

Response to recommendations – Non-compliances (Project Approval 07_0155)

NC#	Condition ID	Audit Recommendation	Response
NC1	Schedule 2 Condition 2	Agree resolution of non-compliances with approved project layout with the Department, which may involve a further modification of the Project Approval.	Awaiting outcome and further direction from DPE on this issue.
NC2	Schedule 2 Condition 13	Finalise resolution of roads issues with Council to enable finalisation of VPA.	Discussions to be continued and finalised when possible.
NC3	Schedule 3 Condition 1	Confirm that the Planning Secretary has been provided with a survey plan of the extraction area boundaries and their GPS coordinates or, if not, provide the survey plan to the Planning Secretary.	The Department (Michael Wood) was contacted via email on 14 October 2022 with a copy of the survey plan to confirm whether they had evidence of prior receipt. A response was received on 17 October 2022, stating that the documents had been received via the Major Projects Portal as part of submission PA-5, presumably in January or February 2021. Follow-up questions sent by the Department on 8 February 2021 were not replied to at the time, but were replied to via email on 18 October 2022.
NC4	Schedule 3 Condition 1A	Ensure boundaries of the approved areas of extraction are clearly marked in a manner that allows them to be easily identified.	Boundary on site to be clearly re-marked with stakes/bunting.
NC5	Schedule 3 Condition 11	No recommendation is made as the non-compliance has been rectified.	No action required – penalty notice and works approval for WAL issued.
NC6	Schedule 3 Condition 24	No recommendation is made as the revised AHMP was submitted to DPE for approval.	No action required – awaiting response from DPE.
NC7	Schedule 3 Condition 27	No recommendation is made in relation to this non-compliance	No action required – refer to NC8.
NC8	Schedule 3 Condition 29	Publish summaries of truck movement records on the quarry website and include in the Annual Review.	A process for regularly reviewing weighbridge data has been developed, and truck movement summaries prepared. A truck movement summary report for 2022 was completed and uploaded to the website on 21/10/2022. Truck movement summaries

			will continue to be updated and published monthly as required by Schedule 3 Condition 29, as well as being included in the Annual Review for 2022.
NC9	Schedule 3 Condition 34A	Complete vegetation of the eastern visual bund wall.	Vegetation to be completed, pending outcome and further direction from DPE on the issues raised in NC1.
NC10	Schedule 3 Condition 41	Ensure annual production data is provided to the MEG using the standard form for that purpose.	Submissions to be reviewed to confirm that annual production data was provided to the MEG as required. This will be completed if not the case.
NC11	Schedule 5 Condition 5	The auditors make no recommendation as the issue was noted as a non-compliance at the time and was not repeated in the following year.	No action required – future Annual Reviews to be submitted punctually.
NC12	Schedule 5 Condition 5A	A process or procedure should be put in place to ensure that strategies, plans, and programs are reviewed and, if revised, submitted to the Department for approval within 3 months of an event described in parts (a) – (d) of this condition.	A management plan review procedure and associated register was prepared in response to this non-compliance. The occurrence of an event listed in Schedule 5 Condition 5A (a)-(d), is considered a 'trigger' for review, which is entered into the register. The strategies, plans, and programs will then be reviewed and revised as appropriate, with changes and dates recorded in the register. Revised documents will be submitted to the Department for approval, and the status of current documents is to be recorded in the register.
NC13	Schedule 5 Condition 6	Commence process to appoint independent auditors well enough in advance to allow for potential delays in the approval and appointment of auditors.	No immediate action required – this has been noted for future reference.
NC14	Schedule 5 Condition 8	Review the sum of the Rehabilitation Bond within 3 months of the date of this Audit Report.	The Rehabilitation Bond will be reviewed within 3 months of the date of the Audit Report (i.e. by 14 January 2023).

Response to recommendations – Opportunities for improvement (Project Approval 07_0155 and EPL 13213)

Condition ID	Audit Recommendation	Response
Schedule 3 Condition 7	Establish a process to ensure environmental monitoring results reports are checked prior to being published on the website	The offending report was reviewed and the minor discrepancies identified, determined to be due to transcription errors. All dust data was audited and corrected, with the revised report submitted for upload to the website on 18/10/2022. Data is checked when obtained from the laboratory and again when transcribed into summary reports for website publication. All staff involved in data management were informed of the issue and reminded of the importance of presenting accurate data.
Schedule 3 Condition 8 EPL Condition O3.1	Review use of water sprays on rock crushing plant to optimise dust suppression.	Site staff were reminded about the importance of dust mitigation, and use of water sprays is ongoing.
Schedule 3 Condition 13 EPL Condition O4.1	Ensure that annual audits as required under Section 6 of the current Water Management Plan are undertaken, prioritise submission of the revised Water Management Plan to the Department for approval and ensure a variation of the EPL is made to reflect the new Water Management Plan, when approved.	Noted. The discrepancy between the current 2017 Water Management Plan and the reference to a 2010 Water Management Plan within EPL Condition O4.1 was identified and raised as a non-compliance in the 2021-22 Annual Return, submitted to the EPA on 17 October 2022. Following completion and approval of the revised Water Management Plan, a variation to the EPL will be lodged to revise the reference in Condition O4.1.
Schedule 3 Condition 17 EPL Condition P1.3	Consult with the EPA on decommissioning of BHAP1 and BHAP5 and any necessary variation of the licence. Ensure the revised Groundwater Monitoring Program reflects changes to monitoring bores and reflects consultation with the EPA and the Department on decommissioning of BHAP1 and BHAP5	The NRAR Direction was varied on 8 September 2022 to allow rehabilitation of BHAP1 and BHAP5 as an alternative to decommissioning (Specified measure 1). The EPA and DPE were consulted about the proposed works on 7 October 2022, and a response was received from the EPA on 14 October 2022. Following the works, the revised Groundwater Monitoring Program will reflect any changes to monitoring bores, and the EPL will be updated if required.
Schedule 5 Condition 5B	Ensure that revised management plans include: <ul style="list-style-type: none"> a protocol for managing and reporting any incidents; complaints; non-compliances with statutory requirements; and exceedances of the impact assessment criteria and/or performance criteria; and 	Noted. Revised management plans will include the suggested contents.

	a protocol for periodic review of the plan.	
Schedule 5 Condition 10	Review the quarry website to ensure all required information is publicly available.	The quarry website is reviewed monthly following receipt of data and preparation of documents. Any missing documentation will be uploaded. The CCC minutes for the March 2022 meeting were not finalised prior to the completion of the IEA, and due to some issues requiring revision, are expected to be finalised at the next CCC meeting scheduled for 11 November 2022. Following this, the final minutes will be published on the website as required.
EPL Condition A1.1	Consider whether a variation of the EPL is required to increase the scale of the activity in line with the modification of the project approval.	Noted. Current operations do not exceed 400,000 tpa, which is within the allowances of the EPL (>100000 - 500000 t annually). When operations are expected to increase >500,000 t, a variation to the EPL will be lodged.
EPL Condition L4.1	Ensure a variation of this condition is made prior to product transportation commencing before 7am as permitted under MP07_0155.	Noted. As above, a variation to the EPL will be lodged at the appropriate time.
EPL Condition R1.1	Implement a crosscheck to ensure all reporting of complaints aligns.	Staff involved in complaints management were informed of the issue and continue to perform regular confirmation of complaints when summarised for website upload.