agenda and Register



Project 3116-1011 **Date** 2 May 2022
 Eviron Landfill and Quarry
 Independent Environmental Audit

Time 10.00am to 4.00pm **Ref No** 3116-1011

Subject Agenda for Independent Environmental Audit – site visit

Attendees:

Simon Williams (Auditor, GeoLINK)
 Wesley Knight (Waste Operations Manager)
 Mitchell Cambridge (Environmental Scientist)

Time	Topic/Discussion Item	Personnel Required
10:00	Visitor sign-in and Induction.	Auditor
10.15 – 10.30	Opening meeting – discuss purpose, scope etc.	All
10.30 – 12.30	On-site interviews and audit. The purpose is to discuss the key environmental management Conditions of Approval/Statement of Comittments, view relevant records and assess compliance with the documents. Key documents include Environmental Management Strategy, Landscape Management Plan, White lace Flower Translocation Plan and the Biodiversity Offset Strategy Letter.	Waste Operations Manager Environmental Compliance Officer or responsible personel
12.30 – 1.00	Break for lunch	
1.00 – 2.30	On-site interviews and audit continued. The purpose is to discuss the key environmental management Conditions of Approval/Statement of Comittments, view relevant records and assess compliance with the documents. Key documents include Environmental Management Strategy, Landscape Management Plan, White lace Flower Translocation Plan and the Biodiversity Offset Strategy Letter.	Waste Operations Manager Environmental Compliance Officer or responsible personel
2.30 – 3.30	Site inspection: <ul style="list-style-type: none"> ▪ Haul Road ▪ Landfill and Quarry Areas ▪ Surrounding Offsetting areas General drive and walk through of all areas that can be safely accessed	Auditor Waste Operations Manager
3.30 – 3:45	Auditor to collate notes	Auditor
3:45 – 4:00	Closing meeting – discuss preliminary findings	All
4:00	Sign-out	Auditor



Register of Attendance

Name	Role	Sign
Simon Williams	Auditor	
Wesley Knight	Waste Operations Manager	
Mitchell Cambridge	Environmental Scientist	