

## ADDENDUM TO COUNCIL ASSESSMENT REPORT TO PANEL NORTHERN REGIONAL PLANNING PANEL

<b>PANEL REFERENCE &amp; DA NUMBER</b>	PPSNTH2023-260 PAN371551 DA2023/0580
<b>PROPOSAL</b>	Extractive Industry (proposed continuation of use and expansion of existing quarry)
<b>ADDRESS</b>	Lot 31 DP 1203488 9720 Armidale Road Tyringham NSW 2453
<b>APPLICANT</b>	Gary Peacock

### Summary of amendments and comments to Panel questions

#### Cumulative impacts of the proposal

As mentioned above extensive notification of the application was undertaken and no concerns were raised in regard to this application. The nearby quarry and sawmill are sited remotely in this area and being co-located within in close proximity to each other reduces the potential impacts that would occur if they were not co-located. The quarry activity will be dependent on demand for quarry products and the access road and intersection has been assessed by traffic experts as being suitable for the existing uses at peak times. Notably the Council owned quarry (Ellis Pit) is only used intermittently for Council related projects.

#### Date and total extraction tonnage limit

There are annual limits on extraction for the quarry, the area to be quarried is limited and there is ultimately a limited amount of resource for this quarry and it will not continue indefinitely. Council has not required that the quarry be limited to a final extraction amount.

#### Jurisdiction prerequisites

Table 1: Summary of Key Matters has included more detail on the jurisdictional prerequisites.

#### Notification to Bellingen Council

All properties within a 2 km radius of the quarry were notified as well as Transport for NSW (TfNSW). The proposal does not directly impact on Waterfall Way as truck traffic can go either north or south to Grafton or Armidale on Armidale Road and can also turn off to the East to Dorrigo and Bellingen. There have been a number of improvements made to Waterfall Way over the last few years to make the road safe for high volumes of traffic. The primary body interested in road safety on Waterfall Way is TfNSW and their comments have been considered in this application. Notification to Bellingen Council was considered necessary for this application.

#### NSW Rural Fire Service

The proposal has been assessed in accordance with the NSW RFS Planning for Bushfire Protection and is not required to be referred to the NSW RFS, Access. Asset Protection Zones and water for fire fighting purposes is available. The increased quarry footprint will provide

sufficient setbacks to any plant that is on the quarry floor. Access to Armidale Road is over a short distance should evacuation of the site be required and there will be a sedimentation dam that would provide a suitable source of water for firefighting purposes.

#### Site access

The road reserve at the front of the property is large to accommodate the shared access. An overlay of the cadastre would indicate that the access does not encroach onto adjoining lot 2. Condition 8 has included a requirement to have land owners consent where access is over adjoining private property.

#### SEARS

The assessment of the application Planning Secretary's Environmental Assessment Requirements (SEARs) included a review of the SEARs. The Statement of Environmental Effects adequately addresses the general requirements of the SEARs with consultation undertaken as a news letter and the issues raised in agency correspondence have been considered. The EPA have assessed the noise, blasting & vibration, air & water impacts and both the EPA and DPE-Water have provided General Terms of Approval. Biodiversity and heritage impacts have been addressed, including an offset in accordance with Council's Biodiversity Offset Policy and rehabilitation methods. A traffic impact assessment has been provided and comments provided from NSW TfNSW. Waste, hazards, visual, social and economic impacts have been suitably considered. The relevant environmental planning instruments, policies, guidelines and plans have been considered.

#### Updated conditions

The conditions have been updated to reflect the panels comments/corrections.

Condition	Comment
Access and condition 8	Condition amended to include <i>'Landowners consent is required if the access traverses over adjoining private land landowners consent and obtained prior to the prior to commencement of quarrying under this approval' (and moved to prior to commencement section)</i>
C 1 has a typo. The words 'prepared by' in the first cell are redundant given column 3.	Corrected
C5 is headed Maximum <b>annual</b> extraction, but that is covered in 4 - 5 deals with the maximum <b>extent</b> of extraction as per the submitted DA proposal.	Edited to 'Maximum extraction area'
C12(m) should probably cross reference C13	Cross reference included
C14 Typos - 'Site' should read 'sight' in heading and text	Corrected
C16 See comment above about quarry access road. Simply requiring a bitumen seal to be applied/maintained doesn't go to pavement strength given truck sizes involved. And I'd have thought this should cross reference C8, if indeed the access is within the road reserve?	See comment to condition 8. The sealing of the access is to reduce sediment being taken offsite and is required to be maintained. Reference to 8 included

C19 and GTAs - only two pages from DPE-Water appear at the end of the conditions (PDF pages 34, 35) not four? And the text of the letters that do appear suggest there is attached material which seems to be missing.	Amended
C25 - No indication as to a suitable author / expertise for the contamination assessment report? Also I'd have reversed the order of the final sentence to read "Any recommended remediation actions identified within the report are to be completed by the quarry operator as part of the site rehabilitation" with some sign off requirement.	Amended accordingly
C26 Typo (text missing from "with a rehabilitation methods the Environmental Impact Statement (dated September 2023; Section 3.14). . . . " . Also, the condition doesn't extend to any bond or security for the rehabilitation. Timing is at the conclusion of extraction, should it not precede that - presumably progressive rehab is not then provided for?	Text amended. The quarry is not that large to allow progressive rehabilitation. Until finished the area will be used for areas required for extraction, stockpiling and the sediment basin. Text added and a two year monitoring period has been included.

**Table 2: Updated Summary of Key Matters in the Relevant EPIs**

<b>EPI</b>	<b>Matters for Consideration</b>	<b>Comply (Y/N)</b>
State Environmental Planning Policy (Biodiversity & Conservation) 2021	Chapter 3: Koala Habitat Protection 2020 <i>Before a council may grant consent to a development application for consent to carry out development on land to which this Policy applies, the council must be satisfied as to whether or not the land is a potential koala habitat.</i>	Yes
State Environmental Planning Policy (Planning Systems) 2021	Chapter 2: State and Regional Development • Section 2.19(1) declares the proposal regionally significant development pursuant to Clause 7(1)(a) of Schedule 6.	Yes
SEPP (Resilience & Hazards)	Chapter 4: Remediation of Land • Section 4.6 – Contamination and remediation to be considered in determining development application <i>A consent authority must not consent to the carrying out of any development on land unless— (a) it has considered whether the land is contaminated, and (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out</i>	Yes

<p>State Environmental Planning Policy (Resources and Energy) 2021</p>	<p>Chapter 2: Mining, petroleum production and extractive industries</p> <ul style="list-style-type: none"> <li>Part 2.10 Determination of permissibility under local environmental plans</li> </ul> <p><i>If a local environmental plan provides that development for the purposes of extractive industry may be carried out on land with development consent, if the consent authority is satisfied as to certain matters specified in the plan, development for that purpose may be carried out on that land with development consent without the consent authority having to be satisfied as to those specified matters.</i></p> <ul style="list-style-type: none"> <li>Section 2.17 Compatibility of proposed mine, petroleum production or extractive industry with other land uses</li> </ul> <p><i>Before determining an application for consent for development for the purposes of mining, petroleum production or extractive industry, the consent authority must—</i></p> <p><i>(a) consider—</i></p> <p><i>(i) the existing uses and approved uses of land in the vicinity of the development, and</i></p> <p><i>(ii) whether or not the development is likely to have a significant impact on the uses that, in the opinion of the consent authority having regard to land use trends, are likely to be the preferred uses of land in the vicinity of the development, and</i></p> <p><i>(iii) any ways in which the development may be incompatible with any of those existing, approved or likely preferred uses, and</i></p> <p><i>(b) evaluate and compare the respective public benefits of the development and the land uses referred to in paragraph (a)(i) and (ii), and</i></p> <p><i>(c) evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a)(iii).</i></p> <ul style="list-style-type: none"> <li>Section 2.20 Natural resource management and environmental management</li> </ul> <p><i>Before granting consent for development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider whether or not the consent should be issued subject to conditions aimed at ensuring that the development is undertaken in an environmentally responsible manner, including conditions to ensure the following—</i></p> <p><i>(a) that impacts on significant water resources, including surface and groundwater resources, are avoided, or are minimised to the greatest extent practicable,</i></p> <p><i>(b) that impacts on threatened species and biodiversity, are avoided, or are minimised to the greatest extent practicable,</i></p>	<p>Yes</p>
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	<p><i>(c) that greenhouse gas emissions are minimised to the greatest extent practicable.</i></p> <ul style="list-style-type: none"> <li>• <i>2.21 Resource Recovery</i></li> <li><i>(1) Before granting consent for development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider the efficiency or otherwise of the development in terms of resource recovery.</i></li> <li><i>(2) Before granting consent for the development, the consent authority must consider whether or not the consent should be issued subject to conditions aimed at optimising the efficiency of resource recovery and the reuse or recycling of material. The council must not grant such a consent unless—</i> <ul style="list-style-type: none"> <li><i>(a) it has considered the effect of the development on flood behaviour, the water quality, quantity and hydrodynamics of any watercourse or underground waters and also the effect of flood behaviour on the development and operations associated with the development in the vicinity, and</i></li> <li><i>(b) it has considered a rehabilitation plan prepared in accordance with the Guidelines for Rehabilitation Plans in the Extractive Industry Report, and</i></li> <li><i>(c) it is satisfied that, while the development is being carried out, noise and vibration levels will generally be in accordance with the guidelines in the State Pollution Control Commission Environmental Noise Manual (1985 edition) available at the offices of the Environment Protection Authority and the councils of the areas specified in Schedule 6, and</i></li> <li><i>(d) it is satisfied that rehabilitation measures will be carried out in accordance with the guidelines in the Urban Erosion and Sediment Control Handbook (1992) prepared by the Department of Conservation and Land Management and available at the offices of the Department of Land and Water Conservation.</i></li> </ul> </li> </ul> <p><i>2.23 Rehabilitation</i></p> <p><i>Before granting consent for development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider whether or not the consent should be issued subject to conditions aimed at ensuring the rehabilitation of land that will be affected by the development.</i></p> <p><i>(2) In particular, the consent authority must consider whether conditions of the consent should—</i></p> <ul style="list-style-type: none"> <li><i>(a) require the preparation of a plan that identifies the proposed end use and landform of the land once rehabilitated, or</i></li> <li><i>(b) require waste generated by the development or the rehabilitation to be dealt with appropriately, or</i></li> <li><i>(c) require any soil contaminated as a result of the development to be remediated in accordance with relevant</i></li> </ul>	
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	<p><i>guidelines (including guidelines under clause 3 of Schedule 6 to the Act and the Contaminated Land Management Act 1997), or</i></p> <p><i>(d) require steps to be taken to ensure that the state of the land, while being rehabilitated and at the completion of the rehabilitation, does not jeopardize public safety.</i></p>	
<p>State Environmental Planning Policy (Transport and Infrastructure) 2021</p>	<ul style="list-style-type: none"> <li>Section 2.122 Traffic generating development</li> </ul> <p><i>A public authority, or a person acting on behalf of a public authority, must not carry out development to which this section applies that this Chapter provides may be carried out without consent unless the authority or person has—</i></p> <p><i>(a) given written notice of the intention to carry out the development to TfNSW in relation to the development, and</i></p> <p><i>(b) taken into consideration any response to the notice that is received from TfNSW within 21 days after the notice is given.</i></p>	Yes
<p>State Environmental Planning Policy (Resilience and Hazards) 2021</p>	<ul style="list-style-type: none"> <li>3.12 Matters for consideration by consent authorities</li> </ul> <p><i>In determining an application to carry out development to which this Part applies, the consent authority must consider (in addition to any other matters specified in the Act or in an environmental planning instrument applying to the development)—</i></p> <p><i>(a) current circulars or guidelines published by the Department of Planning relating to hazardous or offensive development, and</i></p> <p><i>(b) whether any public authority should be consulted concerning any environmental and land use safety requirements with which the development should comply, and</i></p> <p><i>(c) in the case of development for the purpose of a potentially hazardous industry—a preliminary hazard analysis prepared by or on behalf of the applicant, and</i></p> <p><i>(d) any feasible alternatives to the carrying out of the development and the reasons for choosing the development the subject of the application (including any feasible alternatives for the location of the development and the reasons for choosing the location the subject of the application), and</i></p> <p><i>(e) any likely future use of the land surrounding the development.</i></p> <ul style="list-style-type: none"> <li>4.6 Contamination and remediation to be considered in determining development application</li> </ul> <p><i>(1) A consent authority must not consent to the carrying out of any development on land unless—</i></p> <p><i>(a) it has considered whether the land is contaminated, and</i></p>	Yes

	<p><i>(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and</i></p> <p><i>(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.</i></p>	
LEP	<ul style="list-style-type: none"> <li>• Clause 2.3 Permissibility and zone objectives</li> <li>• Clause 5.10 Heritage conservation</li> <li>• Clause 7.7 Drinking water catchment</li> <li>• Clause 7.8 Essential Services</li> </ul>	Yes
DCP	<p>Clarence Valley Council Rural Zone Development Control Plan 2011</p> <p>Part C General Controls for Rural Zones</p>	Yes

## 1. ATTACHMENTS

### Amended Draft schedule of Conditions of Consent

#### GENERAL

##### 1. Approved documents and Plans

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Document title	Version number	Prepared by	Date of document
Environmental Impact Statement – Faheys Pit Continued Operations Project dated September 2023, including:	-	Outline Planning Consultants Pty. Limited	September 2023
• Appendix A – Planning Secretary's Environmental Assessment Guidelines	-	Department of Planning and Environment	30.8.2022
• Appendix B - Existing Approved Quarry, Council report on Ellis' Pit	-	Nymboida Shire Council	21.2.1996 20.5.2008
• Appendix C - Appendix C Geotechnical assessment	1	Douglas Partners Pty Ltd	24.11.2022
• Appendix D – Property Report; Fires	-	Planning portal generated document and ABC post	19.5.2022 31.8.2020
• Appendix E – Contamination Report	1	Ballpark Environmental Pty Ltd	17.6.2022
• Appendix F – Quarry Design Plans	-	A Richards	1.5.2023
• Appendix G – Water Management Plan	3	Martens & Associates Pty Ltd	20.7.2023
• Appendix H – Ecological Assessment	1	Bower Ecology	1.9.2023
• Appendix I – Aboriginal Due Diligence Assessment	-	Niche Environment and Heritage Pty Ltd	29.8.2023
• Appendix J – Consultation documents	-	Sheridans Hard Rock Quarry	July 2022
• Appendix K – Noise and Vibration Impact Assessment	01	Vipac Engineers and Scientists Limited	14.8.2023
• Appendix L- Air Quality Assessment Report	01	Vipac Engineers and Scientists	4.12.23



		Limited	
• Appendix M – Roads and Traffic Assessment	4	StreetWise Road & Safety Traffic Services Pty LTd	28.11.2022
DA2023-0580 Memorandum Air Quality Assessment	-	Vipac Engineers and Scientists Limited	4.12.2023
NSW DPE-Water Integrated Development Referral General Terms of Approval IDAS-2023-10661	-	Department of Planning and Environment - Water	8.12.2023
NSW EPA Integrated Development Referral General Terms of Approval Notice No: 1635443	-	NSW Environment Protection Authority	19.1.2024
NSW TfNSW Referral comments	-	Transport for NSW	6.11.2023

In the event of any inconsistency with the approved plans or documents and a condition of this consent, the condition prevails.

**Condition reason:** To ensure all parties are aware of the approved plans and supporting documentation that applies to the development

## 2. Operating hours

**Limited to 7.00am to 6.00pm Monday to Friday (i.e. 11 hours operation per day) and 7.00am to 1.00pm on Saturdays (i.e. 6 hours operation).**

There is to be no quarrying, processing or transportation on Sundays or statutory public holidays except for emergency purposes; for example, but not limited to, sudden damage to public infrastructure or any damage posing an immediate risk to life or property.

The quarry operator is to inform Council on the first working day following the emergency that trucks were carrying quarry products outside the approved hours for emergency purposes.

**Condition reason:** To protect the amenity of the surrounding area

## 3. Blasting hours

Hours of blasting are to be restricted to 9.00am to 3.00pm Monday to Friday.

**Condition reason:** To protect the amenity of the surrounding area

## 4. Maximum annual extraction

Development consent is given to extract a maximum of up to 150,000 tonnes per annum of material per year.

**Extraction** means the removal of overburden, the extraction, processing, handling, of extracted material in relation to this consent

**Condition reason:** To limit annual of extraction amounts in accordance with approval

5. **Maximum extraction area**

The area of the quarry is not to exceed the area of 4.1 hectares as shown in the Quarry Design Plans (Appendix F of the EIS).

**Condition reason:** To limit the extraction area in accordance with approval

6. **Advertising**

No advertising sign is to be erected, painted or displayed on the frontage of Armidale Road without approval from Council.

**Condition reason:** To protect the safety of road users and amenity of the local area

7. **Costs of alterations and extensions**

The developer shall be responsible for any costs relating to alterations and extensions of existing roads, drainage and services for the purposes of the development.

**Condition reason:** To ensure due diligence for aboriginal relics or artefacts uncovered during works on the site

## **PRIOR TO COMMENCEMENT FOR QUARRY OPERATIONS**

8. **Works in Road Reserve**

Landowners consent is required if the access traverses over adjoining private land landowners consent and obtained prior to the prior to commencement of quarrying under this approval. For works within the road reservation a Section 138 Roads Application is to be lodged and a specific Traffic Control Plan, prepared by a person authorised by the Transport for NSW to prepare Traffic Control Plans, must be submitted to and approved by Council prior to the occupation and works on the road reserve.

**Condition reason:** To ensure a Roads Act approval is issued for works within the road reservation

9. **Surrender of Consent**

That the applicant surrender DA40/95 issued by Nymboida Shire Council on 21 February 1996 in accordance with Section 4.63 of the *Environmental Planning and Assessment Act 1979* prior to the commencement of this consent.

**Condition reason:** To ensure that there is only one active consent relating to the subject land

10. **Extraction area**

The quarry/extraction area is to be defined on the ground by the establishment of permanent survey marks located and shown on a plan by a registered surveyor and submitted to council, prior to commencement of quarrying under this approval.

**Condition reason:** To ensure that the quarry does not exceed the approved footprint

11. **Section 7.12 Contributions**

Payment to Council of the contributions pursuant to Section 7.12 of the Environmental Planning and Assessment Act 1979 and the Clarence Valley Contributions Plan 2011:

\$4,400.00                      GL S94ACVCOthResAcco

This amount is based on the following calculation:

*Proposed cost of carrying out the development is more than \$200,000 = value of development x 0.01*

a. The value of development stated in the application was \$440,000.00

The contributions are to be paid to Council prior to prior to commencement of quarrying under this approval. All contribution plans are available for inspection on Council's website.

In the event of any subsequent amendment to the approved Development Plans, the calculated contribution amounts may vary, and if so will become the contribution payable.

**Condition reason:** To comply with Council's Contributions Plans

12. **Plan of Management**

Submission of a Plan of Management prepared by suitably qualified and experienced person/s to Council for approval prior to the commencement of quarrying under this development approval. The Plan of Management is to include at least the following details:

- a. operating details including: numbers, type and location (if fixed plant) of plant and machinery; numbers of employees on site and off site;

stockpile and overburden storage areas; vehicle storage and refuelling areas; and fuel storage areas.

- b. a plan identifying the sedimentation dam(s) at each proposed stage of the quarry operations. That is, as quarry expansions are proposed, any necessary relocation of sedimentation structures should be identified on the plan. The dimensions, capacity and anticipated levels of waste water within these structures should be included in this detail.
- c. Details of measures for drainage or pumping from the dams after storm events are to be provided, including the time taken for the dams to empty.
- d. any proposals for the re-use of waste water from the dams is to be provided. Such water could be used for water of access roads and exposed areas to avoid dust nuisance.
- e. compliance with the NSW EPA General Terms of Approval requirements.
- f. Compliance with the NSW DPE- Water General Terms of Approval requirements.
- g. full rehabilitation details, including fencing and signage details.
- h. details of dust mitigation measures and monitoring program.
- i. details of noise mitigation measures for fixed and mobile plant and machinery and monitoring programs.
- j. a schedule is to be included which allows for the annual update of the rates of extraction. This will ensure monitoring of the amount of material extracted and enable Council to calculate the contributions for Council road maintenance.
- k. a waste management plan, including measures to optimise the efficiency of resource recovery and the reuse or recycling of material.
- l. a code of conduct relating to the transport of materials on public roads, including a schedule so that haulage times do not coincide with school bus services.
- m. a code of conduct for truck drivers (as outlined in condition 13)

**Condition reason:** To detail the operations of the quarry

### 13. **Driver Code of Conduct**

A Driver Code of Conduct (the 'Code') for the transport of quarry products on public roads shall be developed and implemented for all heavy vehicle operators that access the subject development, including haulage and delivery vehicles. All drivers will be required to sign a register of acceptance (or similar) of the Code, with the Code including as a minimum the following:

- a. A map of the primary haulage routes, highlighting critical locations, safety issues and other relevant traffic/transport issues;
- b. Expected Driver Behaviour;
- c. Requirements for compliance with road rules and safety;
- d. Requirements for minimising dust and noise emissions;
- e. Known safety considerations along the proposed haul route (including school bus routes and timetables, school zones, concealed driveways, wet weather safety and other known local hazards);
- f. Requirements for all loads are covered prior to leaving the Quarry site;

- g. Requirements for all vehicles leaving the quarry site to be clear of rock/extractive material by sweeping, cleaning draw bars and external truck/trailer components;
- h. Any community consultation measures required to address busy haulage periods.

The Code of Conduct shall be provided to Council prior to commencement of quarrying under this approval and made available TfNSW upon request.

**Condition reason:** To ensure the safe operation of vehicles on the public road system.

**14. Safe Intersection Sight Distance**

The applicant is required to implement the recommendations to achieve compliant Safe Intersection Sight Distance as identified in Section 5.1 of the Traffic Impact Assessment prepared by Streetwise Road Safety & Traffic Services dated 28 November 2022.

All proposed works must be supported with a detailed plan which nominates the extent of works and appropriate Traffic Control Plans for works within the road reserve. This information must be submitted to Council for approval prior to commencement. No vegetation clearing is to be commenced until a Section 138 approval for works on Council roads has been issued.

All works must be completed prior to the activation of the development approval.

**Condition reason:** To ensure ongoing public safety of the road network

**15. Warning signs**

Warning signs shall be installed and maintained within the vicinity of the Quarry entrance off Armidale Road to advise motorists of truck movements in the area prior to commencement of quarrying under this approval. The location of the signage shall be provided in accordance with the Traffic Impact Assessment by Streetwise Road & Safety Traffic Services and installed in accordance with relevant Australian Standard.

**Condition reason:** To ensure ongoing public safety of the road network

**16. Quarry access road**

A bitumen seal must be applied and regularly maintained along the quarry access road located within the road reserve to Armidale Road. The seal must be applied prior to commencement of quarrying under this approval. (For works within the road reservation a Section 138 Roads application is required as referenced in Condition 8).

**Condition reason:** To ensure ongoing public safety of the road network and road users

**17. Fire Management Plan**

A Fire Management Plan (FMP) shall be prepared in accordance with NSW Rural Fire Service Requirements. The FMP shall include:

- a. 24 hour emergency contact details including alternative telephone contact;
- b. site infrastructure plan;
- c. fire fighting water supply plan;
- d. site access and internal road plan;
- e. Methods for protection of assets within the quarry footprint;
- f. location of hazards (physical, chemical and electrical) that will affect fire fighting operations and procedures to manage identified hazards during fire fighting operations.

**Condition reason:** To ensure ongoing safety and protection from bushfires

18. **Entry signage**

A sign must be erected on the subject land in a prominent position visible from the entrance of the property during quarry operations. The sign is to:

- a. state that unauthorised entry to the quarry work area is prohibited; and
- b. show the name of the person in charge of the quarry operations and a contact number for that person.

**Condition reason:** To ensure no that there is unauthorised entry to the quarry work area and provide contact details

19. **Integrated Development General Terms of Approval**

The development is to comply with the Integrated Development Approval granted under Section 4.47 of the Environmental Planning and Assessment Act 1979 as contained in the correspondence, as attached to this report, from the:

- NSW DPE-Water Integrated Development Referral General Terms of Approval IDAS-2023-10661, consisting of 4 pages, dated 8.12.2023, and
- NSW EPA Integrated Development Referral General Terms of Approval, Notice No: 1635443, consisting of 21 pages, dated 19.1.2024

A suitably qualified person/s is to certify compliance with any General Terms of Approval or Permit or License by an approval body and provide copies of any approvals, permit or license to Council prior to prior to commencement of quarrying under this approval.

**Condition reason:** To comply with legislative requirements

20. **Voluntary Planning Agreement**

Prior to commencement of quarrying under this approval, pursuant to section 7.4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), the applicant/developer is to execute and deliver to the Council the Planning Agreement, in accordance with the EP&A Act and *Environmental Planning and*

*Assessment Regulation 2021*, which the applicant/developer has offered to enter into, for a contribution of \$32,666.87 to be made to Council's Biodiversity Offset Fund.

**Condition reason:** To ensure that adequate offsetting measures are provided for Development

**21. Fauna spotter for clearing**

Prior to vegetation clearing, mature trees must be inspected by a suitably qualified and experienced ecologist or fauna spotter determine that no fauna or fauna habitat features (nests, dreys) are present or active. If present, the suitably qualified and experienced professional shall be present during the removal of trees to ensure the potential for fauna injury or mortality is reduced. In the event that fauna are present and require care, fauna must be transported to local wildlife carers or a local veterinary hospital.

**Condition reason:** To ensure no that potential for fauna injury or mortality is reduced

**DURING OPERATIONS**

**22. Vehicle parking**

All vehicles associated with the use of the premises, including employee's vehicles, are to be parked within the confines of the site, at all times.

**Condition reason:** To ensure that all vehicles are to be parked within the confines of the site

**23. Annual Plan of Management**

An annual update of the Plan of Management is to be submitted to Council by 31 July of each year. This update is to include a plan by a registered surveyor and statement demonstrating compliance with this consent and the Plan of Management. Specifically, the statement is to include:

a) A site plan by a registered surveyor showing;

- the extraction area at the date of report
- the areas intended for extraction in the next twelve (12) months
- sediment ponds
- stockpile sites
- overburden storage sites
- erosion controls in place at the time of the report

b) Written details addressing:

- state of compliance with each condition of consent and the Plan of Management at the time of the report
- the quantity of material extracted in the immediately preceding twelve (12) months
- the quantity of material proposed to be extracted in the next twelve (12) months
- results from all monitoring programs for the preceding twelve (12) months
- sedimentation ponds constructed during the proceeding twelve (12) months or proposed to be constructed in the next twelve (12) months
- revision of the expected life of the extractive operation
- a staged rehabilitation plan for the life of the quarry

**Condition reason:** To provide an update of annual operations in accordance with the Plan of Management

#### 24. **Compliance with Plan of Management**

The establishment, operation and management of the development is to comply with the approved and updated Plan of Management at all times.

**Condition reason:** To ensure compliance with the Plan of Management

#### 25. **Remediation**

At the completion of extractive operations, the quarry operator will commission the completion of a Contamination Assessment Report for the site. The site is to be verified by a report from an EPA certified contaminated land specialist and any recommended remediation actions identified within the report are to be completed by the quarry operator as part of the site rehabilitation.

**Condition reason:** To ensure the rehabilitation of the site.

#### 26. **Rehabilitation**

At the completion of extractive operations rehabilitation of the site shall be undertaken in accordance with the rehabilitation methods outlined in the Environmental Impact Statement (dated September 2023; Section 3.14). The rehabilitation management plan must include performance and completion criteria for progressive and final rehabilitation including measures to:

- a. Ensure species used during rehabilitation operations are consistent with vegetation community types located within the vicinity of the area to be rehabilitated and are suitable for the proposed final landform and land use.
- b. Monitor all areas of progressive and final rehabilitation.
- c. Undertake any necessary remedial action in order to satisfy the relevant completion criteria.
- d. Regular visual monitoring of fencing, inspection of planted/rehabilitated areas for a period of two years to determine the



need for maintenance works (fertilising, weed control, erosion repair or control works, thinning of plants, pruning) and replacement of failed plantings

**Condition reason:** To ensure the rehabilitation of the site.

27. **Keeping accurate records**

Accurate records of quantities extracted are to be kept, maintained and available for inspection by authorised council officers on request. The method of recording and the location where records are to be kept are to be outlined in the Plan of Management.

**Condition reason:** To ensure accurate records of annual quantities extracted

28. **Aboriginal relics**

Should any aboriginal relics or artefacts be uncovered during works on the site, all work is to cease and the Director-General of the NSW Department of Environment and Conservation shall be contacted immediately and any directions or requirements of that Department complied with.

**Condition reason:** To ensure the protection of objects of potential significance during works

29. **Dust suppression**

During dry weather, standard dust suppressions methods are to be used as often as is necessary to ensure that adjoining properties are not adversely affected by undue dust.

**Condition reason:** to ensure that adjoining properties are not adversely affected by undue dust

30. **Clearing of vegetation**

No clearing is to occur beyond the edge of the quarry footprint as shown in the EIS, including for the purpose of asset protection zones. Asset Protection Zones are not to extend beyond the quarry.

**Condition reason:** To restrict any clearing beyond the edge of the quarry footprint

31. **Hazardous materials**

All hazardous materials are to be appropriately stored so as to prevent environmental damage in case of spillage or contaminated lands. Oils and lubricants shall be stored in an impermeable permanent bunded and roofed area with holding capacity of 110% of the total volume of all containers. Fuel and oil shall be only handled or transferred in designated areas on the site.

Plans showing the designated areas and details of bunds and drainage shall be submitted to and approved by the Council and approved works shall be carried out before any such handling or transfer area is used.

**Condition reason:** To provide for the storage of sensitive equipment

32. **Drainage berms**

Drainage berms are to be constructed so as to direct clean run-off around the quarry area. All run-off from disturbed areas, including access roads, is to be diverted into sedimentation dams. The design and location of these features is to be incorporated into the plan of management and revised as required.

**Condition reason:** To ensure run-off from disturbed areas, including access roads, is to be diverted into sedimentation dams.

33. **Covering of loads**

All trucks carrying quarry or crusher products from the site shall ensure their loads are fully covered by a suitable material to prevent spillage or dust falling from the truck.

**Condition reason:** To prevent spillage or dust falling from the truck

34. **Containment tanks for the above ground fuel storage tanks**

Prior to use of the above ground fuel storage tanks, the above ground fuel storage tanks, fill points and re-fuelling areas shall be contained in roofed and bunded areas with a containment tank. The roof shall overhang the perimeter of the bunded area by no less than 10 degrees from vertical on all open sides to minimise rainwater ingress. The bund shall have the capacity to retain at least 110% of the volume of the largest storage container in the bund.

The containment tanks for the above ground fuel storage tanks shall have available reserve capacity of the greater of either; 9000L or the capacity of the largest compartment of a delivery tanker delivering fuel to the site. They shall also have extra capacity to manage rainwater ingress. The containment tanks shall have a high level audible and visual alarm fitted to alert when pump out is required to ensure the available reserve capacity is maintained.

**Condition reason:** To provide fuel storage tanks, the above ground fuel storage tanks, fill points and re-fueling areas

35. **Certification for above ground fuel storage tanks**

Prior to use of above ground fuel storage tanks, certification shall be provided to Council from the tank manufacturer prior to issuing the Occupation Certificate that the above ground fuel storage tanks are designed in accordance with AS1692 Steel tanks for flammable and combustible liquids.

**Condition reason:** To provide certification for above ground fuel storage tanks

36. **Storage and handling of flammable and combustible liquids**

The above ground fuel storage tanks are to comply with AS1940-2017 - The storage and handling of flammable and combustible liquids.

**Condition reason:** To ensure compliance with Australian Standards

37. **Spills or wastewater capture**

Any spills or wastewater captured in the bunded area containment tanks is not permitted to discharge to the environment. They shall be disposed of at a facility lawfully able to accept the waste.

**Condition reason:** To ensure proper disposal of wastewater

38. **Disposal records**

Receipts for disposal of the contents of containment tanks shall be kept and made available to the NSW EPA and Council upon their request.

**Condition reason:** To prove copies of disposal records

39. **On-Site sewerage disposal**

The proponent to obtain the necessary approval pursuant to the provisions of sections 68 and 68A of the *Local Government Act 1993* in the event that an on-site sewage disposal facility is proposed.

Condition reason: To obtain the necessary approvals under the *Local Government Act 1993*

## Department of Planning and Environment



Contact: Department of Planning and Environment-Water  
Phone: 1300081047  
Email: [waterlicensing.servicedesk@dpie.nsw.gov.au](mailto:waterlicensing.servicedesk@dpie.nsw.gov.au)

Our ref: IDAS-2023-10661  
Your ref: DA2023/0580

8 December 2023

The General Manager  
CLARENCE VALLEY COUNCIL  
2 PRINCE STREET GRAFTON 2460

Attention: Pat Ridgway

Uploaded to the ePlanning Portal

Dear Sir/Madam

**Re:** IDAS-2023-10661 - Integrated Development Referral – General Terms of Approval  
**Dev Ref:** DA2023/0580  
**Description:** Proposed continuation of use and expansion of existing quarry, known as Faheys Pit  
**Location:** Lot 31, DP1203488, 9720 ARMIDALE ROAD TYRINGHAM 2453

I refer to your recent referral regarding an integrated Development Application (DA) proposed for the above location. Attached, please find Department of Planning and Environment-Water's General Terms of Approval (GTA) for part of the proposed development requiring a Controlled Activity approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 4.46 of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, the department requests these GTA be included (in their entirety) in Council's development consent. Please also note the department requests notification:

- if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works or activities (i) in the bed of any river, lake or estuary; (ii) on the banks of any river lake or estuary, (iii) on land within 40 metres of the highest bank of a river lake or estuary; or (iv) any excavation which interferes with an aquifer.

The Department of Planning and Environment-Water will ascertain from the notification if the amended plans require review of or variation/s to the GTA. This requirement applies even if the amendment is part of Council's proposed consent conditions and do not appear in the original documentation.

- if Council receives an application under s4.46 of the EPA Act to modify the development consent and the modifications change the proposed work or activities described in the original DA.

Applications for controlled activity approval should be made to the department, by lodgement of a Controlled Activity Approval – New approval application on the NSW Planning Portal at:  
<https://www.planningportal.nsw.gov.au/>

The Department of Planning and Environment-Water requests that Council provide a copy of this letter to the development consent holder.

The Department of Planning and Environment-Water also requests a copy of the determination for this development application be provided by Council as required under section 4.47(6) the EPA Act.

Yours Sincerely



**For**  
**Patrick Pahlow**  
**Team Leader**  
**Licensing and Approvals**  
**Department of Planning and Environment-Water**

## General Terms of Approval

for proposed development requiring approval under s89, 90 or 91 of the Water Management Act 2000

Reference Number:	IDAS-2023-10661
Issue date of GTA:	8 December 2023
Type of Approval:	Controlled Activity
Location of work/activity:	Lot 31, DP1203488, 9720 ARMIDALE ROAD TYRINGHAM 2453
Waterfront Land:	Unnamed tributary of Merchin Creek
DA Number:	DA2023/0580
LGA:	CLARENCE VALLEY

The GTA issued by Department of Planning and Environment-Water do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to the Department of Planning and Environment-Water for the relevant approval **after** development consent has been issued by Council **and before** the commencement of any work or activity.

Condition Number	Details
TC-G001	Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Department of Planning and Environment-Water, and obtained, for a controlled activity approval under the Water Management Act 2000.
TC-G004	<p>A. This General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents found in Schedule 1, relating to Development Application DA2023/0580 provided by Council to Department of Planning and Environment-Water.</p> <p>B. Any amendments or modifications to the proposed controlled activity may render the GTA invalid. If the proposed controlled activity is amended or modified, Department of Planning and Environment-Water, must be notified in writing to determine if any variations to the GTA will be required.</p>
TC-G005	<p>A. The application for a controlled activity approval must include the following plan(s):</p> <ul style="list-style-type: none"> <li>• Site plans - in relation to works on waterfront land.</li> <li>• Soil and water management plan</li> <li>• Erosion and sediment control plans</li> <li>• Vegetation management plan - to provide guideline buffers.</li> </ul> <p>B. The plan(s) must be prepared in accordance with Department of Planning and Environment-Water's guidelines located on the website  <a href="https://www.dpie.nsw.gov.au/water/licensing-and-trade/approvals/controlled-activity-approvals/what/guidelines">https://www.dpie.nsw.gov.au/water/licensing-and-trade/approvals/controlled-activity-approvals/what/guidelines</a> </p>



## General Terms of Approval

for proposed development requiring approval under s89, 90 or 91 of the Water Management Act 2000

### SCHEDULE 1

The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by Department of Planning and Environment-Water for integrated development associated with IDAS-2023-10661 as provided by Council:

- Environmental Impact Assessment - Faheys Pit Continued Operations Project - September 2023.Prepared by Outline Planning Consultants

## General Terms of Approval

Notice No: 1635443



Mr Patrick Ridgway  
Senior Development Planner  
Clarence Valley Council  
Locked Bag 23  
GRAFTON NSW 2460

Attention: Mr Patrick Ridgway

Notice Number 1635443  
Date 19-Jan-2024

**Re: Integrated Development Application - DA2023/0580**  
**Proposed continuation of use and expansion of existing quarry, known as Faheys Pit**  
**Lot 31 DP 1203488, 9720 Armidale Road, TYRINGHAM NSW 2453**

### Issued pursuant to Section 4.46 Environmental Planning and Assessment Act 1979

I refer to the Integrated Development Application and accompanying information provided for the above proposal received by the Environment Protection Authority (EPA) via the NSW Planning Portal on 19 October 2023.

The EPA has reviewed the information provided and has determined that it is able to issue General Terms of Approval (GTA) for the proposal. Please note that the provisions of the *Protection of the Environment Operations Act 1997* and its Regulations also apply. The applicant will need to make a separate application to the EPA to obtain an Environment Protection Licence once development consent has been granted.

The GTA for this proposal are provided at attachment A and attachment B. If the Regional Planning Panel grants development consent for the proposal, these conditions should be incorporated into the consent.

These GTA relate to the development as proposed in the documents and information currently provided to the EPA. If the development is modified either by the applicant prior to the granting of consent or as a result of the conditions proposed to be attached to the consent, it will be necessary to consult with the EPA about the changes before the consent is issued. This will enable the EPA to determine whether its general terms of approval need to be modified in light of the changes.

In assessing the proposal, the EPA has identified the following environmental issues that Clarence Valley Council and/or the Regional Planning Panel may wish to consider in its overall assessment of the application.

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# General Terms of Approval

Notice No: 1635443



## 1. Soil and Water Management Plan

A Soil and Water Management Plan (SWMP) was not included with the Environmental Impact Statement for the proposal. The applicant must prepare a SWMP for the development and submit it to the EPA on application for a licence under the *Protection of the Environment Operations Act 1997*.

- The SWMP must be guided by the 'Blue Book' (Managing Urban Stormwater - Soils and Construction, Volumes 1 and 2E).
- The SWMP must describe the measures that will be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters.
- The SWMP must detail how all stormwater generated from a 5-day rain event of up to 84.8mm can be captured and treated prior to discharge.
- The SWMP must include calculations for the sizing of sediment basins during the different stages of the quarry's life cycle and include the location/s of any discharge points from the sediment basin/s.
- The SWMP should also include a water balance that demonstrates how the sediment basin/s designed for the site can adequately cater for quarry process water storage without compromising the basins ability to meet its design stormwater management functions outlined above.

## 2. Environmental Management Plan

An Environmental Management Plan (EMP) was not included with the Environmental Impact Statement for the proposal. The applicant must prepare an EMP for the development and submit it to the EPA on application for a licence under the *Protection of the Environment Operations Act 1997*. The EMP must take into account any management and mitigation measures identified in the document titled *Environmental Impact Statement Faheys Pit Continued Operations Project* (Outline Planning Consultants, September 2023), and any development consent conditions that may be included as part of the proposal approval.

## 3. Air Quality Management Plan

Information provided in the revised Air Quality Impact Assessment (AQIA) submitted for the proposal concludes that there are no predicted additional exceedances of the EPA's assessment criteria. However, results and conclusions are contingent on the diligent and proactive implementation of the proposed mitigation measures summarised below:

- Ongoing watering of unpaved roads within the quarry.
- Ongoing watering during drilling operations.
- Ongoing watering during dozer operations.
- Ongoing watering for overburden operations.
- Maximum speed limit of 40 km/hr at the premises.
- Continuous watering during crushing and screening operations.
- Ongoing watering of stockpiles and pit.

Notwithstanding the above, it should be noted that failing to achieve in practice the assumed levels of control will increase the risk of adverse air quality impacts, including short-term amenity impacts that may result in complaints. Therefore, it is pertinent that the proponent ensures the diligent and ongoing implementation of the proposed controls and mitigation measures as assumed in the AQIA.

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The applicant must prepare an Air Quality Management Plan (AQMP) for the development and submit it to the EPA on application for a licence under the *Protection of the Environment Operations Act 1997*. As a minimum, the AQMP must include the following:

- Proactive and reactive mitigation strategies of all significant, and potentially significant emissions sources including the implementation of those mitigation measures contained in the revised AQIA dated 4/12/2023;
- Auditable and measurable key performance indicator(s) to inform and evaluate the proactive implementation of the proposed mitigation measures;
- Monitoring method(s);
- Location, frequency, and duration of monitoring;
- Record keeping;
- Response mechanisms and contingency measures;
- System and performance review for continuous improvement;
- Compliance reporting.

#### 4. Blast Management Protocol

The applicant must prepare a Blasting/Vibration Management Protocol for the development and submit it to the EPA on application for a licence under the *Protection of the Environment Operations Act 1997*. The Protocol must include, but need not be limited to, the following:

- Compliance standards;
- Measures to ensure compliance with licence limits;
- Analysis of representative meteorological data to identify sub-optimal dispersion conditions during which blasting should not be undertaken;
- Mitigation measures;
- Remedial and reporting action plan;
- Monitoring methods and program;
- Monitoring program for flyrock distribution;
- Notification of procedures for neighbours prior to detonation of each blast;
- Measures to ensure no damage by flyrock to people, property, livestock and powerlines.

If you have any questions or wish to discuss this matter further please contact Nicole Power on 6641 1529.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Bancroft', is written over a dotted line.

**Janelle Bancroft**

**A/ Unit Head**

**Environment Protection Authority**

(by Delegation)

## General Terms of Approval

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### Attachment A – Specific conditions for DA2023/0580

#### 1 Administrative conditions

##### A1 Information supplied to the EPA

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

- the development application DA2023/0580 submitted to Clarence Valley Council on 18 October 2023;
- the document titled *Environmental Impact Statement Faheys Pit Continued Operations Project* prepared by Outline Planning Consultants dated September 2023 relating to the development; and
- all additional documents supplied to the EPA in relation to the development, including but not limited to:
  - *Faheys Pit Impact Assessment, Air Quality Assessment*, Vipac dated 4 December 2023 (Document Reference: 70B-22-0110-TRP-39884-1)

**A1.2** Notwithstanding any condition in these GTA, or a licence under the *Protection of the Environment Operations Act 1997* (**POEO Act**), extractive activity at the premises must not exceed 150,000 tonnes per annum.

##### 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 POEO Act, having regard to the matters in s.83 of that Act.

#### 2 Discharges to Air and Water and Applications to Land

##### P1 Location of monitoring/discharge points and areas

**P1.1** The following utilisation areas referred to in the table below are identified in these GTA, or a licence under the POEO Act, for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

**P1.2** The following points referred to in the table below are identified in these GTA, or a licence under the POEO Act, for the purposes of the monitoring and/or setting limits for discharges of pollutants to water from the point.

# General Terms of Approval

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## Water and Land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Discharge quality monitoring	Discharge to waters	Spillway of the lower sediment basin (5.86 ML) constructed for Stage 1 of the proposal. (Easting: TBA, Northing: TBA)

**P1.3** The following points referred to in the table below are identified in these GTA, or a licence under the POEO Act, 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
2	Meteorological Station	9720 Armidale Road, Tyringham NSW 2453 (Easting: TBA, Northing: TBA)

## 3 Limit conditions

### L1 Pollution of waters

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

### L2 Concentration limits

**L2.1** For each monitoring/discharge point or utilisation area specified in the table/s below, the concentration of a pollutant discharged 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 the Table, the specified percentage of samples must be within the specified ranges.

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**L2.3** To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table/s.

**L2.4** Water and/or Land Concentration Limits

## Point 1

Pollutant	Units of measure	50% concentration limit	90% concentration limit	3DGM concentration limit	100% concentration limit
Oil and Grease	Visible				Nil
pH	pH				6.5 to 8.5
Total suspended solids	mg/L				50

**L2.5** The concentration limits in the above table do not apply to any passive discharge (overflow) from Point 1 arising solely from a rainfall event exceeding 84.8 mm (the 90th percentile 5 day rain event) in total falling over any consecutive five day period.

**L2.6** If the applicant uses turbidity (NTU) in place of TSS to determine compliance with Condition L2.4, the applicant must develop a statistical correlation which identifies the relationship between NTU and TSS for water quality in the sediment basin/s in order to determine the NTU equivalent of 50 mg/L TSS before its use.

**L2.7** If the applicant uses turbidity (NTU) in place of TSS to determine compliance with Condition L2.4, the applicant must provide the EPA with a copy of the statistical correlation assessment methodology and results before using NTU in place of TSS.

**L2.8** If the applicant uses turbidity (NTU) in place of TSS to determine compliance with Condition L2.4, the applicant must develop and implement a method to enable the ongoing verification of the relationship between NTU and TSS.

**L2.9** If the applicant uses turbidity (NTU) in place of TSS to determine compliance with Condition L2.4, the applicant must provide the EPA with any amendments the applicant makes to the statistical correlation as a result of the ongoing verification required by Condition L2.8 before using the revised statistical correlation.

**L2.10** All controlled discharges from the premises must be from licensed discharge points. They must not exceed a 100th percentile limit specified in Condition L2.4.

**Note:** Passive discharge is an overflow event occurring solely as a result of rainfall. Active or controlled discharge is a discharge occurring as a result of human intervention such as syphoning, pumping or trenching.

## L3 Waste

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- L3.1** The applicant must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by a licence under the POEO Act.

**Note:** 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 POEO Act.

*Note: Condition L3.1 is included to ensure that a premises based activity is not used as a waste facility (unless that scheduled activity is permitted by another condition with relevant development consent).*

### L4 Noise limits

- L4.1** Noise generated at the premises must not exceed the noise limits at the times and locations in the table below.

Location	Noise Limits in dB(A)
	Day
	L <sub>Aeq</sub> (15 minute)
Any residential receiver	40

- L4.2** For the purposes 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.

- 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.

- 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 condition L4.3:

- a) The meteorological conditions are to be determined from meteorological data obtained from an on-site meteorological weather station identified as **EPA monitoring point 2**.
- b) Stability category shall be determined using the following method from Fact Sheet D of the *Noise Policy for Industry* (NSW EPA, 2017):

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i. Use of sigma-theta data (section D1.4).

**L4.5** To assess compliance:

- a) with the  $L_{Aeq(15 \text{ minutes})}$  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) in an area within 30 metres of a residence façade, but not closer than 3 metres 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 Nature Reserve,
  - (iv) at any other location identified in condition L4.1
- b) with the  $L_{Aeq(15 \text{ minutes})}$  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,
  - (ii) 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 a location experiencing or expected to experience the highest sound pressure level from the premises.

**L4.7** For the purpose 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) may 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 noise limits specified in conditions L4.1 and L4.3 do not apply if agreement between the applicant and the occupier of the noise sensitive location has been reached. Any agreement(s) between the applicant and the affected noise sensitive receivers must be recorded in writing and a copy of the agreement(s) kept on the premises for the duration of any licence issued under the POEO Act for this development.

**Note:** Noise sensitive locations means buildings used as a residence, hospital, school, childcare centre, places of public worship and nursing homes. A noise sensitive location includes the land within 30m of the building.

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### Definitions

Noise Policy for Industry - the document entitled "*Noise Policy for Industry*" published by the NSW Environment Protection Authority in October 2017.

Noise – 'sound pressure levels' for the purposes of conditions L4.1 to L4.8.

- $L_{Aeq}$  (15 minute) - the value of the A-weighted sound pressure level of a continuous steady sound that, over a 15 minute time interval, has the same mean square sound pressure level as a sound under consideration with a level that varies with time (Australian Standard AS 1055:2018 *Acoustics: description and measurement of environmental noise*).

### L5 Hours of operation

**L5.1** Extractive, processing and loading activities at the premises may only take place between the following hours:

- 7:00am-6:00pm Monday to Friday;
- 7:00am-1:00pm Saturday; and
- at no time on Sundays or public holidays.

**L5.2** Maintenance and/or repairs to plant and equipment may only take place between the following hours and is subject to the following provisions:

- 6:00am-6:00pm Monday to Friday;
- 6:00am-4:00pm Saturday;
- at no time on Sundays or public holidays;
- if outside the hours specified by condition L5.1, the plant and equipment that require the maintenance and/or repairs must be located as far away as possible from the most affected residential receivers; and
- if outside the hours specified by condition L5.1, the noise levels at the most affected residential receivers are not adversely affected.

**L5.3** Blasting at the premises may only take place between the following hours:

- 9:00am-3:00pm Monday to Friday; and
- at no time on public holidays.

**L5.4** Condition L5.1 does not apply to the delivery of material outside the hours of operation if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification must be provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.



## General Terms of Approval

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- L5.5** The hours of operation specified in conditions L5.1, L5.2 and L5.3 may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.

### L6 Blasting

- L6.1** The airblast overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time at any noise sensitive locations. 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 from blasting operations at the premises must not exceed 115dB (Lin Peak) 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.
- L6.3** Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/sec at any time at any noise sensitive locations. 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 premises must not exceed 5mm/sec 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 applicant or subject to a private agreement, relating to airblast overpressure and ground vibration levels, between the applicant and land owner.
- L6.7** Blasting at the premises is limited to 1 blast on each day on which blasting is permitted.
- L6.8** All sensitive receivers are to be given at least 24 hours notice when blasting is to be undertaken.

## 4 Operating conditions

### O3 Dust

- O3.1** All operations and activities occurring at the premises must be carried out in a manner that will prevent or minimise the generation of air pollution including dust from the premises.
- O3.2** The premises must be maintained in a condition to prevent or minimise the generation of air pollution including dust from the premises.

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## General Terms of Approval

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- O3.3** All trafficable areas in or on the premises must be maintained at all times in a condition that will minimise the emission of wind-blown or traffic generated dust to the air.
- O3.4** Wet suppression infrastructure, including water sprays, must be installed and operated during all drilling, dozer, crushing and screening operations to prevent or minimise the generation of air pollution including dust.
- O3.5** Wet suppression infrastructure, including water sprays, must be installed, and operated to prevent or minimise the generation of air pollution including dust from product stockpiles.
- O3.6** Trucks entering and leaving the premises that are carrying loads of materials that may generate air impurities, including dust, must have their loads covered at all times, except during loading and unloading.

### **O4 Stormwater/sediment control**

- O4.1** Project operations must be in accordance with a Soil and Water Management Plan (SWMP) developed for the premises and submitted to the EPA on application for a licence under the POEO Act.
- The SWMP must be guided by the 'Blue Book' (Managing Urban Stormwater - Soils and Construction, Volumes 1 and 2E).
  - The SWMP must describe the measures that will be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters.
  - The SWMP must detail how all stormwater generated from a 5-day rain event of up to 84.8mm can be captured and treated prior to discharge.
  - The SWMP must include calculations for the sizing of sediment basins during the different stages of the quarry's life cycle and include the location/s of any discharge points from the sediment basin/s.
  - The SWMP should also include a water balance that demonstrates how the sediment basin/s designed for the site can adequately cater for quarry process water storage without compromising the basins ability to meet its design stormwater management functions outlined above.
- O4.2** The applicant must take all practicable measures to minimise the tracking of mud or other materials by vehicles leaving the premises.
- O4.3** The applicant must maximise the diversion of run-on waters from lands upslope and around the site whilst land disturbance activities are being undertaken.
- O4.4** The applicant must maximise the diversion of stormwater runoff containing suspended solids to sediment basins installed on the premises.
- O4.5** Where sediment basins are necessary, all sediment basins and associated drainage must be installed and commissioned prior to the commencement of any clearing or grubbing works within the catchment area of the sediment basin that may cause sediment to leave the site.

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- O4.6** The applicant must ensure the design storage capacity of the sediment basins installed on the premises is reinstated within 5 days of the cessation of a rainfall event that causes runoff to occur on or from the premises.
- O4.7** The applicant must ensure that sampling point(s) for water discharged from the sediment basin(s) are provided and maintained in an appropriate condition to permit:
- a) the clear identification of each sediment basin and discharge point;
  - b) the collection of representative samples of the water discharged from the sediment basin(s); and
  - c) access to the sampling point(s) at all times by an authorised officer of the EPA.
- O4.8** The applicant must endeavour to maximise the reuse of captured stormwater on the premises.
- O4.9** Each sedimentation basin must have a marker (the "sedimentation basin marker") that identifies the upper level of the sediment storage zone.
- O4.10** Whenever the level of liquid and other material in any sedimentation basin exceeds the level indicated by the sedimentation basin marker, the applicant must take all practical measures as soon as possible to reduce the level of liquid and other material in the sedimentation basin.
- O4.11** The sediment basins must meet the design and operational standards of Managing Urban Stormwater Soils and Construction: Volume 1 and Volume 2 E. Mines and quarries. This document requires that at a minimum 90<sup>th</sup> percentile five-day rainfall event be used to determine basin sizing for quarries.
- O4.12** The sediment basin(s) must be maintained and operated to ensure that:
- All 5-day rainfall events up to 84.8 mm (the 90<sup>th</sup> percentile 5 day rain event) are captured.
  - Any discharge from the licensed discharge points that occurs as a result of rainfall below the 5-day total of 84.8 mm or any controlled discharge must meet the limit conditions specified in condition L2.4.
- O4.13** Discharges shall be treated, if required, to reduce the Total Suspended Solids level to the GTA, or a licence under the POEO Act, limit of 50 mg/L before being released to the environment. Treatment can be with gypsum or any other material that has been approved by the EPA.

### O5 Air / Noise

#### Blast Management Protocol

- O5.1** Project operations must be in accordance with a Blasting/Vibration Management Protocol developed for the premises and submitted to the EPA on application for a licence under the POEO Act. The protocol must include, but need not be limited to, the following matters:
- Compliance standards;
  - Measures to ensure compliance with licence limits;
  - Analysis of representative meteorological data to identify sub-optimal dispersion conditions during which blasting should not be undertaken;
  - Mitigation measures;

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- Remedial and reporting action plan;
- Monitoring methods and program;
- Monitoring program for flyrock distribution;
- Notification of procedures for neighbours prior to detonation of each blast;
- Measures to ensure no damage by flyrock to people, property, livestock and powerlines.

### Air Quality Management Plan

**O5.2** Project operations must be in accordance with an Air Quality Management Plan (AQMP) developed for the premises and submitted to the EPA on application for a licence under the POEO Act. As a minimum, the AQMP must include the following parts:

- Proactive and reactive mitigation strategies of all significant, and potentially significant emissions sources including the implementation of those mitigation measures contained in the revised Air Quality Impact Assessment dated 4 December 2023;
- Auditable and measurable key performance indicator(s) to inform and evaluate the proactive implementation of the proposed mitigation measures;
- Monitoring method(s);
- Location, frequency, and duration of monitoring;
- Record keeping;
- Response mechanisms and contingency measures;
- System and performance review for continuous improvement;
- Compliance reporting.

### O6 Environmental Management

**O6.1** Project operations must be in accordance with an Environmental Management Plan (EMP) developed for the premises and submitted to the EPA on application for a licence under the POEO Act. The EMP must take into account any management and mitigation measures identified in the document titled *Environmental Impact Statement Faheys Pit Continued Operations Project* (Outline Planning Consultants, September 2023), and any development consent conditions that may be included as part of the proposal approval.

### O7 Chemical Storage

**O7.1** All above ground tanks and containers containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place. Bunds must:

- a) have walls and floors constructed of impervious materials;
- b) be of sufficient capacity to contain 110% of the volume of the tank (or 110% volume of the largest tank where a group of tanks are installed);
- c) have floors graded to a collection sump; and
- d) not have a drain valve incorporated in the bund structure, or be constructed and operated in a manner that achieves the same environmental outcome.

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## 5 Monitoring and recording conditions

### M1 Monitoring records

- M1.1** The results of any monitoring required to be conducted by these GTA, or a licence under the POEO Act, in relation to the development or in order to comply with the load calculation protocol must be recorded and retained as set out in conditions M1.2 and M1.3.
- M1.2** All records required to be kept by the licence must be:
- in a legible form, or in a form that can readily be reduced to a legible form;
  - kept for at least 4 years after the monitoring or event to which they relate took place; and
  - produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3** The following records must be kept in respect of any samples required to be collected:
- the date(s) on which the sample was taken;
  - the time(s) at which the sample was collected;
  - the point at which the sample was taken; and
  - the name of the person who collected the sample.

### M2 Requirement to monitor concentration of pollutants discharged

- M2.1** For each 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:

**Point 1** Water and Land

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	Visible	Special Frequency 1	Visual Inspection
pH	pH	Special Frequency 1	Probe
Total suspended solids	mg/L	Special Frequency 1	Grab sample

Note: 'Special Frequency 1' means sampling daily during any discharge from Point 1 when that discharge is not a result of a 5-day rainfall event exceeding 84.8mm.

### M3 Testing methods - concentration limits

- M3.1** Monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area required by condition **M2** must be done in accordance with:
- the Approved Methods Publication; or
  - if there is no methodology required by the Approved Methods Publication or by these GTA or in the licence under the POEO Act in relation to the development or the relevant load calculation

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protocol, a method approved by the EPA in writing before any tests are conducted, unless otherwise expressly provided in the licence.

### M4 Requirement to monitor noise

- M4.1** Attended noise monitoring must be undertaken in accordance with Condition L4.5 and must:
- a) occur at the nearest sensitive receiver location (residence) where a noise agreement is not in place between the applicant and the respective land owner(s) in respect to noise impacts and/or noise limits;
  - b) occur annually in a reporting period;
  - c) occur during the day period as defined in the *Noise Policy for Industry* for a minimum of 1.5 hours
  - d) occur for three consecutive operating days.
- M4.2** For the purposes of condition M4.1, noise monitoring is not required when activities at the premises are inaudible at the nearest privately owned residence where a noise agreement is not in place between the applicant and the respective land owner(s) in respect to noise impacts and/or noise limits.
- M4.3** Subject to any express provision to the contrary in these GTA or a licence under the POEO Act, measurement and analysis of noise required by this licence must be done in accordance with the Approved Methods for the Measurement and Analysis of Environmental Noise in NSW.

### M5 Blast Monitoring

- M5.1** To determine compliance with Conditions L6.1 to L6.4:
- (a) Airblast overpressure and ground vibration levels must be measured and electronically recorded in accordance with the ANZECC guidelines for all production blasts carried out in or on the premises; and
  - (b) The written record must include:
    - i) the time and date of each blast;
    - ii) the station(s) at which the noise was measured;
    - iii) the ground vibration for each blast;
    - iv) the airblast overpressure for each blast;
    - v) evidence that during the past 12 month period, a calibration check had been carried out on each blast monitor to ensure accuracy of the reported data; and
    - vi) the waveform for the ground vibration and overpressure for each blast that exceeds a ground vibration of 5mm/sec (peak particle velocity) or an airblast overpressure of 115dB(L).
  - (c) Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard 2187.2 of 2006.

### M6 Meteorological Monitoring

- M6.1** The meteorological weather station identified as EPA monitoring point 2 must be maintained so as to be capable of continuously monitoring the parameters specified in condition M6.2.

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**M6.2** The applicant must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The proponent must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.

**Note:** The rainfall monitoring data collected in compliance with Condition M6.2 can be used to determine compliance with condition L2.4.

## Point 2

Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method
Air temperature	°C	Continuous	1 hour	AM-4
Wind direction	°	Continuous	15 minute	AM-2 & AM-4
Wind speed	m/s	Continuous	15 minute	AM-2 & AM-4
Sigma theta	°	Continuous	15 minute	AM-2 & AM-4
Rainfall	mm	Continuous	15 minute	AM-4
Relative humidity	%	Continuous	1 hour	AM-4

**M6.3** The location of the meteorological weather station required by condition L4.4 must be negotiated with the Determining Authority and the EPA prior to being established.

**M6.4** The applicant must develop and implement a calibration, quality assurance, quality control and audit program for the meteorological monitoring station. The program must be approved by the EPA prior to the installation of any new monitoring equipment.

## 6 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 POEO Act 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.

**R1.2** The applicant must also include the following information with the Annual Return:

- A statement detailing the total volume of material extracted from the quarry for the reporting period; and
- The total volume of extracted material transported from the premises for the reporting period.

**R1.3** A noise compliance assessment report must be submitted to the EPA within 30 days of the completion of the annual monitoring if annual monitoring is required by condition M4.1. The assessment must be prepared by a competent person and include:

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- 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 exceedences of the limits contained in Condition L4.1 and L4.3.

**R1.4** The applicant must provide a Blast Monitoring Report each year, which must include the following information relating to each blast carried out within the premises during the respective monitoring period:

- a) the date and time of the blast;
- b) the location of the blast on the premises;
- c) the blast monitoring results at the blast monitoring station with assessment against the Licence blast limits; and
- d) an explanation for any missing blast monitoring results or any exceedences of Licence blast limits.



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### Attachment B – Mandatory Conditions for all EPA licences

#### Administrative conditions

##### Other activities

This licence applies to all other activities carried on at the premises, including:

- Extractive activities
- Crushing, grinding and/or separating of extracted materials

#### 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 details were provided, a note to that effect;

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- 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 applicant 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 project approval/licence.

The applicant 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:

- Statement of Compliance; and
- Monitoring and Complaints Summary.

A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence.

Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

#### *Period covered by Annual Return*

An Annual Return must be prepared in respect of each reporting, except as provided below

*Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.*

Where this licence is transferred from the licensee to a new licensee,

- 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

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- b. the new licensee must prepare an annual return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

*Note: An application to transfer a licence must be made in the approved form for this purpose.*

Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an annual return in respect of the period commencing on the first day of the reporting period and ending on

- 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 the licence – the date from which notice revoking the licence operates.

### **Deadline for Annual Return**

The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

### **Licensee must retain copy of Annual Return**

The licensee must retain a copy of the annual return supplied to the EPA for a period of at least 4 years after the annual return was due to be supplied to the EPA.

### **Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary**

Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a. the licence holder; or
- b. by a person approved in writing by the EPA to sign on behalf of the licence holder.

A person who has been given written approval to certify a Statement of Compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review this licence.

### **Notification of environmental harm**

*Note:* The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment 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 EPA suspects on reasonable grounds that:

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- a. where this licence applies to premises, an event has occurred at the premises; or
  - b. where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
- and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

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

- the cause, time and duration of the event;
- the type, volume and concentration of every pollutant discharged as a result of the event;
- the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; and
- the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
- any other relevant matters.

The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

## General conditions

### Copy of licence kept at the premises or on the vehicle or mobile plant

A copy of this licence must be kept at the premises or on the vehicle or mobile plant to which the licence applies.

The licence must be produced to any authorised officer of the EPA who asks to see it.

The licence must be available for inspection by any employee or agent of the licensee working at the premises or operating the vehicle or mobile plant.