

Page 1 of 55

SITE DETAILS – MINERAL & EXTRACTIVE RESOURCES

Name: Ardmore Park Quarry

Operator: Multiquip Quarries

Commodity: Hard rock aggregate, roadbase, construction sand

Rock Type: Basalt, alluvium

Status: Operating - Continuous

Comments: Area also encompasses the Ardmore Park Black Soil resource, operated by M Collins & Sons Pty Ltd, a montmorillonite soil used exclusively to make cricket pitches across New South Wales.

Name: Boxers Creek Potential Resource Area

Operator: Not Applicable

Commodity: Hard rock aggregate

Rock Type: Basalt

Status: Undeveloped

Comments: Body of basalt from which the Boxers Creek Quarry operators propose to extract hard rock aggregate with a view to continually extending the quarry footprint to extract all the basalt resource available on Lot 1 DP1094055 if demand for the material is sufficient. Area outside Lot 1 DP1094055 is likely to be of the same quality.

Name: Boxers Creek Quarry

Operator: Argyle (NSW) Pty Ltd

Commodity: Hard rock aggregate

Rock Type: Basalt

Status: Undeveloped

Comments: Proposal to extract up to 30000m³pa (60000t) from an initial resource of ~165000m³ over a period of 5.5yrs with a view to continually extending the quarry footprint to extract all the basalt resource available on Lot 1 DP1094055 if demand for the material is sufficient.

Name: Carrick Hill Quarry

Operator: Divall's Earthmoving

Commodity: Roadbase

Rock Type: Shale

Status: Operating - Continuous

Comments: Major roadbase quarry in Goulburn Mulwaree LGA.

Name: Carrick Road Potential Resource Area

Operator: Not Applicable

Commodity: Roadbase

Rock Type: Shale, siltstone

Status: Undeveloped

Comments: Area of shale and siltstone for road base as at Carrick Hill and Clover Hills quarries.

Name: Clover Hills Quarry

Operator: Divall's Earthmoving

Commodity: Roadbase

Rock Type: Shale

Status: Not Operating

Comments: May reopen in future

Name: Cullulla Pit

Operator: Goulburn Mulwaree Council

Commodity: Roadbase

Rock Type: Shale

Status: Operating - Intermittent

Comments: One of council's major quarries.

Name: Denny's Pit

Operator: Goulburn Mulwaree Council

Commodity: Roadbase

Rock Type: Shale

Status: Operating - Intermittent

Comments: One of council's major quarries.

Name: Drews Pit

Operator: Goulburn Mulwaree Council

Commodity: Roadbase

Rock Type: Shale

Status: Operating - Intermittent

Comments: One of Council's major quarries. Also used by Divall's Earthmoving.

Name: Glenrossal Potential Resource Area

Operator: Not Applicable

Commodity: Base metals, gold, silver

Rock Type: Sandstone, skarn

Status: Undeveloped

Comments: Known mineralisation with significant potential for additional skarn-type deposits similar to the Mayfield deposit.

Name: Gunlake Quarry
Operator: Gunlake Pty Ltd
Commodity: Hard rock aggregate, rail ballast, roadbase, sand
Rock Type: Ignimbrite
Status: Operating - Continuous
Comments: A major quarry in the Marulan area. Entire project area included to allow for future expansions. Proposal to increase annual extraction from 500000tpa to 750000tpa. Proven resource of >180Mt with a current quarry approval of 30 yrs and a possible quarry life of >100 yrs.

Name: Hallinans Sand Quarry
Operator: Hi-Quality Group
Commodity: Gold, construction sand, decorative aggregate, coarse aggregate, silica
Rock Type: Alluvium
Status: Operating - Continuous
Comments: Held under MLs 887 & 888. Zircon, decorative aggregate and construction sand produced along with some gold.

Name: Johnniefields Quarry
Operator: Holcim (Australia) Pty Ltd
Commodity: Hard rock aggregate, rail ballast, roadbase, sand
Rock Type: Ignimbrite
Status: Operating - Continuous
Comments: A major quarry in the Marulan area.

Name: Kettles Pit
Operator: Goulburn Mulwaree Council
Commodity: Roadbase
Rock Type: Shale, sandstone
Status: Operating - Intermittent
Comments: One of Council's major quarries.

Name: Kingsdale Potential Resource Area
Operator: Not Applicable
Commodity: Limestone
Rock Type: Limestone
Status: Undeveloped
Comments: Quarries in the Kingsdale area have been important lime producers.

Name: Lake Bathurst Potential Resource Area
Operator: Not Applicable
Commodity: Limestone
Rock Type: Limestone
Status: Undeveloped

Name: Lake Bathurst Washed Sands Quarry
Operator: Gilmore Station
Commodity: Construction sand
Rock Type: Alluvium
Status: Operating - Intermittent
Comments: Sand derived from decomposing granite. Used for concrete.

Name: Lynwood Quarry
Operator: Holcim (Australia) Pty Ltd
Commodity: Hard rock aggregate, rail ballast, roadbase, sand
Rock Type: Ignimbrite
Status: Operating - Continuous
Comments: A major extractive resource.

Name: Mahoneys Pit
Operator: Goulburn Mulwaree Council
Commodity: Roadbase
Rock Type: Volcanics
Status: Operating - Intermittent
Comments: One of Council's major quarries.

Name: Marian Vale Quarry Proposal
Operator: Antiquaire Pty Ltd & Millerview Constructions Pty Ltd
Commodity: Clay, sand, gravel, aggregate, roadbase, landscape materials
Rock Type: Clay, sand, gravel, basalt
Status: Undeveloped
Comments: Proposal to extract 1Mtpa over 30 years for the manufacture of bricks, tiles, concrete, road materials, sand and landscaping material (Project Application Report March 2006). Revoked by DPI on 1/10/11.

Name: Mayfield Prospect
Operator: Capital Mining Limited
Commodity: Copper, gold, lead, zinc, silver
Rock Type: Metasandstone
Status: Undeveloped
Comments: Inferred resource of 4Mt at 0.4% Cu, 0.6% Au, & 8.4g/t Ag.

Name: Minda Quarry
Operator: Hi-Quality Group
Commodity: Brick clay, brick sand
Rock Type: Sandstone
Status: Operating - Continuous
Comments: Also used as solid waste landfill.

Name: Olsens Pit
Operator: All Plant & Earthworks Pty Ltd
Commodity: Roadbase
Rock Type: Shale
Status: Operating - Intermittent

Name: Peppertree Quarry
Operator: Boral Resource (NSW) Pty Ltd
Commodity: Hard rock aggregate
Rock Type: Granodiorite
Status: Undeveloped
Comments: Formerly called Marulan South. Products include aggregate for concrete, asphalt, rail ballast, gabion baskets, armour stone and manufactured sand.

Name: Pylara Limestone
Operator: TriAusMin Ltd
Commodity: Limestone, quicklime
Rock Type: Limestone
Status: Undeveloped
Comments: Explored by Tri Origin Exploration Ltd (now TriAusMin Ltd) for use in Woodlawn mine rehabilitation and for quick lime and other limestone products.

Name: Reynolds Quarry
Operator: Divall's Earthmoving
Commodity: Roadbase
Rock Type: Shale, sandstone, clay
Status: Operating - Intermittent

Name: Shelleys Flat
Operator: The Austral Brick Co Pty Ltd
Commodity: Brick clay, structural clay
Rock Type: Clay
Status: Operating - Intermittent
Comments: Held under MLs 786 & 866 and PLL1293.

Name: South Marulan Quarry
Operator: Boral Cement Limited
Commodity: Limestone, marble, clay/shale, structural clay
Rock Type: Limestone
Status: Operating - Continuous
Comments: Held under CML16.

Name: Tarago Potential Resource Area
Operator: Not Applicable
Commodity: Limestone
Rock Type: Limestone
Status: Undeveloped

Name: The Glen Potential Resource Area
Operator: Not Applicable
Commodity: Base metals, gold, silver
Rock Type: Rhyolite
Status: Undeveloped
Comment: Area of high prospectivity which includes the Glen E prospect massive sulphide-related mineralization, and the Collector prospect skarn-type mineralisation.

Name: Wet Lagoon Potential Resource Area
Operator: Not Applicable
Commodity: Copper, gold, silver, lead, zinc
Rock Type: Volcanics
Status: Undeveloped
Comment: Potential for mineralisation similar to that at Woodlawn Mine.

Name: Wilsons Pit
Operator: Goulburn Mulwaree Council
Commodity: Roadbase
Rock Type: Granite
Status: Operating - Intermittent
Comments: One of Council's major quarries.

Name: Woodlawn Mine

Operator: TriAusMin Ltd

Commodity: Copper, silver, lead, zinc, gold

Rock Type: Tuff

Status: Undeveloped

Comments: Held under S(C&PL)L20.

Woodlawn underground resource (Measured & Indicated) totals 8.58Mt @ 10.3% Zn, 1.8% Cu, 4.02% Pb, 84.45g/t Ag, 0.54g/t Au with the adjacent tailings project holding an additional 11.65Mt @ 2.3% Zn, 0.5% Cu, 1.4% Pb, 0.3g/t Au, 32g/t Ag.

Goulburn Mulwaree DCP 2009 Assessment (incorporating Amendment 2, effective 27 June 2012)				
Matters for consideration	N/A	Yes	No	Comments
Definitions	✓			Industry (Mining) (Mining SEPP override LEP and DCP)
Requirements for Variation	✓			No variation sought. Car parking assessment not considered a variation better defined in this instance as Road Transport Terminal/Container Depot and Extractive industry
Part 2 - Plan Objectives				
General		✓		Conditioned to ensure employment uses to be sensitively designed and located; buffers are to be used to safeguard the integrity and quality of waterways and creeks; non-residential land uses shall not impact upon the amenity of the area or surrounding sensitive land uses; best practice water quality controls (including water quality monitoring) should be implemented; and pre-development water quality should be maintained or enhanced in post-development run-off. .
Locality - Goulburn	✓			
Locality – Marulan	✓			
Rural Development	✓			
Locality - Bungonia	✓			
Locality - Lake Bathurst	✓			
Locality - Tallong	✓			
Locality - Tarago	✓			

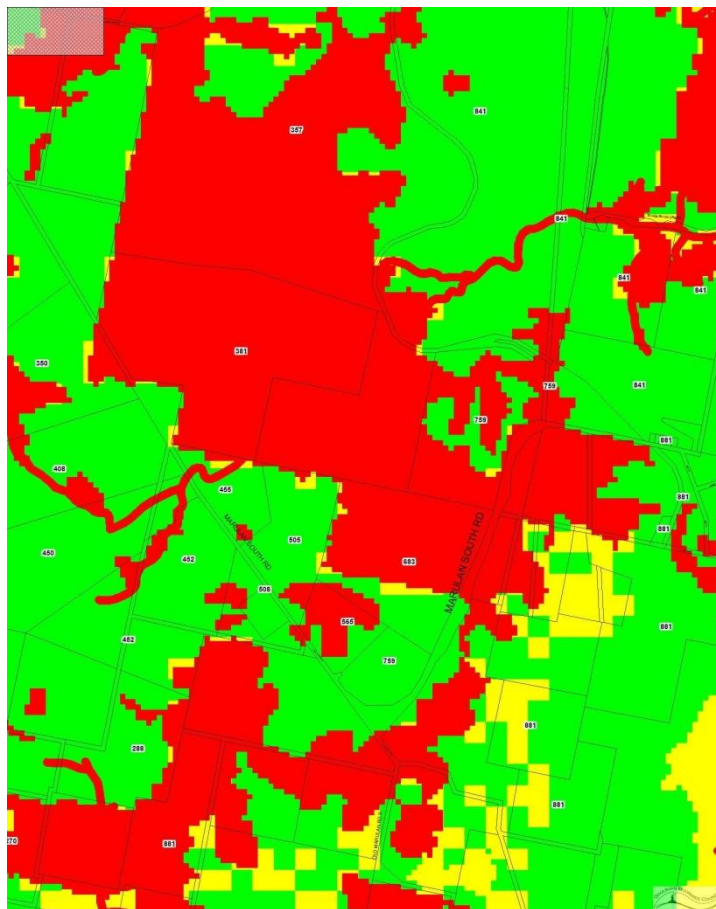
Matters for consideration	N/A	Yes	No	Comments
Part 3 - General Development Controls				
European Heritage Conservation	✓			Not in a heritage conservation area. No identified heritage within the locality of the site.
Indigenous Heritage & Archaeology		✓		22 Aboriginal artefacts or archaeology identified within 1000m of site on AHIMS. No Aboriginal arefacts identified within the site on AHIMS. Archaeological Assessment undertaken by Pejar LALC and no Aboriginal archaeological sites were located within the property. Precautionary condition included in draft conditions of consent as requested by Pejar LALC.
Landscaping		✓		Greater than \$250,000 so should require a landscape plan in accordance with DCP. Landscaping proposed to be conditioned to maintain or improve remaining remnant native vegetation for offset and improvement.
Vehicular Access & Parking		✓		The EIS calculated that there was a need to provide between 4 and 6 spaces for 9 employees based on Road Transport Terminal/Container Depot and Extractive industry. As the site currently contains 7 spaces the site currently meets car parking requirements. The Industry category is based on the size of the shed. Given that the total shed size is for the processing of lime not to store more product for sale etc the Industry category of 1space/100m ² of GFA plus 1space/40m ² office GFA is considered excessive in this instance. Development deemed to comply with DCP requirements based on Road Transport Terminal/Container Depot and Extractive industry rather than industry
Disability Standards for Access		✓		Development to be conditioned where applicable.
Crime Prevention		✓		Additional staff will allow for additional surveillance. Not considered a significant matter in the locality.

Matters for consideration	N/A	Yes	No	Comments
Flood Affected Lands	✓			Lands not identified as flood affected. No information available for rural areas
Tree & Vegetation Preservation		✓		The EIS identifies removal of 20 trees to be removed. Removal is conditioned to be minimal. S25(f) exempts Designated Development from requiring approval for clearing native vegetation.
Dryland Salinity	✓			The site is not identified as having Dryland Salinity Problems.
Waterbody & Wetland Protection	✓			The development site is not adjacent to any natural water bodies or sensitive wetland areas.
Groundwater	✓			The application did not include approval to extract, divert or contaminate groundwater. Use of water bore proposed. NSW Office Water have confirmed transfer of existing Water Access License required for commercial purposes.
Riparian Rights for Subdivision	✓			
Biodiversity Management		✓		<p>Site is located in a Terrestrial Biodiversity area. The proposal will meet the 'maintaining or improve' biodiversity outcomes (by protect and manage) the area of native vegetation on the site. Refer to Report for further discussion. Refer following figure for extract Goulburn Mulwaree Biodiversity Strategy 2007 however ground truthed which shows the site footprint to be located within previously disturbed area (adjoining remnant vegetation). The site is not located within Regional Corridor Fig 3-9 to GMDCP 2009.</p> <p>The development is proposed to be conditioned to protect the remaining remnant vegetation which will meet the objectives for HCV land.</p>
Stormwater Pollution		✓		2 Water Quality Control Ponds are proposed to be used to manage stormwater. Water NSW Concurrence provided.

Matters for consideration	N/A	Yes	No	Comments
Impacts on Drinking Water Catchments		✓		NorBe test is satisfied. Concurrence provided.
Bushfire Risk Management		✓		The site is identified as part category 1 bush fire prone vegetation on the Goulburn Bushfire Prone lands map. The proposed facility is generally more than 10 metres from the vegetation on site. No bushfire assessment was provided and the site was not identified as bushfire prone in the EIS. S79BA EPA Act requires compliance with the current document <i>Planning for Bushfire Protection</i> (RFS) The application will be required to comply with the current bushfire standards. An industrial use is not a <i>Special Fire Protection Purpose</i> and does not require approval RFS.
Heavy Vehicle Generating Development		✓		The Road is required to be upgraded to a heavy vehicle haulage route standard.
Change of use involving 'existing use' provisions	✓			
Part 4 – Principal Development Controls - Urban				
<u>Residential Development</u>				
Site planning, Bulk, Scale & Density	✓			
No. of storeys	✓			
Solar access	✓			
Privacy	✓			
Private Open Space	✓			
Setbacks	✓			
Views	✓			
Traffic Safety & Management	✓			
Carparking & Driveways	✓			
Site Facilities	✓			

Matters for consideration	N/A	Yes	No	Comments
Energy Efficiency, Window Shading, Lighting, Insulation, Heating & Cooling	✓			
Water Pollution	✓			
Working Hours – Residential & Business	✓			
Subdivision	✓			
Local Structure Plan	✓			
<u>Non-residential Development</u>				
Design Principles – Industrial	✓			
Visual quality - Industrial	✓			Not visible from public street frontage
Building Setbacks – Industrial	✓			Not visible from public street frontage
Height – Industrial	✓			The height of the development is greater than 8m and is a requirement due to the nature of the proposal with storage silos. The height is not considered visually intrusive for the area as no submissions or objections were received
Noise & Vibration - General		✓		Although not specifically industrial development (SEPP overrides DCP) Refer to Section <> of the Report for assessment against noise and vibration
Air Pollution – Industrial		✓		Although not specifically industrial development Refer to Section <> of the Report for assessment of air quality
Water Pollution – Industrial		✓		Although not specifically industrial development Refer to Section <> of the Report for assessment on water pollution
Mixed Use Development – Industrial & Residential	✓			

Extract *Goulburn Mulwaree Biodiversity Strategy 2007* on Council's GIS Mapping system



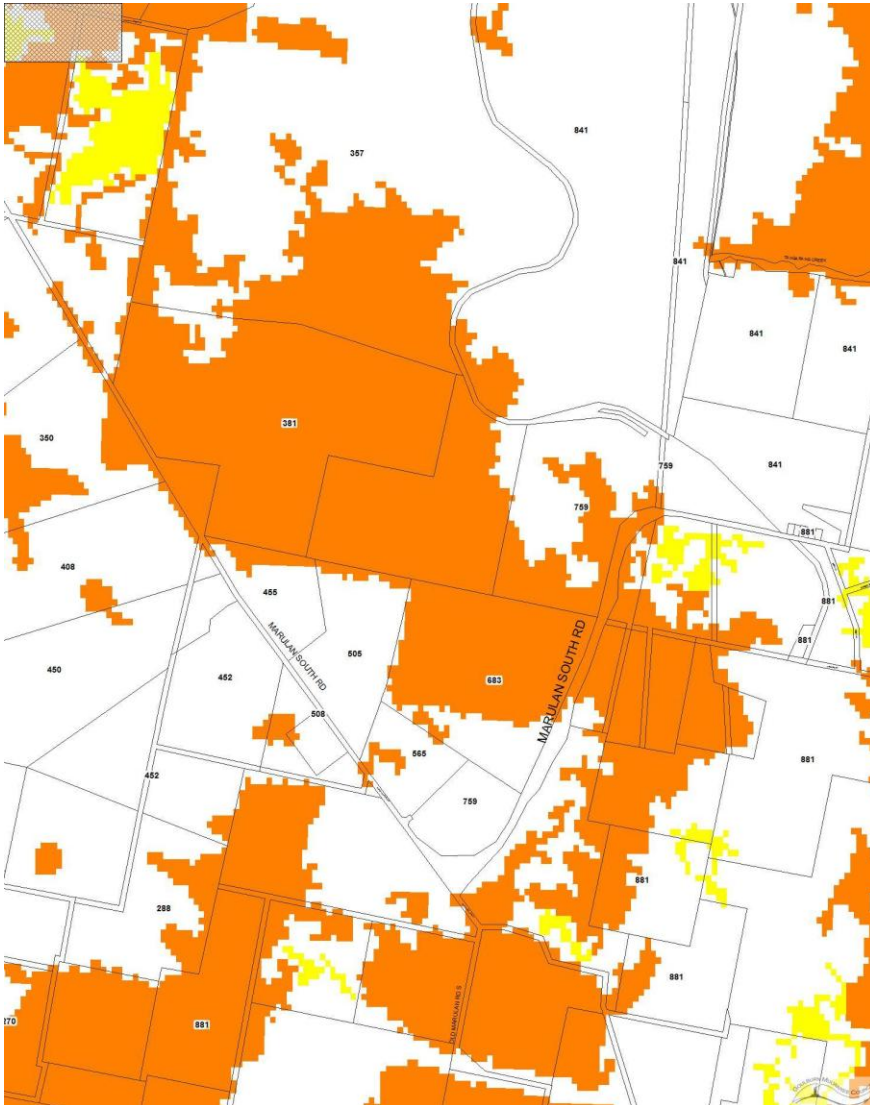
Key:

Red = High Conservation Area

Yellow = Medium Conservation Value

Green = Low Conservation Value

Extract Bush Fire Prone Land on Council's GIS Mapping system



Key

Yellow Category 2

Orange Category 1

Matters for consideration	N/A	Yes	No	Comments
Part 5 - Principal Development Controls – Rural				
Intensive Agriculture	✓			
Subdivision	✓			
Rural Dwellings	✓			
Rural Sheds	✓			Not considered rural sheds.
Rural Industries	✓	✓		<p>Mining does not fall under the definition of rural industry. However:</p> <p>External storage areas shall not be visible from a public place.</p> <p>The applicant will be required to ensure sound proofing for machinery or activities which create a noise, meet the EPA hours of operation criteria.</p>
Boarding &/or Breeding Kennels	✓			
Hazardous Chemicals	✓			No details of any chemical storage. Fuel storage to comply with current best standards
Rural Land Use Conflict		✓		Does not comply with DCP buffers in Table 5-1 however not considered applicable as not a mine or a rural industry. Refer to Noise and Air Quality Assessments in Report and EPA GTAs
Public Entertainment in Rural Zones	✓			
Rural Worker's Dwellings in RU1	✓			

Matters for consideration	N/A	Yes	No	Comments
Part 6 - Special Development Types				
Poultry Farms	✓			
Service Centres	✓			
Wind Farms	✓			
Advertising & Signage	✓			
Sex Service Premises	✓			
Outdoor Dining	✓			
Telecommunications	✓			
Large Lot Residential – Zone R5	✓			
Relocatable Homes	✓			
Development in the Enterprise Corridor – Zone B6	✓			
Extractive Industries	✓			Refer to Report for full assessment under mine
Dual Occupancy in Rural Zones	✓			
Stables in Residential & Recreation Zones	✓			
Manfred Park Block	✓			
Part 7 – Engineering Requirements				
Utility Services	✓			No reticulated water or sewer
Roads		✓		Road improvements required for Marulan South Road
Drainage & Soil & Water Management		✓		Water NSW concurrence received. Meets best standards
Site Specific Provisions	✓			
Easements	✓			

Matters for consideration	N/A	Yes	No	Comments
Staging of Development in Urban Release Areas	✓			
Part 8 - Site Specific Provisions				
Marys Mount	✓			
Common Street	✓			
Clyde Street	✓			
Marulan	✓			
Long Street "Charles Valley"	✓			
Goulburn CBD	✓			
Part 9 – Contributions		✓		Refer to Report

Appendix A - Significance of Aboriginal Sites		✓		Precautionary Conditions provided. Discussed previously in DCP assessment
Appendix B – Preferred Planting Species	✓			Site specific planting requirement. Further protection of existing remnant vegetation required in draft conditions.
Appendix C – Notification Procedures		✓		Submissions received refer to full assessment for details.
Appendix D – DA Checklist		✓		NoBushfire self assessment has been completed.
Appendix E – Rainwater Tank Policy		✓		Conditioned to comply with Planning for Bush Fire Protection 2006 Guideline
Appendix F – Telecommunications Policy	✓			
Appendix G – Landscaping Policy		✓		As conditioned satisfactory outcome predicted
Appendix H – Heritage Impact Statements	✓			
Appendix I – Good Design Statement	✓			

Protection of the Environment Operations Act 1997

General Terms of Approval - Issued



Notice No: 1518674

Goulburn Mulwaree Council
GOULBURN NSW 2580

Attention: Narlisa Cooper

Notice Number 1518674
File Number EF13/5011; DOC13/89436
Date 15-Jan-2014

Dear Narlisa

**Re: Proposed Expansion of Eastern Sand and Gravel Facility –
Lot 21 DP 867667, 709 Marulan South Road, Marulan South**

Issued pursuant to Section 91A(2) Environmental Planning and Assessment Act 1979

I refer to the development application and accompanying information provided for the proposed expansion of the Eastern Sand and Gravel limestone processing facility at Lot 21 DP 867667, 709 Marulan South Road, Marulan South ("the proposal") received by the Environment Protection Authority (EPA) on 3 December 2013.

The EPA has reviewed the information provided and agrees with Goulburn-Mulwaree Council's view that this development application is Integrated Development. The EPA is able to issue an Environment Protection Licence for the proposal subject to a number of conditions. The applicant will need to make a separate application to EPA to obtain this licence if development consent is granted.

The EPA would like to take this opportunity to remind the proponent that Scheduled Development Work (eg. construction) or Scheduled Activities (eg. processing more than 30,000 tonnes per annum of limestone) associated with the proposed expansion are not permitted onsite until Scheduled Development Work and Scheduled Activity licences are issued by the EPA.

The General Terms of Approval for this proposal are provided at **Attachment A**. If Goulburn-Mulwaree Council grants development consent for this proposal these conditions should be incorporated into the consent.

These general terms relate to the development as proposed in the documents and information currently provided to the EPA by Council. In the event that the development is modified either by the applicant prior to the granting of consent or as a result of the conditions proposed to be attached to the consent, it will be necessary to consult with EPA about the changes before the consent is issued. This will enable EPA to determine whether its general terms need to be modified in light of the changes.

Protection of the Environment Operations Act 1997

General Terms of Approval - Issued



Notice No: 1518674

If you have any questions, or wish to discuss this matter further please contact Michael Heinze on 6229 7002.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Julian Thompson', written over a horizontal dotted line.

Julian Thompson

Unit Head

South East - Queanbeyan

(by Delegation)

Protection of the Environment Operations Act 1997

General Terms of Approval - Issued



Notice No: 1518674

Administrative conditions

1. Information supplied to the EPA

1.1 Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- the development application DA/180/1314 submitted to Goulburn Mulwaree Council on 25 November 2013;
- the environmental impact statement "*Proposed Expansion of Eastern Sand and Gravel Facility, Lot 21 DP 867667, 709 Marulan South Road, Marulan South*" relating to the development; and
- all additional documents supplied to the EPA in relation to the development.

2. Fit and Proper Person

2.1 The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the Protection of the Environment Operations Act 1997, having regard to the matters in s.83 of that Act.

Limit conditions

3. Pollution of waters

3.1 Except as may be expressly provided by a licence under the *Protection of the Environment Operations Act 1997* in relation to the development, section 120 of that Act must be complied with in and in connection with the carrying out of the development.

4. Waste

4.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by a licence under the *Protection of the Environment Operations Act 1997*.

4.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence under the *Protection of the Environment Operations Act 1997*.

5. Noise limits

5.1 Noise from the premises must not exceed an LAeq (15 minute) noise emission criterion of 36 dB(A) at any time.

5.2 Noise from the premises is to be measured at the most affected point within the residential boundary, or at the most affected point within 30 meters of a dwelling where the dwelling is more than 30 meters from the boundary, to determine compliance with the LAeq (15 minute) noise limits in condition 5.1.

5.3 The noise emission limits identified in condition 5.1 apply for prevailing meteorological conditions (winds up to 3m/s), except under conditions of a temperature inversion.

Noise impacts that may be enhanced by temperature inversions must be addressed by documenting noise complaints received to identify any higher level of impacts or patterns of temperature inversions.

Protection of the Environment Operations Act 1997

General Terms of Approval - Issued



Notice No: 1518674

Where levels of noise complaints indicate a higher level of impact then actions to quantify and ameliorate any enhanced impacts under temperature inversions conditions should be developed and implemented.

5.4 A Noise Impact Assessment validation assessment must be conducted within 3 months of completion of each of Step 1, Step 2 and Step 3, as detailed in Section 4.1.2 of the environmental impact statement "*Proposed Expansion of Eastern Sand and Gravel Facility, Lot 21 DP 867667, 709 Marulan South Road, Marulan South*". The Noise Impact Assessment validation assessment must be carried out to verify whether or not actual noise levels at nearest sensitive receivers comply with the noise limits predicted in the Noise Impact Assessment. This assessment must be carried out in accordance with the methods prescribed in the EPA's Industrial Noise Policy (2000).

5.5 All operations at the premises must be undertaken within enclosed buildings, with the exception of the delivery of raw product, and dispatch of end product.

6. Hours of operation

6.1 Activities at the premises must only be undertaken within the permitted times specified in the table below:

Activity Type	Permitted hours of Operation, Mondays - Fridays	Permitted hours of Operation Saturdays	Permitted hours of Operation - Sundays and Public Holidays
Construction Work	7.00am to 5.00pm	8.00am to 1.00pm	None
Receipt of raw materials	5.00am to 7.00pm	None	None
Primary Crushing and screening	5.00am to 7.00pm	6.00am to 4.00pm	None
Other activities at the premises	5.00am to 10.00pm	5.00am to 4.00pm	5.00am to 4.00pm

6.2 These hours of operation do not apply to the delivery of material outside the hours of operation permitted by condition 6.1, if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification is to be provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.

6.3 The hours of operation specified in condition 6.1 may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.

Operating conditions

7. Dust

7.1 Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

7.2 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

Protection of the Environment Operations Act 1997

General Terms of Approval - Issued



Notice No: 1518674

8. Stormwater/sediment control - Construction Phase

8.1 An Erosion and Sediment Control Plan (ESCP) must be prepared by the proponent prior to construction of the expansion commencing and implemented during the construction phase. The plan must describe the measures that will be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction activities. The ESCP should be prepared in accordance with the requirements for such plans outlined in the Blue Book - *Managing Urban Stormwater: Soils and Construction* (available from the Department of Housing).

9. Stormwater/sediment control - Operation Phase

9.1 A Stormwater Management Plan must be prepared for the operational phase development and must be implemented by the proponent throughout the operational phase. The plan must make provision to minimise and mitigate the impacts of stormwater run-off from the premises on waterways. The Plan should be consistent with the Stormwater Management Plan for the catchment. The Plan should be consistent with the guidance contained in *Managing Urban Stormwater: Council Handbook* (available from the EPA).

Monitoring and recording conditions

10 Monitoring records

10.1 The results of any monitoring required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with the load calculation protocol must be recorded and retained as set out in conditions **10.2** and **10.3**.

10.2 All records required to be kept by the licence must be:

in a legible form, or in a form that can readily be reduced to a legible form;

kept for at least 4 years after the monitoring or event to which they relate took place; and

produced in a legible form to any authorised officer of the EPA who asks to see them.

10.3 The following records must be kept in respect of any samples required to be collected: the date(s) on which the sample was taken;

the time(s) at which the sample was collected;

the point at which the sample was taken; and

the name of the person who collected the sample.

11. Requirement to monitor concentration of pollutants discharged

11.1 For each monitoring/ discharge point or utilisation area specified below (by a point number), the applicant must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The applicant must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

Monitoring Points WSL1, WSL3, WSL4

Water and Land

Protection of the Environment Operations Act 1997

General Terms of Approval - Issued



Notice No: 1518674

Pollutant	Units of measure	Frequency	Sampling Method
pH	pH	Quarterly	Grab sample
Electrical conductivity	microsiemens/cm	Quarterly	Grab sample
Total Phosphorus	mg/L	Quarterly	Grab sample
Total Nitrogen	mg/L	Quarterly	Grab sample
Dissolved Oxygen	%	Quarterly	Grab sample
Turbidity	NTU	Quarterly	Grab sample
Oil and Grease	Visible	Quarterly	Grab sample
Aluminium	µg/L	Quarterly	Grab sample
Arsenic	µg/L	Quarterly	Grab sample
Zinc	µg/L	Quarterly	Grab sample
Copper	µg/L	Quarterly	Grab sample
Lead	µg/L	Quarterly	Grab sample
Silver	µg/L	Quarterly	Grab sample
Nickel	µg/L	Quarterly	Grab sample
Boron	µg/L	Quarterly	Grab sample
Manganese	µg/L	Quarterly	Grab sample
Cadmium	µg/L	Quarterly	Grab sample

Note: Monitoring Points WSL1, WSL3, and WSL4 are as detailed in the "Surface Water Assessment, Marulan South Aglime Facility, DGR Reference 688", prepared by Strategic Environmental and Engineering Consulting, 20 November 2013.

11.2 Monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area required by condition 11.1 must be done in accordance with:

the EPA's Approved Methods Publication; or

if there is no methodology required by the EPA's Approved Methods Publication or by the general terms of approval or in the licence under the *Protection of the Environment Operations Act 1997* in relation to the development or the relevant load calculation protocol, a method approved by the EPA in writing before any tests are conducted,

unless otherwise expressly provided in the licence.

Reporting conditions

12.1 The applicant must provide an annual return to the EPA in relation to the development as required by any licence under the *Protection of the Environment Operations Act 1997* in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the applicant will be required to submit load-based fee calculation worksheets with the return.

Protection of the Environment Operations Act 1997

General Terms of Approval - Issued



Notice No: 1518674

Attachment – Mandatory Conditions for all EPA licences

Operating conditions

Activities must be carried out in a competent manner

Licensed activities must be carried out in a competent manner.

- This includes:
 - the processing, handling, movement and storage of materials and substances used to carry out the activity; and
 - the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

Maintenance of plant and equipment

- All plant and equipment installed at the premises or used in connection with the licensed activity:
 - must be maintained in a proper and efficient condition; and
 - must be operated in a proper and efficient manner.

Monitoring and recording conditions

Recording of pollution complaints

The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

- The record must include details of the following:
 - the date and time of the complaint;
 - the method by which the complaint was made;
 - any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
 - the nature of the complaint;
 - the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
 - if no action was taken by the licensee, the reasons why no action was taken.

The record of a complaint must be kept for at least 4 years after the complaint was made.

The record must be produced to any authorised officer of the EPA who asks to see them.

Telephone complaints line

The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

Protection of the Environment Operations Act 1997

General Terms of Approval - Issued



Notice No: 1518674

This condition does not apply until 3 months after this condition takes effect.

Reporting conditions

Annual Return documents

What documents must an Annual Return contain?

- The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
 - a Statement of Compliance; and
 - a Monitoring and Complaints Summary.

A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

Period covered by Annual Return

An Annual Return must be prepared in respect of each reporting, except as provided below

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

- Where this licence is transferred from the licensee to a new licensee,
 - the transferring licensee must prepare an annual return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
 - the new licensee must prepare an annual return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

- Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an annual return in respect of the period commencing on the first day of the reporting period and ending on
 - in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
 - in relation to the revocation of the licence - the date from which notice revoking the licence operates.

Deadline for Annual Return

The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

Licensee must retain copy of Annual Return

The licensee must retain a copy of the annual return supplied to the EPA for a period of at least 4 years after the annual return was due to be supplied to the EPA.

Protection of the Environment Operations Act 1997

General Terms of Approval - Issued



Notice No: 1518674

Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary

Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- (a) the licence holder; or
- (b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

A person who has been given written approval to certify a Statement of Compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review this licence.

Notification of environmental harm

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act

Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.

The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

Written report

Where an authorised officer of the EPA suspects on reasonable grounds that:

- (a) where this licence applies to premises, an event has occurred at the premises; or
- (b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence.

and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

- The request may require a report which includes any or all of the following information:
 - the cause, time and duration of the event;
 - the type, volume and concentration of every pollutant discharged as a result of the event;
 - the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; and
 - the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
 - action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
 - details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
 - any other relevant matters.

Protection of the Environment Operations Act 1997

General Terms of Approval - Issued



Notice No: 1518674

The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

General conditions

Copy of licence kept at the premises or on the vehicle or mobile plant

A copy of this licence must be kept at the premises or on the vehicle or mobile plant to which the licence applies.

The licence must be produced to any authorised officer of the EPA who asks to see it.

The licence must be available for inspection by any employee or agent of the licensee working at the premises or operating the vehicle or mobile plant.



PO Box 323, Penrith NSW 2751
Level 4, 2-6 Station Street,
Penrith NSW 2750
Ph: 1300 722 468
www.waternsw.com.au
ABN 21 147 934 787

Ref: 13279-a1
Your Ref: DA/0180/1314

General Manager
Goulburn Mulwaree Council
Locked Bag 22
GOULBURN 2580

Attention: Dianne James

Dear Sir/Madam

**Subject: Sydney Drinking Water Catchment SEPP
DA No DA/0180/1314; Lot 21 DP 867667; Marulan South Road, Marulan**

I refer to Council's letter received 6 December 2013 requesting the concurrence of Water NSW under Clause 11 of State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 (the SEPP) with a proposal for the expansion of the Eastern Sand & Gravel facility from 25 000 to 120 000 tpa. Additional information and submissions were received on 17 and 25 March 2015 respectively.

The subject property, which has been inspected by Water NSW, is located within the Shoalhaven catchment which forms part of Sydney's water supply. The following documents have been considered in the assessment of the application:

- an Environmental Impact Statement (dated November 2013) and proposed Site Development Plans (dated 15 October 2013) both prepared by Laterals Planning, and
- a Surface Water Assessment Report and associated MUSIC stormwater quality modelling prepared by Strategic Environmental & Engineering Consulting (dated 20 November 2013).

Based on Water NSW's site inspection and the information provided, the proposed development has been assessed by Water NSW as being able to achieve a neutral or beneficial effect on water quality provided appropriate conditions are included in any development consent and are subsequently implemented.

If, after receipt of this letter, revisions are made to any of the DA plans, Council does not need to refer the plans to Water NSW if the revisions do not impact on water quality. Council is requested to amend the relevant Water NSW condition/s to reference the revised plans, and notify the assessing officer by email.

Water NSW concurs with Council granting consent to the application subject to the following conditions being imposed:

General

1. The site layout, works and staging shall be as specified in the Environmental Impact Statement (dated November 2013) and shown on the Site Development Plans (Plan No 1139; Sheets 1-4; dated 15/10/2013) both prepared by Laterals Planning, except where varied by the following conditions. No revisions to the site layout or works or staging that will impact on water quality, shall be permitted without the agreement of Water NSW.

Reason for Condition 1- Water NSW has based its assessment under the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the development.

Stormwater Management

2. All stormwater treatment and management measures shall be implemented as specified in the Surface Water Assessment Report (dated 20 November 2013) and shown on the Concept Surface Water Drainage Plan (Proj. No. 12000059; Drawing No. STW01; Rev 01; dated 15/10/13) both prepared by Strategic Environmental & Engineering Consulting, except where varied by these conditions.
3. A bio-retention basin shall be designed, located and constructed, in Stage 1 of the development, as shown on the Concept Surface Water Drainage Plan (Proj. No. 12000059; Drawing No. STW01; Rev 01; dated 15/10/13) prepared by Strategic Environmental & Engineering Consulting, and shall incorporate the following specifications and requirements:
 - designed consistent with Adoption Guidelines for Stormwater Biofiltration Systems (FAWB 2009)
 - a minimum surface area of 100 square metres and minimum filter area of 60 square metres
 - sediment traps installed at the main inlet points
 - an extended detention depth of 300 mm
 - a filter depth (excluding transition layers) of 500 mm above the underdrains
 - a network of underdrains with at least a 1.5 metre spacing
 - a filter media consisting of a clean sandy loam with a certified median particle diameter of 0.5 mm, a maximum orthophosphate concentration of 40 mg/kg and a maximum total nitrogen concentration of 400 mg/kg
 - planted with appropriate deep-rooted, moisture-tolerant vegetation protected by rock mulch (grass and turf is not appropriate vegetation and organic mulch is not suitable)
 - permanently protected from vehicle damage by guardrails, bollards, or similar structures, with a sign to be erected to advise of its nature and purpose in water quality management, and
 - protected by sediment and erosion control measures during any construction and post-construction phase until the ground surface is re-vegetated or stabilised.
4. No variation to stormwater treatment or management shall be permitted without prior agreement of Water NSW.
5. A suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and Council that all stormwater management structures have been installed as per these conditions of consent and are in a functional state.

Reason for Conditions 2 to 5 – To ensure appropriate stormwater treatment and quality control measures are designed, and implemented so as to achieve a sustainable neutral or beneficial impact on water quality.

Wastewater Management

6. The improvements to the existing effluent irrigation area listed in Section 5.2 of the Surface Water Assessment Report (dated 20 November 2013) shall be carried out.

Reason for Condition 6 - To ensure that all wastewater is disposed of and is managed in a manner that has a sustainable neutral or beneficial effect on water quality over the longer term.

Operational Environmental Management Plan

7. An Operational Environmental Management Plan (OEMP) shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans prior to the issuance of an Occupation Certificate for Stage 1 of the development. The OEMP shall include but not be limited to:
- details on the location, description and nature of stormwater management structures such as pits, pipes, swales, wheelwash, sediment trap, bio-retention basin, dams (ponds) and rainwater collection system
 - details on the location, description and nature of effluent management system such as pits, pipes, aerated wastewater treatment system and irrigation system
 - an identification of the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all stormwater and effluent management structures, including the frequency of such activities
 - the identification of the individuals or positions responsible for inspection and maintenance activities including a reporting protocol and hierarchy, and procedures for managing and notification of water quality emergencies, and
 - checklists for recording inspections and maintenance activities.

Reason for Condition 7 – To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained so as to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.

Construction Activities

8. A Soil and Water Management Plan shall be prepared by a person with knowledge and experience in the preparation of such plans for all works proposed or required as part of the development. The Plan shall meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004) manual - the "Blue Book". The Plan shall be developed in consultation with Water NSW prior to the commencement of construction and be to the satisfaction of Council.
9. Effective erosion and sediment controls shall be installed prior to any construction activity including site access, and shall prevent sediment or polluted water leaving the site or entering any stormwater drain or natural drainage system. The controls shall be regularly maintained and retained until works have been completed and ground surface stabilised or groundcover re-established.

Reason for Conditions 8 & 9 - To manage adverse environmental and water quality impacts during the construction phase of the development and to minimise the risk of erosion, sedimentation and pollution within or from the site during this construction phase.

Under Clause 11 of the SEPP, Council must provide Water NSW with a copy of its determination of the application within 10 days of the determination.

If you wish to discuss this matter further please contact James Caddey on 4824 3401.

Yours sincerely



14/4/15

FRAN KELLY
Manager Planning and Assessments

Our Ref: STH13/00010
Contact: Hala Sattouf 4221 2769
Your Ref: 180/1314



Transport
Roads & Maritime
Services

The General Manager
Goulburn Mulwaree Council
Locked Bag 22
Goulburn NSW 2580

Attention: Dianne James

**GOULBURN MULWAREE COUNCIL – DEVELOPMENT APPLICATION 180/1314 – LOT 21
DP 867667, HW2, MARULAN SOUTH ROAD, MARULAN, EASTERN SAND & GRAVEL
EXPANSION**

Dear Sir/Madam

Reference is made to your email dated 19th December 2013 regarding the subject development application forwarded to Roads and Maritime Services (RMS) for consideration.

RMS has reviewed the submitted information and notes the proposed quarry expansion results in a minor increase in traffic generation at the South Marulan Road and the Hume Highway interchange. The additional traffic generation is not considered to have a significant impact on the existing operation of this interchange.

Given the above, RMS will not object to the development application in principle.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Adam Berry".

Adam Berry
Network & Safety Manager
Network Management, Southern Region

24 JAN 2014

Roads & Maritime Services

Level 4, Southern Regional Office, 90 Crown Street, Wollongong NSW 2500 | PO Box 477 Wollongong East NSW 2520
T 02 4221 2460 | F 02 4221 2777 | www.rmservices.nsw.gov.au |



Department of
Primary Industries
Office of Water

3rd February 2014

Contact: David Zerafa
Phone: 02 4429 4441
Fax: 02 4429 4458
Email: david.zerafa@water.nsw.gov.au

The General Manager
Goulburn Mulwaree Council
Locked Bag 22
Goulburn NSW 2580

Our ref: 10 ERM2012/1057
File No:
Your Ref: 180/1314/DA Marulan South Road

Attention: Dianne James
Senior Development Assessment Officer

Dear Dianne,

Re: Proposed Expansion of the existing Limestone Processing Plant - (Eastern Sand & Gravel Facility) Marulan South Road, Marulan.

I refer to your correspondence dated 19th December 2013 to the NSW Office of Water regarding the abovementioned proposal. The NSW Office of Water (NOW) has considered the proposal in terms of its statutory obligations under the Water Management Act 2000. The following comments are provided for your attention and consideration.

NOW's key issues are in relation to this proposal relate to:

- the protection of waterways and riparian land and
- water demand and supply requirements.

Protection of waterways and riparian land

The subject lot contains a number of watercourses of various stream order which are identified on the Caoura 1:25 000 topographic map. The Environmental Impact Statement (EIS) indicates that all development associated with the proposed expansion is located 100 metres from watercourses. This setback exceeds NOW riparian corridor guidelines and is supported.

As such, there are no controlled activities proposed on waterfront land and so no further action is required from the NOW in this regard.

Surface Water Use

The Surface Water Assessment (SWA) in the EIS indicates that there are two dams located on the site which are used for sediment control and water quality management purposes. As such, the dams are considered to be "special purpose" dams and described as being exempt from the property harvestable right.

This interpretation is correct however, the SWA subsequently indicates that water is diverted from the larger dam (Pond 2) for dust suppression purposes. **The diversion of water from a harvesting dam, even if the main use of the dams is for exempt purposes, excludes it from the exemption and therefore must be included in the Harvestable Right calculation.**

In this regard, the SWA indicates the capacity of Pond 2 is 3 ML and the harvestable right capacity for the property is 3.2 ML. Therefore, the diversion of water from Pond 2 for dust suppression purposes is within the property harvestable right and the expansion proposal does not require any licensing approval from NOW in relation to surface water capture and use.

Should any additional dams be required on the subject property in future, then the harvestable right dam capacity will be exceeded and will necessarily require licensing action.

Groundwater and existing bore

The subject bore was originally issued under the Water Act 1912 on 10 August 2004 for Basic Landholder Rights (BLR) - stock and domestic purposes. It is held in the name of Eastern Sand & Gravel.

Due to the implementation of the Greater Metropolitan Water Sharing Plan (WSP) on 1 July 2011, the bore licence was converted to a Works Approval. The groundwater Work Approval (10WA115498) is still noted as current and remains licensed for BLR purposes only.

The EIS however notes that the bore is currently being used for wheel and truck wash down which is considered to be a commercial use of the water under an "Industrial" purpose. **NOW advises that the bore is not authorised for industrial use and the approval holder should therefore cease any extraction and use of the bore water for the purpose of wheel and truck wash down.**

Under the WSP rules, NOW cannot simply amend the purpose from "stock and domestic" to allow for an "industrial" purpose.

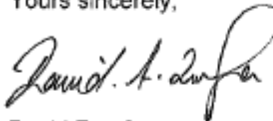
Should Eastern Sand & Gravel wish to use the bore for any purpose other than stock watering or domestic use, an amended works and use application must be applied for. Under the WSP rules, an appropriate Water Access License (WAL) would need to be secured and a commensurate volume of groundwater entitlement would need to be traded and transferred to the subject WAL which attaches to the work (the bore).

The proponent should contact NOW if they wish to pursue this aspect. NOW reiterates that any use of the bore for any purpose other than stock and domestic use must cease.

NOW requests that a copy of this letter be provided to the applicant.

Should you have any queries regarding the above or require any further clarification, please contact David Zerafa on telephone 4429 4441 or email david.zerafa@water.nsw.gov.au

Yours sincerely,



David Zerafa
Senior Licensing Officer
NSW Office of Water
Licensing South



**Trade &
Investment**
Resources & Energy

16 January 2014

Dianne James
Senior Development Assessment Officer
Goulburn Mulwaree Council
Locked Bag 22
GOULBURN NSW 2580

Emailed: dianne.james@goulburn.nsw.gov.au

Your Reference: 180/1314/DA Marulan South Road
Our Reference (TRIM): OUT14/1239

Dear Ms James

**Re: Expansion of the Existing Limestone Processing Plant, Lot 21 DP 867667,
Marulan South Road, Marulan**

Thank you for the opportunity to provide advice on the above matter. This is a response from the NSW Department of Trade & Investment (DTIRIS) – Mineral Resources Branch (MRB). The Department of Primary Industries, incorporating advice from Agriculture, Fisheries and Forests NSW may respond separately.

MRB has no concerns regarding the proposed expansion of the existing limestone processing facility at Marulan South.

Geoscience Information Services

MRB has a range of online data available on line through the following website address:
<http://www.resources.nsw.gov.au/geological/online-services>

This site hosts a range of data to enable research into exploration, land use and general geoscience topics. Additionally, the location of exploration and mining titles in NSW may be accessed by the general public using the following online utilities:

1. **MinView** allows on-line interactive display and query of exploration tenement information and geoscience data. It allows spatial selection, display and download of geological coverages, mineral deposits and mine locations, geophysical survey boundaries, drillhole locations, historical and current exploration title boundaries and other spatial datasets of New South Wales. This online service is available at:
<http://www.resources.nsw.gov.au/geological/online-services/minview>

NSW Department of Trade and Investment, Regional Infrastructure and Services
RESOURCES & ENERGY DIVISION
PO Box 344 Hunter Region Mail Centre NSW 2310
Tel: 02 4931 6666 Fax: 02 4931 6726
ABN 51 734 124 190
www.dtiris.nsw.gov.au

2. **NSW Titles** enables the public to access and view frequently updated titles mapping information across NSW. This online service is available at:
<http://nswtitles.minerals.nsw.gov.au/nswtitles/>

Queries regarding the above information, and future requests for advice in relation to this matter, should be directed to the MRB Land Use team at landuse.minerals@industry.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Simon Francis', written in a cursive style.

Simon Francis
A/Team Leader Land Use

ATTACHMENT 4 - AGENCY RESPONSE – NSW Primary Industries (Fisheries)

Dianne James

From: trevor.daly@dpi.nsw.gov.au
Sent: Friday, 20 December 2013 12:31 PM
To: Dianne James
Cc: wayne.jones@trade.nsw.gov.au
Subject: Expansion of Limestone Processing Plant, Marulan Road, Marulan

Dianne

Fisheries NSW has no comments on this proposal.

Thanks

Trevor

Dr Trevor Daly | Fisheries Conservation Manager – South Coast | Aquatic Habitat Protection
Fisheries NSW - Department of Primary Industries | PO Box 17 | Batemans Bay NSW 2536
T: 02 4478 9103 | F: 02 4472 7542 | M: 0406 487 083 | E: trevor.daly@dpi.nsw.gov.au
W: www.dpi.nsw.gov.au

Achieving results on the NSW south coast for over 10 years

From: Dianne James <dianne.james@goulburn.nsw.gov.au>
To: "landuse.enquiries@industry.nsw.gov.au" <landuse.enquiries@industry.nsw.gov.au>
Cc: Michelle Blay <michelle.blay@goulburn.nsw.gov.au>
Date: 19/12/2013 02:38 PM
Subject: FW: NSW Industry and Investment Referral 180/1314/DA Marulan South Road

ATTACHMENT 4 - AGENCY RESPONSE – NSW Primary Industries (Agriculture)

From: wendy.goodburn@dpi.nsw.gov.au [mailto:wendy.goodburn@dpi.nsw.gov.au]

Sent: Tuesday, 7 January 2014 1:02 PM

To: Council

Cc: wayne.jones@trade.nsw.gov.au

Subject: DA Marulan South Road, Marulan - ATTENTION DIANNE JAMES

Hi Dianne,

I am providing a response from Agriculture NSW for the proposed DA for the Marulan South Road Marulan.

Although, Agriculture NSW will continue to provide agricultural advice on strategic land use planning matters, agricultural land rezoning, intensive agricultural developments and major projects, we will no longer be able to provide comment on the agricultural impacts of other individual local developments such as this extractive industry proposal.

In place of the advice we have previously provided on such matters, we have produced and continue to draft guidelines for use by consent authorities. These guidelines are available from the Agriculture NSW land use planning and development web portal:

<http://www.dpi.nsw.gov.au/environment/landuse-planning/agriculture>. The guideline 'Agriculture Issues for Extractive Industry Development' at the following address may assist:

<http://www.dpi.nsw.gov.au/agriculture/resources/lup/development-assessment/extractive-industries>.

Please also note that other agencies within NSW DPI may also respond separately to the notification.

Should you wish to discuss any matters raised in relation to agricultural issues, please contact Wendy Goodburn on ph 4828 6600 or by email at wendy.goodburn@dpi.nsw.gov.au."

Cheers

Wendy

Wendy Goodburn

Wendy Goodburn | Resource Management Officer (Agricultural Land Use) | South East

Department of Primary Industries | Agriculture NSW

PO Box 389 | 159 Auburn Street | Goulburn NSW 2580

T: 02 4828 6635 | **F:** 02 4828 6610 | **M:** 0402 069 695

E: wendy.goodburn@dpi.nsw.gov.au

W: www.dpi.nsw.gov.au

Building thriving, sustainable Agriculture for tomorrow's communities

Please note:

Land use planning information and guidelines are available at:

<http://www.dpi.nsw.gov.au/agriculture/resources/lup>

Officers' Reports to Ordinary Meeting of Council to be held on 7 April 2015

**Item 10.4 Development Application No 180/1314/DA
Expansion of Eastern Sand & Gravel, Marulan
South Road, Marulan (Attachment)**

Reporting Officer

Senior Development Assessment Officer – Dianne James

Purpose of Report

To present a status report for the establishment of an industry ancillary to the adjacent Extractive Industries/Mining at 709 South Marulan Road and seek Council's comment on the issues raised in the submissions.

Report

A Designated Development Application has been lodged for expansion of an existing limestone processing industry at 709 Marulan South Road. The property is located in a rural and industrial area which is characterised by extractive industries/mining and manufacturing (pyrotechnics as well as sand and limestone manufacture) and intensive agriculture (poultry farms). The site is zoned "Primary Production" and located within the Biodiversity Layer. Based on the application submitted it is unclear as to whether the development is permissible under Council's LEP, however it is permissible in the zone under *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*. A Locality Plan of the development site is included in the Attachment.

Under Schedule 4A of the Environmental Planning and Assessment Act, Extractive Industry Designated Development is required to be determined by the Joint Region Planning Panel (JRPP). Note that Council approved a previous application for the initial use of this site for a limestone processing plant.

A Locality Plan of the development site is included in the Attachment.

The Development Application involves –

- Limestone Works – crushing grinding and separating works of locally obtained materials (from Mining).
- Progressively expand production at the facility from 25,000 to 120,000 tonnes per annum with anticipated production for:
 - Year 1-2 -25,000 to 70,000 tonnes per annum
 - Year 3-4 – 70,000 to 90,000 tonnes per annum
 - Year 5 – 90,000 to 120,000 - tonnes per annum.

Officers' Reports to Ordinary Meeting of Council to be held on 7 April 2015

- Staged Construction with:
 - Stage 1 - Construction and operational use works involving the:
 - Raw Materials Storage Building with air filtration by extractors
 - Primary Processing Building with primary crushing machine, drying machine a primary screening machine, secondary crushing machine conveyors and air filtration by extractors
 - Aggregate bins for material not proceeding to the secondary crushing
 - Containment bund for oil and fuel storage
 - Wheel wash for vehicles exiting the site
 - Sealing and resealing of transport circulation areas
 - Stormwater management
 - Stage 2 - Construction and operational works involving:
 - Secondary Processing Building for the installation of the fine screening machine
 - Product Storage Building for storage of material prior to sale and transportation
 - Construction of 7 additional silos and an aggregate bin for storage of product prior to transportation and sale
 - Stage 3 - Construction and operational works involving:
 - Secondary Processing Building for the installation of the fine screening machine
 - Covered raw material receival area
 - A conveyor from the raw material receival area to the raw material storage building.
- Building sizes are estimates based on likely sizes with details to be confirmed at Construction Certificate size
- Increase of staff from 7 to 9
- Operation 5.00am – 10.00pm Monday to Friday, 6.00am – 4.00pm Saturdays, Sundays and Public Holidays as required.
- Some automated processing from within the buildings and sound enclosures after hours (excluding primary crushing and screening).
- Some dispatching of material outside the 5am to 7pm Monday to Friday and 6am to 4pm on Saturdays when required.
- Planting of windbreaks and use of water trucks to reduce dust emissions
- Use of an existing ground water bore for operational purposes (wash down/dust suppression and fire fighting)
- Additional 20 truck movements per day are anticipated when operating at 120,000 tonnes per year.

Plans of the proposal and an extract of the Environmental Impact Statement are included in the Attachment.

Officers' Reports to Ordinary Meeting of Council to be held on 7 April 2015

The proposal was placed on public exhibition from 5 December 2013 to 31 January 2014. The proposal was notified to approximately 9 nearby properties, in the local newspaper and on Council's website. Public exhibition of the proposal resulted in 2 public submissions being received (refer Attachment) one being verbal and included as a file note.

The Applicant was given an opportunity to address these concerns and the response is also included in the Attachment. The full assessment report and JRPP will review these concerns in detail as part of their assessment and determination of the application.

Council is still afforded the opportunity to make a submission to the JRPP in relation to the development and will be required to prepare draft Consent conditions that may be used by the JRPP if it determines to approve the development.

The Roads & Maritime Services (RMS), Office of Water, NSW Trade and Investment Resource and Energy, NSW Agriculture, NSW Fisheries and Environment Protection Authority (EPA) were also consulted. All above mentioned external referral authorities have provided their General Terms of Approval / Concurrence or conditions and raise no objection to the application (refer Attachment). The applicant will need to obtain a Water Access License prior to using any bore water for uses other than stock and domestic purposes.

No response has been received by NSW Health or South East Local Lands Service and currently awaiting concurrence of Water NSW (SCA now known as NSW Water).

Assessment of the proposal is being undertaken in accordance with the planning legislation. The following planning issues have been identified as a result of submissions and a planning assessment thus far:

- **Permissibility**
Submissions to Council raise concern regarding the permissibility and legal advice submitted with the Development Application.

While the proposal is prohibited under the *Goulburn Mulwaree LEP 2009* if defined as industry, however light industry is permitted with consent. It is noted that facilities for the processing or transportation of minerals where extracted on adjoining land is permissible under clause 7(1)(d) of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*. The SEPP overrides the LEP.

The proposal is also classified as Designated Development under the *Environmental Planning and Assessment Regulation 2000*. Legislative changes stipulate that the JRPP will be the determining authority for this Designated Development Application. Accordingly the JRPP will be the Consent Authority for determining this particular proposal not Council.

Officers' Reports to Ordinary Meeting of Council to be held on 7 April 2015

Council has the opportunity to provide a submission or identify any additional conditions to the draft consent. For permissibility, the sourced product must be obtained from the adjoining land. Should an approval be issued conditions to this effect will be recommended.

- **Agency Referrals**

The application was referred to numerous agencies as listed earlier in the report. Final comments have been received and included in the Attachment. Agency conditions will be incorporated into any approval that may be issued.

- **Traffic and Road Pavement**

Issues were raised in the submissions with regards to road standards and conditions.

Should the application be approved the development will be conditioned so that the haulage route along Marulan South Road be upgraded to the standard specified in the Development Control Plan namely:

- 7m sealed carriageway
- plus 1m shoulders (0.5m of which are sealed) each side

The s94 Plan states that "a pavement shall have a minimum remaining life of 10 years". The haulage route along Marulan South Road shall be investigated for this standard and rectified where deficient.

Boral had an agreement for Council to undertake some heavy duty patching to Marulan South Road. These works were completed in 2013/2014 period. This was to make some repairs to the road surface and not to bring it up to the 10 year standard.

- **Contributions**

In accordance with Council's Section 94 Development Contributions Plan 2009, a contribution shall be made for the heavy vehicle movements.

The current (2014/2015) rate is \$0.0456 per tonne per kilometre.

For the length of road involved along Marulan South Road of 7.09km, the rate of contribution is therefore estimated at \$0.323304 per tonne. Based on a maximum extraction rate of 120,000 tonnes per annum the contribution is approximately \$38,796.48/year (1415 rate). The applicant contends that the contribution should be based on the maximum additional extraction rate of 95,000 tonnes per annum where a credit of 20,000 tonnes/yr is given which equates to a haulage contribution of approximately \$30,713.88/year (1415 rate).

It is recommended that the haulage route contribution rate shall be applied to all operations (ie all of the extraction up to 120,000 tonnes per year) not only those greater than the current approved development of 25,000 tonnes per annum.

Officers' Reports to Ordinary Meeting of Council to be held on 7 April 2015

It is noted that the existing development under 2003/0329/DA was only subject to a one-off contribution charge of \$5,712.90 for roads, bushfire and garbage waste charges under the previous Mulwaree Contributions Plan (2003/2004 rate). It is now contended that extraordinary road damage/haulage route should be charged on the full annual haulage quantity (ie up to 120,000 tonnes/yr) given the scale and nature of the development.

Any Consent that may issue should include a condition for contributions toward extraordinary road damage.

- **Technical / procedural issues**

The existing development has a Consent issued by Council under 2003/0329/DA. To ensure there is no conflict with the conditions under the previous consent and any consent that may be issued for the proposed development it is considered necessary that the proposal be conditioned to surrender the existing Consent at the appropriate time.

Shed sizes and dimensions – approximate and to be confirmed at Construction Certificate Stage provided the design and size is substantially the same development as submitted with the Development Application.

Use of Bore Water – will require purchase of a Water Allocation License and conversion for commercial purposes with Office of Water.

Gazettal of the remainder of Marulan South Road as a B Double route will be required following compliance with the road construction standards and prior to issue of any Occupation Certificate.

Hours of operation have been limited in the General Terms of Approval by the EPA as the licensing authority.

The revised Flora and Fauna Report only identifies 4 threatened species as identified on the site. From assessment of proposals in the vicinity it appears to have limited assessment and has some omissions and does not consider or discuss:

- clearing, fragmentation, alteration and destruction of native vegetation and animal habitats;
- pollution of watercourses and wetlands;
- sediment, nutrient and pollutant run-off into adjacent vegetation and animal habitats;
- noise and vibration disturbances to bat roosting sites;
- an increase in feral plants and animals; and
- road fatalities.

Despite the limitations of the report, conditions can be applied to achieve an acceptable protection on likely flora and fauna.

Officers' Reports to Ordinary Meeting of Council to be held on 7 April 2015

Summary

Appropriate conditions can be applied for any consent that may issue including:

- Upgrade and repair of road pavement along the haulage route
- Development contributions over the life of the project for extra ordinary road damage
- Protocols for dealing with neighbour/community complaints
- Noise levels between the facility and surrounding dwellings

From the assessment of the proposal and consideration of the issues raised in submissions, it is recommended that an assessment be forwarded to the JRPP with draft conditions of consent pending concurrence from the SCA (NSW Water).

Budget Implications

Contributions may be levied as part of a consent if issued.

Policy Considerations

- State Environmental Planning Policy (Infrastructure) 2007
- Goulburn Mulwaree LEP 2009 (as amended)
- Goulburn Mulwaree DCP 2009 (as amended)
- Goulburn Mulwaree 2020 Strategy Plan
- Sydney to Canberra Corridor Strategy
- Goulburn Mulwaree Section 94 Contribution Plan 2009
- NSW Industrial Noise Policy
- NSW Road Noise Policy
- AS/NZS Acoustics Recommended design sound levels and reverberation times for building interiors
- Department of Environment & Conservation Approved Methods for the Modelling and Assessment of Air Pollutants in NSW
- Department of Environment & Conservation Approved for the Sampling and Analysis of Air Pollutants in NSW

Recommendation

That

1. the status report presented for Development Application No 180/1314/DA for the expansion of an existing limestone processing industry at 709 Marulan South Road, be received
2. A submission from Council be lodged with the JRPP raising the concerns identified in the report of the Senior Development Assessment Officer dated 7th April 2015.

Officers' Reports to Ordinary Meeting of Council to be held on 7 April 2015

Section 375A of the *Local Government Act 1993* requires General Managers to record which Councillors vote for and against each planning decision of the Council, and to make this information publicly available.

Councillor	For the Motion	Against the Motion
Cr Banfield	<input type="checkbox"/>	<input type="checkbox"/>
Cr O'Neill	<input type="checkbox"/>	<input type="checkbox"/>
Cr Rowland	<input type="checkbox"/>	<input type="checkbox"/>
Cr Sturgiss	<input type="checkbox"/>	<input type="checkbox"/>
Cr Kirk	<input type="checkbox"/>	<input type="checkbox"/>
Cr Saville	<input type="checkbox"/>	<input type="checkbox"/>
Cr James	<input type="checkbox"/>	<input type="checkbox"/>
Cr Walker	<input type="checkbox"/>	<input type="checkbox"/>
Cr Kettle	<input type="checkbox"/>	<input type="checkbox"/>

**Minutes of the Ordinary Meeting of Council held 7 April
2015 commencing at 6pm in the Council Chambers**

**Item 10.4 Development Application No 180/1314/DA Expansion
of Eastern Sand & Gravel, Marulan South Road,
Marulan**

Resolved 15/115

Cr Kirk/Cr Sturgiss

That:

- 1. The report from the Senior Development Assessment Officer be received.**
- 2. The status report presented for Development Application No 180/1314/DA for the expansion of an existing limestone processing industry at 709 Marulan South Road, be received**
- 3. A submission from Council be lodged with the JRPP raising the concerns identified in the report of the Senior Development Assessment Officer dated 7th April 2015.**

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Cr Rowland	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Sturgiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Kirk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Saville	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr James	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Walker	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Kettle	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ATTACHMENT 4 - AGENCY RESPONSE –
Goulburn Mulwaree Council (Previous Development Consent)

2003/0329/DA

Laterals Planning Pty Ltd
PO Box 1326
GOULBURN NSW 2580

Dear Sir

Re: Development Application N° 2003/0329/DA

Part A - Development Application Determination

In accordance with the provisions of section 81 (1) (a) of the Environmental Planning and Assessment Act 1979, Notice is hereby given that your Development Application N° 2003/0329/DA applying to land described as Lot 21 of DP 867667 in the Parish of Marulan located at 709 Marulan South Road for the establishment of a limestone processing works was determined on 23 October 2003 by the granting of consent subject to the conditions listed in Part B.

The consent will operate from 23 October 2003.

The consent will lapse on 23 October 2008, unless the development has physically commenced before that date.

The building is classified 10a and 5 under the Building Code of Australia.

A public inquiry has not been held in relation to this application under Section 119 of the Environmental Planning and Assessment Act 1979.

Deferred Commencement Consent

Part A

1. The applicant shall provide a revised site plan indicating the location of the crushing plant in the north eastern portion of the development envelope, to achieve a minimum setback distance of 500 metres from the existing residence located at 505 Marulan South Road.

Operational Conditions

Part B

1. The development is to adhere to the submitted application, plans and consultants reports received on 23rd June 2003 except where altered by the following Conditions.
2. The development must not commence until the applicant has subsequently given Council a "Commencement of Building or Subdivision Work" Notice and advised that Council or Accredited Certifier has been appointed as the Principal Certifying Authority, and a Construction Certificate has been issued for any approved works or building.

If the Council is appointed as the Principal Certifying Authority and a Construction Certificate has not already been obtained then the following details will be required to be submitted with a Construction Certificate application:

- (i) detailed plans - 2 sets
- (ii) specifications - 2 sets
- (iii) engineering details - 2 sets

The plans to be submitted with a Construction Certificate application are to show details of all building work, driveways, access to road and waterway crossing design.

3. The payment to Council of the following contributions:

- | | | |
|---------------------------------------------------|---|-----------|
| (a) Pavement rehabilitation on Marulan South Road | - | \$5100.00 |
| (b) Bush Fire Fighting services | - | \$225.50 |
| (c) Garbage disposal areas | - | \$387.40 |

The contributions are to be paid prior to the issue of the Construction Certificate.

In accordance with Council policy the contributions may be covered by a bank guarantee or bond in accordance with clause 7.5 of the Contributions Plan. These contributions are required under "Mulwaree Section 94 Contributions Plan".

The above contributions are current at the time of consent and will be indexed at six monthly intervals in accordance with any increase in the Consumer Price Index (All Groups) Sydney following publication by the Australian Bureau of Statistics.

Reason: *To financially assist in the provision of community services and facilities identified as necessary as a result of the development.*

- 4. The right of carriage way over Lot 22 DP 867667 providing access to Lot 21 is to be designed and constructed to Roads and Traffic Authority standards and the requirements of the Director of Engineering Services providing a bitumen sealed pavement 7 metres wide and incorporating adequate drainage structures and soil erosion control measures at the applicants full cost.
- 5. An 88b Instrument is to be created detailing the ongoing use of the above said right of carriage way for heavy vehicles. The 88b Instrument is to be created prior to commencement of operational works.
- 6. Acceleration and deceleration lanes are to be constructed in both directions on the western side of Marulan South Road at the intersection with the right of way access at the applicant's full cost and to the requirements of the Director of Engineering Services.
- 7. The intersection of the Marulan South Road and the right of way access is to be constructed to Roads and Traffic Authority "CHR" type standard at the applicants full cost and the requirements of the Director of Engineering Services.
- 8. A minimum sight distance of 150 metres is required in both directions at the intersection of the Marulan South Road and the right of way access.
- 9. A 50 mm asphaltic cement pavement and line marking over the full intersection and turning lanes is to be provided at the applicant's full cost and the requirements of the Director of Engineering Services.

10. All internal roads, parking areas and manoeuvring areas are to be bitumen sealed to the requirements of the Director of Engineering Services.
11. No on site transport truck movements are to take place before 7.00 am.
12. The movement of trucks and mobile equipment on site is to be restricted to one (1) vehicle at a time.
13. Vehicle on site speed shall be limited to 10 km/hr and signposted accordingly. Details of the proposed signage is to be submitted and approved by the Director of Environmental Services prior to the commencement of works.
14. Noise generated from the development is not to exceed background plus 5dB(A) measured at any off site dwelling. The operator prior to purchase/installation of mechanical equipment, will make all reasonable attempts to obtain equipment with lower sound power levels.

If noise from the operation attracts complaints from residents, the operator shall at the earliest reasonable opportunity commission a suitable qualified noise consultant to monitor noise levels and if background plus 5dB(A) is exceeded, to recommend noise mitigation measures that will limit noise to background plus 5dB(A).

Such noise mitigation measures as are required to reduce the noise levels to background plus 5dB(A) shall be implemented by the owner and operator as soon as reasonably possible.
15. A noise compliance study shall be undertaken and submitted to Council within 12 months of commencement of operations and thence annually.
16. The hours of operation are limited to 7.00 am to 6.00 pm, Monday to Friday, 8.00 am to 1.00 pm Saturday and no work on Sundays and Public Holidays.
17. The mill house, rock crushing and storage areas are to be constructed with double cladding of the internal walls. Cladding with a minimum base metal thickness of 0.42mm with a 20mm air gap is to be utilised.
18. The wastewater management system including the irrigation area must be designed and installed in accordance with the recommendations in the site report prepared by Southern Geotechnics (dated 29 April 2003).
19. The wastewater management system must be maintained according to Section 5 of the guidelines "On-site Sewage Management for Single Households" and AS/NZS 1547-2000 "On-site Domestic Wastewater Management";
20. All effluent must be assimilated within the boundaries of the property.
21. No limestone works are to be located within 100 metres of any creek or watercourse, whether perennial or intermittent. In this regard, it is noted that there is a watercourse approximately 100 metres to the west of the proposed development area. No effluent management areas are to be located within 100 metres of any creek or watercourse, whether perennial or intermittent or within 40 metres of a drainage depression.
22. AAA-rated water conservation devices are to be installed in the workers' facilities to minimise the volume of wastewater produced.

23. Effective erosion and sediment controls are to be installed prior to any construction activity to prevent erosion and subsequent pollution of waters by siltation. The controls are to be maintained until the project is completed.
24. All stormwater collected from roofs and other hard surface areas is to be diverted away from any effluent management area, e.g. by means of a stabilised bund or drain with provision for energy dissipation at the outlet to prevent scouring or erosion.
25. The submission of an Onsite Sewage Management Facility Application prior to the issue of a Construction Certificate.
26. The provision of sediment controls along the downhill drainage side(s) of the development site. The controls may consist of hay bales or sediment fencing and must be installed prior to the commencement of any work involving the disturbance of the ground surface. The controls are to remain in place until all disturbed ground surfaces are rehabilitated/revegetated and stabilised to prevent erosion or sediment loss.
Reason: To prevent the loss and transport of sediment from the development site and deposition into waterways. To provide for the protection of the environment and Sydney's drinking water catchment.
27. The use or occupation of the approved development may only commence in accordance with the conditions of this development consent and the occupation of any building or structure may only occur after the issue of an Occupation or Interim Occupation Certificate.
28. All electrical installations are to be made in accordance with the requirements of Country Energy.
29. All waste generated from the development is to be contained with bins or a sediment fenced and boxed structure and when the facility is full or at the completion of the development the material is to be taken to an authorised waste disposal depot.
Reason: To prevent the spread of waste from a development site and the burying of waste on the site. Burying waste on site will result in the land being classified as contaminated under the Contaminated Land Management Act and the builder, owner are both liable to remediate such sites to provide for the protection of the environment and Sydney's drinking water catchment.
Every endeavour should be made to separate recyclable materials (bricks, timber, green waste, tiles, concrete, glass, etc) as the disposal of such waste does not attract a fee at Council waste depots.
30. An application for a licence to operate an On-Site Sewage Management Facility must be made to Council prior to the occupation of the development.
Reason: Annual licensing is required by State Legislation for the operation and use of your On-Site Sewage Management Facility. In certain areas a five year licence may be issued. The licence applies to the occupant.
31. Work is not to commence until such time as a Principal Certifying Authority is appointed and a Construction Certificate is issued.
32. The shed side ventilation curtains are to remain closed during internal shed cleanout activities.

33. The tailgates of all trucks leaving the premises shall be securely fixed prior to loading or immediately after loading so as to prevent the loss of materials.
34. Trucks importing/exporting materials shall be fully covered before leaving the loading area and free from any external deposits of dust.
35. An air compliance monitoring assessment shall be undertaken and submitted to Council within 12 months of commencement of operations and thence annually.
36. The applicant is to provide to Council each twelve months following commencement of operations evidentiary documentation of the quantity of material milled on site.
37. A detailed landscaping plan shall be submitted to Council for approval prior to the commencement of any works.
38. An application for a Compliance Certificate is required for the following conditions of Development Consent:
Condition: N° 4 N° 5 N° 13 N° 15 N° 23 N° 26 N° 35 N° 36 N° 37
A fee of \$ 250.00 is required for each certificate.

Part E - Advice to Applicant

It is also advised that you can appeal against this decision to the Land and Environment Court within twelve [12] months of the date on which you received this notice. You cannot appeal, however, if a Commission of Inquiry was held and the development is designated development or state significant development.

Yours faithfully

T M Dodson
Director
Environmental Services
29 October, 2003
tmd:rrb