

Project Name: PR8943 Salt Ash Sand Quarry Independent Environmental Review
Date: 22 November 2024

Attn: Grant Brown

The APP Group
29B, 10 Eagle Street
Brisbane
QLD 4000

Dear Grant

RE: PR8943 Salt Ash Sand Quarry Independent Environmental Review

Ecosure was engaged to participate in the 2024 Independent Environmental Audit (IEA) of the Salt Ash Sand Quarry alongside The APP Group and Integrated Environmental Management Australia (IEMA). The Salt Ash Quarry is located off Janet Parade, Salt Ash, near Newcastle (Lot 2 DP 1172862). It covers approximately 39 ha and is owned by ATB Morton and operated by Redisand. The quarry was initially granted project approval in October 2010 to undertake sand extraction activities until 2030, operating under environmental Protection License number 13218.

The 2024 Salt Ash Sand Quarry IEA was submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI) in June 2024, covering the period between October 2020 and October 2023. This letter report aims to respond to a subsequent Request for Information (RFI) received from DPHI in October 2024 (Appendix 1), and specifically the following points:

1. **Audit team** - *The audit was not conducted by the team of experts endorsed by the Planning Secretary, which included specialists in biodiversity, groundwater and rehabilitation. NSW Planning considers that these experts should assess the conditions of approval that relate to their area of expertise, and conduct the reviews and assessments required by paragraphs 3.i and 3.iii below.*
3. **Audit scope**
The audit report must be revised to include:
 - i. *A review of the environmental performance of the development, including an assessment of actual impacts of the development compared to impacts predicted in the environmental impact assessment.*
 - ii. *A high-level assessment of whether the environmental strategies, plans and sub-plans, or programs are adequate.*

Ecosure reviewed consent conditions and Statement of Commitments (SOC) related to ecology, rehabilitation, and groundwater, as detailed in Appendix 3. The audit was approved by Dr Natalie Toon and Amanda Scott, DPHI endorsed specialists. Below is a summary of the audit methods, results, and recommendations.

Desktop review

A detailed desktop review of all relevant plans, reports and documents was undertaken, including the following key items:

- 2024 IEA checklist, including development consent conditions and statement of commitments (IEMA 2024)
- Landscape and Rehabilitation Management Plan (Redisand 2021a)
- Groundwater Monitoring Plan (Redisand 2021b)
- Soil and Water Management Plan (Redisand 2021c)
- Acid Sulfate Soil Management Plan (Redisand 2021d)
- Annual Review reports for 2020-2023, including all appendices (Redisand 2021e, 2022-2024)
- BioBanking agreement 108 (NSW OEH 2016)
- Monitoring Reports For Biobanking Offset site (Firebird 2021-2023)
- Independent Audit Post Approval Requirements (DPIE 2020).

Information gaps were identified, and additional information or evidence was requested from the APP Group where required.

Results

The results of Ecosure's audit investigations are presented in Appendix 3.

Compliance criteria is in line with definitions given in Section 3.8 of the Independent Audit Post Approval Requirements (DPIE 2020), summarised in Table 1.

Table 1 Compliance criteria

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

Salt Ash Quarry was found to be generally compliant in matters of biodiversity, rehabilitation and groundwater, with:

- five compliant conditions/commitments
- six non-compliant conditions/commitments (generally minor or administrative non-compliances, or where compliance status could not be determined based on the evidence reviewed by Ecosure)
- four conditions/commitments not triggered.

Recommendations to demonstrate compliance going forward have been included.

Performance against project approvals

Ecosure are satisfied that preparation and implementation of the environmental strategies, plans and sub-plans are generally suitable to meet the consent conditions for the project, although some recommendations have been provided below. The impacts of development appear to be consistent with predicted impacts.

Summary of recommendations

The following measures have been recommended to ensure ongoing compliance with consent conditions and commitments:

- amend groundwater monitoring to include groundwater levels, rather than depth to water, measured from the Monument Height, in line with Schedule 3, Condition 17(c)
- update the Acid Sulfate Soil Management Plan, to include the outcome of predicted maximum groundwater level modelling, in line with Schedule 3, Condition 18(a)
- ensure compliance with the notification procedure when exceedances are identified in groundwater quality results, in line with Schedule 3, Condition 17(e), including additional training with relevant staff as required
- Annual Monitoring Reports should include further detail on:
 - the total number and condition of nest boxes and salvaged hollows, to ensure compliance with Statement of Commitment 1 regarding the number of compensatory nest boxes
 - the maintenance of prescribed buffer zones. It is understood that Redisand is in consultation with DPHI regarding an amendment to the approved buffer zones. However, until a formal agreement is reached, compliance must be with the buffer zones outlined in Schedule 3, Condition 21 and Statement of Commitment 1
 - weed control measures undertaken in the reporting period, the current coverage of weeds, and discussion around the need for future weed control measures, in line with Statement of Commitment 1
- a vegetation management plan for the Tomola offset site should be prepared and implemented, in line with Statement of Commitment 3.

We trust the information provided in this report meets your requirements. If you require any further detail, or would like to discuss our findings, please do not hesitate to contact Dr Natalie Toon, Amanda Scott or myself on 07 3606 1030.

Yours sincerely



Rachel McBride
Senior Ecologist

References

ATB Morton 2018, MP07_0094 (Salt Ash Sand Extraction Project) – Revised Rehabilitation Bond. Letter from Luke Johnson, ATB Morton to Joel Herbert, Department of Planning and Infrastructure.

Department of Planning, Industry and Environment (DPIE) 2020, *Independent Audit Post Approval Requirements*. Published by NSW Department of Planning, Industry and Environment.

Department of Planning and Environment (DPE) 2023, *Rehabilitation bond acceptance letter*. Letter from DPE to Redisand, dated 18 January 2023 .

IEMA 2024, *Salt Ash Quarry Independent Environmental Audit checklist V2*, Report to Redisand.

Firebird 2021, *Monitoring Report For Biodiversity Banking Agreement 108 Regarding Pola Fogal, Tomalla Lot 2 DP 707938 2021*, Report prepared by Firebird ecoSultants Pty Ltd.

Firebird 2022, *Monitoring Report For Biodiversity Banking Agreement 108 Regarding Pola Fogal, Tomalla Lot 2 DP 707938 2022*, Report prepared by Firebird ecoSultants Pty Ltd.

Firebird 2023, *Monitoring Report For Biodiversity Banking Agreement 108 Regarding Pola Fogal, Tomalla Lot 2 DP 707938 2023*, Report prepared by Firebird ecoSultants Pty Ltd.

NSW Office of Environment and Heritage (NSW OEH) 2016, *Biobanking agreement ID number 108*.

Redisand 2021a, *Salt Ash Sand Quarry Landscape and Rehabilitation Management Plan V5*, Report to ATB Morton Pty Ltd, July 2021.

Redisand 2021b, *Salt Ash Sand Quarry Soil and Water Management Plan V1*, Report to ATB Morton Pty Ltd, September 2021.

Redisand 2021c, *Salt Ash Sand Quarry Groundwater Monitoring Plan V1*, Report to ATB Morton Pty Ltd, September 2021.

Redisand 2021d, *Salt Ash Sand Quarry Acid Sulfate Soil Monitoring Plan V1*, Report to ATB Morton Pty Ltd, September 2021.

Redisand 2021e, *Salt Ash Sand Quarry Annual Review 2020 V2*, Report to ATB Morton Pty Ltd, July 2021.

Redisand 2022, *Salt Ash Sand Quarry Annual Review 2021 FINAL*, Report to ATB Morton Pty Ltd, March 2022.

Redisand 2023, *Salt Ash Sand Quarry Annual Review 2022 V1*, Report to ATB Morton Pty Ltd, March 2023.

Redisand 2024, *Salt Ash Sand Quarry Annual Review 2023*, Report to ATB Morton Pty Ltd, March 2024.

Appendix 1 DPHI RFI

Our ref: MP07_0094-PA-34

Grant Stevenson
Quarry Manager
A.T.B. Morton Pty Limited
Worimi Country
9 Janet Parade
SALT ASH NSW 2318

Copied to: APP Corporation Pty Ltd

14/10/2024

Subject: Salt Ash Quarry - 2024 Independent Environmental Audit

Dear Mr Stevenson

I refer to the 2024 Independent Environmental Audit (IEA) for Salt Ash Sand Quarry submitted as required by Schedule 5, Condition 10 of Project Approval 07_0094 as modified (the approval), to the NSW Department of Planning, Housing and Infrastructure (NSW Planning) on 9 July 2024.

NSW Planning has reviewed the IEA report and considers more information is required to satisfy the requirements of Schedule 5 Condition 9 of the approval and the *Independent Audit Post Approval Requirements* (2020) (IA PAR).

Under the provisions of Schedule 2, Condition 3 of the approval, as nominee of the Planning Secretary, I require ATB Morton Pty Ltd to submit an amended IEA report a response to this request for information (RFI-76806488) addressing the below points by 22 November 2024 (or as otherwise agreed by the Planning Secretary):

1. Audit team

The audit was not conducted by the team of experts endorsed by the Planning Secretary, which included specialists in biodiversity, groundwater and rehabilitation. NSW Planning considers that these experts should assess the conditions of approval that relate to their area of expertise, and conduct the reviews and assessments required by paragraphs 3.i and 3.iii below.

2. Declarations of independence

- i. The audit report includes declarations of independence that were made by the auditors before the audit, when seeking endorsement of the audit team by the Planning Secretary.

Declarations included in the audit report must be made after the audit is completed using the template at Appendix E of the IA PAR.

- ii. Remove from the audit report the declaration provided by Anita Rylah, who was not an approved auditor nor part of the audit team.

3. Audit scope

The audit report must be revised to include:

- i. A review of the environmental performance of the development, including an assessment of actual impacts of the development compared to impacts predicted in the environmental impact assessment.
- ii. The status of implementation of findings, recommendations and actions from the previous IEA.
- iii. A high-level assessment of whether the environmental strategies, plans and sub-plans, or programs are adequate.

Please refer to Section 3.3 of the IA PAR for details.

4. Evaluation of compliance

- i. The audit findings must be based on verifiable evidence, such as that listed in Section 3.7 of the IA PAR. Please revise the Audit Checklist at Appendix D to include the evidence used to assess the compliance status for conditions of approval. This should include but not necessarily be limited to the following conditions:
 - a. Schedule 3 Condition 21 Rehabilitation and Landscape Management – evidence that the buffer zones have been maintained to the requirements of this condition. The audit findings have been copied from the 2022 Annual Review.
 - b. Schedule 3 Condition 31 On-site Traffic Management – evidence that the quarry operator ensures vehicle speeds, covers loads and cleans vehicles before leaving the site, for example, signage, site procedures or codes of conduct.
 - c. Schedule 3 Condition 36 Waste Management – evidence that processes are in place to minimise waste, for example management plans, site procedures, inspection records, audit inspection.
 - d. Schedule 3 Condition 37 Waste Management – evidence to support the statement that no waste has originated from off-site, for example site inspection, interview, relevant management plans or strategies.

- e. Schedule 3 Condition 38 Dangerous Goods – evidence that dangerous goods are stored in accordance with DECC's *Storing and Handling Liquids: Environmental Protection – Participants Manual*.
 - f. Statement of Commitment 2 Vegetation Management - Weed Management – evidence of weed management carried out at the site, including annual monitoring.
 - g. Statement of Commitment 3 Vegetation Management - Offset Site – evidence to support the statement that monitoring has been undertaken.
 - h. Statement of Commitment 7 Visual Impact – evidence that rehabilitation and sand extraction is in accordance with the approved staging plan.
- ii. Please revise the compliance status for the following conditions:
- a. Schedule 3 Condition 29 and 29A – these conditions have not yet been triggered by increased truck movements.
 - b. Schedule 3 Condition 7 Non-compliance Notification – this condition has been assessed as being compliant, however on 23 November 2023, NSW Planning issued the quarry operator Redisand Pty Ltd (Redisand) a warning letter for failing to notify the Secretary of non-compliances. Further, the audit report identified that Redisand did not notify NSW Planning of the exceedance of groundwater criteria measured in June and September 2023.
 - c. Schedule 5 Condition 11 Access to Information – this has been assessed as compliant however at the time of our review the complaints register and minutes for the Community Consultative Committee were last updated in March 2022.

Should you wish to discuss the matter further, please contact Jennifer Sage, Senior Compliance officer on 02 6575 3420 or email compliance@planning.nsw.gov.au

Yours sincerely



Heidi Watters
Team Leader
Compliance

As nominee of the Planning Secretary

Appendix 2 Independent Audit Declaration Form

Independent Audit Declaration Form

Project Name:	Redisand Salt Ash Sand Quarry
Consent Number:	07_0094
Description of Project:	Redisand is a locally owned and operated supplier of bulk sand products, specialising in washed and brown sand. The facilities are located in Salt Ash, 30km north of Newcastle and 160km north of Sydney. It has been built with the latest technology to help deliver high volume quality with minimal impact to the environment. Redisand has been supplying bulk sand to some of the State's largest construction companies and landscape yards since 2015.
Project Address:	7 Janet Parade, Salt Ash, NSW, 2318 Australia
Proponent:	WPP Planning & Property
Title of Audit:	Independent Environmental Audit
Date:	19 November 2024

I declare that:

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

Notes:

- a. Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- b. The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of the Auditor:	Dr Natalie Toon
Signature:	
Qualification:	PhD, Bsc
Company:	Ecosure
Company Address:	2/34 Thomson Street, Bowen Hills, QLD 4006

Independent Audit Declaration Form

Project Name:	Redisand Salt Ash Sand Quarry
Consent Number:	07_0094
Description of Project:	Redisand is a locally owned and operated supplier of bulk sand products, specialising in washed and brown sand. The facilities are located in Salt Ash, 30km north of Newcastle and 160km north of Sydney. It has been built with the latest technology to help deliver high volume quality with minimal impact to the environment. Redisand has been supplying bulk sand to some of the State's largest construction companies and landscape yards since 2015.
Project Address:	7 Janet Parade, Salt Ash, NSW, 2318 Australia
Proponent:	WPP Planning & Property
Title of Audit:	Independent Environmental Audit
Date:	19 November 2024

I declare that:

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

Notes:

- b. Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- c. The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of the Auditor:	Amanda Scott
Signature:	
Qualification:	BSc
Company:	Ecosure
Company Address:	2/34 Thomson Street, Bowen Hills, QLD 4006

Appendix 3 Audit results

Condition of Consent	Requirement (exact wording)	Evidence reviewed by Ecosure	Findings and Recommendations - Ecosure Review	Compliance Status - IEMA 2024	Compliance Status – Ecosure Review
Groundwater					
Schedule 3, Condition 14	Management and Monitoring The Applicant must prepare a Soil and Water Management Plan for the development to the satisfaction of the Secretary. This plan must: a) be prepared in consultation with DPE Water; b) include a(n): - o Erosion and Sediment Control Plan; - o Surface Water Monitoring Program; - o Groundwater Monitoring Program; - o Acid Sulfate Soils Management Plan; and c) be submitted to the Secretary for approval prior to commencing quarrying operations, and to carrying out any construction activities in the case of the Erosion and Sediment Control Plan. The Applicant must implement the plan as approved by the Secretary.	Soil and Water Management Plan (Redisand 2021b) a) Section 2 – Consultation b) Appendix A - Erosion and Sediment Control Plan Appendix B - Surface Water Monitoring Program Appendix C - Groundwater Monitoring Program Appendix D - Acid Sulfate Soils Management Plan c) The SWMP was submitted to the Secretary prior to quarrying operations commencing, Annual Reviews 2020 – 2023 (Redisand 2021e – 2024).	The Soil and Water Management Plan has been developed in compliance with the consent condition. The SWMP was submitted to the Secretary prior to quarrying operations commencing, with Version 1 again submitted on 21 July 2021. Evidence from the Annual Review reports between 2020 and 2023 demonstrate that the Soil and Water Management Plan is being implemented.	Compliant	Compliant
Schedule 3, Condition 17	The Ground Water Monitoring Program must include: a) detailed baseline data on groundwater levels and quality, based on statistical analysis; b) groundwater impact assessment criteria; c) a program to monitor ground water levels and quality; d) a program to monitor ground water level effects on groundwater dependent vegetation; and e) a protocol for the investigation, notification and mitigation of identified exceedances of the groundwater impact assessment criteria.	Groundwater Monitoring Plan (Redisand 2021b) a) Section 2 - Groundwater Data b) Section 4.4 - Water Level and Quality Criteria c) Section 4.2 - Frequency of Monitoring and Sampling, and Section 4.3 - Monitoring and Sampling Methodology d) Section 4.3 includes groundwater dependent vegetation e) Section 5 “Contingencies.	The following non-compliances were recorded in the 2023 Annual Review (Redisand 2024): · Redisand has recorded an administrative non-compliance for Schedule 3, Condition 17, as the current groundwater monitoring does not include groundwater levels, but rather depth to water, measured from the Monument Height. Therefore, noncompliance with Schedule 3, Condition 17(c). · Redisand failed to notify DPHI and the Environment Protection Authority of arsenic levels above criteria levels in June and September 2023 monitoring reports. It is noted that no monitoring occurred at borehole (BH) 1 between 2020 and Q2 2022 as the well was lost to quarrying operations. In addition, only one sample was collected from BH6 between 2020 and 2023 due to dry conditions. If dry conditions continue at this BH, Ecosure recommend an assessment by a hydrogeologist to ascertain if there is a more suitable BH location.	Non-compliant	Non-compliant
Schedule 3, Condition 18	The Acid Sulfate Soils Management Plan must include: a) the outcome of groundwater modelling to establish the maximum predicted groundwater level for the site; b) measures to avoid the extraction of acid sulfate soils and potential acid soils; and c) a contingency plan to manage any acid sulfate soils and potentially acid sulfate soils inadvertently encountered during extraction and processing operations.	Acid Sulfate Soil Management Plan (Redisand 2021b) a) n/a b) Section 5 - Monitoring Plan and Procedures c) Section 6 – Contingencies.	The predicted maximum groundwater level is stated in the Acid Sulfate Soil Management Plan, however the outcome of modelling is not found within the report. The Ground Water Monitoring Program states that no specific groundwater modelling carried out on this site, and instead results of groundwater level modelling from a neighbouring site are considered appropriate to use. It is recommended that endorsement from DPHI is sought for this approach.	Non-compliant	Non-compliant

Rehabilitation

Condition of Consent	Requirement (exact wording)	Evidence reviewed by Ecosure	Findings and Recommendations - Ecosure Review	Compliance Status - IEMA 2024	Compliance Status – Ecosure Review
Schedule 3, Condition 19	Biodiversity offset strategy By February 15 2015, the Applicant must: a) enter into a Biobanking agreement for the offset area with the Minister for Environment and Heritage, in accordance with Part 7A of the Threatened Species Conservation Act 1995, to implement the Biodiversity Offset Strategy summarised in Table 6; b) ensure that adequate resources are dedicated towards the implementing the Biodiversity Offset Strategy; and c) provide appropriate long-term security for this offset; to the satisfaction of the Secretary.	N/A	The timing trigger is not within the temporal scope of this audit.	Not triggered	Not triggered
Schedule 3, Condition 20	Rehabilitation and Landscape Management The Applicant must rehabilitate the site to the satisfaction of the Secretary.	Landscape and Rehabilitation Management Plan (Redisand 2021a). Annual Reviews 2020 – 2023 (Redisand 2021e – 2024).	Compliance with this condition cannot be assessed until the operational phase of the project is complete, however in accordance with the Landscape and Rehabilitation Management Plan, Redisand is required to progressively rehabilitate and stabilise disturbed areas during the operational phase. Evidence from the Annual Review reports between 2020 and 2023 demonstrate that rehabilitation is being implemented.	Not triggered	Not triggered
Schedule 3, Condition 21	The Applicant must maintain, except for the purposes of access to the areas of quarrying operations as shown in Figure 1 of Appendix 1: a) a minimum 50 m buffer of undisturbed vegetation between extraction areas and the nearest edge of BCD estate; b) a minimum 50 m buffer of undisturbed vegetation between the extraction areas and any Swamp Sclerophyll Forest Endangered Ecological Community; c) a minimum 50 m buffer of undisturbed vegetation on each side of the northern power line easement on the development site. d) a minimum 30 m buffer of undisturbed vegetation between the extraction areas and the boundary of the site, unless a private agreement exists with the relevant landowner to reduce this buffer adjacent to that relevant landowner's property and a copy of this agreement is provided to the Department; e) minimum 30 m buffer of undisturbed vegetation on the northern margin of the extraction areas; and f) a buffer of undisturbed vegetation on land below 8 m AHD on the northern margin of quarrying operations.	Landscape and Rehabilitation Management Plan (Redisand 2021a). Annual Reviews 2020 – 2024 (Redisand 2021e – 2024).	The following non-compliances were recorded in the 2023 Annual Review (Redisand 2024): There have been historical non-compliances regarding buffer zone boundaries and since 2020, Redisand has been consulting with DPHI to modify their original EA so that they can rectify these issues. This consultation is still ongoing. In the meantime, Redisand continues to maintain the area around the buffer zones and report the progress in the Annual Reviews. The DPHI RFI (Appendix 1) requests further evidence that the buffer zones have been maintained to the requirements of this condition, including photographs. No evidence has been sighted by Ecosure to demonstrate that the buffer zones are being adhered to or maintained.	Compliant	Non-compliant (can not be determined).
Schedule 3, Condition 22	Prior to the commencement of quarrying operations, the Applicant must establish, and subsequently vegetate and maintain: a) a 6 m high acoustic bund around the development's fixed plant; and b) a 3 m high acoustic fence along the southern boundary of the quarry access road, c) to the satisfaction of the Secretary Note: The vegetated bunds must be detailed in the Landscape Management Plan	N/A	The timing trigger is not within the temporal scope of this audit,	Not triggered	Not triggered
Schedule 3, Condition 23	Landscape Management Plan The Applicant must prepare a Landscape Management Plan for the development to the satisfaction of the Secretary. This plan must: a) be prepared by suitably qualified person(s), approved by the	Landscape and Rehabilitation Management Plan (Redisand 2021). a) Section 4.1, Table 2 – Statutory Requirements	The Landscape and Rehabilitation Management Plan has been prepared, submitted, approved and is compliant with consent conditions.	Compliant	Compliant

Condition of Consent	Requirement (exact wording)	Evidence reviewed by Ecosure	Findings and Recommendations - Ecosure Review	Compliance Status - IEMA 2024	Compliance Status – Ecosure Review
	Secretary; and in consultation with Council; b) be submitted to the Secretary for approval prior to commencing quarrying operations; and c) include a Rehabilitation Management Plan; and a Long-term Management Strategy.	b) Section 4.1, Table 2 – Statutory Requirements c) Section 7 – Rehabilitation Management and Section 8 – Long-Term Management Strategy.			
Schedule 3, Condition 24	The Rehabilitation Management Plan must include: a) the rehabilitation objectives for the site; b) a description of the measures that would be implemented to: · rehabilitate and stabilise the site; · minimise the removal of mature trees; and · manage the remnant vegetation and habitat on the site; c) detailed performance and completion criteria for the rehabilitation and stabilisation of the site; d) a detailed description of how the performance of the rehabilitation of the quarry would be monitored over time to achieve the stated objectives; e) a detailed description of what measures would be implemented to rehabilitate and manage the landscape of the site, including the procedures to be implemented for: · progressively rehabilitating and stabilising areas disturbed by quarrying; · implementing revegetation and regeneration within the disturbance areas; · protecting areas outside the disturbance areas, including groundwater dependent ecosystems; · vegetation clearing protocols, including a protocol for clearing any trees containing hollows and the relocation of hollows from felled trees; · managing impacts on fauna; · controlling terrestrial and aquatic weeds and pests; · controlling access; · bushfire management; and · reducing the visual impacts of the development; f) a description of the potential risks to successful rehabilitation, and a description of the contingency measures that would be implemented to mitigate these risks; and g) details of who is responsible for monitoring, reviewing, and implementing the plan.	Landscape and Rehabilitation Management Plan (Redisand 2021). a) Section 7.1 – Rehabilitation Management Objectives b) Section 7 - Rehabilitation Management c) Section 7.6 – Performance Completion Criteria d) Section 7.5 - Rehabilitation Inspections and Rehabilitation Monitoring e) Section 6 – Biodiversity and Clearing Management; and Section 7 – Rehabilitation Management f) Section 7.10 – Risk Management and Contingencies g) Section 11 – Roles and Responsibilities. Annual Reviews 2020 – 2023 (Redisand 2021e – 2024).	The Landscape and Rehabilitation Management Plan is compliant with consent conditions. Evidence from the Annual Review reports between 2020 and 2023 demonstrate that the Landscape and Rehabilitation Management Plan is being implemented.	Compliant	Compliant
Schedule 3, Condition 25	The Long Term Management Strategy must: a) define the objectives and criteria for quarry closure and post-extraction management; b) investigate and/or describe options for the future use of the site; c) describe the measures that would be implemented to minimise or manage the ongoing environmental effects of the development; and d) describe how the performance of these measures would be monitored over time.	Landscape and Rehabilitation Management Plan (Redisand 2021) – Section 8 Long Term Management Strategy a) Section 8.1 – Statutory Requirements b) Section 8.4 - Options for Future Use of Site c) Section 8.5 - Management of Ongoing Environmental Effects d) Section 8.6 - Monitoring of Performance Measures.	The Long Term Management Strategy presented in the Landscape and Rehabilitation Management Plan is compliant with consent conditions.	Compliant	Compliant

Condition of Consent	Requirement (exact wording)	Evidence reviewed by Ecosure	Findings and Recommendations - Ecosure Review	Compliance Status - IEMA 2024	Compliance Status – Ecosure Review
Schedule 3, Condition 26	Rehabilitation Bond Prior to commencing quarrying operations, the Applicant must lodge a rehabilitation bond for the development with the Secretary. The sum of the bond must be calculated as either: a) \$2.50/m2 for the area to be disturbed for the first 3 years of quarrying operations; or b) in accordance with the NSW Industry and Investment Rehabilitation Cost Estimate Guidelines 2010, to the satisfaction of the Secretary.	Revised Rehabilitation Bond (ATB Morton 2018).	The timing trigger is not within the temporal scope of this audit, however evidence has been sighted to demonstrate that ATB Morton Pty Ltd guaranteed an amount of \$64,225.00 to DPE on 22 March 2018, and \$106,000.0 on 13 February 2015.	Compliant	Not triggered
Schedule 3, Condition 27	Within 3 months of each Independent Environmental Audit (see condition 8 of schedule 5), the Applicant must review, and if necessary revise, the sum of the rehabilitation bond to the satisfaction of the Secretary. This review must consider: (a) the effects of inflation; (b) the area proposed to be disturbed in the next 3 years and any changes to the total area of disturbance; and (c) the performance of the rehabilitation to date.	Rehabilitation bond letter (DPE 2023).	The Rehabilitation Bond was reviewed and revised after the completion of the previous Independent Environmental Audit and was submitted to the Department on 23 February 2022 (Redisand 2023). The review considers the value of the bond at the time, the area of disturbance and rehabilitation at the time, and the estimated area of disturbance over the next 3 years, and the proposed bond to cover the estimated net disturbance. Letter dated 18 January 2023 from DPE confirmed acceptance of the rehabilitation bond calculation.	Compliant	Compliant
Statement of Commitment 2	Vegetation Management – Salt Ash A comprehensive Vegetation Management Plan will be prepared to address the staged clearing program within the extraction footprint. This plan is to be endorsed by NSW Department of Planning and Environment prior to the commencement of clearing or earthworks. The plan shall have regard to the following matters, as outlined in the Orogen 2008 report: Vegetation Clearing Management · All contractors conducting clearing, earthworks or construction activities within the subject site are to be informed of the restrictions to the clearing of vegetation outside the exclusion fencing. A construction protocol would be prepared requiring all earthworks, machinery and personnel be strictly controlled and restricted to the extraction footprint. No storage of materials, vehicle parking or other disturbance would be undertaken outside the exclusion fencing. Contractors would be supplied with the construction protocol regarding the clearing restrictions through a work induction program; · Trees are to be felled away from the retained bushland on the subject site back into the extraction area; and · Domestic fauna (i.e. dogs) are prohibited from entering the subject site with Contractors. Weed Management A Weed Management Program is to be adopted to control weeds in buffer zones, retained swamp forest habitats and future extraction stages to minimise edge effects and future extraction stages. The program is to comprise annual monitoring to assess weed coverage and determine the need for future weed control. Pre Clearing Surveys Fauna surveys are required prior to vegetation clearing for each staged extraction area. Surveys shall target Threatened species known or potentially occurring in the locality and will involve the following steps four nights prior to staged clearing activities: · searches for nests of threatened raptors;	Landscape and Rehabilitation Management Plan (Redisand 2021). Annual Reviews 2020 – 2023 (Redisand 2021e – 2024).	The Landscape and Rehabilitation Management Plan is compliant with the Statement of Commitment for the purposes of vegetation management and has been endorsed by the Secretary. The DPHI RFI (Appendix 1) requests evidence of weed management carried out at the site, including annual monitoring. Evidence from the Annual Review reports between 2020 and 2023 demonstrate this statement of commitment is generally being met, with evidence of pre-clearing surveys and ecological supervision during vegetation clearing, as well as the implementation of staged rehabilitation. No information is given on the weed management actions undertaken during the reporting period, the current extent of weed coverage across the site, nor the need for future weed control measures. Ecosure has not seen evidence of weed spraying or treatment, nor have we been involved in site inspections to understand the current presence or abundance of weeds. It is recommended that future Annual Reviews also include reporting on the weed control actions outlined in the Statement of Commitment.	Compliant	Non-compliant (can not be determined).

Condition of Consent	Requirement (exact wording)	Evidence reviewed by Ecosure	Findings and Recommendations - Ecosure Review	Compliance Status - IEMA 2024	Compliance Status – Ecosure Review
	- searches for whitewash or other signs of roosting or nesting of powerful and masked owls; - stag watching and Anabat survey of hollow bearing trees in each staged extraction area to determine presence of microchiropteran bats; - scat searches and visual inspection for recent koala occupation of all trees proposed for felling; and - elliott trapping surveys for squirrel gliders and brush – tailed phascogale. Any identified species must be appropriately monitored, and clearance obtained prior to commencement of clearing in identified habitat / nesting sites. The results of such surveys would be made available to Office of Environment and Heritage prior to the commencement of clearing operations for each stage. Translocation of Threatened Fauna Where it is proposed to translocate a threatened fauna species, this process shall be undertaken in accordance with Policy of the Translocation of Threatened Fauna in NSW. Staged Rehabilitation Prior to the commencement of works a site rehabilitation plan is to be endorsed by NSW Department of Planning and Environment. This plan should have regard for: - staging of rehabilitation; - retention and reuse of materials from clearing process; - seed banking; use of endemic species; - recovery of any groundwater dependent ecosystems, including swamp sclerophyll forest; - proposed final landforms; and - ongoing monitoring.				
Statement of Commitment 3	Vegetation Management – Offset Site A vegetation management plan shall be prepared for the Offset Site. This Plan shall be endorsed by Office of Environment and Heritage prior to the commencement of clearing on the Salt Ash site. The plan shall give regard to the following: - weed management and monitoring; - management of retained native vegetation and habitat; - feral animal control; - fire management; - public access management; - minimisation of edge effects and fragmentation; - long term monitoring commitments; - details of rehabilitation programs / measures; - measures to ensure conservation in perpetuity; and - funding details of long term financial commitment to any proposed conservation measures.	N/A	There is no evidence of a Vegetation Management Plan for the Offset Site at Tomalla. The DPHI RFI (Appendix 1) requests evidence to support a statement by IEMA that monitoring has been undertaken at the offset site. Monitoring reports for the offset site (Biobanking site 108) are provided as an Appendices of the 2021, 2022 and 2023 Annual Reviews, and include evidence of vegetation and vertebrate pest monitoring. These monitoring reports outline the methods used to undertake monitoring, however these do not address all the points listed under Statement of Commitment 3. A vegetation management plan for the site should be prepared and implemented.	Non-compliant	Non-compliant
Ecology					
Ecology - Statement of Commitment 1	Environmental Offset By 1st February 2015, the required number of biodiversity credits are to be retired. Hollow bearing tree management	Environmental Offset Landscape and Rehabilitation Management Plan (Redisand 2021a) – Section 4.2 Biobanking agreement ID number 108	Environmental Offset The timing trigger is not within the temporal scope of this audit, but it is understood that credits have been retired.	Compliant	Non-compliant

Condition of Consent	Requirement (exact wording)	Evidence reviewed by Ecosure	Findings and Recommendations - Ecosure Review	Compliance Status - IEMA 2024	Compliance Status – Ecosure Review
	To compensate the loss of up to 212 hollow bearing trees identified in the extraction foot print it is proposed to salvage branch hollows (up to 30 cm in diameter) from those existing hollow bearing trees proposed for removal for subsequent re-erection onto host trees which the subject site, such as the buffer zones or retained swamp forest habitat, and / or on adjoining Office of Environment and Heritage estate. Hollows will be placed at least 3 metres from the base of the host tree and in a favourable orientation to minimise exposure. Host trees should be in good health. All salvaged hollows shall be re-erected within twelve (12) weeks from completion of staged clearing operations. Damaged hollows would be repaired (where possible) or replaced with nest boxes. Where required, nest boxes are to be placed in host trees in retained habitats such as buffer zones and retained swamp forest habitat and if possible, in adjoining BCD estate. The re-use of hollows and establishment of nest boxes provides habitat for a range of species including: - brush tailed phascogale; - squirrel gliders; and - microbats. Existing logs and other suitable ground debris salvaged during clearing operations are to be retained in forested habitats within the subject site. The provision ground debris within the site would be expected to provide shelter and nesting habitat for small terrestrial mammals, additional habitat for the Brush – tailed Phascogale and Squirrel Gliders. Cleared trees supporting trunk hollows would provide suitable den sites for quolls. Buffer Zones The following buffer zones / exclusion zones are proposed to be established prior to, and maintained throughout the life of the quarry: - A fifty (50) metre buffer shall be established on both sides of the northern Energy Australia power line. This will create a 130-metre-wide 'exclusion zone (including the 30 metre cleared area); - A fifty (50) metre wide buffer zone is proposed along the site boundary adjoining Office of Environment and Heritage Estate to minimise edge effects; - Remaining site boundaries will be provided with a twenty-metre-wide vegetated buffer; and - A twenty (20) metre wide buffer zone is also proposed between the northern edge of the quarry face and the retained swamp forest habitats on the site. All buffer zones are to be surveyed and marked (flagging tape / plastic mesh fencing) prior to the commencement of clearing works. Buffers will generally be consistent with the figure provided in Appendix B	(NSW OEH 2016). Hollow bearing tree management Landscape and Rehabilitation Management Plan (Redisand 2021a) – Section 6.1 and 6.2 Buffer Zones Landscape and Rehabilitation Management Plan (Redisand 2021a) – Section 6.6.	Hollow bearing tree management There is evidence to demonstrate that hollow bearing trees have been felled inline with the protocol outlined in the Landscape and Rehabilitation Management Plan (including pre-clearing surveys and ecological supervision during clearing). The 2021 Annual review details that 71 nest boxes and 50 hollows salvaged from felled trees were installed to compensate for the loss of 115 hollow bearing trees. No detail was given on the timing or placement of installation. In 2022, eight habitat trees were marked for removal but there is no evidence that hollows were compensated for through either retention of hollow features of installation of nest boxes (Redisand 2023) In 2023, 20 habitat trees were felled, but again there is no evidence of the provision of compensatory habitat. The Landscape and Rehabilitation Management Plan states that a total of 212 nest boxes must be installed, providing a ratio of 1:1 for lost hollow bearing trees. It is not clear how many nest boxes are still in a suitable condition to support fauna as the 2023 monitoring was not completed due to staff safety concerns around access. Furthermore, the 2023 Annual Review suggests that the location of installed nest boxes are not beneficial due to their proximity to available salvaged hollows. It is recommended that future Annual Reviews include a summary of nest boxes and salvaged hollows, their location and condition. Buffer Zones The following non-compliances were recorded in the 2023 Annual Review (Redisand 2024): There have been historical non-compliances regarding buffer zone boundaries and since 2020, Redisand has been consulting with DPHI to modify their original EA so that they can rectify these issues. This consultation is still ongoing. In the meantime, Redisand continues to maintain the area around the buffer zones and report the progress in the Annual Reviews. The DPHI RFI (Appendix 1) requests further evidence that the buffer zones have been maintained to the requirements of this condition, including photographs. No evidence has been sighted by Ecosure to demonstrate that the buffer zones are being adhered to. Discussion should be included in the Annual Reports going forward, including mapping and photographs where appropriate, to demonstrate compliance with the commitment to buffers.		

Revision history

Revision No.	Revision date	Details	Prepared by	Reviewed by	Approved by
00	22/11/2024	PR8943 Salt Ash Sand Quarry Independent Environmental Review	Rachel McBride, Senior Ecologist	Amanda Scott, Aquatic Ecologist	Natalie Toon, Principal Ecologist

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PR8943-RE.IEA Summary Letter

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