

Schedule of Conditions

PART A – GENERAL

1. Obligation to Minimise Harm to the Environment

The Applicant/Owner/Operator shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the operation and/or rehabilitation of the development.

2. Scope of Approval

i. The Applicant/Owner shall carry out the development generally in accordance with:

- a) DA No 34/2021;
- b) Conditions of this consent; and
- c) The following documents & plans

Item	Council's Stamp No/Date	Drawing/Job No	Drawn by	Dated
North Star Quarry – Site Location Plan	34/2021 -	Drawing No. 2542.DRG.001 – Sht 1/1	Groundwork Plus	3 September 2020
North Star Quarry – Site and Surrounds	34/2021 -	Drawing No. 2542.DRG.002 – Sht 1/1	Groundwork Plus	3 September 2020
North Star Quarry – Conceptual Site Layout Plan	34/2021 -	Drawing No. 2542.DRG.003, Revision 1 – Sht 1/1	Groundwork Plus	18 May 2021
North Star Quarry – Conceptual Development Plan	34/2021 -	Drawing No. 2542.DRG.004, Revision 2 – Sht 1/1	Groundwork Plus	26 April 2022
North Star Quarry – Conceptual Final Landform	34/2021 -	Drawing No. 2542.DRG.005, Revision 2 – Sht 1/1	Groundwork Plus	26 April 2022
North Star Quarry – Conceptual Final Landform (Cross Sections)	34/2021 -	Drawing No. 2542.DRG.005A, Revision 2 – Sht 1/1	Groundwork Plus	26 April 2022
North Star Quarry – Surrounding Landholder Map	34/2021 -	Drawing No. 2542.DRG.006, Revision 1 – Sht 1/1	Groundwork Plus	18 May 2021
North Star Quarry – Rehabilitation Management Plan	34/2021 -	Drawing No. 2542.DRG.007, Revision 2 – Sht 1/1	Groundwork Plus	26 April 2022
North Star Quarry – Figure 1 Surface Water Management Plan	34/2021 -	Drawing No. 2542.DRG.009, Revision 3 – Sht 1/1	Groundwork Plus	26 April 2022

North Star Quarry – Conceptual Quarry Development Visualisation	34/2021 -	Drawing No. 2542.DRG.010, Revision 1 – Sht 1/1	Groundwork Plus	18 May 2021
North Star Quarry Environmental Impact Statement	34/2021 -	Documents / 2542.DA1.005-Sht's 128/128	Groundwork Plus	July 2021
North Star Quarry Environmental Impact Statement - Appendix 1 –	34/2021 -	Application for Development Consent - Sht's 16/16	Groundwork Plus - James J Lawler	13/08/2021
North Star Quarry Environmental Impact Statement - Appendix 2	34/2021 -	Planning Secretary's Environmental Assessment Requirements North Star Quarry (EAR 1494) – Sht's 39/39	NSW Planning Industry & Environment	15/01/2021
North Star Quarry Environmental Impact Statement - Attachment 3	34/2021 -	Coverage of Secretary's Environmental Assessment Requirements and Requirements of Consulted Government Agencies – Sht's 3/3	Groundwork Plus	-
North Star Quarry Environmental Impact Statement - Attachment 4	34/2021 -	ARTC Inland Rail Project Map Narrabri to North Star and North Star to NSW/QLD Border – Sht's 2/2	ARTC	29/10/2019 & 12/12/2019
North Star Quarry Environmental Impact Statement - Attachment 5	34/2021 -	Site Office and Toilet – Sht's 2/2	Coateshire	09/10/2015 & 15/01/2018
North Star Quarry Environmental Impact Statement - Attachment 6	34/2021 -	North Star Quarry Resource Assessment (File Ref: 2542.200.001) – Sht's 19/19	Groundwork Plus	December 2020
North Star Quarry Environmental Impact Statement - Attachment 7	34/2021 -	North Star Quarry Traffic Impact Assessment (Project Reference 21-23) – Sht's 57/57	SMK Consultants	January 2021
North Star Quarry Environmental Impact Statement - Attachment 8	34/2021 -	Biodiversity Development Assessment Report North Star Quarry (Job No.	OzArk Environment & Heritage	April 2022

		2900) – Sht's 144/144		
North Star Quarry Environmental Impact Statement - Attachment 9	34/2021 -	North Star Quarry Air Quality Impact Assessment (Reference No. 21.1046.FR1V1) – Sht's 80/80	North Star Air Quality Pty Ltd	25 February 2021
North Star Quarry Environmental Impact Statement - Attachment 10	34/2021 -	Noise and Vibration Impact Assessment North Star Quarry (Document ID – MAC201229-01RP1) – Sht's 48/48	Muller Acoustic Consulting Pty Ltd	15 February 2021
North Star Quarry Environmental Impact Statement - Attachment 11	34/2021 -	North Star Quarry Surface Water Assessment (File Ref: 2542.800.001) – Sht's 31/31	Groundwork Plus	May 2021
North Star Quarry Environmental Impact Statement - Attachment 12	34/2021 -	Aboriginal Archaeological & Historic Heritage Impact Assessment, North Star Quarry (Job No. 2900)	OzArk Environment & Heritage	4 June 2021
North Star Quarry Environmental Impact Statement - Attachment 13	34/2021 -	Groundwater Impact Assessment (2021-GD003-RP1-Final) – Sht's 45/45	Ground Doctor Pty Ltd	12 March 2021
Response to request for additional information from the EPA	34/2021 -	Reference No. 2542.DA1 013 – Sht's 4/4	Groundwork Plus	3 November 2021
Response to request for additional information from the TfNSW	34/2021 -	Reference No. 2542.DA1 014 – Sht's 4/4	Groundwork Plus	3 November 2021
Response to request for additional information from the BCS	34/2021 -	Reference No. 2542.DA1 015 – Sht's 5/5	Groundwork Plus & OzArk Environment & Heritage	20 & 28 April 2022

ii. If there is any inconsistency between any of the above documents or plans, the conditions of this consent are to prevail to the extent of the inconsistency.

3. The Applicant/Owner/Operator shall comply with any reasonable requirement/s of the Council or authorised Officer of Council arising from the Council's assessment of:

- a) Any reports, plans or correspondence that are submitted by the Applicant/Owner in accordance with this consent; and
- b) The implementation of any actions or measures contained in these reports, plans or correspondence as well as measures or actions required by the conditions of consent.

4. Limits on Production

To confirm and clarify the terms of this approval, consent is given for the following:

- a. The Applicant/Owner shall not extract and/or transport more than 490,000 tonnes of material, including hard rock, aggregate, ballast, gravel, fines or any other material from the development site in any 12 month period for the first five (5) years of operations beginning from the date of commencement of quarry operations.
- b. The Applicant/Owner shall not extract and/or transport more than 150,000 tonnes of material, including hard rock, aggregate, ballast, gravel, fines or any other material from the development site in any 12 month period for a further period of ten (10) years after the cessation of the initial five (5) year extraction period.
- b. This consent expires 15 years from the date of consent or when the material to be extracted has been exhausted, whichever occurs first.
- c. The Applicant shall not import material, other than products that are essential for quarrying and related operations, onto the site without prior consent.
- d. The Applicant shall notify the Council's General Manager or his nominee, within three (3) months of the end of the calendar year, the audited total quantity of material quarried, transported by public road and provide details of final output in terms of product.

5. Limits on Area

The Applicant/Owner shall not develop/extract material from outside the areas as detailed in the Conceptual Quarry Development Plan (Drawing Number 2542.DRG.004, Revision 2, by Groundwork plus and dated 26 April 2022).

5. Surrender of all Development Consent/s prior to DA 34/2021

The owner shall in writing surrender all previous development consents (consents prior to the approval of DA 34/2021 issued) which relate to extractive industries on the subject land (being Lot 7 DP 755984 &/or Lot 1 DP 1227212).

This consent is not deemed operational until previous consent/s are surrendered in accordance with the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.

6. To confirm and clarify the terms used in this approval, the following definitions are provided:

“Extraction Operations means the removal of overburden, the extraction, processing, handling, storage of extracted material onsite and the transportation of extracted material off site in relation to this consent”

7. Only the plant and equipment detailed in the EIS shall be used in the carrying out/operation of the development, namely:

- Off-road and On-road Haulage Vehicles (loaded/unloaded) including:
 - Rigid truck and trailers (Truck & Dog)
 - B-Doubles
 - Type 1 A-double road trains
- Bulldozer/s
- Mobile Crushing/Screening Plant/s
- Rear Dump Trucks
- Front End Loaders
- Excavator/s
- Grader/s
- Light service vehicles
- Drilling Rig and equipment associated with blasting
- Generators

8. Change of Building Use

Any change of use/classification in relation to the use of the building or site shall not be made until approval in writing by this Council is first obtained.

9 Quarry’s setback from eastern property boundary.

The applicant/proponent/owner/operator shall ensure the location (by a qualified surveyor) the allotment boundary line between Lot 7 DP 755984 and Lot 11 DP 755984. And, that a minimum 20 metre untouched vegetation buffer area exists between this boundary alignment and any part of the North Star Quarry footprint. The buffer is to remain insitu for the life of the quarry and is not to be impacted by any of the following activities:

- Land clearing
- Excavation
- Drainage or sediment control devices
- Road works
- Parking
- The storage of excavated materials
- The disposal of or storage of waste materials
- The placement of equipment or machinery or demountable buildings.

10. Compliance

- a. The Applicant must put in place a management system, and take reasonable steps, to ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.
- b. The Applicant must be responsible for the works the subject of this consent and the environmental impacts that may result from those works, and must put in place an environmental management system governing the conduct of all persons on the site, including contractors, subcontractors and visitors.
- c. Prior to the commencement of each of the events listed from a) to b) below, or within such period as otherwise agreed by Council, the Applicant must certify in writing, to the satisfaction of the Council, that it has complied with all conditions of this consent applicable prior to the commencement of that event.

Where an event is to be undertaken in stages, the Applicant may, subject to the agreement of the Council, stage the submission of compliance with conditions certification consistent with the staging of activities relating to that event. The events referred to in this condition are as follows:

- a) construction of the development; and
 - b) operation of the development.
- d. Notwithstanding condition 9c. (above) of this consent, the Council may require an update on compliance with all, or any part, of the conditions of this consent. Any such update shall meet the reasonable requirements of the Council and be submitted within such period as the Council may agree.

11. Heritage and Archaeology

If any Aboriginal archaeological relics are found or uncovered during the course of work, then all works shall cease immediately in that area and the applicant shall contact the Department of Planning Industry and Environment and Council. Depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the National Parks & Wildlife Act 1974 may be required before further works can be considered in that area. The applicant shall comply with any request made by the Department of Planning Industry and Environment and/or Council to cease work for the purposes of archaeological recording.

12. General Terms of Approval – NSW Environment Protection Authority

The development shall be carried out in accordance with the General Terms of Approval issued by the Environment Protection Authority, attached in Annexure A to this consent.

13. Rural Addressing

The applicant/owner shall make application for a separate Rural Address number/s for the quarry in order to accurately direct emergency services. The application shall be accompanied by the requisite fee to Council's GIS Officer.

14. Protection of Public Infrastructure

The Applicant/Owner shall:

- a) Repair, or pay the full costs associated with repairing any public infrastructure that is damaged by the development; and
- b) Relocate, or pay the full costs associated with relocating any public infrastructure that needs to be relocated as a result of the development.

15. Haulage Movement Plan

A haulage movement plan for materials leaving and returning to the quarry must be provided for movements exceeding 10 individual heavy vehicle trips per day. Any adjustment to the haul routes must be submitted to Council prior to the change of haul route.

PART B – HEALTH

1. Hours of Operation

The hours of operation are restricted to the following:

Activity	Monday to Friday	Saturday	Sunday	Public Holidays
Loading of trucks to haul produce	6:00am to 6:00pm	7:00 to 1:00pm	Nil	Nil
Light Vehicle traffic associated with employees, or light service vehicles entering or leaving the site	24 hours a day			
Maintenance of plant and equipment including repairs/alterations to processing equipment and unloaded test runs	6:00am to 6:00pm	7:00 to 1:00pm	Nil	Nil

Drilling	7:00am to 6:00pm	7:00 to 1:00pm	Nil	Nil
Blasting	9:00am to 3:00pm	Nil	Nil	Nil
Operation of associated equipment with the confines of the excavated quarry area	6:00am to 6:00pm	7:00 to 1:00pm	Nil	Nil
Operation of loaders, excavators, trucks, screening & crushing equipment with the property	6:00am to 6:00pm	7:00 to 1:00pm	Nil	Nil
Exceptional circumstances – all crushing, loading and product haulage activities within the site to provide for high priority ARTC or Newell Highway projects only.	24 hours with written notification and approval from Gwydir Shire Council and the Environment Protection Authority and notification of effected residents			

Note: Any requirements for extended work hours to service short term increases in demand shall not be undertaken without prior Council approval and the notification of effected residence.

2. All covered outdoor areas that permit smoking must comply with the Smoke Free Environment Act, 2000 and the Smoke Free Environment Amendment (Enclosed Places) Regulation, 2006.

PART C - BUILDING

1. Structural Adequacy

The Applicant shall ensure that all new buildings, structures, and transportable buildings/structures are constructed in accordance with the relevant requirements of the BCA.

Notes:

- Under the EP&A Act, the Applicant/Owner is required to obtain construction and occupation certificates for the proposed building works.
- Part 8 of the EP&A Regulation sets out the detailed requirements for the certification of development.

PART D – PRIOR TO COMMENCEMENT OF WORKS

1. Environmental Management Plan

1. The Applicant/Owner shall prepare and implement an Environmental Management Plan for the development which will govern the quarry's construction, operation and rehabilitation. This Plan must:

- a) Provide the overall context for environmental management of the development, including for the environmental monitoring program and the various management plans required by this development consent;
- b) Identify the statutory requirements that apply to the development;
- c) Describe in general how the environmental performance of the development will be monitored and managed;
- d) Describe the detailed procedures that will be implemented to:
 - Keep the local community and relevant agencies informed about the operation and environmental performances of the development;
 - Receive, handle, respond to, and record complaints;
 - Resolve any disputes that may arise during the course of the development;
 - Respond to any non-compliance;
 - Induction/Education of contractors and employees;
 - Manage direct, indirect and the project's contribution to cumulative impacts;
 - Response to emergencies;
 - Management of waste;
 - Prevent damage to vegetation outside the quarry areas;
 - Manage the discovery unexpected Aboriginal Heritage;
 - Manage erosion and surface water;
 - Manage weeds and vegetation;
 - Manage traffic onsite and offsite;
 - Manage pollution incidents; and
 - Manage rehabilitation.
- e) Describe the roles, responsibility, authority, and accountability of all the key personnel involved in environmental management of the development.
- f) Include a site layout plan and the following strategies, protocols, procedures and management plans (including all the management and mitigation measures stated in the EIS and Appendices as submitted as with the Development Application DA 34/2021 in September 2021 and any additional, reviewed, amended or updated documents provided to the consent authority since September 2021):
 - Noise Management Plan/Strategy
 - Blasting Management Plan

- Air Quality Management Plan
 - Soil and Water Management Strategy including an Erosion and Sediment Control Plan
 - Ground Water Management Procedures
 - Pest and Weed Management Strategy
 - Biodiversity Management Strategy
 - Cultural Heritage Management Strategy including unexpected finds protocols, training and reporting processes
 - Bushfire Management Strategy
 - Emergency Evacuation Plan
 - Waste Management Strategy
 - Hazardous Chemicals Management Strategy
 - Pollution Incident Response Plan
 - Incidents and Complaints Procedure
 - Records and Reporting Management Strategy
- g) The Quarry Environmental Management Plan is to contain all the management and mitigation measures identified in the EIS, being North Star Quarry Environmental Impact Statement (File Ref: documents / 2542.DA1.005), by Groundwork Plus, dated July 2021, and associated appendices.
2. The Applicant/Owner shall not carry out any development at the development site before the consent authority has approved the Quarry Environmental Management Plan referred to in Condition D1.1.

3. Blast Management Plan, assessment of rock fall and private agreement/s

- a) Blast Management Plan, is to include but is not limited to:
- i. Notification procedures for both the local community and neighbouring properties. In particular, the owner of Lot 11 DP 755984. It is also recommended that 48 hours prior notice is to be given to the owner of Lot 11 DP 755984 to allow time for the removal of any livestock, machinery or personnel;
 - ii. Compliance with EPA licence requirements and restrictions;
 - iii. Evacuation procedures for the site;
 - iv. Performance targets for overpressure and vibration;
 - v. Hazardous materials handling and management protocols;
 - vi. Blast management processes and strategies;
 - vii. Monitoring of overpressure and vibration procedures;
 - viii. Complaint handling and recording; and
 - ix. Minimisation and mitigation measures.
- b) An assessment of rock fall/fly rock or debris from blasting is to be undertaken and an exclusion area map produced and included as part of the Blast Management Plan and notification to neighbouring properties owners.

- c) The establishment of Private Agreement/s with adjoining landowner/s, in particular, the owner of the allotment Lot 11 DP 755984, if necessary. The private agreements are to formalise in writing and provide a clear understanding between the quarry owner/operator and the adjoining property owners of the impacts that blasting from the North Star Quarry will or may have on adjoining properties. These impacts may include rock fall, exceedance of maximum overpressure and/or vibration levels, the need to move or evacuate livestock or personnel from areas and to minimise amenity conflict. All private agreements need to form part of the Blast Management Plan which needs to be prepared and completed prior to the commencement of operations at the North Star Quarry.

4. Detailed Rehabilitation and Closure Plan

Within six months of the date of this consent the Applicant is to submit to Council's General Manager or his nominee a detailed quarry rehabilitation and closure plan and schedule of intended works. The plan and schedule are to be generally consistent with the Rehabilitation Plan (s2.13 of the EIS dated July 2021 prepared by Groundwork Plus, North Star Quarry Conceptual Final Landform, Drawing No. 2542.DRG.005, dated 26 April 2022, North Star Quarry Conceptual Final Landform (Cross Sections), Drawing No. 2542.DRG.005A, dated 26 April 2022 and North Star Quarry Rehabilitation Management Plan, Drawing No. 2542.DRG.007, dated 26 April 2022 and).

The plan and schedule are to be assessed by Council's senior planning officer and approved or amended as necessary; this is to occur within three months of the date on which the plan is submitted. The plan is then to be implemented by the Applicant in accordance with the approved schedule.

5. Traffic Management Plan and Truck Driver Code of Practice

Prior to commencement of quarry operations, the Applicant is to submit a 'Traffic Management Plan and Truck Driver Code of Practice' for assessment and approval by Council. The plan shall document:

- a. The road maintenance program;
- b. Surrounding environment, existing conditions and road safety;
- c. Speed Limits in urban areas and any other sensitive (School zones, Bus Stops or road safety hazards);
- d. Existing School Bus routes, Bus Stops and School zones;
- e. Existing private property driveways and farm access points;
- f. Dust suppression methods including water supply management, monitoring, reporting, source, licencing and drought;

- g. Noise suppression methods including monitoring and reporting;
 - h. Road inspection activities to be implemented for the life of the quarry;
 - i. Approved haulage routes highlighting specific locations for consideration such as school zones, school bus routes, residential areas or potential risk locations (including map);
 - j. Provision of real-time data from the all vehicle trackers to Council's General Manager or delegate;
 - k. Induction process for all staff and sub-contractors outlining clear expectations and consequences for any breach of the code; and
 - l. Instruction on all operational and safety requirements related to the quarry operations.
6. The quarry is to operate in accordance with the approved Traffic Management Plan and Truck Driver Code of Practice.

7. North Star Quarry Access Road Upgrade Requirements

The intersection of the quarry access road and Minilya Road is to be upgraded to Austroads standard for the design vehicle (presumably road trains). The access design details and materials to be used is to be approved by Council prior to the commencement of any works.

8. Minilya Road Upgrade Requirements

Minilya Road west of the North Star access point to the Croppa Creek Road intersection is to be upgraded to a minimum 8m wide gravel pavement, containing a minimum 250mm gravel thickness to Council standards. The roads design details and materials to be used are to be approved by Council prior to the commencement of any works.

9. Minilya Road and Croppa Creek Intersection Upgrade Requirements

The intersection of Minilya Road and Croppa Creek Roads is to be upgraded to Austroads standards for the design vehicle (presumably road trains). The access design details and materials to be used is to be approved by Council prior to the commencement of any works.

10. Species Credit retirement

The applicant is to retire in full the total number of Species Credits prior to commencement of construction and/or operations of the North Star Quarry. Table 1 below details the total number of Species Credits to be fully retired prior to commencement.

Table 1. Retirement of Biodiversity Obligation (Fauna Species)

Vegetation Zone Name	Area (ha)	BC Act Listing status	EPBC Act listing status	Species Credits
<i>Chalinolobus dwyeri</i> / Large-eared Pied Bat (Fauna)				
445_Deprived	1.8	Vulnerable	Vulnerable	7
445_Cropped	0.24	Vulnerable	Vulnerable	1
			Subtotal	8
<i>Miniopterus orianae oceanensis</i> / Large Bent-winged Bat (Fauna)				
445_Deprived	1.8	Vulnerable	Not Listed	7
445_Cropped	0.24	Vulnerable	Not Listed	1
			Subtotal	8
<i>Ninox connivens</i> / Barking Owl (Fauna)				
445_Deprived	1.8	Vulnerable	Not Listed	5
445_Cropped	0.24	Vulnerable	Not Listed	1
			Subtotal	6
<i>Tyto novaehollandiae</i> / Masked Owl (Fauna)				
445_Deprived	1.8	Vulnerable	Not Listed	5
445_Cropped	0.24	Vulnerable	Not Listed	1
			Subtotal	6
<i>Vespadelus troughtoni</i> / Eastern Cave Bat (Fauna)				
445_Deprived	1.8	Vulnerable	Not Listed	7
445_Cropped	0.24	Vulnerable	Not Listed	1
			Subtotal	8

BCT is to provide receipt of payment for the above 36 species credits to the Applicant, so the receipt can be provided to Council and retained on record at the site, prior to the commencement of clearing of any native vegetation as identified in the Biodiversity Development Assessment Report (BDAR) prepared by OzArk Environment & Heritage, dated April 2022.

11. Biodiversity Management Plan

- a) Prior to issue of a construction certificate (or in the absence of the requirement for a construction certificate then the operational commencement of the development), a Biodiversity Management Plan must be prepared to the satisfaction of the consent authority. The Biodiversity Management Plan may form part of the Quarry Environmental Management Plan;
- b) The Biodiversity Management Plan must identify the development site as per the Biodiversity Development Assessment Report (BDAR) and approved plans;
- c) The Biodiversity Management Plan must identify areas of land that are to be retained as outlined in the BDAR;
- d) Construction impacts must be restricted to the development site and must not encroach into areas of retained native vegetation and habitat. All materials stockpiles, vehicle parking, machinery storage and other temporary facilities must be located within the areas for which biodiversity impacts were assessed in the BDAR;
- e) The Biodiversity Management Plan must identify all measures and environmental safeguards proposed in the BDAR to mitigate and manage impacts on biodiversity as outlined in Section 5.1 and 5.2 of the Biodiversity Development Assessment Report (BDAR) prepared by OzArk Environment & Heritage, dated April 2022. (see Appendix 8 of the North Star Environmental Impact

Statement). The table below lists the environmental safeguards from the BDAR:

Impact	Environmental Safeguard	Timing
Clearing and prevention of over-clearing	<p>All personnel are to be inducted to be aware that disturbance of any stand of native vegetation outside the development footprint, or otherwise unauthorised disturbance, could have legislative consequences if done without approval. Evidence of all personnel receiving an induction would be kept on file (signed induction sheets).</p> <p>Before start of work, clearly identify the extent of permitted vegetation clearing and areas to be retained as native vegetation.</p> <p>A pre-clearing process and unexpected threatened species finds procedure is recommended. Any fauna found during the disturbance are to be allowed (or assisted) to relocate into adjoining habitat.</p> <p>Vegetation will be removed in such a way to avoid</p>	Pre-construction
Impact	Environmental Safeguard	Timing
	<p>unnecessary damage to surrounding vegetation.</p> <p>Where possible, vegetation to be removed will be mulched on-site and re-used to stabilise disturbed areas.</p> <p>Natural regeneration of any bare soil or cleared areas will be encouraged through retention of native vegetation material on site and brush-matting.</p>	
Bushfire protection	Ensure vegetation management for bushfire protection is consistent, as far as practicable, with biodiversity protection and remove only the necessary vegetation to achieve fuel reduction.	
Soil management	An erosion and sediment control plan will be developed to comply with Council requirements and/or Landcom's Managing Urban Stormwater, Soils & Construction Guidelines 'The Blue Book' (Landcom 2004)	Pre-construction
Damage to native vegetation outside of impact zone	<p>Stockpile and compound sites are to be located within the assessed subject site and preferentially according to the following criteria:</p> <p>At least 40 m away from the nearest waterway.</p> <p>In areas of low ecological conservation significance (i.e. previously disturbed land).</p> <p>On relatively level ground.</p> <p>Stockpiling of materials and equipment, and parking of vehicles, is to be avoided within the dripline (extent of foliage cover) of any tree.</p>	Construction
Introduction and spread of significant weeds and pathogens	<p>Inspection and control of environmental weeds in accordance with a site vegetation management plan and subject to requirements of Council.</p> <p>Construction machinery (bulldozers, excavators, trucks, loaders and graders) would be clean, and soil- and weed-free, before entry to the work site.</p> <p>Weed-free fill only to be used for on-site earthwork.</p> <p>Any herbicide use is to be in accordance with the requirements on the label. Any person carrying out herbicide application would be appropriately trained and competent in its use.</p>	Construction
Disturbance to fallen timber, dead wood and bush rock	<p>All bush rock encountered on site is to be relocated to the edge of the disturbance area to enhance habitat and regeneration.</p> <p>If threatened bats are detected, stop work immediately and either leave the area undisturbed until the individuals have dispersed or engage suitably qualified personnel to attempt their removal.</p>	Pre-construction Construction
Threatened species	<p>No new tracks to be cleared without further assessment, as threatened flora species may occur in any unassessed impact area.</p> <p>If the impact footprint changes from the current extent assessed in the study, re-assessment of the potential impact of the activity would be needed to ensure impacts to threatened species are not inadvertently caused, given that suitable habitat for threatened species occurs elsewhere on the property.</p> <p>Construction work to occur only during daylight hours to avoid indirect impacts on threatened fauna such as vehicle strikes.</p> <p>Enforce 40 km/h speed limits on access roads to reduce the risk of vehicle strikes.</p>	Construction

12. Workcover

The Applicant/Owner's attention is drawn to the Workcover Authority's requirements under the Factories, Shops and Industries Act 1962, particularly in respect to amenities. It is recommended that the Workcover Authority be consulted to ensure requirements will be complied with prior to commencement of activities.

13. Surface Water Management

Run-off and erosion controls must be implemented before construction to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:

- a) divert uncontaminated run-off around cleared or disturbed areas,
- b) erect a silt fence to prevent debris escaping into drainage systems or waterways,
- c) prevent tracking of sediment by vehicles onto roads,
- d) stockpile topsoil, excavated material, construction, landscaping supplies and debris within the site.
- e) construction of the sediment basin/pond to the relevant standards.

14. Advisory Note 1

Dial before you Dig

Underground assets may exist in the area that is subject to this application. 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 NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset 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 via contacting the Dial before you Dig service in advance of any construction or planning activities.

15. Advisory Note 2

Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and 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 Phone Number 1800810443.

16. Advisory Note 3

Disturbance or Impact on Telecommunications Infrastructure

1. If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to the proposed works must be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate or any works commencing.
2. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

PART E – DURING OPERATIONS

1. Operation of Plant and Equipment

The Applicant/Owner shall ensure that all plant and equipment at the site, haulage vehicles, or used in connection with the development are:

- a) Maintained in a state of sound mechanical repair; and
- b) Operated in a proper and efficient manner

2. Bunding and Spill Management

The Applicant/Owner shall store and handle all hazardous chemicals, dangerous goods, fuels and oils, strictly in accordance with;

- a) All relevant Australian Standards; and
- b) The EPA's Environment Protection Manual Technical Bulletin Bunding and Spill Management.

In the event of an inconsistency between the requirements listed in a) and b) above, the most stringent requirement shall prevail to the extent of the inconsistency.

3. Development Contributions – Traffic Generating Development

3.1 Section 7.11 (94) Contributions – Gwydir Shire Council

- a. The quarry operator/owner shall pay contributions to Gwydir Shire Council for the movement of trucks on Council's roads in accordance with Council's Section 94 Plan – Traffic Generating Development.
- b. The contribution shall commence at \$1.90 per tonne and will be reviewed annually. The s94 contribution rate will be indexed to ABS Road & Bridge NSW Construction Index. The review will ensure that the contributions rate is not eroded over time by movements in the Consumer Price Index (CPI), the capital costs of administration of this plan or through changes in the costs of studies used to support this plan.
- c. The contribution rate is payable for all materials removed from the 'North Star Quarry', using heavy vehicle transport, via Minilya Road and is to be calculated and paid to Council quarterly (every 3 months). A copy of the heavy vehicle movements and tonnages hauled during each 3 monthly period is also to be provided for Council's records to ensure compliance with the s94 Contributions plan and the 490,000 tonnes per year limit for the initial five (5) years of operations and then 150,000 tonnes per year for a further ten (10) years. In addition, the total tonnages hauled are to be independently audited yearly and a copy of the audit report provided to Council as soon as possible after completion.
- c. On the sections of local road network where ARTC (or their primary contractors) are obligated to carry out maintenance works to manage impacts generated by the Inland Rail Project (IRP), the applicant will not be required to pay a contribution when hauling construction materials to the IRP on these identified sections of road. This will be agreed with Council based on the approved haulage routes shown in the Traffic, Transport and Access Management Plan for the IRP.

3.2 Road Maintenance Levy – Moree Plains Shire Section 7.11 Plan – Traffic Generating Development

From the date of commencement of the development consent the developer shall pay a financial contribution to Moree Plains Shire Council (MPSC) at the rate determined under the Moree Plains Shire Section 7.11 Plan – Traffic Generating Development (indexed as described below) for heavy vehicle movements associated with the quarry and within Moree Plains Shire, in accordance with the following:

- a) Payment of annual contributions are to be accompanied by the submission of annual returns to MPSC specifying the amount of material in tonnes transported within each 12 month period. The

annual returns and contribution are to be submitted to MPSC 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 MPSC 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 MPSC's current interest rate for late payment of annual MPSC rates, whichever is the lesser, unless prior agreement has been reached with MPSC.
- 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 MPSC from time to time.
- d) MPSC shall have the right to request and inspect all relevant records detailed above at any time, subject to prior written notice being provided by MPSC.

Reason: Road maintenance funding

4. Transport & Traffic

4.1 Road Works

- i) The Applicant/Owner shall ensure that all the road works associated with the development in the road reserve comply with current RMS and Austroads Design Standards, and the RMS's Quality Assurance Specifications.
- ii) The Applicant/Owner shall bear all the costs associated with the design, survey, construction, upgrade, maintenance, and removal of any development in the road reserve.
- iii) To ensure all works are completed in accordance with the appropriate specifications and approved plans compliance certificates are to be issued at significant stages throughout the construction period. These stages are:
 - *Final inspection of completed road works prior to commencement of quarry operations – including all disturbed areas revegetated.*

4.2 Operating Conditions

- a) The Applicant/Owner shall ensure that all vehicles, before they are allowed to leave the site, are cleaned of materials that may fall on the road.
- b) The Applicant/Owner shall ensure that trucks operating on, entering and leaving the site that are carrying loads are covered at all times, except during loading and unloading.
- c) All vehicles shall leave the site in a forward direction.

4.3 All unsealed roads within the Gwydir and Moree Plains Shire Council areas are not to be used for the haulage of material during periods of adverse weather conditions and will remain non-trafficable for a period of 5 days after wet weather.

4.4 All heavy vehicles travelling to and from the quarry on any part of the approved haulage routes are to be driven at no more than 80km/hr during school bus times.

4.5 A heavy vehicle travelling to and from the quarry, following a school bus, must not overtake the school bus and therefore must remain behind the school bus until the school bus pulls off the road.

4.6 To comply with the Australian Road Rules relating to School Bus Speed Zones, a heavy vehicle travelling to and from the quarry must reduce speed to 40km/hr when a school bus is pulling over and has the flashing lights on. This requirement also applies to the heavy vehicles travelling in the opposite direction to the school bus

5. Waste Management

Except as expressly permitted by Council, the Applicant/Owner shall not cause, permit or allow any waste generated outside the development site to be received at the development site for storage, treatment, processing, reprocessing or disposal, or any waste generated at the development site to be disposed of at the development site.

6. Lighting Emissions

The Applicant/Owner shall ensure that any external lighting associated with the development shall comply with Australian Standard AS4282(INR) 1995 – Control of Obtrusive Effects of Outdoor Lighting.

7. Hazards Management

The Applicant/Owner shall ensure that the storage, handling, and transport of dangerous goods is done in accordance with the relevant Australian Standards, particularly AS1940 and AS1596, and the Dangerous Goods Code.

8. Fire Management

The Applicant/Owner shall:

- a) Ensure that the development is suitably equipped to respond to any fires on-site.
- b) Assist the Rural Fire Service and emergency services as much as possible if there is a fire on-site.

The developer is to manage bushfire risks by preparing and adopting a Bushfire Management Plan for the site.

9. Greenhouse Gas Management

The developer shall:

- a. Implement measures to reduce the consumption of fuel through optimisation of operational activities and logistics, the use of more efficient plant and vehicles and a fuel management strategy, and
- b. Investigate opportunities for the use of biodiesel and implement any recommendations as a result of the investigation.

PART F – PRIOR TO COMMENCEMENT OF QUARRY OPERATIONS

1. Compliance with Conditions

The increased use of the approved development shall not commence until such time as all conditions of this development consent have been complied with, failure to comply may make the applicant/developer liable to legal proceedings.

PART G – POST COMMENCEMENT

1. School Bus Traffic Management – Review of Operations

- a. Council, the quarry operator and the local School Bus Drivers shall review the procedures in respect to the proximity of School Buses at 3 and 6 months after the commencement of quarry operations.
- b. The quarry operator is to provide Council access to the traffic data, relevant to the truck movements in the vicinity of School Buses and School Zones for the first 6 months after the commencement of quarry operations.
- c. Council reserves the right to negotiate “Geo-fencing” as a condition on any particular road in consultation with the quarry

operator, if the community or the Bus Operator/s identify a valid issue/s.

2. Operating Conditions

Dust

- i. Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.
- ii. The developer shall take appropriate measures to assist in the minimisation and mitigation of potential dust nuisance caused by the quarry's operation and haulage. The measures are to include, but is not restricted to, the watering of roads from the sediment basins via water cart, the use of chemical suppressants, the reduction of speed of heavy vehicles on gravel roads and the use of an external water supply contractor when sediment basins cannot be used.

Activities must be carried out in a competent manner

- iii. Development activities must be carried out in a competent manner.

This includes:

- 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.

3. Rehabilitation and Closure

Disturbed areas of the site are to be rehabilitated in accordance with the approved schedule given in Condition D3 of the Schedule of Conditions.

4. Environmental Management, Monitoring, Auditing and Report.

i Annual Reporting

The Applicant/Owner shall submit an Annual Environmental Management Report to the Council and the relevant agencies. This report must:

- a) Identify the standards and performance measures that apply to the development;
- b) Include a summary of the complaints received during the past year, and over time compare this to the complaints received in previous years since the development commenced;

- c) Include a summary of the monitoring results on the development during the past year;
- d) Include an analysis of these monitoring results against the relevant:
 - Impact assessment criteria;
 - Monitoring results from previous years; and
 - Predictions in the EIS
- e) Identify any trends in the performance of the development shown by monitoring over the life of the development.

ii Complaints Procedure

Throughout the life of the development, the Applicant/Owner shall ensure that the following contacts are available for community complaints;

- a) A telephone number on which complaints about the development may be registered;
- b) A postal address to which written complaints may be sent; and
- c) An email address to which electronic complaints may be transmitted.

The telephone number, the postal address and the email address shall be advertised in at least one appropriate local newspaper prior to the commencement of work at the development site. These details shall also be provided on the Applicant/Owner's internet site.

iii Complaints Register

The Applicant/Owner shall 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, where relevant 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/Owner in relation to the complaint, including any follow-up contact with the complainant;
- f) If no action was taken by the Applicant/Owner in relation to the complaint, the reason(s) for no action being taken; and
- g) A sign shall be erected at the site boundary giving contact details.

The Complaints Register shall be made available for inspection by the Council or the Environmental Services Manager upon request. The Applicant/Owner shall also make summaries of the Register, without details of the complainants, available for public inspection.

5. Independent Compliance Audits

The Applicant is to commission independent compliance audits of the quarry's operations on the first, fourth, seventh and tenth annual anniversaries of the commencement of operations. The independent auditor nominated by the applicant is to be approved by Council's senior planning officer prior to their appointment to ensure they are suitably qualified and experienced. The auditor's reports are to be completed and provided to Council within three months of the dates on which they are commissioned. The audit reports are to specify any actions needed to ensure compliance with the conditions of this consent and the applicant is to specify how and over what time period the actions will be undertaken. This information is to be provided to Council's senior planning officer who is to verify that the required actions have been completed or take compliance enforcement action. The full costs of the independent compliance audits are to be met by the applicant.

PART H – POST QUARRYING

At the completion of rehabilitation and closure works the Applicant is to commission a report from an appropriately qualified independent rehabilitation expert. The report is to assess the adequacy of the closure works using the approved rehabilitation and closure plan (Condition D3) as its benchmark and is to make any necessary recommendations for supplementary works that may be required to comply with the approved plan. The Applicant is to meet the full costs of the closure plan report.

REASONS FOR CONDITIONS:

- (a) to ensure compliance with the terms of the Environmental Planning Instrument and/or Development Control Plan;
- (b) having regard to Council's duties of consideration under Section 79C(1) of the Environmental Planning and Assessment Act, 1979 (as amended) as well as Section 80A of the Act which authorises the imposing of consent conditions.
- (c) to protect the existing and likely future amenity of the locality;
- (d) prevent, minimise, and/or offset adverse environmental impacts;
- (e) set standards and measures for acceptable environmental performance;
- (f) require regular monitoring and reporting;
- (g) provide for the on-going environmental management of the development;
- (h) having regard to the circumstances of the case and the public interest;
and
- (i) to ensure compliance with the Building Code of Australia and referenced standards.

Annexure A: NSW EPA – General Terms of Approval

Administrative Conditions

A1. Information supplied to the EPA

A1.1 Except as expressly provided by the general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- The development application DA 34/2021 submitted to Gwydir Shire Council on 06 September 2021;
- Environmental impact statement “*North Star Quarry Environmental Impact Statement*” dated July 2021 relating to the development: and
- All additional documents supplied to the EPA in relation to the development, including “*North Star Quarry, Response to request for additional information for the EPA*” dated 03 November 2021.

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 following points referred to in the table are identified as points for the purposes of monitoring and/or the setting of limits for the discharge of pollutants to water from the point.

Water and Land

EPA Identification No.	Type of Monitoring Point	Type of Discharge Point	Location Descriptions
1	Wet Weather Discharge / Discharge Water Quality Monitoring	Wet Weather Discharge / Discharge Water Quality Monitoring	Overflow from sediment dam marked as SB1 on “Figure 25 – Stormwater Management Plan” of the North Star Quarry Environmental Impact Assessment, dated July 2021 (DOC21/804066-1)
2	Wet Weather Discharge / Discharge Water Quality Monitoring	Wet Weather Discharge / Discharge Water Quality Monitoring	Overflow from sediment dam marked as SB2 on “Figure 25 – Stormwater Management Plan” of the North Star Quarry Environmental Impact Assessment, dated July 2021 (DOC21/804066-1)

P1.2 The following points referred to in the table are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.

Noise / Weather

EPA Identification No.	Type of Monitoring Point	Location Description
3	Noise Monitoring	R1 – 5981 North Star Road
4	Noise Monitoring	R2 – 5788 North Star Road
5	Noise Monitoring	R3 – 5535 North Star Road
6	Noise Monitoring	R4 – 3241 Blue Nobby Road
7	Noise Monitoring	R5 – 5535 North Star Road
8	Noise Monitoring	R6 – 1835 Croppa Creek Road
9	Noise Monitoring	R7 – 2107 Croppa Creek Road
10	Noise Monitoring	Any other affected residential receiver
11	Meteorological Station	Meteorological Station (location TBC by proponent)

Limit conditions

L1. Pollution of waters

L1.1 Except as may be expressly provided by the licence under the Protection of the Environment Operations Act 1997 in relation to 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. Concentration limits

L2.1 For each discharge point or utilisation area specified in the table/s below (by a point number), the concentration of a pollutant discharge at that point, or applied to that area, must not exceed the concentrations limits specified for that pollutant in the table.

L2.2 Where a pH quality limit is specified in Table, the specified percentage of samples must be within the specified ranges.

L2.3 To avoid any doubt, this condition does not authorise the discharge or emission of any other pollutants.

L2.4 The Total Suspended Solids concentration limits specified in the table/s may be exceeded for water discharged from the sediment basins provided that:

- a) the discharge occurs solely as a result of rainfall measured at the premises exceeding 38.2 millimetres over any consecutive 5 day period immediately prior the discharge occurred, and
- b) all practical measures have been implemented to dewater all sediment dams within 5 days of rainfall such that they have sufficient capacity to store runoff from a 38.2 millimetre, 5-day rainfall event.

L2.5 Water and/or Land Concentration Limits

POINTS 1, 2

Pollutant	Units of measure	50% concentration limit	90% concentration limit	3DGM concentration limit	100% concentration limit
Oil & grease	mg/L	-	-	-	10
pH		-	-	-	6.5-8.5
Total suspended solids	mg/L	-	-	-	50

L3. Waste

L3.1 The licensee must not cause, permit or allow any waste generated outside of the premise 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.

L3.2 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.

L4. Noise limits

L4.1 Noise generated at the premise must not exceed the noise limits at the times and locations in the table below. The locations referred to in the table below are indicated in Table 2 of the Noise and Vibration Impact Assessment for North Star Quarry (February, 2021) (DOC21/804066-13)

Location	Noise Limits in dB(A)		
	Morning Shoulder	Day	Morning Shoulder
	LAeq (15 minute)	LAeq (15 minute)	LAmx
R1	35	40	52
R2	35	40	52
R3	35	40	52
R4	35	40	52
R5	35	40	52
R6	35	40	52
R7	35	40	52

L4.2 For the purpose of condition L4.1:

- a) Day means the period from 7am to 6pm Monday to Saturday and the period from 8am to 6pm Sunday and Public Holidays.
- b) Morning Shoulder is the period from 6am to 7am Monday to Saturday.

L4.3 Noise-enhancing meteorological conditions:

- a) The noise limits set out in condition L4.1 apply under the following meteorological conditions:

Assessment Period	Meteorological Conditions
Day	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level.
Morning Shoulder	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level; or Stability Categories E and F with wind speeds up to and including 2m/s at 10m above ground level.

- b) For those meteorological conditions not referred to in condition L4.3(a), the noise limits that apply are the noise limits in condition L4.1 plus 5dB.

L4.4 For the purposes of Conditions L4.3:

- a) The meteorological conditions are to be determined from meteorological data obtained from the meteorological weather station identified as <TBC by Proponent>. Stability category shall be determined using the following method from Fact Sheet D of the Noise Policy for Industry (NSW EPA, 2017):
- i. Use of sigma-theta data (section D1.4).

L4.5 To assess compliance:

- a) with the LAeq(15 minute) or the LAm_{ax} noise limits in condition L4.1 and L4.3, the noise measurement equipment must be located:
- i) approximately on the property boundary, where any residence is situated 30 metres or less from the property boundary closest to the premises; or where applicable,
 - ii) within 30 metres of a residence façade, but not closer than 3m, where any residence on the property is situated more than 30 metres from the property boundary closest to the premises, or, where applicable,
 - iii) in an area within 50 metres of the boundary of a National Park or a Nature Reserve at a sight or track used for active or passive recreation,
 - iv) at any other location identified in condition L4.1
- b) with the LAeq(15 minutes) or the LAm_{ax} noise limits in condition L4.1 and L4.3, the noise measurement equipment must be located:
- i) at the reasonably most affected point at a location where there is no residence at the location; or,
 - at the reasonably most affected point within an area at a location prescribed by Condition L4.5(a).

L4.6 A non-compliance of conditions L4.1 and L4.3, will still occur where noise generated from the premises is measured in excess of the noise limit at a point other than the reasonably most affected point at the locations referred to in condition L4.5(a) or L4.5(b).

NOTE to L4.5 and L4.6: The reasonably most affected point is a point at a location or within an area at the location experiencing or expected to experience the highest sound pressure level from the premises.

L4.7 For the purposes of determining the noise generated from the premises, the modifying factor corrections in Table C1 in Fact Sheet C of the Noise Policy for Industry (NSW EPA, 2017) should be applied, if appropriate, to the noise measurements by the noise monitoring equipment.

L4.8 Noise measurements must not be undertaken where rain or wind speed at microphone level will affect the acquisition of valid measurements.

L4.9 The licensee may reach negotiated agreements with sensitive receivers (owners and occupiers) to carry out works in accordance with noise limits specified in the negotiated agreements.

L4.10 All negotiated agreements must be in writing and finalised before the commencement of works.

L5. Hours of operation

L5.1 All construction work must be undertaken during standard construction hours:

- a) Restricted to between the hours of 7:00 am to 6:00 pm Monday to Friday;
- b) Restricted to between the hours of 8:00 am to 1:00 pm Saturday; and
- c) No construction works to be undertaken on Sunday or Public Holidays.

L5.2 Standard Operating Hours

Unless otherwise specified by an other conditions of the licence, all operating activities are restricted to between the hours of::

- a) 6:00 am to 6:00 pm Monday to Friday;
- b) 7:00 am to 1:00 pm Saturday; and

L6. Blasting Limits

L6.1 The airblast overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

L6.2 The airblast overpressure level form blasting at the premises must not exceed 115dB (Lin Peak) for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

L6.3 Ground vibration peak particle velocity from the blasting operations at the premise must not exceed 10mm/sec at any time at any noise sensitive receiver. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

L6.4 Ground vibration peak particle velocity from the blasting operations at the premise must not exceed 5mm/sec at any time at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

L6.5 The airblast overpressure and ground vibration levels in conditions L6.1 to L6.4 do not apply at noise sensitive locations that are owned by the licensee or subject to a private agreement, relating to airblast overpressure and ground vibration levels, between the licensee and land owner.

L6.3 Blasting in or on the premises must only be carried out between 0900 hours and 1500 hours, Monday to Friday. Blasting in or on the premises must not take place on Saturdays, Sundays or Public Holidays without the prior approval of the EPA.

L7 Potentially offensive odour

L7.1 No conditions of this licence identifies a potential offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour

L8. Other limit conditions

L8.1 No more than 490,000 tonnes during any consecutive 12 month period can be extracted and processed at the site.

L8.2 On-site crushing and screening activities must not exceed 1818 tonnes per day or 490,000 tonnes during any consecutive 12 month period.

L8.3 No more than 132 loaded trucks are to be dispatched per day.

L8.4 For the purposes of determining compliance with condition L8.1 and L8.3, a record of trucks and trailers carrying loads from the quarry must be maintained by the licensee, to enable production to be calculated for any consecutive 12 month period by multiplying the number of truck and trailer loads for each vehicle type by the known capacity of each relevant vehicle.

Operating conditions

O3. Dust

O3.1 Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

O3.2 The premise must be maintained in a manner that prevents and minimises the emission of air pollutants.

O3.3 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during material inspection, loading and unloading.

O3.4 All plant and equipment (including loaders, excavators, crushers, screen, drill rig, trucks) must be maintained in accordance with manufacturer requirements to minimise malfunction that could result in increased air quality emissions.

O3.5 The maximum disturbance area due to the project operations must not exceed 8.15 hectares. This includes, but not limited to, the extraction area, product stockpiling area, overburden and fines stockpile and emplacement.

O3.6 No offsite material must be received or processed at the premises.

O3.7 All drill rigs must have a dust collection system.

O3.8 Watering must be used as a means of dust suppression for the following activities and locations:

- a) During all crushing and screening operations;
- b) During all product loading and unloading operations in the product stockpile area;
- c) During all haulage activities on the premises (road watering), except where alternative dust mitigation measures are implemented in accordance with the Air Quality Management Plan;
- d) At all stockpiles, except where alternative measures are implemented in accordance with the Air Quality Management Plan.

O4. Processing and Management

Soil and Water Management Plan

O4.1 Prior to commencing operations, a Soil and Water Management Plan (SWMP) must be prepared. As a minimum the SWMP must:

- a) 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 operations at the premises.
- b) Be prepared in accordance with the requirements of the 'Managing Urban Stormwater: Soils and Construction' guidelines including, Volume 1, 4th edition (Landcom, March 2004) and

O4.2 The SWMP must be implemented before site operations commence.

Air Quality Management Plan

O4.3 Prior to commencing construction, an Air Quality Management Plan (AQMP) must be prepared to the satisfaction of the EPA. The AQMP must address the following aspects:

- a) Key performance indicators;
- b) Proactive mitigation measures for all significant and potentially significant emission sources;
- c) The Trigger Action Response Plan addressing the implementation of reactive management strategies. Triggers must be clearly articulated and auditable;
- d) Monitoring methods, including location, frequency and duration of monitoring;
- e) Methods of ongoing review of the AQMP (including reactive triggers) to inform continual improvement;
- f) Complaint handling and investigation procedures;
- g) Methods of documenting the implementation of all reasonable and feasible proactive and reactive mitigation measures;
- h) Record keeping;
- i) Roles and responsibilities; and
- j) Methods for compliance reporting.

O4.4 The AQMP must identify contingency measures, and implementation time frames, to prevent and minimise dust emissions during periods of time where water availability for dust suppression activities may be limited.

O4.5 The AQMP must evaluate and give consideration to all reasonable and feasible mitigation measures that may be adopted at the premises to prevent and minimise dust emissions. This must include, but is not limited to:

- a) The application of low silt aggregate to internal haul roads;
- b) The sealing of or application of chemical suppressants to internal haul roads to minimise wheel generated dust emissions;
- c) Site specific speed limits to minimise wheel generated dust emissions;
- d) Conducting processing activities inside the pit (ie crushing and screening);
- e) Enclosing or partially enclosing storage areas (ie stockpiles); and
- f) Progressive land stabilisation measures to prevent and minimise dust emissions from exposed areas.

O4.6 The AQMP must be implemented before site operations commence.

Sediment Basin Operations

O4.7 The licensee must:

- a) Endues the design storage capacity of any sediment basin installed on the premises is reinstated with the design

- management period following the cessation of a rainfall event that causes runoff to occur on or from the premises; and
- b) Keep records of the available water and sediment storage capacities in each sediment basin and provide to an EPA officer upon request.

Chemical and Fuel Storage

O4.8 All chemicals, fuels and oils must be stored in a bunded area which complies with the specifications of the relevant Australian Standard and legislative requirements.

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 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:

- a) in a legible form, or in a form that can readily be reduced to a legible form;
- b) kept for at least 4 years after the monitoring or event to which they relate took place; and
- c) 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:

- a) the date(s) on which the sample was taken;
- b) the time(s) at which the sample was collected;
- c) the point at which the sample was taken; and
- d) the name of the person who collected the sample.

M2. Requirement to monitor concentration of pollutants discharged

M2.1 For each monitoring/ discharge point or utilisation area specified below (by a point number), the applicant must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The applicant must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

M2.2 Water and/or Land Monitoring Requirements

Point 1,2

Pollutant	Units of measure	Frequency	Sampling Method
Oil & Grease	mg/L	Special frequency 1	Representative sample
pH	pH	Special frequency 1	Representative sample
Total suspended solids	mg/L	Special frequency 1	Representative sample

M2.3 Note: Special frequency 1 means:

- a) Less than 24 hours prior to a controlled/scheduled discharge and daily during any continued controlled/scheduled discharge; or
- b) In the case of an uncontrolled discharge, as soon as practicable after overflow commences and within 12 hours of the overflow commencing.

M3. Testing methods - concentration limits

M3.1 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

M4. Weather Monitoring

M4.1 On-site Meteorological Monitoring Station:

- a) The proponent must monitor the parameters specified in Column 1 in the table below at the Site Meteorological Monitoring Station. The proponent must use the sampling method, units of measure, averaging method and sample at the frequency, specified opposite in the other columns.
- b) The proponent must maintain and calibrate the meteorological station in accordance with the reference test methods and manufacturer's specifications. Records of the calibration and maintenance must be made available to the EPA upon request.

Parameter	Units of measure	Frequency	Average Period	Sampling Method <small>^{1 2}</small>
Rainfall	mm/hour	continuous	1 hour	AM-4
Sigma theta	degrees	continuous	10 minute	AM-2 and AM-4
Siting				AM-1
Temperature at 2 metres	kevin	continuous	10 minute	AM-4
Temperature at 10 metres	kevin	continuous	10 minute	AM-4
Total Solar radiation	Watts per square metre	continuous	10 minute	AM-4
Wind Direction at 10 metres	degrees	continuous	10 minute	AM-2 and AM-4
Wind Speed at 10 metres	metres per second	continuous	10 minute	AM-2 and AM-4

Note 1 – any other method approved in writing by the EPA

Note 2 – The weather monitoring instrumentation installed and operated at the site must have a stall speed or lower limit of measure for measuring wind speed less than 0.2m/s.

M6. Blast Monitoring

M6.1 To determine compliance with conditions L6.1, L6.2, L6.3 and L6.4:

- a) Airblast overpressure and ground vibration levels must be measured at Monitoring Point R5. Blast monitoring must be carried out for a least one blast carried out in or on the premises in every 3 month period.

- b) Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard 2187.2 of 2006.

M7. Noise monitoring

M7.1 To assess compliance with the noise limits presented in the Noise Limits Table, attended noise monitoring must be undertaken in accordance with condition L4.5 and:

- a) At each one of the locations listed in the Noise Limits table;
- b) Occur from time to time when requested in writing by the EPA;
- c) Occur annually in a reporting period;
- d) Occur during each day, evening and night period as defined in the NSW Industrial Noise Policy for a minimum of:
 - i) 1.5 hours during the day;
 - ii) 30 minutes during the evening; and
 - iii) 1 hour during the night; and
- e) Occur for three consecutive operating days.

M8. Other monitoring and recording conditions

M8.1 The licensee must undertake noise and vibration monitoring as directed by an authorised officer of the EPA.

M8.2 All noise monitoring for the purpose of determining compliance with conditions of this licence must be undertaken by a suitably qualified and experienced person in accordance with:

- a) Australian Standard AS 2659.1 - 1998: Guide to the use of sound measuring equipment – portable sound level meters; and
- b) The compliance monitoring guidance in the Noise Policy for Industry (EPA, 2017).

M8.3 All vibration monitoring must be:

- a) Undertaken in accordance with the technical guidance provided in the Assessing Vibration: a technical guideline (DEC, 2006); and
- b) Assessed and reported against the acceptable values of human exposure to vibration set out in the Tables 2.2 and 2.4 of the Assessing Vibration: a technical guideline (DEC, 2006).

R1. 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.

R4. Other Reporting Conditions

R4.1 A noise compliance assessment report must be submitted to the EPA within 90 days of the completion of noise monitoring. The assessment must be prepared by a competent person and include:

- a) An assessment of compliance with noise limits presented in Condition L4.1 and L4.3; and
- b) An outline of any management actions taken within the monitoring period to address any exceedances of the limits contained in Condition L4.1 and L4.3.

R4.2 The results of the blast monitoring required by condition M6.1 must be submitted to the EPA at the end of each reporting period.

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:

- a. The processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b. 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:

- a. Must be maintained in a proper and efficient condition; and
- b. 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 detail 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
- b. 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 period, 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,

- a. 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

- b. The new licensee must prepare an annual return for the period commencing on the date the application for the transfer of the licence to the new licensee 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 license 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 to the first day of the reporting period and ending on,

- a. In relation to the surrender of a licence – the date when notice in writing of approval of the surrender is given: or
- b. In relation to the revocation of a licence – the date when notice in revoking the licence operates.

Deadline for Annual Return

The Annual Return for the reporting period must be supplied to the EAP 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').

Notification where actual load can not be calculated

(Licences with assessable pollutants)

Where the license is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date.

The notification must specify:

- a. The assessable pollutants for which the actual load could not be calculated: and
- b. The relevant circumstances that were beyond the control of the licensee.

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 Monitoring and Complaints Summary must be signed by:

- a. The licence holder: or
- b. By a person authorised 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 purposes of this condition until the date of first review of 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 immediately 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 SPA 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 the 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 with such time as may be specified in the request.

The request may require a report which includes any or all of the following information:

- a. The cause, time and duration of the event;
- b. The type, volume and concentration of every pollutant discharge as a result of the event;
- c. 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;
- d. The name, address and business hours telephone number of every 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;
- e. Action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
 - f. Details of any measures taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
 - g. 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 the 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.