

## APPENDIX 1 – DRAFT CONDITIONS OF CONSENT

### SCHEDULE A DEFERRED COMMENCEMENT CONDITION

#### 1. Environmental approval

Construction works at the proposed quarry shall not commence unless and until the NSW Environment Protection Authority (EPA) has issued General Terms of Approval for the proposal. On receipt of the General Terms of Approval from the EPA they will form part of this approval.

### SCHEDULE B ADMINISTRATIVE CONDITIONS

#### 2. Development Description

Except as amended by the conditions of this consent, development consent is granted only to carrying out the development as described in Schedule A.

#### 3. Development in Accordance with Plans

The Applicant shall carry out the development generally in accordance with the:

- a) Environmental Impact Statement prepared by Groundwork Plus dated February 2021;
- b) Environmental Planning and Assessment Act and Environmental Planning Instruments (where applicable), the Local Government Act, the Plumbing and Drainage Act and other applicable statutory codes or legislation

Architectural (or Design) Drawings prepared by SMK Consultants			
Drawing No.	Revision	Name of Plan	Date
2519.DRG.003		Site & Surrounds	11/09/2020
2519.DRG.004	1	Conceptual site layout plan	15/02/2021
2519.DRG.005	1	Conceptual quarry development plan	15/02/2021
2519.DRG.006		Conceptual final landform	11/09/2020
2519.DRG.006A		Conceptual final landform – Cross sections	11/09/2020
2519.DRG.006B		Conceptual final landform – Cross sections	11/09/2020
2519.DRG.011		Haul route to Newell Highway	14/09/2020
2519.DRG.012		Proposed vegetation clearing stages	15/02/2021

#### 4. Supporting Document Recommendations

All recommendations made within specialist reports and supporting documents to the Statement of Environmental Effects shall be implemented as part of the development.

#### 5. Inconsistency between Documents

If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of the inconsistency. In addition the, conditions of this approval prevail to the extent of any inconsistency with other approved plans and documents.

#### 6. Limits of Approval

This consent will lapse five years from the date of consent unless the works associated with the development have physically commenced.

## **SCHEDULE C PERFORMANCE CONDITIONS**

### **GENERAL CONDITIONS**

#### **7. Commencement of Operations**

The quarry operator is required to inform Council of the commencement date of extraction operations approved under this consent.

*(Reason: To ensure that the impacts of the development are appropriately managed and that the development will comply with statutory requirements).*

#### **8. Limits of works**

The proposed works are to be limited in the following ways:

- b) Site area shall remain consistent with the approved site plan; and
- c) Operations are limited to a period of 12 years from the date of this consent and rehabilitation works are to be completed within 3 years after the cessation of operations or as provided for in the approved rehabilitation plan for the quarry.

*(Reason: To ensure compliance with the requirements for local development and to minimise amenity and other impacts.)*

### **BEFORE COMMENCEMENT OF WORKS**

#### **9. Utility Services**

Prior to the commencement of work the Applicant is to negotiate with the utility authorities (e.g. Ausgrid and Telecommunications Carriers) in connection with the relocation and/or adjustment of any services affected by the development. Any necessary alterations to, or relocations of, utility services must be carried out at no cost to the council.

*(Reason: Protection of infrastructure.)*

#### **10. Complaints Register**

The operator shall nominate a contact person and telephone number for the benefit of adjoining neighbours and establish a complaints register that includes records of nature, time and date of complaint, climatic conditions such as wind direction and speed and the action taken to address complaint. The register shall be made available to Council upon request.

The operator shall notify all residents along Manamoi Road, Boo Boo Road and Gurley Creek Road and those within a 1.0 kilometre distance of the boundary of the development site of the contact details and associated information.

*(Reason: To ensure that complaints are recorded and addressed.)*

### **BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE**

#### **11. Long Service Levy**

For work costing \$25,000 or more, a Long Service Leave Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 131 441.

*(Reason: Statutory requirement.)*

## 12. Public road upgrades

The applicant shall be responsible for upgrading the public road network along the haul route in accordance with the following:

- a) Manamoi Road - Haul route area of unsealed road to be constructed to a 6m formation with 5m all-weather road surface unless otherwise agreed to in writing by the Council. Driveway access from Manamoi Road to be formed and constructed.  
*Note: Alternatives to this design may be considered in conjunction with a related Traffic Management Plan. Reason: this road is a very low use, local road.*
- b) Boo Boo Road unsealed portion- A full gravel resheeting 7m wide with **minimum** depth of 200mm is required. *Note: Council does not have a gravel resheeting program except for critical causeways and a 100mm depth will be quickly eroded – a preferable depth of 200mm would allow reworking of the remaining road base with subsequent resheetings.*
- c) Boo Boo Road sealed section requires road widening to 9m formation excluding the table drains and with a minimum 7.5m wide bitumen seal.
- d) Boo Boo Road causeway crossing of Little Bumble Creek shall be upgraded to a concrete slab crossing with a minimum length of 80m in accordance with Council's standards.
- e) Gurley Creek Road sealed road shoulder widening to a formation width of 9m and bitumen-sealed width of 7.5m including resealing the full road width.
- f) Gurley Creek intersection with Boo Boo shall be reconstructed as a channelised right turn (CHR) on a two-lane rural road, with associated road widening in accordance Austroads 2017 specifications or equivalent.

Design plans for these works shall be submitted to and endorsed by Council's Engineering Department prior to the issue of a Construction Certificate for Civil Works.

Council's Engineering Department is willing to accept a bond or bank guarantee of \$250,000 for completion of the upgrade works required in this condition. The bond/guarantee shall be for a maximum period of 5 months from the commencement of haulage of materials from the quarry site. If the works are not completed within the nominated time, the Council may conduct the works itself utilising the bond moneys, which are to be lodged in such a form as to permit Council to access them without the approval of the lodger of the bond.

*(Reason: Road adequacy)*

## 13. Newell Highway intersection upgrades

At the intersection of Gurley Creek Road and Newell Highway, the applicant is to construct:

- a) A Rural Basic Left-turn (BAL) Treatment (*see Figure 8.2 of Part 4A of AGTRD*) and;
- b) A Basic Right-turn (BAR) Treatment (*see Figure 7.6 of Part 4A of AGTRD*)

A formal agreement in the form of a Works Authorisation Deed (WAD) is required between the developer and TfNSW for the developer to undertake "private financing and construction" of any works on the Newell Highway. This agreement is necessary for works in which TfNSW has a statutory interest and is to be undertaken prior to any works commencing on the State Classified Road.

Prior to commencement of construction works, the proponent is to contact the TfNSW Field Traffic Manager on 1300 656 371 to determine if a Road Occupancy Licence (ROL) is required. In the event a ROL is required, the proponent is to obtain the ROL prior to works commencing within three (3) metres of the travel lanes of the Newell Highway.

A detailed design of the intersection treatment will need to be submitted to TfNSW for approval under the Works Authorisation Deed.

The intersection treatments is to be designed to accommodate the largest design vehicle (i.e. a truck and dog configuration) required to access this intersection.

Swept path analysis identifying the manoeuvring of the design vehicle through the intersection treatments is to be submitted to TfNSW for review.

The works described in this condition must be completed to the satisfaction of TfNSW prior to the commencement of quarry haulage.

*(Reason: Road safety and suitability)*

#### **14. Stormwater and Drainage Management**

Stormwater and drainage management shall address stormwater in association with the extraction areas, operational areas and the internal haul road. The design shall minimise the possibilities of erosion and sedimentation. There should be a particular focus on water quality for any stormwater management solutions that involve discharge outside the quarry operational area. Final design plans of the stormwater drainage systems shall be submitted to the certifier prior to issue of a Construction Certificate. (Note: Any necessary hydrology and hydraulic calculations shall be based on models described in the current edition of Australian Rainfall and Runoff).

*(Reason: To ensure appropriate management of management.)*

#### **15. Water Budget**

A comprehensive water budget is required for the development. The water budget shall contain details of the proposed water cycle and water management measures and how water resources required to meet the needs of the development would be obtained. The development shall not utilise any groundwater resources.

With regard to dust suppressants, the applicant shall provide independent, scientific verification of Polo Citrus Australia's Haulage DC water saving capability or update the project water balance to exclude any reference to Haulage DC's impact on water demand.

The water budget shall be submitted to and approved of by the certifier prior to the issue of a Construction certificate.

*(Reason: To ensure that practical access is available to water supplies to service the needs of the development.)*

#### **16. Dilapidation Report**

A Dilapidation Report for the haul route along Manamoi Road, Boo Boo Road and Gurley Creek Road is to be undertaken on all public infrastructure such as road pavement, drainage structures, and utilities fronting the development, which in the opinion of a suitably qualified engineer, could be potentially affected by the development. The Dilapidation Report shall be carried out prior to the issue of the Construction Certificate.

The Dilapidation Report is to be prepared by a suitably Qualified Structural and/or Geotechnical Engineer with current Corporate Membership with the Institution of Engineers, Australia.

The Report shall cover structural and geotechnical factors likely to arise from the development.

A copy of this Report shall be submitted to Council as a record.

The person having the benefit of the development consent must, at their own cost, rectify any damage caused to other properties during the construction of the project.

*(Reason: To protect Council infrastructure)*

#### **17. Biodiversity Offsets**

In accordance with the Biodiversity Development Assessment Report (BDAR) prepared by Advitech, dated 25 September 2020, for the development, the class and number of species credits as detailed in the tables below, must be retired to offset the residual biodiversity impacts of the development.

The requirement to retire a total of 54 Species credits as detailed in the table below, may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of Species credits, as calculated by the BAM Credit Calculator (BAM-C).

Evidence of the retirement of credits and payment to the Biodiversity Conservation Fund in satisfaction of this condition, must be provided to the Certifying Authority prior to the release of a Construction Certificate for each stage of the development.

PCT	Vegetation Zone and Condition Class	Area Impacted	Credits required
147: Mock Olive - Wilga - Peach Bush - Carissa semi-evergreen vine thicket (dry rainforest) mainly on basalt soils in the Brigalow Belt South Bioregion	Zone 1 - Disturbed thicket, (low to moderate condition)	5.33 ha	53
	Zone 2 - Intact thicket, (moderate to good condition)	0	0
	Zone 3 - Disturbed thicket (low condition)	3.82 ha	0
	Paddock trees	1 tree	1
<b>Total</b>		<b>9.15 ha / 1 tree</b>	<b>54</b>

The staged retirement of credits shall be in accordance with the table below.

Ecosystem / Species Type	Credits Required			Total Credits Required
	Stage 1	Stage 2	Stage 3	
147: Mock Olive - Wilga - Peach Bush - Carissa semi-evergreen vine thicket (dry rainforest) mainly on basalt soils in the Brigalow Belt South Bioregion	1	26	27	54

*(Reason: Biodiversity management)*

## 18. Construction Management Plan

A construction management plan (CMP) shall be submitted to Council for endorsement prior to the issue of a Construction Certificate. The CMP shall address, at minimum, the following issues:

- a) Construction:
  - i) Traffic management
  - ii) Road maintenance – private and public (in consultation with Council’s Engineering Department)
  - iii) Disposal of wastes
  - iv) Dust management
  - v) Noise management
  - vi) Erosion and sedimentation controls
  - vii) Complaints management

All required management plans are to be prepared in accordance with the Department of Infrastructure, Planning and Natural Resources’ Guideline for the Preparation of Environmental Management Plans (2004).

*(Reason: Environmental protection)*

## **BEFORE OCCUPATION CERTIFICATE / COMMENCEMENT OF USE**

### 19. Occupation Certificate Required

Occupation or use of the whole or any part of a new building shall not commence unless an occupation certificate has been issued by the Certifying Authority. The Occupation Certificate shall not be issued until such time as all relevant conditions of the development consent have been complied with.

*(Reason: Statutory requirement.)*

## **20. Operations Management Plan**

An Operations Management Plan shall be submitted to the satisfaction of Council prior to the issue of any Occupation Certificate. This plan shall be based on the operational management recommendations lodged with the application together with the requirements of this consent (which take precedence) and shall outline how those recommendations would be implemented and policed. The plan shall address all operational matters including noise, dust monitoring at the site and along the haul route, traffic generation, road management, driver code of conduct, drainage, soil management, flooding, enhancement of vegetation at the site, unexpected heritage discovery protocol, site remediation and neighbour notification strategy for blasting activities (including address of stock management on neighbouring lands).

*(Reason: To ensure appropriate management of the development.)*

## **21. Soil Management**

A Soil Management Plan is to be prepared and approved by Council, prior to the commencement of site works which includes the availability and suitability of top soil and subsoil, a soil balance for rehabilitation purposes and stock piling location and management plan. The Plan shall also include details of erosion and sediment control and final void management.

The Soil Management Plan will form part of the Operations Management Plan.

*(Reason: To ensure compliance with application and plans.)*

## **22. Site Rehabilitation**

At least 3 years prior to the completion of operations the applicant is to submit to Council a draft rehabilitation plan for the quarry site. The draft plan is to be prepared by a suitably qualified and experienced rehabilitation specialist who is to be approved off by Council's Director of Planning (or equivalent) before being commissioned by the applicant. The draft plan is to be submitted to Council for assessment and any necessary amendments are to be included in the final plan for Council's approval. Once approved, the final rehabilitation plan is to be implemented according to the schedule given in the plan and the final works are to be approved by the rehabilitation specialist before the security bond is repaid to the applicant.

*(Reason: To ensure appropriate site remediation.)*

## **23. Traffic Management Plan**

A Traffic Management Plan detailing the proposed signage and speed limits for the internal haul road and proposed code of conduct for employees and truck operators, shall be prepared and submitted to Council for approval prior to the commencement of extraction operations.

The Traffic Management Plan shall form part of the Operations Management Plan and shall incorporate provisions relating to:

- a) Signage within the site and on public roads on the haul route;
- b) Management of vehicle speeds both internal to the site and on public roads;
- c) Protocols when approaching other heavy vehicles, including school buses and the like;
- d) General good driving practices; and
- e) The covering of loads.

*(Reason: To ensure appropriate traffic management so as to minimise amenity impacts and enhance public safety.)*

## **24. Heritage Discovery Protocol**

The applicant is to prepare and implement an Unexpected Heritage Discovery Protocol for possible finds relevant to Aboriginal cultural heritage and historic archaeology. The Unexpected Heritage Discovery Protocol shall form part of the Operations Management Plan.

*(Reason: Cultural heritage management)*

## **25. Extraction Quantities**

The applicant shall develop a method to verify extraction quantities from the site. The method shall be submitted to and approved of by Council prior to the commencement of operations. The method will inform the applicant's Section 7.11 Plan reporting for road maintenance contributions and will demonstrate compliance with this consent.

*(Reason: Verification of extraction quantities)*

## **26. Bushfire risk management**

- a) A Fire Management Plan (FMP) shall be prepared in consultation with NSW RFS Namoi-Gwydir Fire Control Centre. The FMP shall include:
  - i) 24 hour emergency contact details including alternative telephone contact;
  - ii) Site infrastructure plan;
  - iii) Fire fighting water supply plan;
  - iv) Site access and internal road plan;
  - v) Construction of Asset Protection Zones (APZ) and their continued maintenance;
  - vi) Location of hazards (Physical, Chemical and Electrical) that will impact on fire fighting operations and procedures to manage identified hazards during fire fighting operations;
  - vii) Such additional matters as required by the NSW RFS District Office (FMP review and updates).
- b) The property access road including two (2) metres on either side, is to be managed as an Asset Protection Zone as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for Asset Protection Zones'.
- c) A 20,000 litre water supply (tank) fitted with a 65mm storz fitting shall be located adjoining the internal property access road within the quarry site.
- d) To allow for emergency service personnel to undertake property protection activities, a 10 metre defensible space (APZ) that permits unobstructed vehicle access is to be provided around the perimeter of the quarry site.

The requirements in this condition shall be met prior to the issue of an Occupation Certificate.

*(Reason: Rural Fire Service requirements)*

## 27. Environmental licence

The applicant shall obtain an Environment Protection Licence from the NSW Environment Protection Authority (EPA) prior to the issue of an Occupation Certificate.

*(Reason: Environmental licencing)*

## 28. Rail authority concurrence

The applicant shall obtain concurrence from the Australian Rail Track Corporation (ARTC) with respect to heavy vehicle use of the Gurley Creek Road level crossing prior to the issue of an Occupation Certificate. Any upgrade requirements of the ARTC shall be at no cost to Council and shall be designed to Council's satisfaction as well as to ARTC requirements.

*(Reason: Rail authority concurrence)*

## 29. Blasting impacts

The applicant must demonstrate that blasting activities at the quarry site will not disrupt or impact upon groundwater reserves. This condition must be satisfied prior to the issue of an Occupation Certificate.

*(Reason: Preservation of the groundwater table)*

## **ONGOING USE OF THE DEVELOPMENT / LAND**

### 30. Operational Hours

Operational hours for the development shall be limited in accordance with the table below:

Activity	Monday to Friday	Saturday	Sunday	Public Holiday
Arrival and loading of trucks to haul product	6am to 6pm	6am to 1pm	Nil	Nil
Light vehicle traffic associated with employees, or light service vehicles entering or leaving the site	24 hours per day			
Maintenance of plant and equipment including repairs/alterations to processing equipment and unloaded test runs	6am to 10pm	6am to 5pm	7am to 5pm	7am to 5pm
Operation of the crushing and processing plant.	7am to 6pm	7am to 1pm	Nil	Nil
Operation of vehicles, plant and equipment other than the crushing and processing plant.	6am to 6pm	6am to 1pm	Nil	Nil
Blasting	9am to 3pm	Nil	Nil	Nil
Exceptional circumstances – all crushing, screening, loading and product haulage activities within and from the site to enable manufacture and delivery to high priority RMS or Shire Projects. Haulage outside normal operating hours is to	24 hours in emergencies, only with written concurrence from Moree Plains Shire Council. Council will notify such activities to neighbours by phone or email, prior to commencement. The applicant is responsible for providing current neighbour contact details to Council as part of each application for exceptional circumstances activities.			Nil

be limited to four (4) trucks only.		
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*(Reason: To ensure acoustic impacts are managed.)*

### 31. Independent Compliance Audits

- a). On the third anniversary of the date of this consent the applicant is to commission an independent compliance audit to assess compliance with these conditions of consent. The audit is to be undertaken by a suitably qualified person/s who is to be approved by Council's Director of Planning (or equivalent) beforehand. The auditor's report is to be completed within three months of the date of commissioning and is to be provided to Council within one month of its completion along with a response by the applicant. The audit report along with the applicant's response including how and when it will implement any recommendations is to be placed on Council's website. The applicant is to then implement any recommendations required by Council.
- b). Subsequently, at 5 yearly intervals, further independent compliance audits are to be prepared following the procedure given in Condition part (a).

### 32. Road Maintenance Levy – Section 7.11 Plan – Traffic Generating Development

From the date of commencement of the development consent the developer shall pay a financial contribution to Council at the rate determined under Council's Draft Section 7.11 Plan – Traffic Generating Development (indexed as described below) for heavy vehicle movements to and from the quarry site and in accordance with the following:

- a) Payment of annual contributions are to be accompanied by the submission of annual returns to Council specifying the amount of material in tonnes transported within each 12 month period. The annual returns and contribution are to be submitted to Council within 21 days from the end of each 12 month period. The return is to take the form of a Statutory Declaration given by the developer (or if the developer is a Corporation, by a Director of that Corporation) and is to include:-
  - i) Copies of company records relating to the amount received.
  - ii) Records of the weights recorded at the weight bridge, or by any other approved method for weighing;
  - iii) Payment of the required contribution.

Declarations/returns are to be audited annually and a copy of the auditor's verification provided to Council within 60 days from the end of each 12 month period.
- b) Any payments received after the specified periods shall accrue interest at a daily rate equivalent to 10% per annum, or equivalent to Council's current interest rate for late payment of annual Council rates, whichever is the lesser, unless prior agreement has been reached with Council.
- c) The contribution rate shall be subject to indexation in accordance with the BITRE Road Construction and maintenance Price, as published by the Australian Bureau of Statistics or other approved system of indexation as may be adopted by Council from time to time.
- d) Council shall have the right to request and inspect all relevant records detailed above at any time, subject to prior written notice being provided by Council.

*(Reason: Road maintenance funding)*

### 33. Obligation to Minimise Harm to the Environment

The Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or decommissioning of the Development.

*(Reason: Environmental protection.)*

#### **34. Operation of Plant and Equipment**

The Applicant shall ensure that all plant and equipment used for the Development is:

- a) Maintained in a proper and efficient condition; and
- b) Operated in a proper and efficient manner.

*(Reason: Neighbourhood amenity.)*

#### **35. Dust Management**

The Applicant shall carry out all reasonable and feasible measures to minimise dust generated by the Development. Dust management and mitigation measures including a monitoring plan for the quarry site and haul route shall be detailed in the Operations Management Plan.

*(Reason: Environmental protection and neighbourhood amenity.)*

#### **36. Public Road and Driveway Access**

The constructed public roads and driveway shall be inspected at the required intervals specified in Council's policies and endorsed by Council's Engineering Department prior to the issue of an Occupation Certificate. Alternatively, Council's Engineering Department is willing to accept a bond or bank guarantee of \$250,000 for completion of the required upgrade works. The bond/guarantee shall be for a maximum period of 5 months from the commencement of haulage of materials from the quarry site. If the works are not completed within the nominated time, the Council may conduct the works itself utilising the bond moneys, which are to be lodged in such a form as to permit Council to access them without the approval of the lodger of the bond.

*(Reason: To ensure compliance with the approved design)*

#### **37. Operational Noise**

The Applicant shall ensure that the noise generated from haulage and by the operations on-site does not exceed the NSW Environment Protection Authority's (EPA) Noise Policy for Industry 2017 (Table 2.1 levels) at any time. If, at any time, these levels are exceeded, operation of the development shall immediately be modified, including suspension of operations if necessary, to ensure compliance with this condition.

Noise management will form part of the Operations Management Plan and would need to include information relating to the equipment to be used, its location, any necessary training of staff etc. *The Plan should utilise the noise control treatments on page 7 of the Environmental Noise Impact Assessment by Advitech dated 11 February 2021.*

*(Reason: To protect Neighbourhood amenity.)*

#### **38. Traffic Generation**

Traffic generation is to be consistent with the Traffic Impact Assessment by SMK Consultants dated October 2020. This includes the following:

- a) Average operational circumstances – 8 truck movements per hour (94 truck movements per day over a 12 hour day)
- b) Peak operational circumstances – 22 truck movements per hour (264 truck movements per day over a 12 hour day)

Prior to the commencement of haulage the proponent is to prepare and implement a Driver Code of Conduct for the task of transporting materials on public roads, this is to also apply to any haulage undertaken via contractors. This is to be submitted and approved to the satisfaction of Council.

Haulage operations coinciding with local student school bus pick up/drop off times and locations is to be avoided. Relevant consultation with local schools and local school bus operators should be undertaken and demonstrated in any subsequent Driver Code of Conduct.

Heavy vehicle movements from the development shall be in accordance with the hours of operation outlined earlier in this consent.

*(Reason: Traffic management)*

#### **39. Pest, Vermin and Noxious Weed Management**

The Applicant shall:

- a) Implement suitable measures to manage pests, vermin and declared noxious weeds on site; and
- b) Inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in surrounding area.

*Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993.*

*(Reason: Environmental protection.)*

#### **40. Bunding**

The Applicant shall store any chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's Environmental Protection Manual: Technical Bulletin Bunding and Spill Management.

*(Reason: Environmental protection.)*

#### **41. Waste Collection**

Wastes generated on the site shall be collected, transported and disposed of in to an appropriate licenced facility.

*(Reason: Environmental protection.)*

#### **42. Road Maintenance**

The applicant shall maintain all internal access roads to an all-weather standard for the life of the development.

*(Reason: Road adequacy and dust minimisation.)*

#### **43. Tree / Shrub Removal**

The applicant shall obtain any necessary approvals prior to the removal of any trees, shrubs or other vegetation from the site. Further, land exposed and free of vegetation shall be minimised at all times, consistent with the operational needs of the development.

*(Reason: Statutory requirement and minimisation of impacts.)*

### **AT COMPLETION OF USE OF THE DEVELOPMENT / LAND**

#### **44. Site Rehabilitation Security Plan**

The applicant is to implement all actions identified in the approved Site Rehabilitation Plan during or upon the cessation of quarry operations. In this regard, as each area of extraction occurs, rehabilitation of disturbed areas is to occur as soon as practicable thereafter. A bond, to ensure rehabilitation occurs, of \$100,000 (indexed by CPI from the date of commencement of the operation) is to be progressively lodged with the Council. Such bond is to be paid at the rate of \$0.17c per tonne of extracted material, up to this monetary limit and is to be paid quarterly. In this regard the applicant is to provide evidence, either from a registered surveyor, or photogrammetry or other verifiable means of such extraction rates. Such bond will be placed in Council's trust fund, and would only be called upon in the event of a partial or full default in rehabilitation. Any monies not required to rehabilitate the site in the event of a default would be returned

to the person paying the bond, or other person on their written instruction. Council may, on application, reduce the quantum of the bond held, if it is satisfied about the operation of the site, and of partial rehabilitation conducted at the time.

*(Reason: To ensure appropriate site rehabilitation.)*