

SSD 5899_Brandy Hill Quarry Expansion Project - Response to Auditor Recommendation
Independent Environmental Audit – 5 June 2025

Approval	COA #	Status	CoA Requirements	IA1 Findings	IA1 Recommendation	Auditor's Responsibility	Heidelberg Materials Response
IA1-NC-01 REPORTING OBLIGATIONS – PRODUCTION AND TRANSPORT DATA							
SSD 5899	A32		Each year, from the commencement of quarrying operations, the Applicant must provide calendar year quarry production data to MEG by no later than 30 January	During the site inspection and personnel interview conducted on 5 June 2025, it was confirmed that while the Applicant had compiled the 2024 production data (as evidenced by Production Templates BH2401 to BH2412), this information was not submitted to MEG by the 30 January 2025 deadline. In response to a Request for Information (RFI) dated 11 July 2025, Brandy Hill Quarry (BHQ) acknowledged that the data had not been submitted nor was the data clearly included in the Annual Review. According to BHQ, this non-compliance was due to internal clerical and communication issues.	BHQ to implement a formal compliance tracking system that includes calendar-based reminders for all statutory reporting obligations. Additionally, internal communication processes should be strengthened to ensure such reporting requirements are clearly delegated and actioned to avoid future non-compliance.		Administrative processes for compliance are being reviewed and updated to avoid further non-compliance events.
SSD 5899	A33		The data must be provided using the relevant standard form, and a copy of the data must be included in the Annual Review (required under condition D9)	As there is no evidence confirming the required submission, this constitutes a non-compliance with the reporting obligations.			
EPL 1879	R4.5		The licensee must provide a report each year that details the quantities of materials extracted, processed and transported from the Premises during the previous calendar year (1 January to 31 December). The report must be provided in writing to info@epa.nsw.gov.au by 1 April each year. The report must be provided to the satisfaction of the EPA.	During the site inspection on 5 June 2025, it was found that BHQ did not submit the required report to the EPA by 1 April 2025. This report must include the quantities of materials extracted, processed, and transported in the previous calendar year (1 January to 31 December 2024). BHQ explained the failure of submission was due to internal clerical and communication issues.			Administrative processes for compliance are being reviewed and updated to avoid further non-compliance events.
IA1-NC-02 AIR QUALITY AND GREENHOUSE GAS MANAGEMENT							
SSD 5899	B22		The Applicant must ensure that particulate matter emissions generated by the development do not cause exceedances of the criteria in Table 4 at any residence on privately-owned land. Table 4: Air quality criteria	A non-compliance was identified in BHQ's 2024 Annual Review relating to exceedance of PM2.5 air quality criteria. Specifically, on 16 December 2024, the 24-hour average PM2.5 concentration reached 29.5 µg/m³, exceeding the limit of 25 µg/m³. Additionally, the annual average PM2.5 concentration was	The Air Quality and Greenhouse Gas Management Plan should be reviewed and updated if needed to ensure it meets all requirements, following the reporting of this incident in the Annual Review.		The Air Quality Management Plan has been reviewed and will continued to be reviewed in accordance with Condition D5 of SSD 5899.

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			<table><thead><tr><th>Pollutant</th><th>Averaging period</th><th>Criterion</th></tr></thead><tbody><tr><td rowspan="2">Particulate matter < 10 µm (PM₁₀)</td><td>Annual</td><td>≤ 25 µg/m³</td></tr><tr><td>24 hour</td><td>≤ 50 µg/m³</td></tr><tr><td rowspan="2">Particulate matter < 2.5 µm (PM_{2.5})</td><td>Annual</td><td>≤ 8 µg/m³</td></tr><tr><td>24 hour</td><td>≤ 25 µg/m³</td></tr><tr><td>Total suspended particulate (TSP) matter</td><td>Annual</td><td>≤ 90 µg/m³</td></tr></tbody></table> Notes: ^a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources). ^b Incremental impact (i.e. incremental increase in concentrations due to the development on its own). ^c Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Planning Secretary.	Pollutant	Averaging period	Criterion	Particulate matter < 10 µm (PM ₁₀)	Annual	≤ 25 µg/m ³	24 hour	≤ 50 µg/m ³	Particulate matter < 2.5 µm (PM _{2.5})	Annual	≤ 8 µg/m ³	24 hour	≤ 25 µg/m ³	Total suspended particulate (TSP) matter	Annual	≤ 90 µg/m ³	recorded at 8.2 µg/m³, slightly above the allowable limit of 8 µg/m³. This breach of both the daily and annual PM2.5 criteria constitutes a non-compliance with the approved air quality conditions. As of the latest reporting, BHQ has stated that the cause of the exceedance is still under investigation.			
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SSD 5899	B27		The Applicant must implement the Air Quality and Greenhouse Gas Management Plan as approved by the Planning Secretary	The Applicant is committed to implementing the Air Quality and Greenhouse Gas Management Plan as approved by the Planning Secretary. However, the non-compliance with Condition B22, as reported in the 2024 Annual Review, also represents a breach of this condition.			The Air Quality Management Plan has been reviewed and will continued to be reviewed in accordance with Condition D5 of SSD 5899.																
IA1-NC-03 WATER MANAGEMENT																							
SSD 5899	B39		The Applicant must implement the approved Water Management Plan.	During a site inspection on 4 February 2025, the DPHI identified a non-compliance with Condition B39, which requires the Applicant to implement the approved Water Management Plan. The non-compliance related to several issues, including water management practices and liquid storage. In response, BHQ submitted a corrective action plan in a letter dated 18 February 2025, addressing the concerns raised. The DPHI acknowledged BHQ's response in a follow-up letter dated 28 February 2025. The corrective actions were completed by 31 March 2025, as	The Water Management Plan should be reviewed and updated as needed to reflect current site conditions and any changes made. Also, include the incidents in the EPA Annual Return.		The Water Management Plan has been reviewed and will continued to be reviewed in accordance with Condition D5 of SSD 5899.																

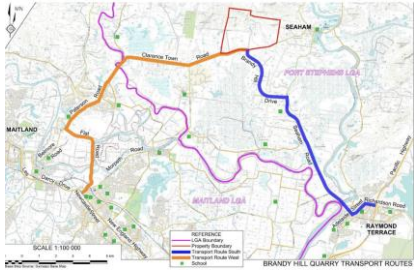
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				confirmed in BHQ's documentation. Although the issue was resolved, the initial failure to fully implement the approved Water Management Plan led to this recorded non-compliance.																								
EPL 1879	L1.1		Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	Section 120 of the Protection of the Environment Operations Act 1997 makes it an offence to pollute waters, regardless of intent or negligence, if it is likely to harm water quality. In this case, uncontrolled discharge events from heavy rainfall led to higher Total Suspended Solids (TSS) levels. However, post-incident tests from VGT Laboratory Pty Ltd showed that water and land concentration levels stayed within acceptable limits. BHQ reported the incident to DPHI as required by Condition D7 of SSD 5899.			The Water Management Plan has been reviewed and will continued to be reviewed in accordance with Condition D5 of SSD 5899.																					
EPL 1879	L2.1		For each monitoring/discharge point or utilisation area specified in the tables below (by a point number), the concentration of a pollutant discharged at that point, or applied to the area, must not exceed the concentration limits specified for that pollutant in the table.																									
EPL 1879	L2.4		Water and/or Land Concentration Limits POINT 4,5,6,9 <table><tr><th>Pollutant</th><th>Units of Measure</th><th>50 percentile concentration limit</th><th>90 percentile concentration limit</th><th>30GM concentration limit</th><th>100 percentile concentration limit</th></tr><tr><td>Oil and Grease</td><td>milligrams per litre</td><td></td><td></td><td></td><td>10 or non visible</td></tr><tr><td>pH</td><td>pH</td><td></td><td></td><td></td><td>6.5-8.5</td></tr><tr><td>TSS</td><td>milligrams per litre</td><td></td><td></td><td></td><td>50</td></tr></table>				Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	30GM concentration limit	100 percentile concentration limit	Oil and Grease	milligrams per litre				10 or non visible	pH	pH				6.5-8.5	TSS	milligrams per litre		
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IA1-NC-04 TRAFFIC MANAGEMENT																												
SSD 5899	B44		The Applicant must implement the approved Traffic Management Plan.	Based on personnel interviews, the Applicant has undertaken monitoring of the implementation of the approved Traffic Management Plan during the audit period. However, a non-compliance was identified involving the use of an unapproved transport route during a flooding event on Brandy Hill Drive, constituting a breach of the condition and Appendix 8 Haulage Route. DPHI has commenced their investigation into the failure to implement the Traffic	The Traffic Management Plan must be reviewed and updated to include the emergency access route and conform approval with the Council.	B Pignone M Kamatsos	Transport Management Plan is to be updated to include detail that an alternative transport route is to be used in an emergency such as during a flooding event that occurred in May 2025. The updated TMP will be submitted for review by end of September 2025.																					
SSD 5899	Appendix 8		Haulage Route																									

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				Management Plan, which is currently in progress. Refer to Appendix E – Site Inspection Photos. The non-compliance remains open pending the outcome of DPHI's investigation.			
IA1-NC-05 REPORTING OBLIGATIONS - INCIDENT AND NON-COMPLIANCE							
SSD 5899	D7		The Applicant must immediately notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing through the Department's Major Projects website and identify the development (including the development application number and name) and set out the location and nature of the incident.	Based on the correspondence submitted by Hanson Construction Materials (HMA) to the Department of Planning, Housing and Infrastructure (DPHI) on 18 February 2024, a site inspection was conducted by DPHI on 4 February 2025. During the inspection, several non-compliances were identified, including a breach of Conditions D7 and D8 for failing to immediately notify the Department of an incident—specifically, a water discharge event observed on 16 January 2025. This condition also requires prompt reporting to other relevant agencies, such as the EPA. Since there was no evidence of written notifications to the EPA regarding the uncontrolled discharge incidents, this was raised as a breach of reporting requirements under Condition D7 of the consent and Condition R2.2 of EPL 1879.	BHQ should implement its protocols for the immediate or timely reporting of incidents, ensuring compliance with Conditions D7 and D8. This should include a system for timely notifications to the Department and relevant agencies such as the EPA, as required by the consent conditions.		Administrative processes for compliance are being reviewed and updated to avoid further non-compliance events.
SSD 5899	D8		Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the noncompliance. The notification must be in writing to through the Department's Major Projects website and identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply and	Based on the evidence, it was found that BHQ failed to notify the Department within the required seven-day period following an incident. Specifically, this relates to a water discharge event observed on Thursday, 16 January 2025. According to the requirements, BHQ should have notified the Department within seven days of becoming aware of the incident. However, no written notification was submitted within this timeframe, constituting a breach of the notification condition set out under this condition. This delay in reporting			

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			the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance. <i>Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance</i>	prevents the Department from being promptly informed and taking necessary action.			
EPL 1879	R2		Notification of environmental harm Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.	Based on the correspondence submitted by Hanson Construction Materials (HMA) to the Department of Planning, Housing and Infrastructure (DPHI) on 18 February 2024, a site inspection was conducted by DPHI on 4 February 2025. During the inspection, several non-compliances were identified, including a breach of Conditions D7 and D8 for failing to immediately notify the Department of an incident—specifically, a water discharge event observed on 16 January 2025. This condition also requires prompt reporting to other relevant agencies, such as the EPA. Since there was no evidence of written notifications and telephoning to the EPA regarding the uncontrolled discharge incidents, this was raised as a breach of reporting requirements under Condition D7 of the consent and Conditions R2, R2.1, and R2.2 of EPL 1879	BHQ should implement its protocols for the immediate or timely reporting of incidents, ensuring compliance with Conditions D7 and D8. This should include a system for timely notifications to the Department and relevant agencies such as the EPA, as required by the consent conditions		Administrative processes for compliance are being reviewed and updated to avoid further non-compliance events.
	R2.1		Notification must be made by telephoning the Environment Line service on 131 555.				
	R2.2		The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident.				
IA1-NC-06 REPORTING OBLIGATIONS – DATE OF COMMENCEMENT							
EPBC 2015/7543	Condition 6		The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.	This condition requires the approval holder to notify the Department in writing of the project's actual commencement date within 10 business days. The project officially commenced on 9 July 2024; however, the notification letter was not submitted to DCCEEW until 31 July 2024—exceeding the required 10-business-day timeframe resulting in a non-compliance with this condition.	The approval holder should implement a compliance tracking system to monitor key notification deadlines, including commencement reporting		Administrative processes for compliance are being reviewed and updated to avoid further non-compliance events.

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IA1-NC-07 ENVIRONMENTAL MANAGEMENT STRATEGY							
SSD-5899	D3		The Applicant must implement the Environmental Management Strategy as approved by the Planning Secretary	While BHQ commits to comply with this condition, non-compliance with related Conditions D7 and D8—concerning the timely notification and reporting of incidents—has directly affected compliance with this requirement. As a result, this constitutes a breach of the obligation to implement the approved EMS, specifically, full implementation of protocols under Section 6.1.2 (Incident Notification and Investigation) and Section 6.1.4 (Incident Reporting) was not demonstrated.	BHQ should take steps to fully implement protocols in Sections 6.1.2 and 6.1.4 of the EMS by reviewing and strengthening its relevant incident management procedures.		Administrative processes for compliance are being reviewed and updated to avoid further non-compliance events.