

DRAFT CONDITIONS OF CONSENT

Proposal: Extractive industry (granite quarry)

Address: 1547 Lowes Mount Road, Tarana (Lot 218 DP 258521)

Western Region JRPP (2015WES006)

Oberon Council (DA 10.2010.65.1)

GENERAL

1. General terms of approval

The development shall be carried out in accordance with the approved stamped plans and supporting documents set out in the table below, except where modified by any conditions of this consent.

In the event of any inconsistency between conditions of this development consent and the approved plans and supporting documents, the conditions of this development consent prevail. If there is any inconsistency between the plans and documentation referred to in the table, the most recent document shall prevail to the extent of the inconsistency.

Document	Author	Date
Wonga Quarry Detailed Site Plan, Drawing ID ADC010	Rangott Mineral Exploration Pty Ltd	10 August 2015
Environmental Impact Statement	Rangott Mineral Exploration Pty Ltd	June 2015
Threatened Species & Biodiversity Assessment	Rangott Mineral Exploration Pty Ltd	August 2015
Blast Management Plan	Rangott Mineral Exploration Pty Ltd	August 2015
Traffic Impact Study	Rangott Mineral Exploration Pty Ltd	November 2015

Reason: To confirm and clarify the terms of Council's approval.

2. Extraction limits

The total amount of material extracted from the site in accordance with this consent shall not exceed 240,000 tonnes. The total annual extraction from the site shall not exceed an average of 500 tonnes per calendar year (measured from the date of commencement of quarrying activity).

Reason: To ensure compliance with the application and approved plans and to confirm and clarify the terms of Council's approval.

3. Crushing and processing not permitted

In accordance with the approved documentation, this consent authorises the extraction and transportation of materials only. No crushing or processing of the extracted materials is permitted on the site.

Reason: To maintain and preserve the quality and amenity of the surrounding environment.

4. Haulage Route

The haul route for trucks accessing the quarry and transporting extracted aggregate material shall be in accordance with the approved Traffic Impact Study. The approved haulage route from the quarry site to the Wallerawang processing facility is: Lowes Mount Road, Mutton Falls Road, Tarana Road, Diamond Swamp Road, Great Western Highway, Castlereagh Highway and Main Street.

Reason: To confirm and clarify the terms of Council's approval.

5. Protection of amenity

The development is to be conducted in a manner that will not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, by causing interference to television or radio reception or otherwise.

Reason: To ensure the development does not unreasonably impact on the amenity of the surrounding area.

6. Advertising and identification signage

An identification sign is to be erected adjacent to the entrance gate of the subject site containing the name of the quarry operator and the phone number, postal address and email address of the permanent site contact so that complaints or any other issues relating to operation of the quarry can be received and addressed in a timely manner. The erection or installation of any other advertising signage is prohibited.

Reason: To provide relevant contact details to the public and restricts advertising.

PRIOR TO COMMENCEMENT OF OPERATIONS UNDER THIS CONSENT

7. Access improvements

Prior to the commencement of the extraction and transportation of materials, the applicant is to obtain approval for the undertaking of road safety improvement works in Lowes Mount Road at the entrance to the quarry site. The applicant shall obtain a construction certificate from the principal certifying authority for the proposed improvements undertake the necessary upgrade works as approved prior to the commencement of the extractive industry. An application for construction certificate and approval under section 138 of the *Roads Act 1993* is to be submitted to Council supported by the following:

- (a) Engineering drawings and specifications detailing the proposed works prepared by a suitably qualified person and demonstrating compliance with Australian Standards and other relevant standards as specified by Council or RMS, including Part 4 Figure 7.4 *Austroads Guide to Road Design 'standard rural property access'*,
- (b) Details showing the provision of a minimum 20 metre sealed access from the edge of the travel lane in Lowes Mount Road that matches existing road levels and does not interfere with drainage,

- (c) Details demonstrating the proposed works will achieve safe intersection sight distance (SISD) (as outlined in Part 4A *Austroads Guide to Road Design* and relevant RMS supplements) in both directions on Lowes Mount Road for 250m from the entrance point,
- (d) A Traffic Management Plan prepared by a suitably qualified person in accordance with Australian Standard 1742 and the RTA Traffic Control at Work Sites Manual 2010,

Note: (1) The requirements of the Roads and Traffic Authority are to be incorporated in the existing design; and

Note: (2) Only the person who appointed the PCA may be the applicant for the Construction Certificate.

Reason: *To ensure compliance with the requirements of Section 81A of the Environmental Planning and Assessment Act 1979.*

8. Code of conduct

Prior to the commencement of the extractive industry the applicant is to prepare and submit to Council a code of conduct that will be applied to the transport of materials from the site. The code of conduct is to be applied to all heavy vehicle operators that access the development, including haulage and delivery vehicles. All drivers shall be required to sign a register (or similar) acknowledging and accepting the code of conduct. The code of conduct is to include:

- (a) A map detailing the approved haulage route highlighting critical locations, safety issues and other relevant traffic/transport issues,
- (b) Procedures and/or safety initiatives for trucks travelling through residential precincts, school zones and roads where school bus pick up/set down areas are located,
- (c) Procedures to minimise noise and dust emissions,
- (d) Procedures to ensure all loads are covered prior to leaving the quarry and that all extractive material is swept/removed from external truck/trailer components, and
- (e) Procedure for complaints resolution and disciplinary action.

Reason: *To ensure the environmental impacts of heavy haulage of adequately managed..*

9. Developer contributions

Prior to the issue of a construction certificate in relation to the civil works in Lowes Mount Road, the applicant is to pay section 94 contributions in accordance with the schedule below, or those applicable at the time of payment, as prescribed in Council's Schedule of Fees and Charges:

SERVICE	AMOUNT (2015/2016)
Public open space	\$235.56
Community facilities	\$235.56
Emergency services	\$282.22
Rural roads	\$4596.89
TOTAL	\$5350.23

Reason: To recover costs for the provision of essential services and facilities to the community in accordance with section 94 of the Environmental Planning and Assessment Act and the Oberon Development Contributions and Water Management Works Plan 2004.

10. Warning signage

Seasonal/foldable warning signage is to be installed on the approaches to the quarry entrance in accordance with the recommendations of the Traffic Impact Study. Any signage installed is to comply with Australian Standard 1742 and relevant RMS supplements. The location of the signage is to be determined in consultation with Council and RMS.

Reason: To provide appropriate warning and road safety signage.

11. Entrance gate setback

Prior to the commencement of the extractive industry, the existing entrance gate is to be setback sufficiently to allow storage capacity from the carriageway for the largest articulated vehicle required to access the site.

Reason: To provide sufficient safe access to the site without impacting on road safety or traffic movements.

12. Notification of commencement

The applicant is to provide written notification to Council of the intended date of commencement of extractive operations under this consent no less than two (2) weeks prior to commencement.

Reason: To inform Council of commencement of operations.

13. Establishment of planted buffer

Prior to the commencement of extractive operations, the vegetated buffer is to be planted and established with necessary protection measures in place.

Reason: To ensure the vegetated buffer is planted prior to the commencement of extractive works.

14. Sediment and erosion control

Prior to the commencement of extractive operations, appropriate sediment and erosion controls are to be implemented and functional.

Reason: To protect the surrounding environment.

OPERATIONAL CONDITIONS

15. Hours of Operation

The hours of operation of the extractive industry are limited to the hours specified in the following table.

Days	Hours
Monday to Friday	7.00am to 5.00pm
Saturday	8.00am to 5.00pm
Sunday & Public Holiday	No works permitted

Reason: To ensure the operations of the development are consistent with the application and approved plans and to ensure consistent operations with the authorised crushing facility associated with the development approved by Lithgow City Council (DA reference 207/93).

16. Annual return

The operator of the extractive industry approved in this consent is to submit to Council an annual return within two (2) weeks of twelve (12) months following the commencement of quarrying works. The annual return is to quantify the amount of material (tonnes) removed from the site and is to be submitted with payment in arrears of recurrent contributions towards road maintenance levied in accordance with the Oberon Development Contributions and Water Management Works Plan 2004.

The annual recurrent levy is to be calculated based on an amount of 11 cents (indexed annually on 1 July) per tonne of extracted material multiplied by 5.2 (the length in kilometres of the haulage route from the quarry entrance to the Oberon Council boundary). The recurrent levy paid annually is to be reconciled with the amount of extracted material removed from the site as reported in the annual return.

Reason: To ensure compliance with the approved plans, documentation and extraction amount and to enable the payment of a recurrent road maintenance levy in accordance with Council's contributions plan.

17. Operation of plant and equipment

The applicant is to ensure that all plant and equipment used on site is maintained in a proper and efficient condition, in a safe and working order; and operated in a proper and efficient manner.

Reason: To protect and minimise impacts on the surrounding environment.

18. Cultural heritage awareness

The applicant is to provide all plant operators that undertake initial ground disturbance within the site, with a cultural heritage induction to cover legislative requirements regarding Aboriginal cultural heritage, the importance of Aboriginal cultural heritage, the location of and protection measures applying to the site within the quarry, an introduction on how to identify Aboriginal objects and the procedure to be followed in the event that suspected Aboriginal material is uncovered within the site.

Reason: To ensure cultural heritage is understood and protected.

19. Cultural heritage management

If Aboriginal cultural objects or human remains are uncovered during extractive works, all works must cease in the immediate vicinity to prevent any further impacts on the object(s) or remains. Notification is to be made to the NSW Police, the Aboriginal community and the Office of Environment and Heritage as appropriate. Works are not to resume until written authorisation from the NSW Police and/or Office of Environment and Heritage is received.

Reason: To ensure appropriate action is taken upon discovery of Aboriginal cultural heritage items and/or human remains..

20. Groundwater

Should groundwater be intercepted at any time during the operational works of the extractive industry, all works are to cease immediately and Council and the Department of Primary Industries – Water notified. Works are not to resume until written authorisation is received from DPI-Water.

Reason: To protect and minimise impacts on the surrounding environment.

21. Complaints register

During the operational phases of the extractive industry, the applicant is to record details of all complaints received in a Complaints Register. The Register shall record, but not necessarily be limited to:

- (a) The date and time of the complaint;
- (b) The means by which the complaint was made (telephone, mail or email);
- (c) Any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
- (d) The nature of the complaint;
- (e) Any action(s) taken by the Applicant in relation to the complaint, including any follow up contact with the complainant; and
- (f) If no action was taken by the Applicant in relation to the complaint, the reason(s) for no action being taken.

The Complaints Register shall be made available for inspection by the Council upon request.

Reason: To ensure complaints in relation to the proposed development are appropriately addressed.

22. Limit of clearing and quarry operations

No works, activities or vegetation clearing shall occur outside of the boundary identified on the approved plans.

Reason: To ensure the development is contained within the approved area of operations.

23. Toilet facilities

Toilet facilities are to be provided at the work site at all times at the rate of one closet for every 20 persons employed at the site. If temporary closet accommodation is proposed, each closet must:

- (a) be at least 1050 mm wide, 1350 mm long and 2100 mm high (measured internally),
- (b) have a hinged door capable of being fastened from both inside and outside,
- (c) have sufficient walls and a roof to ensure privacy, each constructed of material that is weatherproof,
- (d) have a floor constructed of a material that is rigid and impervious,
- (e) be provided with a suitable receptacle for, and an adequate supply of, deodorising or fly-repelling fluid, and
- (f) comply with any relevant requirements of the Building Code of Australia.

Reason: To ensure adequate facilities are provided for workers.

24. Documentation

A copy of the approved documents and plans relating to this consent are to be kept by the quarry operator at all times and shall be made available for inspection upon request by Council or an authorised government agency.

Reason: To ensure the relevant approval documents are available for inspection.

25. Rehabilitation

Rehabilitation of the site is to be undertaken in accordance with the approved plans, documentation and Biodiversity Management Plan. The approved biodiversity offset area is to be maintained in perpetuity in consultation with the Office of Environment and Heritage and is to be finalised within twenty four (24) months of the date of this consent.

Reason: To ensure the site is rehabilitated and biodiversity offsets are implemented in accordance with the approved plans and documentation.

26. Protection of flora and fauna

During any authorised clearing works, appropriate protection procedures are to be implemented including (but not limited to):

- (a) Engagement of a suitably qualified and experienced spotter-catcher to undertake an initial assessment of the area to be cleared for threatened species and to guide and inspect the felling of any hollow bearing trees,
- (b) Checking all trees for the presence of nesting or roosting fauna immediately before felling or removal.
- (c) The appropriate care taken during the removal of any identified hollow bearing trees to enable animals to vacate,
- (d) Avoid leaving felled trees on the ground unmanaged for more than two weeks to prevent creation of habitat for hollow dependent species, and
- (e) Salvage tree trunks, major limbs and minor branches as appropriate for use in the rehabilitation of disturbed areas and the biodiversity offset area.

Reason: To minimise and mitigate impacts on the natural environment during vegetation clearing works.