

Schedule of Draft Conditions MOD2016/0035 – Application to modify Notice of Determination issued under DA2014/0098

A. Modify Condition 1 as follows:

1. The development being completed in conformity with the Environmental Planning & Assessment Act 1979, the Regulations thereunder, the Building Code of Australia and being generally in accordance with the following documents and plans:
 - 'Hard Rock Quarry: Statement of Environmental Effects', dated March 2014, prepared by Outline Planning Consultants Pty. Limited; including
 - Flora & Fauna Assessment by BushfireSafe (Australia) Pty Ltd, February 2014
 - Noise Impact Assessment by Vicpac Engineers & Scientists, dated 18 February 2014
 - Aboriginal Objects Due Diligence Assessment Report, BushfireSafe (Australia) Pty Ltd, dated February 2014
 - Traffic & Transport Assessment by RoadNet, dated March 2014
 - Erosion and Sediment Management Plan prepared by RoadNet, dated 8 October 2010,

 - The report entitled Statement of Environmental Effects accompanying a s4.55 Application to Clarence Valley Council Sheridan's Hard Rock Quarry Pty Ltd Pt. Lot 62 & 63 in Deposited Plan 752807 No. 242 Faheys & Bulgins Road Hernani, NSW, prepared by Outline Planning Consultants Pty Ltd and dated June 2016; with attachments:
 - Acoustic advice from consultants V IPAC dated 11 May 2016 Ref : 29N-12-0122-GCO-473113-0;
 - Dust advice from consultants VIPAC dated 23 June 2016 Ref: 29N-12-0122-GCO-399163-0;
 - Advice from traffic consultants Streetwise Pty Ltd to Clarence valley Council dated 22 June 2016;
 - Traffic Impact Assessment report prepared by traffic consultants Streetwise Pty Ltd dated 15 June 2016.
 - The applicant's submission dated 9 June 2017,

or where modified by any conditions of this consent.

Insert new conditions of consent as follows:

- 13B. A maximum of 66 loaded quarry trucks within the approved hours of operation Monday - Friday and a maximum of 36 loaded quarry trucks within the approved hours of operation on Saturdays are permitted to travel along the approved haul route.

- 13C The quarry operator is to consult with Bellingen Shire Council by 31 July annually regarding dates and traffic management planning for the proposed major events in Bellingen for the following twelve (12) months.

The applicant is to provide evidence that this requirement has been met in the Annual Update of the plan of Management.

36. Pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979 (EP&A Act), the applicant is to execute and deliver to the Council the Planning Agreement, in accordance with Subdivision 2, Division 6 of Part 4 of the EP&A Act, which the applicant has offered to enter into following the resolution Clarence Valley Council Item 14.048/18 on 15 May 2018.

37. The quarry is to operate in accordance with the Sheridan's Hard Rock Quarry Driver Code of Conduct and Traffic Management Plan dated February 2018. The Code of Conduct is to be regularly reviewed with the submission of the annual updated Plan of Management required under this consent.

38. The quarry is to have and maintain on-board weighing systems installed on all front end loaders, excavators and all other loading machinery in order to keep accurate records of extraction rates annual. The stored weighing data is to be provided to Council every three (3) months from approval of the application to modify the consent under MOD2016/0035.

- 38A. Monitoring equipment is to be installed and maintained at the quarry gate / property exit point on Faheys and Bulgins Road to monitor truck movements on a daily basis.

Details of proposed truck monitoring equipment is to be submitted to Council for approval prior to its installation.

The monitoring equipment is to be installed prior to commencement of quarry operations as amended under the application to modify the consent under MOD2016/0035.

Traffic count data from the monitoring equipment is to be provided to Council every three (3) months from approval of the application to modify the consent under MOD2016/0035.

39. An annual independent road audit of the road condition of the haul route is to be undertaken by a suitably qualified consultant, agreed to by both the quarry operator and Council, at full cost to the quarry operator. The independent road audit report is to be submitted to Council with the annual update of the Plan of Management.

40. Approval pursuant to Section 138 of the *Roads Act 1993* to carry out works required by the development consent on or within the public road reserve is to be obtained from Clarence Valley Council.

A Section 138 Roads Act application must be accompanied with a traffic management plan and erosion and sediment control plan.

41. Prior to the commencement of works inside the road reserve the applicant is required to submit the following to Council
- Notice of Commencement, 48 hours before commencement.
 - Notification to the residents affected by the works, one (1) week before commencement.
42. Upon the completion of any periodic maintenance works certification of the works from the supervising professional must be submitted to Council.