

Proposed Draft Conditions

PART A SCHEDULE OF CONDITIONS – DEFERRED COMMENCEMENT CONDITIONS

DEFERRED COMMENCEMENT CONSENT has been granted to the Application in accordance with the provisions of Section 80(3) of the Environmental Planning and Assessment Act 1979 (as Amended).

THIS CONSENT WILL BECOME VALID AND MAY BE ACTED UPON SUBJECT TO MEETING THE FOLLOWING REQUIREMENTS.

1. Goulburn Mulwaree Council Requirements:

Concurrent approval under Section 138 of the Roads Act issued by Goulburn Mulwaree Council must be obtained for the required works to Tiyces Lane and a Construction Certificate must be obtained for works required outside the road reserve (i.e. Tiyces Lane re-alignment) and construction completed to the satisfaction of Goulburn Mulwaree Council prior to issue of a Certificate of Completion, including:

- Alignment

The alignment of Tiyces Lane near the Hume Highway is unsuitable for a haulage route. The road shall be re-aligned in accordance with Goulburn Mulwaree Council drawing R_776 as depicted on Page 38 of the EIS, at the developer's expense.

Note: It will be the developer's responsibility to acquire the land which is required for the Tiyces Lane re-alignment, design and construct the re-alignment works and dedicate the land to Council as public road.

Reason: To ensure road safety for haulage routes

- Pavement Condition

A revised Pavement Condition Report shall be prepared by an independent consultant and shall be submitted to Council for assessment and approval to have the pavement strengthened to comply with Council's Standards for Engineering Works 2013 and Goulburn Mulwaree Development Control Plan 2009 (as amended). Council's Standards can be found electronically on Councils web <http://www.goulburn.nsw.gov.au/Information/standards-engineering-works.aspx>

The Pavement Condition Report must be prepared and approved before construction commences and after construction is complete. Copies of the reports must be provided to Goulburn Mulwaree Council. Any damage resulting from construction traffic, except that resulting from normal wear and tear, must be repaired at the Proponent's cost.

Alternatively the Proponent may negotiate an alternative arrangement for road damage with Goulburn Mulwaree Council.

Reason: *Because it is in the public interest that the design of those aspects of the development comply with Council's Engineering Guidelines. Section 79C(1)(c) (d) and (e) of the Environmental Planning and Assessment Act, as amended.*

- Site entrance on Tiyces Lane

The sight distance required at the entrance shall comply with AS 2890.1 for a commercial driveway based on a speed limit of 100km/h, i.e. 160m. The entrance shall be configured to Council's standard rural entrance as widened to comply with a RMS standard BAL/BAR. The entrance shall be sealed from the sealed carriageway of Tiyces Lane to the entrance gate.

Reason: *Because it is in the public interest that the design of those aspects of the development comply with Council's Engineering Guidelines. Section 79C(1)(c) (d) and (e) of the Environmental Planning and Assessment Act, as amended. And to ensure that*

access to the lot is constructed and provided to the Council standard enabling vehicles to enter and leave the property in an effective and safe manner.

- Width

The Design and Construction of the public road Tiyces Lane providing access to the site shall be upgraded to comply with the haulage route standards as set out in *Goulburn Mulwaree Development Control Plan 2009* (as amended) including 7m wide sealed carriageway, 1m wide shoulder with 500mm seal and 8m wide culverts and bridges and in accordance with Council's Standards for Engineering Works 2013 at the developer's expense. The applicant is to submit 3 copies of Engineering plans, specifications and calculations in relation to the road construction.

Reason: The carriageway width of the road is to be sufficient to cater for heavy vehicles. Because it is in the public interest that the design of those aspects of the development comply with Council's Engineering Guidelines. Section 79C(1)(c) and (e) of the Environmental Planning and Assessment Act, as amended.

It is the applicant's responsibility to ensure:

- All traffic control measures are to be installed and maintained in accordance with AS1742.3 and the Roads and Traffic Authority Manual – 'Traffic Control at Worksites';
- Public liability insurance to the value of \$20 million and workers compensation insurance is maintained for the duration of the works; and
- Sufficient Public liability insurance and workers compensation insurance is maintained for the duration of the works; and
- Whether the proposed works affects any Public Utility Authority installation. The following Authorities should be consulted:
- Dial Before You Dig Ph.: 1100 (*for telephone, gas, electricity*)

- Work as Executed Drawings

At the conclusion of the construction of the road works, work-as-executed drawings must be submitted. The preferred format for WAE drawings is hard copy as well as computer disk using autocad software.

- Certification by Supervising Engineer

Upon completion of the works, the developer's supervising engineer must provide documentation certifying compliance with the design plans, Council's engineering standards and RTA conditions.

It will be necessary to confirm by a Surveyor's Report that the completed roadworks have been carried out in accordance with approved plans and details submitted with the application for road works.

Reason: So that Council may ensure that the construction is in accordance with Council's requirements, so that a permanent record of the design as constructed may be held by Council, to assist in future maintenance. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

- Inspections

The applicant is to arrange an inspection of the development works by Council's Engineering Department at the following stages of the development. This condition applies notwithstanding any private certification of the engineering works. Inspections shall be booked at Customer Service and at least 48 hours notice is to be given of readiness for inspection.

48 hours notice is to be given to Council for an inspection, for the following components of construction (where required):

- Roadworks
- Sub-grade earthworks prior to gravel
- Kerb & gutter completed

- Gravel test results available
- Compacted gravel base completed
- Sealing completed

All of the above components of construction must be completed prior to the issue of a Construction Certificate for extractive works.

The current charge at 2015/2016 Financial year is \$194 per crossing.

Note: Council retains the right to alter, repair, or in extreme cases, remove and replace any work for which approval has not been obtained, or that has not been carried out in accordance with these conditions. The work would be undertaken at the owner's full costs, recoverable in accordance with Section 218 of the Roads Act 1993.

- Plans

A "Soil and Water Management Plan" (SWMP) that outlines the measures that will be taken to limit and contain sediment laden runoff during construction shall be submitted to Council. The measures shall be in accordance with Council's Standards for Engineering Works 2013 and the Department of Housing's "Blue Book". The plan is to be approved by Council with the concurrent Construction Certificate and s138 consent.

A Certificate of Practical Completion for all civil works within private property (road, access, drainage, on-site detention etc.) is to be submitted to the Principal Certifying Authority.

"Traffic Management Plan" that details suitable safety measures that will be implemented whenever work is being undertaken in the public road reserve shall be submitted to Council. The safety precautions are to be in accordance with the requirements of the RTA's "Traffic Control at Work Sites" manual. The plan is to be prepared and endorsed by a person with current RTA certification and provided to the Council for approval.

Any engineering works covered by the Council's adopted 'Standard Engineering Works, 2013' are to be carried out in accordance with that document.

Reason: *These conditions have been imposed to ensure drainage/stormwater is appropriately managed.*

2. **Roads and Maritime Services Requirements:**

A Section 138 Approval issued by Roads and Maritime Services must be obtained for the required works to the Hume Highway and completed to the satisfaction of the RMS including:

- Prior to any operations, the developer must provide a southbound left turn deceleration lane on the Hume Highway at the junction of Tiyces Lane. The deceleration lane must be designed as a sealed Rural Auxiliary Left Turn Treatment (AUL)] in accordance with Section 8.2.3 of Austroads *Guide to Road Design – Part 4a: Unsignalised and Signalised Intersections*. To complement the AUL, a Basic Left Turn Treatment (BAL) must be constructed at the junction of Tiyces Lane with the Hume Highway in accordance with together with Section 8.2 of Austroads *Guide to Road Design – Part 4a: Unsignalised and Signalised Intersections*.
- All pavement design on the Hume Highway must be in accordance with Austroads standards. It should be noted that pavement investigations need to consider the suitability of the existing shoulder to accommodate new loadings and if necessary, the developer must upgrade the existing shoulder.
- Where required, the developer must upgraded/provided lighting in accordance with Australian Standard AS/NZS1158.
- All roadworks, traffic control facilities and other works associated with this development will be at no cost to RMS. All works must be completed prior to occupation.
- All roadworks and traffic control facilities must be undertaken by a pre-qualified contractor. A copy of pre-qualified contractors can be found on the RMS website at:
<http://www.rta.nsw.gov.au/doingbusinesswithus/tenderscontracts/prequalifiedcontractors.html>
- RMS will be exercising its powers under Section 64 of the Roads Act, 1993 to become the roads authority for works on the Hume Highway. Given this, Section 138 consent under the Roads Act, 1993 must be obtained from the RMS prior to construction.
- The developer must apply for, and obtain a Road Occupancy Licence (ROL) from the RMS Traffic Operations Unit (TOU) prior to commencing roadworks on a State Road or any other works that impact a travel lane of the Hume Highway. The application will require a Traffic Management Plan (TMP) to be prepared by a person who is certified to prepare Traffic Control Plans. Should the TMP require a reduction of the speed limit, a Speed Zone Authorisation will also be required from the TOU. The developer must submit the ROL application 10 business days prior to commencing work. It should be noted that receiving an approval for the ROL within this 10 business day period is dependant upon RMS receiving an accurate and compliant TMP.

Notes: An approved ROL does not constitute an approval to commence works until an authorisation letter for the works has been issued by RMS Project Manager.

3. **Department of Primary Industries Water / NSW Office of Water**

Department of Primary Industries Water/NSW Office of Water have advised that a Water Access License has been obtained for 150ML however 100ML has not been attached to a location (i.e. bore) and further licensing approvals will be required. Suitable evidence is to be supplied to Council demonstrating that appropriate water allocations including relevant approvals/licenses have been secured for the development.

Note: Should water from the authorised bore be required for quarrying activities, the proponent would be required, under Section 91 of the Water Management Act, to apply for an amendment to the purpose of the work.

DEFERRED COMMENCEMENT NOTES:

1. **Nothing in this deferred commencement consent permits the commencement of any works or development as proposed in this application and included in Part B until the receipt of confirmation of valid development consent from Council.**

2. This deferred commencement consent will lapse if the above requirement has not been satisfied within five (5) years of the date of the deferred commencement consent.
3. Following compliance with the above conditions of Deferred Commencement Consent, written confirmation of Consent will be forwarded to you from Council.
4. Once the consent is valid, the development will also be subject to the following conditions outlined in Part B below.

PART B SCHEDULE OF CONDITIONS

PART 1. GENERAL CONDITIONS

1. The development is to be carried out generally in accordance with the plans and details submitted with the application and supporting information received with the application except where varied by the following conditions of consent. The development consent incorporates the plans and documents stamped and detailed below:

Document/PI an No	Date	Description	Drawn by
1315	April 2014	Environmental Impact Statement "Proposal for a Quarry, Lot 1 DP 1094055 63 Curlewin Lane, Boxers Creek	Laterals Planning,
109099	24/9/2009	Quantitative Noise Assessment for Marian Vale Pastoral Co Pty Ltd, Curlewin Tiyces Lane, Towrang	Benbow Environmental
109099	2/10/2009	Quantitative Air Assessment for Marian Vale Pastoral Co Pty 63 Tiyces Lane, Towrang, NSW	Benbow Environmental
8043	16/12/2008	Nov 2008 On-site Wastewater Management Study Lot 1 DP 1094055, Tiyces Lane, Towrang, NSW, 2580	Laterals Planning, Engineering and Management Environmental
	March 2009	An Aboriginal Site Survey and Assessment, Lot 1 (DP 1094055) Tiyces Lane, Towrang	Stedinger Associates Pty Ltd
08000262	19 Dec 2008	Water Cycle Management Study for Proposed Hard Rock Quarry on Lot 1 DP 1094055 Tiyces Lane Towrang	SEEC Morse McVey
R2009142-1	28/4/2009	Pavement Condition Report: Tiyces Lane, Hume Highway to Proposed Quarry Entrance - 2009	Pavement Management Services
R_776	Aug 2008	Tiyces Lane Stage 1a & 1b Reconstruction Hume Highway to Marian Vale Subdivision Long Section Sheet 1 (sheet 3 of 36 sheets)	Goulburn Mulwaree Council
75061	4/10/2007	Petrographic Report on Curlewin Basal (Yellow) Aggregate Sample (75061) From Curlewin Quarry Prepared for Boral Resources (NSW) Pty Ltd Materials Technical Services	Geochempet Services Meleny

2134-2	Jan 2007	Marian Vale Core Drilling Assessment Report	Geos Mining Mineral Consultants
	Sept 2006	Mining of Construction Material from Marian Vale – Ease Goulburn. A preliminary feasibility assessment	Groundwater Imaging Pty Ltd
A1012135N (ver C)	June 2010	Proposed Quarry Intersection of Curlewin Lane with Tiyces Lane in Towrang Traffic and Parking Report	ML Traffic Engineers
1315	3 July 2014	Quarry Site Plan	Laterals Planning
1315	25/6/2013	Initial Quarry Pit Detail	Laterals Planning
8043/1	January 2008	Flora and Fauna Assessment For Proposed Gravel and Basalt Quarry, Lot 1 DP 1094055, Tiyces Lane, Towrang	Laterals Environmental
8043/1	Jan 2010	Addendum Flora and Fauna Assessment For Proposed Gravel and Basalt Quarry, Lot 1 DP 1094055, Tiyces Lane, Towrang (January 2008)	Laterals Environmental
	15/1/2009	EPBC Act Protected Matters Report	Australian Government Department of the Environment, Water, Heritage and Arts
1500008 7-L-01	23/3/2015	Response to additional information for on-site effluent management	SEEC
	16/2/2015	Response to submitter notices provided by Council, relating to DA/0350/1314.	Peter F Miller
	14/8/2014	Response to RMS Correspondence dated 22/8/2013	Peter F Miller
	16/12/2014	Response to GMC Correspondence dated 17/7/14	Peter F Miller
109099-2_BE_letterreport_Rev1	5/8/2014	The additional information concerning additional information raised by the EPA for more information on air and noise assessment	Benbow Environmental
	3 July 2014	Amendment to the Water Cycle Management Study, associated Water Control Plan	Strategic Environmental & Engineering Consulting
	23 March 2015	The letter outlining proposed on-site wastewater management	Strategic Environmental & Engineering Consulting
	11/7/2015	Proposed Elevation and Floor Plan of the Site Shed/Administration Office/Kitchen Facility and Ablutions Closet/WC at 63 Tiyces Lane (Part 288)	Peter Miller

If there is any inconsistency between the Conditions of Approval and a document listed above, the Conditions of Approval shall prevail to the extent of the inconsistency. If there is any inconsistency between documents listed above (other than the Conditions of Approval) then the most recent document shall prevail to the extent of the inconsistency.

Reason: Because it is in the public interest that the development is carried out in accordance with the approved plans. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

2. The area outside of the proposed 'resource area' pp 5 in the flora and fauna assessment provided by Laterals, Reference No: 8043/1, is to be restricted and utilised as a habitat conservation zone.

Reason: Because it is in the public interest that the development is carried out in accordance with the approved plans. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

3. Under this consent, the proponent has development consent for:
- Extraction and processing up to maximum of 30,000m³ and
 - Maximum surface disturbance of 20,000m² per annum.

The quarry shall not exceed 30,000m³ per annum or surface disturbance of 20,000m² per annum without gaining prior approval.

Reason: Because it is in the public interest that the development is carried out in accordance with the approved plans. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

4. The approval of the quarry site shall be in accordance with the Site Plan prepared by Laterals Planning (dated 3 July 2014), as scaled. The outer limits shall be no closer than:
- 50m from the outer wall of the berm to the eastern boundary of Lot 1 DP1094055; and
 - 70m from the wall of the pit the eastern boundary of Lot 1 DP1094055; and
 - 200m from the wall of the pit and outer wall of the temporary berm to the northern boundary of Lot 1 DP 1094055

Reason: Because it is in the public interest that the development is carried out in accordance with the approved plans. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

5. The basalt quarry shall have a maximum volume of 1.07 ha and the clay gravel quarry of 2000m² as listed on the Proposed Quarry Site Plan prepared by Laterals and dated 3/7/2014.

Reason: Because it is in the public interest that the development is carried out in accordance with the approved plans. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

6. The proponent shall submit to Council a detailed site survey prior to issue of the Construction Certificate. The site survey shall include:
- The location of the land, area, boundaries and adjoining properties,
 - Location of all buildings, offices and structures so labelled
 - Position location and volume of all stockpiles of overburden, berms and areas of storage of any materials
 - Access to /from the site and internal road construction
 - Landscaping and fencing

The plan shall calculate the total area of disturbance and shall be permanently marked or delineated on ground by star pickets, posts or survey marks (unless otherwise agreed to by Council).

Reason: Because it is in the public interest that work is carried out in accordance with the approved plans and conditions of consent. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended

7. The development does not include the use of explosives, a rock breaker and any heavy equipment use when operating exceeds a noise level of 35dBAL_{Aeq} (15 min).

Reason: Because it is in the public interest that the development is carried out in accordance with the approved plans. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

8. The following approval bodies have given general terms of approval or concurrence in relation to the development, as referred to in Section 91 & 93 of the *Environmental Planning and Assessment Act 1979* for integrated development and Section 79B of the *Environmental Planning and Assessment Act 1979* for concurrence:

a) NSW Environmental Protection Authority have issued their General Terms of Approval for scheduled activities under the *Protection of the Environment Operations Act 1997*

The development is to be carried out in accordance with the General Terms of Approval outlined by NSW Environment Protection Authority in their letter dated 8/12/2014 and incorporated into the consent and listed below:

Administrative conditions

A1. Information supplied to the EPA

A1.1 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/350/1314 submitted to Goulburn Mulwaree Council on 14 May 2014;
- the environmental impact statement "*Proposed basalt quarry, Lot 1 DP 1094055 63 Curlewin Lane, Boxers Creek, Reference No. 1315*" and dated April 2014, relating to the development; and
- all additional documents and correspondence supplied to the EPA in relation to the development including but not limited to:
 - '*Quantitative Noise Assessment for Marian Vale Pastoral Co Pty Ltd, Curlewin- Tiyces Lane, Towrang*' prepared by Benbow Environmental, dated 24 September 2009,
 - '*Quantitative Air Assessment for Marian Vale Pastoral Co Pty Ltd 63 Tiyces Lane, Towrang NSW*' prepared by Benbow Environmental, dated 2 October 2009, and
 - '*Water Cycle Management Study for proposed hard rock quarry Lot 1 DP 1094055 Tiyces Lane Towrang*' prepared by SEEC Morse McVey SEEC Reference 08000262, dated 19 December, 2008.

A2. Fit and Proper Person

A2.1 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.

Discharges to Air and Water Applications to Land

P1. Location of monitoring/discharge points and areas

P1.1 The licensee must prepare and implement an Air Quality Monitoring Plan and submit this to the EPA prior to commencement of operations at the premises. This plan must detail air quality monitoring locations (for at least two dust deposition gauges and

one high volume air sampler (HVAS)) and provide justification for the selection of these locations.

Limit conditions

L1. Pollution of waters

L1.1 Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation of the development, section 120 of the Protection of the Environment Operations Act 1997 must be complied with in and in connection with the carrying out of the development.

L2. Waste

L2.1 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

L2.2 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*.

Note: Condition L2.2 is included to ensure that a premises based activity is not used as a waste facility (unless that scheduled activity is permitted by another condition).

L3. Noise limits

L3.1 Noise from the premises must not exceed the limits specified in the following table:

Noise Assessment Location*	LAeq (15min)
R1	35
R2	35
R3	35
R4	35
R5	35
R6	35
R7	35
R8	35
R9	35
R10	35
R11	35
R12	35
R13	35

* Locations as identified in the "Quantitative Noise Assessment for Marian Vale Pastoral Co Pty Ltd, Curlewin - Tiyces Lane, Towrang" prepared by Benbow Environmental and dated September 2009.

L3.2 Noise from the premises is to be measured at the nearest sensitive receiver to determine compliance with this condition

Note: Noise measurement

For the purpose of the noise criteria for this condition, 5dBA must be added to the measured level if the noise is substantially tonal or impulsive in character. The location or

point of impact can be different for each development, for example, at the closest residential receiver or at the closest boundary of the development. Measurement locations can be:

- 1 metre from the facade of the residence for night time assessment; at the residential boundary;
- 30 metres from the residence (rural situations) where boundary is more than 30 metres from residence.

L3.3 The noise emission limits identified in **L3.1** apply for prevailing meteorological conditions (winds up to 3m/s), except under conditions of temperature inversions. 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; 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.

The issue of temperature inversions is complex both in determining when they occur and how they influence noise impacts. Therefore the extent of their impact should be managed in the licence using a noise monitoring and complaints based approach. Where complaints are significant the company should be required to develop management strategies.

Hours of operation

L3.4 All construction work at the premises must only be conducted between the hours listed in the following table:

Activity	Monday to Friday	Saturday	Sunday and Public Holidays
Construction	7.00am to 5.00pm	7.00am to 1.00pm	None

L3.5 Activities at the premises, other than construction work, may only be carried on between the hours listed in the following table:

Activity	Monday to Friday	Saturday	Sunday and Public Holidays
Crushing	7.00am to 5.00pm	None	None
All other activities	7.00am to 5.00pm	7.00am to 1.00pm	None

L3.6 This condition does not apply to the delivery of material outside the hours of operation permitted by condition **L3.4** or **L3.5**, 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 provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.

L3.7 The hours of operation specified in conditions **L3.4** and **L3.5** 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

O1. Dust

O1.1 Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

O1.2 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

O2. Stormwater/sediment control - Construction Phase

O2.1 A Soil and Water Management Plan (SWMP) must be prepared and implemented. 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 SWMP should be prepared in accordance with the requirements for such plans outlined in *Managing Urban Stormwater: Soils and Construction* (available from the Department of Housing).

O3. Stormwater/sediment control - Operation Phase

O3.1 A Stormwater Management Plan must be prepared for the development and must be implemented. Implementation of the Scheme must mitigate the impacts of stormwater run-off from and within the premises following the completion of construction activities. The Scheme should be consistent with the Stormwater Management Plan for the catchment. Where a Stormwater Management Plan has not yet been prepared the Plan should be consistent with the guidance contained in *Managing Urban Stormwater: Council Handbook* (available from the EPA).

Monitoring and recording conditions

M1 Monitoring records

M1.1 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 M1.2 and M1.3.

M1.2 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.

M1.3 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.

M2. Requirement to monitor concentration of pollutants discharged

M2.1 For each ambient monitoring point identified through the air quality monitoring plan (GTA Condition P1.1), the applicant must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1 of the tables below. The applicant must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

Points 1 and 2 (to be determined following submission of the Air Quality Monitoring Plan)

Air

Pollutant	Units of measure	Frequency	Sampling Method
Particulates - deposited	g/m ² /month	Continuous	AM-19

Point 3 (to be determined following submission of the Air Quality Monitoring Plan. To be installed for a period of at least 12 months once quarrying operations commence.)

Air

Pollutant	Units of measure	Frequency	Sampling Method
PM10	mg/m ³	Special Frequency 1	AS/NZS 3580.9.6:2003

Note: For the purposes of the table(s) above Special Frequency 1 means the collection of samples on a one day in six cycle using a HVAS fitted with size selective inlet for PM10.

Note: For the purposes of the table(s) above Special Frequency 1 means the collection of samples on a one day in six cycle using a HVAS fitted with size selective inlet for PM10.

M4. Testing methods - concentration limits

M4.1 Monitoring for the concentration of a pollutant emitted to the air 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 a relevant local calculation protocol must be done in accordance with:

any methodology which is required by or under the POEO Act 1997 to be used for the testing of the concentration of the pollutant; or

if no such requirement is imposed by or under the POEO Act 1997, any methodology which the general terms of approval or a condition of the licence or the protocol (as the case may be) requires to be used for that testing; or

if no such requirement is imposed by or under the POEO Act 1997 or by the general terms of approval or a condition of the licence or the protocol (as the case may be), any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

Note: The Clean Air (Plant and Equipment) Regulation 1997 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".)

Reporting conditions

R1.1 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

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.

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.

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.

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.

b) Water NSW have given concurrence in relation to the development, as referred to in State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 in their letter dated 17/4/2015 and incorporated into the consent the following conditions:

General

- i. The quarry layout, works and staging shall be implemented as specified in the application documents and shown on the Proposed Quarry Plan prepared by Laterals Planning (Plan No. 1315, Sheet No. 1; dated 3/7/2014). No revised layout, works or staging that will impact on water quality, shall be permitted without the prior agreement of Water NSW.
- ii. The extent of the actual quarry boundary shall be clearly and permanently delineated on the ground by star pickets or posts.

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

Wastewater Management

- iii. The septic tank and absorption trenches shall be located in accordance with the On-Site Wastewater Management Report prepared by Laterals Environmental (Project 8043; dated November 2008) but designed, and installed in accordance with the recommendations in the letter prepared by Strategic Environmental & Engineering Consulting (dated 23 March 2015), and Designing and Installing On-Site

Wastewater Systems (Sydney Catchment Authority, 2012) but with the following specific requirements and modifications:

- the septic tank shall have a minimum volume of 3000 litres
 - the effluent distribution pipe from the collection well tank to the absorption trenches shall be buried at a minimum depth of 300 mm (500 mm under access way) and laid in a manner that provides protection against mechanical damage or deformation
 - absorption trenches with a total base area of 15 square metres shall be installed e.g. two trenches each 12.5m long x 0.6m wide
 - the trenches shall be located as indicated in the Laterals report
 - the trenches shall be fenced off from livestock and vehicles
 - switching valves and/or a dosing/distribution mechanism shall be installed to ensure the effluent is evenly distributed to different trenches , and
 - all run-on and stormwater collected from roofs, access roads and other hard surface areas shall be diverted away from the trench area, e.g. by means of a stabilised bund or drain with provision for energy dissipation at the outlet to prevent scouring or erosion.
- iv. No effluent management area shall be located within 100 metres of a named river, any perennial or intermittent creek or watercourse or water supply reservoir, or within 40 metres of a dam or drainage depression or waterbodies or roadside swale. In this regard it is noted that there are drainage depressions located to the north and west of the proposed effluent management area.
- v. These conditions of consent relating to wastewater management shall be provided to the installers of the wastewater management and effluent disposal systems.
- vi. The installers of the wastewater management and effluent disposal systems shall certify to Council in writing that the wastewater management and effluent disposal systems have been constructed and installed as per these conditions of consent and in accordance with Water NSW's current recommended practice referred to in Condition 3 above, and that the systems have been tested and are functioning properly.
- vii. The on-site wastewater management system shall be maintained according to Section 5 of the Department of Local Government's guidelines On-site Sewage Management for Single Households (1998) and AS/NZS 1547:2012 On-site Domestic Wastewater Management, and the manufacturer's specifications.
- viii. No Occupation Certificate shall be issued until Council has received the written certification from the installers, and approved the onsite wastewater management system under the *Local Government Act 1993*.

Reason for Conditions – To ensure that the on-site wastewater management system is appropriately designed, located and constructed so as to have a sustainable neutral or beneficial effect on water quality over the longer term.

Stormwater Management

- ix. All stormwater management measures as specified in the amendment to Water Cycle Management Study (dated 3 July 2014) and shown on the Water Control Plan (Project No 08000262; Sheet 01; Revision B; dated 07/2014) prepared by Strategic Environmental & Engineering Consulting shall be implemented in particular as elaborated or varied below:
- all stormwater from the main quarry and immediate surrounds shall initially be captured in in-mine storage and then pumped to a main water quality control pond (WQCP 1) with a minimum surface area of 4000 square

metres, a minimum permanent storage volume of 3,900 cubic metres and minimum extended detention depth of 0.2 metre

- all stormwater from the hardstand area and access road to the quarry via swales shall be captured in an existing dam to be upgraded to a secondary water quality control pond (WQCP 2) with a minimum surface area of 525 square metres, a minimum permanent storage volume of 250 cubic metres and minimum extended detention depth of 0.2 metre
- water stored in water quality control ponds shall be used for dust suppression and/or irrigated
- an area of at least 8.8 ha of the site shall be revegetated with native vegetation in accordance with a Revegetation Plan to be prepared by a person with knowledge and experience in the preparation of such plans and which shall be to the satisfaction of Council.

- x. No variation to stormwater treatment or management that will impact on water quality shall be permitted without agreement of Water NSW.

Reason for Conditions – To ensure that a stormwater management system is designed and managed that ensures a sustainable neutral or beneficial effect on water quality for the development as a whole over the longer term;

Access Road to the Quarry

- xi. The access road to the quarry shall be located as shown on the Proposed Quarry Plan prepared by Laterals Planning (Plan No. 1315, Sheet No. 1; dated 3/7/2014). Any revision to the location of the road shall be agreed to by Water NSW. The proposed access road shall be designed and constructed in accordance with the principles and guidelines in the Environmental Practices Manual for Rural Sealed and Unsealed Roads (ARRB Transport Research Ltd. 2002) and otherwise consistent with Council's specifications. The construction of access road shall also incorporate the following stormwater measures:

- swales or table drains for its entire length to ensure all runoff is transferred to the WQCP 2 as referred to in Condition ix above
- all swales, table drains, batters and verges associated with the access road shall be vegetated and stabilised with bitumen and jute matting as soon as possible after construction. In steeper areas where the slope is in excess of 10% the table drains may need to have check dams and be armoured with rock underlain by geotextile fabric.

Reason for Condition - To ensure the access road and associated drainage works and water quality control measures have a minimal impact on water quality and can be maintained over the longer term.

Construction Activities

- xii. A Soil & Water Management Plan consistent with Section 5.1 of the Water Cycle Management Study prepared by SEEC Morse McVey (dated 19 December 2009) shall be prepared by a person with knowledge and experience in the preparation of such plans and shall meet the requirements outlined in Volume 1 of the NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004) manual - the "Blue Book".
- xiii. Effective erosion and sediment controls shall be installed prior to any construction activity, including earthworks for the access road. The controls must prevent sediment entering the drainage system and leaving the site boundaries, and shall be regularly maintained and retained until works have been completed and groundcover established.

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

Mine Operation Plan

- xiv. A Mine Operation Plan shall be prepared for the quarry prior to the commencement of operations. The Plan shall be to the satisfaction of Council, and shall bring together the details and limitations in relation to the quarry and its operation including:
- the exact location of extraction area and associated infrastructure
 - progressive revegetation of the site as shown on the Water Control Plan
 - details on the location, description and nature of stormwater and wastewater management structures including in-mine storage, water quality control ponds and swales any other stormwater structures and drainage works
 - details on the location, description and nature of wastewater management systems including septic tank and effluent disposal area
 - identification of the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all stormwater 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
 - procedures for managing water quality emergencies including the identification of the authorities, including Water NSW, to be notified, and
 - checklists for recording inspections and maintenance activities.

Reason for Condition – To manage adverse environmental and water quality impacts during the operational phase of the development so as to ensure a neutral or beneficial impact on water quality.

Mine Rehabilitation Plan

- xv. A Mine Rehabilitation Plan shall be prepared for the quarry that provides long-stability to the quarry site, the access road and immediate surrounds after the completion of operational phase of the development. The Plan which should identify the process for progressive reshaping and landscaping, topsoil replacement and revegetation of the impacted site, shall be produced within three months of commencement of operations and shall be to the satisfaction of Council.

Reason for Condition – To stabilise the site and manage potentially adverse environmental and water quality impacts in the post-operational phase of the development, so as to ensure a neutral or beneficial impact on water quality over the longer term.

c) Road and Maritime Services have given general terms of approval / concurrence in relation to s138 of the Roads Act in their letter dated 11/12/2014 and includes the following conditions:

- i) Compliance with the Part A Deferred Commencement Conditions from RMS inclusive.
- ii)

- Quarry trucks must not undertake the right turn movements from Tiyces Lane onto the Hume Highway. Instead, all vehicles wishing to exit Tiyces Lane and travel north must travel south along the Hume Highway and undertake a u-turn at the Southern Goulburn Interchange. The developer must implement a code of conduct for all drivers which requires drivers to use of this route.

iii) The following advice

Note: It is requested that Council advise the applicant that conditions of development consent do not guarantee RMS final consent to the specific road work, traffic control facilities and other structures and works on the classified road network. In this regard, prior to undertaking any such work, the applicant is required to submit detailed design plans and all relevant additional information prior to commencing work on the State road network. The developer will need to pay all RMS fees and charges associated with works. In the first instance, to progress the post consent process, the applicant should email the conditions of development consent to: WAD.southern@rms.nsw.gov.au

Note: It is requested that Council advise the applicant that conditions of development consent do not guarantee RMS final consent to the specific road work, traffic control facilities and other structures and works on the classified road network. In this regard, prior to undertaking any such work, the applicant is required to submit detailed design plans and all relevant additional information prior to commencing work on the State road network. The developer will need to pay all RMS fees and charges associated with works. In the first instance, to progress the post consent process, the applicant should email the conditions of development consent to: WAD.southern@rms.nsw.gov.au

Conditions of development consent relating to road work, traffic control facilities and other structures on the classified road network contrary to those outlined above are unlikely to receive RMS consent under the Roads Act, 1993.

Reason for Conditions a) b) and c): These conditions have been imposed to ensure that the development is carried out in accordance with the requirements of other Approval Authorities.

9. There must be no external night lighting of infrastructure associated with the Development, other than low intensity security lighting, unless otherwise agreed by Council.

PART 2. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

10. Approval of Goulburn Mulwaree Council as the Water and Sewer Authority is required prior to issue of a Construction Certificate.

A quotation for Council to perform the duties of Principal Certifying Authority for the Water, Sewer and will be provided upon submission of the Construction Certificate to Council.

Reason: to provide for supervision of the works for which Council is the authority.

11. In accordance with clause 145 of the Environmental Planning and Assessment Regulation 2000, the plans and specifications submitted with a Construction Certificate must be not inconsistent with this Consent.

12. Pursuant to Clause 94 of the *Environmental Planning and Assessment Regulation 2000*, the building/s must comply with Parts C, D & E Building Code of Australia. Details and plans that show compliance with the Building Code of Australia are to be submitted with the application for a Construction Certificate for assessment by the Principal Certifying Authority.

Reason: So that the design of the proposed works may be assessed in detail before construction commences and because it is in the public interest that the development comply with the appropriate construction standards. Section 79C(1)(e) and 80A(11) prescribed conditions of the Environmental Planning and Assessment Act 1979, as amended.

13. A code of conduct for truck drivers will be required to be submitted to Council for approval prior to issue of the Construction Certificate and shall restrict haulage times so as not to coincide with school bus runs or school drop off/collection times.

The proposal will need to comply with RMS Speed Zoning Guidelines (link below).

http://roadsafety.transport.nsw.gov.au/downloads/nsw_szg_dl1.html. Details of any lower speed limit to be provided to Council prior to issue of a Construction Certificate.

Reason: This condition has been imposed to minimise the impact of the Development on the environment and on adjoining properties.

14. The applicant is to comply with all requirements of the NSW Rural Fire Service as outlined below and required in accordance with Planning for Bushfire Protection 2006 (as amended).

The following Bush Fire Protection Requirement shall apply and must be implemented prior to use of the development.

- Asset Protection Zone

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities.

At the commencement of building works and in perpetuity the property around the asset shall be managed as follows for a distance of 20m as an 'Inner Protection Area' and 10m as an 'Outer Protection Area'; as outlined within Planning for Bush Fire Protection 2006 and the Service's document 'Standards for asset protection zones'.

- Water & Utilities

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities.

(a) Water, electricity and gas are to comply with Section 4.1.3 of Planning for Bush Fire Protection 2006.

(b) In recognition that an unreliable reticulated water supply exists, a 20,000 litre dedicated water supply tank (non-flammable or shielded from threat) shall be provided.

- Access

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and other assisting fire fighting activities.

(a) Property Access Roads shall comply with Section 4.1.3(2) of Planning for Bush Fire Protection 2006.

- Landscaping

Landscaping to the site is to comply with the principles of Appendix 5 of Planning for Bush Fire Protection 2006. In this regard the following landscaping principles are to be incorporating into the development.

(a) Suitable impervious areas being provided immediately surround the building such as courtyards, paths and driveways.

(b) Grassed areas/mowed lawns/or ground cover plantings being provided in close proximity to the building.

(c) Restrict planting in the immediate vicinity of the building which may over time and if not properly maintained come in contact with the building.

Inner Protection Area (IPA)

The following shall apply to the construction and ongoing maintenance of the IPA.

- (d) There shall be minimal fine fuel at ground level which could be set alight by a bushfire.
- (e) Use of non-combustible ground surfaces such as gravel roads, paved areas etc. is acceptable.
- (f) Lawn areas shall be maintained low cut and clear.
- (g) Areas under fences, fence posts, gates and trees shall be raked and kept clear of fine fuel.
- (h) Gutters, roofs and roof gullies shall be kept free of leaves and other debris.
- (i) Verandahs, decks, carports, etc shall not be used to store combustible materials and shall be kept free of leaves and other debris.

Trees may be retained within the IPA where:

- No part of the tree overhangs within 5m of the buildings.
- The canopy is discontinuous such that the tree crowns are separated by a minimum of 3m.
- They are smooth barked species or if rough barked trees shall be maintained free of decorticated bark and other ladder fuels.
- No part of a tree shall be closer to a power line than the distances set out in Appendix 5 of Planning for Bush Fire Protection 2006, A5.5, 'Vegetation Safety Clearances' issued by Energy Australia (NS 179, April 2002).
- The use of local native plants with features that minimise the extent to which they may contribute to the spread of bush fires is encouraged within the above constraints.

Outer Protection Area (OPA)

The following shall apply to the construction and ongoing maintenance of the OPA:

- (a) Ground fine fuel loads maintained at 8 tonnes per hectare or less.
- (b) All shrubs etc are to be removed and grasses maintained by slashing/mowing.
- (c) Where wood piles, stacked flammable building materials, etc are located within the OPA, these shall be discontinuous and the distance between the material and tree foliage shall be not less than twice the height of the material.
- (d) Suspended or ladder fuels are to be removed.

Access

Access from the road boundary to the development shall be constructed and maintained in accordance with Clause 4.1.3(2).

Fire Fighting

Prior to the use of the development the following active fire fighting systems will be implemented.

- (a) The onus will be on the property owner to provide suitable water supply arrangements, maintained at a minimum of 20,000 litres capacity for fire fighting purposes, as per Table 4 of *Planning for Bush Fire Protection 2006*.
- (b) Provision of petrol or diesel drive pump or gravity feed system connectable to the dedicated static water supply indicated above. 3kW (5Hp) fire fighting pumps are adequate for most domestic fire fighting systems. *Note:* Not required to be permanently connected.
- (c) Provision of a 38mm Storz coupling* with gate or ball valve to be located adjacent to the development access road and within the IPA. This coupling shall be connected to the dedicated water supply and it is preferable that it is not located within 10m of the dwelling.

(*See separate note in Annexure 'A' on locating coupling point).

- (d) Provision of taps and at least two hoses (with a minimum diameter of 18mm) such that all parts of the built assets within the development can be reached.

Reason: To satisfy Section 79BA Environmental Planning and Assessment Act and to comply with the requirements of the Guideline document titled 'Planning for Bushfire Protection 2006'.

15. A schedule of proposed colours and materials is to be submitted with the application for a Construction Certificate. These colours and materials should be sympathetic with the rural character of the locality.

Reason: Because it is in the public interest that work is carried out in accordance with the approved plans and conditions of consent. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended

16. A revegetation and management plan and details of the habitat conservation zone is to be prepared by a suitably qualified person and submitted to Council for approval prior to issue of a Construction Certificate.

The plan shall include:

- (b) Compliance with Table 4 to the Box-Gum Grassy Woodland Recovery Plan titled "Current best practice site management practices for continued existence of Box-Gum Grassy Woodland"
- (c) All existing and proposed site structures.
- (d) Existing vegetation.
- (e) Vegetation required to be removed (minimum extent possible and sustainable best use for the felled timber/vegetation);
- (f) screen plantings to minimize visual impacts
- (g) landscaping required by the SEEC Report and WaterNSW,
- (h) Tree planting sizes.
- (i) Details of earthworks including mounding berms and a final rehabilitation plan.
- (j) Location, number (or density) and type of plant species (or mix).
- (k) Details of planting procedure and maintenance.
- (l) Implementation, management and monitoring strategies to ensure the establishment and ongoing maintenance of landscaped areas. The following activities shall be prohibited within the habitat conservation zone
 - Collection of bush rock
 - Collection of Firewood
 - Grazing
 - Clearing
- (m) A fencing plan.

Reason: These conditions are imposed to ensure that any fencing has a minimal effect on the landscape/streetscape/environment of the locality.

Landscaping is to be installed in accordance with the approved Construction Certificate Plan referenced. The landscaping must be maintained in accordance with the details provided on that Plan for the life of the development.

Reason: So that the development does not reduce the amenity of the area. Section 79C(1)(b) of the Environmental Planning and Assessment Act, 1979, as amended.

This conditions have been imposed to reduce the impact of any development activity on the landscape/scenic quality through vegetation works and maintenance. These landscaping

conditions are designed to screen from view the development as viewed from Tiyces Lane and any existing adjacent or adjoining dwelling.

Reason Because Council is of the opinion that the subject land should be reinstated to a condition near to that it was before the development commenced. Section 80A(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

17. The revegetation works of the habitat conservation zone shall be completed prior to construction of the quarry pit.
18. The proponent shall ensure that any lighting associated with the development:
 - a. Complies with the Australian Standard AS 4282 (INT) Control of Obtrusive Effects of Outdoor Lighting (as amended); and
 - b. Is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties.
19. All chemicals, fuels and oils shall be stored in appropriately bunded areas, with impervious flooring and sufficient capacity to contain 110% of the largest container stored within the bund. The bund shall be designed and installed in accordance with the:
 - c. Requirements of all relevant Australian Standards; and
 - d. DECCW's Environmental Protection Manual Technical Bulletin Bunding and Spill Management.
20. Dust Control

Details of dust control measures are to be submitted and approved by the Principal Certifying Authority prior to issue of the Construction Certificate. These measures are to be implemented during construction and operation of the quarry.

Appropriate measures are to be implemented to ensure no dirt or sediment is deposited on the road from vehicles and equipment associated with the subdivision. Details of these measures are to be submitted and approved prior to issue of the Construction Certificate.

No work is to be undertaken during adverse weather conditions, for example, dust storms during heavy westerly winds.

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK

21. Nominate the Principal Certifying Authority (PCA) and ensure the PCA notifies the Consent Authority and Council of their appointment at least two (2) days prior to commencing work on the site.

ADVISING

Dial Before You Dig

Underground assets may exist in the vicinity of your development. In the interests of health and safety and in order to protect damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in New South Wales). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig Service, modification of the Development Consent (or a new Development Application) may be necessary. Individuals owe owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property by contacting the Dial Before You Dig service in advance of any construction or planning activities.

Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and its assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are

aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact Telstra's Network Integrity Team on 1800 810 443.

22. A sign is to be erected on the development site, which shows the builders name and contact details, the details of the PCA and must include the words *"Unauthorised entry to the work site is prohibited"*.
23. Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out.
24. Work must not be carried out unless the Principal Certifying Authority for the development -
 - Has been informed in writing of the licensee's name and contractor licence number; and
 - Is satisfied that the licensee has complied with the insurance requirements of the Home Building Act.
 - In the case of work to be done by an owner-builder, the Principal Certifying Authority must be notified in writing of the person's name and owner-builder permit number.

DURING CONSTRUCTION

25. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

ADVISING

If council is the nominated Principal Certifying Authority, Council requires the following extra stages of construction to be inspected. Forty-eight (48) hours notice is required prior to these inspections.

- Steel reinforcing before pouring of concrete slab.
- Framework before cladding or lining is fixed.
- Sealing of the wet areas before wall linings are fixed and before floor and wall tiling is fixed.

26. All work is to be undertaken in accordance with the documentation required and approved under this Consent.
27. In accordance with Section 109E(3) of the Environmental Planning and Assessment Act and Clause 162A of the Regulations the following Mandatory, Critical Stage Inspections need to be carried out by the Principal Certifying Authority. (PCA)

Forty-eight (48) hours notice is required prior to these inspections.

 - In the case of a class 2, 3, 4, 5, 6, 7, 8 or 9 building, after the commencement of the excavation for, and before the placement of, the first footing;
 - Prior to covering any stormwater drainage connections; and
 - After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

ADVISING

The Stormwater and external sewer inspections can be linked as one (1) inspection when Council is the PCA.

28. Any demolition work is to be carried out in accordance with AS 2601.
29. Vehicles and equipment associated with the quarry construction and operation are to be located to ensure there is no adverse impact on existing residences in the locality.
30. To preserve and enhance the natural environment, all soil erosion and sediment control measures must be inspected following each storm event and any necessary maintenance work shall be undertaken to ensure their continued proper operation. Sediment shall be removed from soil erosion and sediment control measures when no more than forty percent (40%) capacity has been reached and appropriately disposed of. These measures shall

continue in proper operation until all development activities have been completed and the site is fully stabilised.

31. Topsoil shall be stripped from areas to be developed and stockpiled within the site. Stockpiled topsoil on the site and be protected from run-on water by suitably positioned diversion banks. Where the period of storage will exceed 14 days stockpiles are to be sprayed with an appropriate emulsion solution or seeded to minimise particle movement.
32. Building materials must NOT be placed or stored on the road or footpath without prior approval of Council.
33. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them being dangerous to life or property in accordance with WorkCover requirements. It will necessary to ensure that the excavation is not within the zone of influence on the footings of buildings on the adjoining properties.
34. In the erection or demolition of a building, if the soil conditions require it, retaining walls or other approved methods of preventing movement of the soil must be provided and adequate provision for drainage must be made. Approval is required for any retaining walls over 600mm in height or within 1000mm of the boundary.
35. In accordance with the *Plumbing and Drainage Act 2011*, a plumbing and drainage *Notice of Work (NoW)* must be completed and returned to Council for its records, no later than 2 business days before the work concerned is carried out. The *Notice of Work* is to identify what plumbing and drainage work is carried out by a particular plumber/drainage. On completion of the plumbing and drainage work and prior to Council's Final Inspection of the plumbing and drainage work, the plumber/drainage is to submit to Council a *Certificate of Compliance (CoC)* and a *Sewer Service Diagram*.

ADVISING

The *Notice of Work (NoW)*, *Certificate of Compliance (CoC)* and *Sewer Service Diagram* forms are available from Council's website.

NOTE: Council as the Water and Sewer Authority must still carry out the required inspections of the plumbing and drainage. The Certificate of Compliance does not replace Council inspections.

36. All sanitary drainage, plumbing and backflow prevention is to be carried out in accordance with AS 3500 and the *Plumbing and Drainage Act 2011* and the following stages of construction are to be inspected by Council as the Water and Sewer Authority.
Forty-eight (48) hours notice is required prior to these inspections.
 - Plumbing and Drainage before backfilling.
 - Pressure testing or waterpipes within the building prior to fixing of linings.
 - Final inspection of water plumbing and sewer drainage.

ADVISING

Inspections fees must be paid prior to commencing any plumbing and drainage work. If Council is not the nominated Principal Certifying Authority (PCA) it will be necessary to pay plumbing and drainage fees.

37. All new hot water installations shall deliver hot water at the outlet of all sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding 50 degrees Celsius in accordance with AS 3500.

The top level of the sewerage service yard gully shall be located a minimum of 150mm below the lowest fixture level and a minimum of 75mm above ground level.

38. A works as executed drawing of all plumbing, sanitary drainage and stormwater drainage work shall be submitted to the Council at final inspection stage, where requested.
39. Section 91 of the National Parks and Wildlife Act 1974 requires that the accidental discovery of Aboriginal relics should be reported to the Director-General of the NSW Department of Environment and Heritage (National Parks and Wildlife Service). As such during any works

in the area surveyed the accidental discovery of Aboriginal objects or sites should be reported immediately to the Department of Environment and Heritage (NPWS). Representative of the Local Aboriginal community (and Goulburn Mulwaree Council) shall be informed of any such discovery and consulted in the management strategies formulated and implemented.

Reason: This conditions have been imposed to ensure that development is carried out in a manner sensitive to the heritage values in the locality.

PART 4. PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

40. The building shall not be occupied or used until an Occupation Certificate is issued by the Principal Certifying Authority.

Reason: Because it is in the public interest that an Occupation Certificate be issued prior to occupation of the building. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

41. Upon completion of construction, the works shall be certified by a Registered Surveyor (or an alternate as approved by Council). A Registered Surveyor shall prepare work as executed plans, and a copy of all documents shall be submitted to Council for its records. Certification shall be provided to Council by a Registered Surveyor certifying that the development has complied with the conditions of this consent including the depth and extent of extraction permitted on the site and details of the earth berms. The certification shall be provided on completion of the construction (quarry pit) and prior to issue of the Occupation Certificate. No removal of product shall occur from the quarry until an Occupation Certificate is issued for the quarry pit.
42. A final inspection of water plumbing and sewer drainage must be conducted by Council as the Water and Sewer Authority prior to the issuing of any Occupation Certificate required for the development.
43. A Certificate of Compliance (CoC) and a Sewer Service Diagram prepared by the plumber(s) who submitted the Notice of Work must be issued to Council prior to issue of the Occupation Certificate.
44. Prior to the issue of an Occupation Certificate it will be necessary to submit to the Principal Certifying Authority, a Fire Safety Certificate in respect of the fire safety measures installed within the building.

A Fire Safety Certificate is to state, in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated:

- That the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so, and
- That, as at the date of the assessment, the measure was found to be capable of performing to a standard not less than that required by the schedule to the relevant approval.

ADVISING

Matters requiring attention and consideration if Council is the nominated Principal Certifying Authority;

Portable fire extinguisher/s containing an extinguishing agent suitable for the risk being protected must be installed in the building in accordance with Australian Standard 2444 - Portable Fire Extinguishers - Selection and Location, as required by E1.6 of the *Building Code of Australia*.

Exit signs must be installed in the building as required by E4.5 and E4.6 of the *Building Code of Australia*.

The Fire Safety Certificate is to include the following fire safety measures listed in the Schedule.

Schedule of Fire Safety Measures

Essential Service	Performance Standard
Exit Signs	AS 2293.1-2005, BCA 2015 E4.5, E4.6, E4.8
Portable Fire Extinguishers & Fire Blanket	AS 2444-2001 BCA 2015 E1.6
The exit doors shall satisfy the requirements of D2.20 and D2.21 of the <i>Building Code of Australia</i>	
Any person who fails to comply with the provisions of the <i>Local Government Act 1993</i> Section 124 and/or clause 121B of the <i>Environmental Planning and Assessment Regulation</i> , the Principal Certifying Authority is entitled to make an order against the owner or manager of a premises (in the case where adequate fire safety is not promoted or maintained).	

45. The proponent shall have in place an Environmental Management Plan which:
- e. Describes the procedures that would be implemented to:
 - i. Keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - ii. Receive, handle, respond to, and record complaints;
 - iii. Resolve any disputes that may arise during the course of the development;
 - iv. Respond to any non-compliance; and
 - v. Respond to emergencies;
 - The Environmental Management Plan shall also Include :
 - a. Copies of the various strategies, plans, programs that are required under the conditions of consent; and
 - b. A clear plan depicting all the monitoring being carried out for the development.
 - c. The operative requirements, a discussion on the extent of compliance and the remedying actions;
 - d. A listing of all selected remedial criteria and the rationale for their selection;
 - e. Include all reasonable measures to ensure that there is minimal impact on the environment and amenity of the area;
 - f. include details of environmental performance measures and monitoring to be used for the evaluation of construction and operative works, and what contingencies will be taken to address any identified adverse environmental impacts; and
 - g. include the requirements of relevant concurrence and consent authorities issued to date for the site.
46. The Proponent shall submit to Council a baseline survey prior to commencement of operations and a further volumetric survey every 2, 3, or 5 years (or as determined by Council) depending upon the rate of extraction.
- Reason: Because it is in the public interest that work is carried out in accordance with the approved plans and conditions of consent. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended*
47. The property is to be numbered in accordance with Council's adopted and implemented rural addressing systems.
- The applicant is to pay Council the amount of \$87 for the Council to place the rural address number at the new entrance to the property.
- The rural address number is to be submitted for approval of Council.

48. The maintenance period is 24 months and commences on the date of issue of the Subdivision Certification, Occupation Certificate, or equivalent.

The maintenance bond is an amount of 2.5% of the value of the total engineering works (minimum amount \$1,000). This bond is held by council to cover any defects or omissions which may arise or become apparent in the maintenance period. The maintenance bond is to be paid to Goulburn Mulwaree Council prior to issue of the Subdivision Certificate.

During the maintenance period council may direct the developer to rectify any omission or defect in the work which existed at the time of Notification of Completion or becomes apparent prior to the expiration of the maintenance period. If defects or omissions are not rectified within one month, council may rectify the omission or defect and apply the maintenance bond as payment of the cost for the rectification.

The maintenance period of any rectification work will be extended a further 24 months, however, at the expiration of the original 24 month maintenance period, the amount of the maintenance bond will be reduced in accordance with the value of the work under maintenance.

The nature of some defects e.g. water main breaks, may necessitate council's immediate action to rectify, in which case, the developer is responsible for reimbursing council's costs.

Upon expiration of the maintenance period, it will be the developer's responsibility to request council to the release of the maintenance bond.

The requirement for the developer to rectify defects and omissions in accordance with this clause holds true after the expiration of the maintenance period in the case that such defects and omissions are undiscoverable by normal means but come to light at a subsequent time.

Reason: These conditions have been imposed to ensure the development and associated activities/operation are acceptable in terms of the amenity of the neighbourhood and the public interest whilst maintaining its functional operation:

PART 5. ONGOING MANAGEMENT

49. The owner of the building shall ensure that the building is maintained in a clean and tidy manner at all times.
50. The operation and management of the development shall comply with the approved Plan of Management at all times.
51. The boundary markers for the extraction area are to be maintained until the rehabilitation has been completed.

Reason: Because it is in the public interest that work is carried out in accordance with the approved plans and conditions of consent. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended

52. The owner of the building shall:
- Furnish to the Council an Annual Fire Safety Statement in respect to each essential service installed in the building;
 - Ensure that essential services installed within the building are performing to a standard no less than to which the measure was originally designed;
 - Ensure the safety of fire exits;
 - Ensure doorways and paths of travel are not obstructed;
 - Ensure that offences relating to fire exits do not occur within the building.

The owner of the building shall:

- Cause a copy of the certificate to be furnished to the NSW Fire Brigades; and
- Cause a further copy of the certificate to be kept at the building.

53. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Concurrence or Approval Agencies, Council or the PCA.
54. The Environmental Protection Licence Report is to be provided concurrently to Council with the submission of the same to the EPA.
55. In order to assist in the collection of construction material production data, the proponent shall provide annual production data for the subject site to the Department Trade and Investment, Regional Infrastructure and Services – Mineral Resource Branch.

Reason: As required by Referral Agency.

56. **Section 94 Development Contributions [Monetary Contribution]**

In accordance with the provision of s80A(1) and s94 of the Environmental Planning and Assessment Act 1979 contributions are required toward the provision of road maintenance in accordance with the Section 11.0 Goulburn Mulwaree Section 94 Development Contributions Plan 2009 (Amendment No. 1) of which a copy may be inspected at the offices of the Council during ordinary business hours or at www.goulburn.nsw.gov.au.

Relevant Contributions Plan	GMS94DCP 2009
Rate 1516 financial year	9.24c/tonne
Quarry - Heavy Vehicle Movements estimated at:	9.24c x 44,760 tonnes = \$4,135.82 (based on 516 rate) for the first year 9.24c x 60,000 tonnes = \$5,544 (at the current 1516) subject to annual cost adjustment for the second year and thereafter

The total contribution payable is to be indexed in accordance with the applicable contributions plan between the date of the consent and the date of each payment of the contribution. The contribution is to be paid in full annually or as otherwise agreed to by Council.

Reason: This condition has been imposed to ensure the adequate provision of public facilities required as a result of the development.