

Attachment A: Draft Consent Conditions

GENERAL MATTERS

1. Development in Accordance with Submitted Plans

All work and activities are required to be undertaken in accordance with the reports, documents and all other information submitted with the DA at lodgement (as amended) and during the assessment process (as identified in the table below) and as required by the consent conditions, including the Site Layout Plan required by Condition 2.

In the event of any inconsistency between conditions of this development consent and the plans and documents referred to below, the conditions of this development consent prevail.

REFERENCED PLANS AND DOCUMENTS

DESCRIPTION	VERSION	AUTHOR	DATE
Aboriginal Objects Due Diligence Assessment	Final	Niche	27 Jan 2023
Bush Fire Assessment Report	Ref:5831	Stewart Surveys	24 Feb 2023
Bushfire Emergency Management and Evacuation Plan	Ref:5831	Stewart Surveys	24 Feb 2023
Ecological Assessment Report	Version 1	Bower Ecology	3 March 2022
Environmental Impact Statement	N/A	Outline Planning Consultants	March 2023
Noise, Vibration & Air Quality Impact Assessment – Air Quality Assessment (Note: This document does not contain noise or vibration assessment)	Rev.01	Vipac	9 Feb 2023
Noise and Vibration Impact Assessment	Rev.04	Vipac	24 June 2024
Petrographic Report	N/A	Geochempet Services	Feb 2021
Preliminary Site Investigation	BPE22110-RO1	BallPark Environmental	1 Dec 2022
Traffic Impact Assessment	Rev.04	Streetwise	4 Mar 2023
Visual Assessment	N/A	Stewart Surveys	23 Feb 2023
Water Balance Assessment	Rev.02	Martens	31 Jan 2023
Response to Council Request for Additional Information	N/A	Outline Planning Consultants	25 June 2024
Response to Council Request for Additional Information	N/A	Outline Planning Consultants	8 Jan 2025

Reason: To ensure the development proceeds in the manner assessed and all parties are aware of the approved plans and supporting documentation that applies to the development.

2. Site Layout Plan

Prior to the commencement of quarry operations, a Site Layout Plan is to be prepared and

submitted for approval to Council's Director Community and Development. The Site Layout Plan is to be overlaid over a site survey of the land and show the:

- (a) 2.71ha project disturbance area, using hatching or other suitable means to clearly identify this area
- (b) location of the outside walls of the active quarry pit at the completion of expansion and the location of the final pit benches within those walls
- (c) the location of the primary sediment basin
- (d) boundary of the area(s) where vegetation clearing will occur
- (e) outline the location of native vegetation within 50m of the quarry expansion area that is to be retained
- (f) distance in metres at several points from the existing quarry walls to the farthest edge of the quarry expansion area, both along the northern and eastern quarry walls
- (g) fencing to be erected 1m from the farthest edge of the quarry expansion area along the northern and eastern quarry walls
- (h) distance in metres of the farthest point between the eastern and western quarry walls following full expansion
- (i) distance in metres of the farthest point between the northern and southern quarry walls following full expansion
- (j) boundary of the 0.7ha area of non-operational land to the south of the quarry pit disturbed by former quarry activities. This area is to be marked as "Stage 1 Rehabilitation Area."
- (k) location of Oakey Creek Road
- (l) distance in metres from Oakey Creek Road to the closest point of the expansion area of the western quarry wall
- (m) vehicle access point
- (n) internal roads, including a truck turning circle located outside the Stage 1 Rehabilitation Area but within the 2.715ha disturbance area.
- (o) staff parking area
- (p) stormwater bunds
- (q) stockpile areas
- (r) plant and equipment storage area
- (s) material processing area
- (t) landscaping of the western bund adjoining Oakey Creek Road

For items (o) to (s) above, where the location is dynamic in nature, the existing location should be shown and that item can be labelled in the legend as indicative/temporary only.

Note: The Site Layout Plan is not to include the Project Site boundary shown in the EIS as the quarry development site extends beyond that nominated boundary, given this consent provides retrospective approval and includes non-operating former extraction areas, internal roads and stormwater drainage areas outside the Project Site boundary.

Reason: To clarify the nature of the development and assist with implementation of this consent.

3. Landscape Plan

Prior to the commencement of quarry operations, a Landscape Plan is to be prepared and submitted for approval to Council's Director Community and Development showing landscaping of the western bund adjoining Oakey Creek Road. The Landscaping Plan is to utilise local native species and indicate the position, spacing and planted pot size of proposed vegetation.

Reason: To provide a landscaping screen to reduce the visual impact of the quarry from Oakey Creek Road.

4. Waste Removal

All inert waste materials identified onsite as indicated in the Preliminary Site Investigation dated 1 December 2022 are to be collected and removed from the site for recycling or to an appropriate

NSW EPA licensed waste facility that can accept the waste.

Reason: To ensure the proper disposal of waste material.

5. Aboriginal Relics

Should any Aboriginal relic be uncovered, excavation or disturbance of the area is to stop immediately. In accordance with Section 146(a) of the *Heritage Act, 1977* the quarry manager must ensure the Heritage Council of NSW is contacted immediately and any directions or requirements of the Department are complied with.

Reason: To protect Aboriginal heritage

6. Protection of Trees for Retention

- (a) All trees are to be retained other than:
 - (i) those within the vegetation removal area identified on the approved site layout plan under Condition 2, and
 - (ii) trees required to be removed for the erection of fencing required under Conditions 2(g) and 11(c)(i).
- (b) Trees to be retained are to be protected during all works strictly in accordance with *AS4970- 2009 Protection of Trees on Development Sites*.
- (c) Prior to any vegetation clearance works commencing on site, para-webbing or fluorescent bunting must be in place around trees or groups of trees for retention.
- (d) Stockpiles, equipment, machinery, and materials must not be located within the tree protection zone (i.e. 3m) of trees that are required to be retained and protected.
- (e) No native vegetation (trees and understorey) is to be removed for the creation of an Asset Protection Zone (APZ). An APZ is not required and does not form part of this consent.

Reason: To protect native vegetation and minimise environmental impacts

7. Clearing under the Local Land Services Act 2013

Clearing of native vegetation for the purpose of quarrying activities (other than that approved at Condition 2(d)) that would be authorised under Schedule 5A and Division 5 of the Local Land Services Act 2013 (LLS Act) is not permitted to be carried out without development consent under Part 4 of the Environmental Planning and Assessment Act 1979 on any part of Lot 1 DP 1265657.

(Note: In accordance with the Objects of the Environmental Planning and Assessment Act 1979 (EP&A Act), section 1.3(e) of that Act, the purpose of this condition is “to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats”.

Section 60Q(2) of the LLS Act provides that:

“Schedule 5A does not permit clearing or any other activity—

- (a) without an approval or other authority required by or under another Act or another Part of this Act (or in anticipation of the grant of any such approval or other authority), or
- (b) in contravention of any provision of or made under (or in contravention of any

agreement made under) another Act or another Part of this Act.”

Similarly, section 60S(4) of the LLS Act provides that:

“A land management (native vegetation) code does not permit clearing or any other activity—

- (a) without an approval or other authority required by or under another Act or another Part of this Act, or
- (b) in contravention of any provision of or made under another Act or another Part of this Act”

As this condition is imposed under section 4.17 of the EP&A Act, sections 60Q and 60S of the LLS Act apply and the clearing of native vegetation under Schedule 5A and Division 5 of the LLS Act is not permitted.)

Reason: To prevent the clearing of native vegetation other than that identified on the approved Site Layout Plan at Condition 2.

PRIOR TO QUARRY ACTIVITIES COMMENCING ON THE SITE

8. Compliance with Requirements of Environment Protection Authority

An Environment Protection License (**EPL**) pursuant to the *Protection of the Environment Operations Act 1997* from the NSW EPA is required for the proposal. A separate application must be made to the EPA to obtain this EPL prior to the commencement of operations. The applicant shall comply with the General Terms of Approval Notice No 1637800 dated 5 April 2024 from the NSW EPA at **Attachment A**. The proposal must comply with the GTAs attached and as amended below, to correct an omission (as confirmed by the EPA on 2 Oct 2024):

- (a) Condition 0.3 Soil and Water Management Plan is to describe measures that will be employed during both the construction and ongoing operational activities of the quarry.

A copy of the Environmental Protection License is to be provided to Council’s Director Community and Development prior to the commencement of operations.

Reason: To comply with legislative requirements.

9. Extraction Area Boundary

- (a) The quarry extraction area/pit as shown on the approved Site Layout Plan under Condition 2, is to be defined on the ground by the establishment of permanent survey markers placed by a registered surveyor. The survey markers will remain in place for the life of the quarry. All quarry management, staff and contractors are to be made aware of the boundary markers and the limits of the quarry operational area.
- (b) A metal chain link fence, suitable to restrict unauthorised entry, with a minimum 1.8m height is to be erected along the entire northern and eastern outermost approved boundary of the extraction area as identified by the survey markers at Condition 11(a). The fence is to be located so that it will be set back one metre from the edge of the quarry pit once extraction has occurred to the approved limits of the extraction area. The fence is not to contain any openings or gates.
- (c) Signage is to be placed every 25m along the entire length of the fence erected at Condition 11(b). The signage is to state “No Extraction or Vegetation Clearing Beyond This Point”. The lettering size on the sign shall comply with AS1319-1994.

Reason: To ensure that the quarry does not exceed the approved footprint, to provide ongoing protection of adjoining native vegetation and to prevent livestock from entering the pit.

10. Tree Removal

- (a) All trees within the vegetation removal area identified on the approved Site Layout Plan under Condition 2 are to be removed prior to the commencement of operations, so that no further vegetation clearing will occur during the 20-year operating life of the quarry.
- (b) All tree removal, as well as any fencing works within 10m of native vegetation to be retained, is to be directly supervised by a qualified Arborist or Ecologist. Supervision of the works shall be certified by the Arborist or Ecologist and a copy of such certification shall be submitted to Council's Director Community and Development within 14 days of completion of all works.
- (c) Trees with hollows shall be lopped in such a way that the risk of injury or mortality to fauna is minimised. Any injured fauna is to be placed into the hands of a wildlife carer.

Reason: To prevent damage to native vegetation for retention, during authorised clearing and fencing works.

11. Quarry Environmental Management Plan

A Quarry Environment Management Plan (QEMP) prepared by suitably qualified and experienced experts is to be submitted to and approved by Council's Director Community and Development. Quarry activities are not to commence until the QEMP has been approved. Matters considered to be adequately dealt with via the EPA GTAs have not been included below.

The Environmental Management Plan is to include at minimum, the following:

- (a) The plan is to contain all the management and mitigation measures identified in the EIS, supporting Appendices and RFI response details listed at Condition 1 of this consent, except:
 - (i) An Asset Protection Zone is NOT to be created (as it is not required and would cause unnecessary clearing of native vegetation),
 - (ii) Where there is any inconsistency between details within the documents and plans listed at Condition 1 and the EPA GTAs, the GTAs prevail, and
 - (iii) Where there is any inconsistency between details within documents and plans listed at Condition 1 and this consent, the conditions of this consent (including information on the approved Site Layout Plan) prevail.

(b) Air Quality Management Plan

The plan is to include:

- (i) the following air quality criteria:
 - Dust deposition at property boundaries not to exceed 120 mg/m²/day when monitored in accordance with AS 3580.10.1 of 2003, and
 - Maximum 24 hour average PM₁₀ concentration at near residences not to exceed 150 mg/m³ over a 24-hr averaging time.
- (ii) a description of the measures that will be implemented to ensure compliance with the air quality criteria at nearest non-associated private residences and to reduce dust nuisance along the primary haulage routes, including but not limited to:
 - a minimum of 2 water trucks are to be available and used during

extraction campaigns in dry weather to control dust on unsealed sections of the haulage route and to avoid dust generated onsite from extending beyond the property boundary.

- A daily record to be kept of weather and wind conditions during quarry campaigns to enable decisions to be made regarding the implementation of dust control measures.
 - Quarry operations (including haulage) are to cease or be modified as required to ensure compliance with the air quality criteria in this consent.
- (iii) implementation of an air quality monitoring program which includes at least six months of background air quality monitoring data prior to the commencement of quarry operations; and a protocol for determining and responding to exceedances of the air quality criteria.

- (c) **Waste Management Plan** - including measures to optimise the efficiency of resource recovery and the reuse or recycling of material. All waste is to be removed from the site and appropriately disposed of at the end of each extraction campaign.
- (d) Noise management measures to comply with the noise limits in the EPA GTAs
- (e) Bushfire hazard mitigation measures
- (f) Weed and pest management measures
- (g) Procedures for response to emergencies, pollution and contamination incidents
- (h) Procedures to manage the discovery of unexpected Aboriginal Heritage
- (i) Education of staff and contractors regarding relevant matters within this consent
- (j) A landscape maintenance regime for the western bund adjoining Oakey Creek Road for a period of 12 months following planting (as per the Landscape Plan at Condition 3), that is to include at minimum, regular watering and replacement of any dead plants.
- (k) Complaints procedure (in addition to the requirements of NSW EPA for recording of pollution complaints) that details procedures to receive, record and respond to complaints. A written copy of the complaints procedure is to be provided to all property owners within 1km of the site prior to the commencement of operations.

The Quarry Operator is to record details of all complaints in a Complaints Register, that is to include:

- (i) the date and time of the complaint
- (ii) whether the complaint was made by phone, email or mail
- (iii) the name and contact details of the complainant if provided
- (iv) the nature of the complaint
- (v) climatic conditions such as wind direction and speed, if relevant to the nature of the complaint
- (vi) any actions taken in relation to the complaint or the reasons why no action was taken
- (vii) a summary of complaints received during the past year

The Complaints Register and must be provided to any officer of Council who asks to see it.

Reason: To detail the operations of the quarry

12. Quarry Rehabilitation Management Plan

- (a) Prior to the commencement of operations, a Quarry Rehabilitation Management Plan is to be prepared by a suitably qualified expert and submitted to and approved by Council's Director Community and Development. The Quarry Rehabilitation Plan is to be based on:
- a 1-year establishment period that consists of a contamination investigation (Note: the Preliminary Site Investigation dated 1 December 2022 satisfies this requirement for Stage 1 remediation) and any required remediation works, decommissioning and removal of all plant and equipment, earthworks (including levelling of all stockpiles) to establish post rehabilitation levels, stabilization of quarry benches, weeding and planting of trees, shrubs and groundcover from tube stock, followed by
 - a 5-year implementation period of maintenance (including watering, weeding and replacement of dead vegetation), monitoring and reporting.
- (b) The Quarry Rehabilitation Management Plan is to include suitable measures to achieve the following aims:
- Reuse of the quarry floor of the expanded pit boundary and the internal access road (as shown on the approved Site Layout Plan) for stock grazing and the revegetation of all other disturbed areas to achieve self-sustaining Plant Community type (PCT) 101 "Poplar Box – Yellow Box – Western Grey Box grassy woodland"
 - Minimise erosion and sedimentation
 - Long-term stabilisation of quarry benches
 - Avoidance of public safety risks during and post rehabilitation
 - Avoid the risk of falls by livestock and fauna
 - Enhance the biodiversity and landscape values of the site
 - Rehabilitate the site in 2 stages
- (c) Quarry rehabilitation is to be undertaken in 2 stages with each stage to have a 1-year establishment period and a 5-year implementation period. The conditions of this consent grouped under the heading "Rehabilitation" apply to both Stage 1 and Stage 2 rehabilitation works. The two stages and requirements specific to each stage are as follows:
- (i) Stage 1
- Is the area identified on the approved site layout plan as Stage 1 Rehabilitation Area and includes all inactive areas to the south of the quarry pit disturbed by former quarry activities.
 - Rehabilitation is to commence following the approval of a Quarry Rehabilitation Management Plan under Condition 11(a) and after the removal of waste identified in the Preliminary Site Investigation dated 1 December 2022 are completed.
 - Establishment period rehabilitation works are to be fully completed within 12 months of the commencement of quarry operations and certification submitted under Condition 39(c). If the required rehabilitation has not occurred within this timeframe, all quarry operations are to cease until the works have been certified.
 - Stage 1 planting is to consist of native revegetation (trees, shrubs and groundcover) with plants that represent the Plant Community type (PCT) 101 "Poplar Box – Yellow Box – Western Grey Box grassy woodland". The collection and propagation of seed to tubestock should be undertaken if needed.
 - Following planting of the Stage 1 area, suitable metal fencing along the entire northern and western boundaries of the rehabilitation area is to be erected and maintained until Stage 2 rehabilitation commences. Signage is to be placed every 25m along the entire length of the fence to state "No

Go Area – Rehabilitation Works”. The lettering size on the sign shall comply with AS1319-1994. This fencing is to be removed as part of the Stage 2 completion criteria.

(ii) Stage 2

- Consists of all other areas outside of Stage 1 that have been disturbed by quarry operations (including the internal access road).
- Stage 2 rehabilitation is to commence immediately upon the cessation of quarry operations.
- Stage 2 planting is to consist of:
 - palatable grasses and groundcovers within the quarry floor of the expanded pit boundary (as shown on the approved Site Layout Plan) and along the internal access road and turning circle, and
 - native revegetation (trees, shrubs and groundcover) with plants that represent the Plant Community type (PCT) 101 “Poplar Box – Yellow Box – Western Grey Box grassy woodland” along quarry benches and all other disturbed areas of the quarry site.

(d) The Quarry Rehabilitation Plan is to describe the measures to be implemented to ensure compliance with all parts of this condition and all aspects of rehabilitation from quarry closure to final landform, replanting, stormwater management, ongoing maintenance and final land use. The plan is to include, but not be limited to a:

D1. Vegetation Management Plan which includes at minimum:

- (i) a Gantt chart, or similar, to reflect staging of all VMP works required during the establishment and implementation periods.
- (ii) define and allocate responsibilities for each stage of rehabilitation
- (iii) identify risks and risk mitigation measures
- (iv) a list of plant species to be used consistent with plant community type 101
- (v) performance indicators for each year within the six-year rehabilitation period and completion criteria to provide a means of measuring the progress of rehabilitation works. Performance indicators are to include, but not be limited to:
 - less than 2% cover for priority weeds and less than 5% cover for environmental weeds.
 - identification of a reasonable percentage survival rate for plantings (where the survival rate is below the target replacement plants will be required)
 - planting density of 5m centres for trees and 10m centres for shrubs and groundcovers.
- (vi) identify monitoring procedures and frequency, to ensure that timely maintenance works are carried out in terms of watering, fertilising, weed control, pest control, repair of erosion control works, plant thinning, pruning or replacement of failed plantings.
- (vii) annual reporting requirements, which are to include but not be limited to:
 - native species richness and cover abundance for groundcovers, shrubs and trees as well as weed distribution (separated into priority weeds and environmental weeds) and cover abundance.
 - details of plant survival rate (separately measured for trees, shrubs and groundcover), the extent of replacement plantings and any adjustments already implemented or required to improve the plant survival rate
 - monitoring results against each of the performance indicators and the completion criteria.
 - remedial actions to be undertaken if performance indicators are not met

D2. Stormwater & Erosion Management Plan that:

- (i) achieves the following aims:
 - all dirty water stormwater runoff from the quarry pit is to be retained on-site
 - avoid impacts on existing native vegetation and replanting required for rehabilitation
 - protect downstream water quality, and
 - minimise impacts of stormwater run-off and pump out of the sediment basin on adjoining properties and public roads
- (ii) identifies the proposed location of any sediment basin, dam, overflow, swales, silt traps, fencing and drainage infrastructure required to achieve the aims of the plan.
- (iii) includes measures and responsibilities for ongoing monitoring of stormwater quality as well as monitoring and maintenance of the primary sediment basin and any other structures such stormwater diversion bunds, silt traps and fencing until Stage 2 rehabilitation completion criteria have been met.

Note: this plan is required as the Soil and Water Management Plan required by the EPA GTAs does not cover the rehabilitation period.

D3. Earthworks Plan – identifying cross sections and levels of final landform.

Reason: To ensure effective rehabilitation that achieves site stabilisation, economic reuse and enhanced biodiversity values.

13. Operational Traffic Management Plan

An Operational Traffic Management Plan shall be prepared, submitted to and approved by Council's Director Community and Development. The Plan is to include, but is not limited to, the following matters:

- (a) Adherence to posted and safe speed limits on public roads
- (b) Speed limits on internal haul roads and parking areas
- (c) Safety requirements on site (within quarry area, processing area etc.)
- (d) Heavy vehicle compression braking and heavy vehicle noise (turn off vehicle if extended waiting)
- (e) Covering of loads
- (f) Heavy vehicle departure and arrival (having regard to consent conditions) including the requirement for the implementation of a CB radio communication system with truck drivers so they don't need to sound their truck horn (only for emergencies).
- (g) Safety initiatives for residential areas and school zones
- (h) Use by haulage trucks of primary haulage routes as specified in Condition 25
- (i) Heavy vehicle breakdown and incidents and fatigue management
- (j) Compliance measures and monitoring
- (k) Emergency contact numbers
- (l) **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, with the Code including as a minimum the following:

- (i) A map of the primary haulage routes, highlighting critical locations, safety issues and other relevant traffic/transport issues;
- (ii) Haulage trucks are prohibited from using Oakey Creek Road, Clifton Road, Denver Lane and Pialloway Road between 7:30am to 8:00am and 4:00pm to 4:30pm Monday to Friday during school term.
- (iii) Expected driver behaviour;

- (iv) Compliance with road rules and safety;
- (v) Requirements for minimising dust and noise emissions;
- (vi) 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);
- (vii) All loads to be fully covered by a suitable material prior to leaving the site, to prevent spillage or dust falling from the truck;
- (viii) Drivers are not to arrive at the site prior to 7:00am on any operational day;
- (ix) All laden trucks are to be cleaned of material that may fall from vehicles, before leaving the site.
- (x) All trucks to and from the site abide by the operational Traffic Management Plan.
- (xi) Any community consultation measures required to address busy haulage periods.
- (xii) Measures that would be put in place to ensure compliance with the Code, including, but not limited to:
 - All drivers will be required to sign a register of acceptance (or similar) of the Code
 - Driver induction protocols

Reason: To improve traffic safety and minimise the impact of quarry generated traffic.

14. Road Upgrade and Traffic Safety Works

The following road upgrade and traffic safety works are to be completed prior to the commencement of quarry operations:

(a) Safe Intersection Sight Distance

Compliant safe intersection sight distance is to be achieved at the intersection of Oakey Creek Road and Babbinsboon Road by the lopping of those trees which obscure sight distances from the western approach to the intersection. Should an Arborist report be prepared that indicates the trees are not significant, tree removal may also be undertaken.

(b) Upgrade of Key Haulage Roads

Prior to the commencement of quarry activities:

- (i) all key haulage roads identified at Condition 26(b)(ii) are to be widened to a minimum of 6m for their entire length and maintained in accordance with *ARRB Unsealed Roads Best Practice Guide 2020*.
- (ii) Oakey Creek Road is to be bitumen sealed for a distance of 200m either side of the quarry entrance.

(c) Upgrade of Causeways

The following causeways on Oakey Creek Road are not appropriate for two-way traffic,

- 2.7 kms from Clifton Road
- 7.0 kms from Clifton Road

and therefore, the following safety upgrades are to occur at both causeways prior to the commencement of quarry operations:

- (i) sign posting in accordance with AS1742 and any relevant TfNSW guidelines is to be installed that gives precedence to southbound traffic, and
- (ii) the road is to be sealed to a width of 6 metres for a distance of 200m on

either side of the causeway to address visibility and traffic safety issues caused by airborne dust.

(d) Intersection Signage

Signage is to be installed at the following intersections in accordance with AS1742:

- (i) Oakey Creek Road and Babbinboon Road, to clarify the intersection precedence;
- (ii) Give Way sign (R1-2) and Bidirectional Hazard Marker (D4-2-3) at the intersection of Oakey Creek Road and Clifton Road;
- (iii) Give Way sign (R1-2) and Bidirectional Hazard Marker (D4-2-3) at the intersection of Denver Land and Clifton Road; and
- (iv) Hogarth Street and Clifton Road at the westbound approach to the intersection to warn drivers of potential vehicle turning or queuing at Hogarth Street.

(e) Other Signage

All acute bends on key haulage roads are to have traffic advisory signs warning of the upcoming bend.

Reason: To ensure ongoing public safety of the road network.

15. Site Access and Internal Road

Prior to the commencement of quarry operations:

- (a) The internal access road is to be bitumen sealed for a distance of 25m from Oakey Creek Road
- (b) The internal access road is to include a turning circle located outside the Stage 1 Rehabilitation Area that is sufficient for the safe turning of haulage trucks.
- (c) The entire length of the internal access road (other than the bitumen sealed area adjoining the access point) and turning circle is to be constructed of a dust suppressant material that is to be maintained at all times.

Reason: To reduce dust impacts on adjoining road users and properties.

16. Dust Mitigation Works

Prior to the commencement of quarry activities, the road carriageway adjoining the following properties (where dwellings/community hall are located within 100m of an unsealed section of a key haulage road) is to be bitumen sealed for a distance of 200m either side of the perpendicular point on the road:

- (a) Lot 1 DP 129789 (36 Oakey Creek Road)
- (b) Lot 137 DP 751012 (655 Oakey Creek Road)
- (c) Lot 138 DP 751012 (691 Oakey Creek Road)
- (d) Lot 145 DP 751012 (899 Denver Lane)
- (e) Lot 153 DP 728352 (834 Denver Lane)

The bitumen seal thickness and construction shall suit the proposed quarry haulage truck movements and the relevant Austroads Guides to Road Design, and Council's Engineering Guidelines for Subdivision and Development - Version 2.0, dated August 2013.

Reason: To reduce cumulative dust impacts on residents living within 100m of unsealed key

haulage roads.

17. Maintenance of Sediment Basin

Prior to the commencement of operations, the primary sediment basin is to be excavated to ensure a minimum capacity of 1,600m³.

Reason: To ensure the primary sediment basin meets the minimum specification indicated in the Water Balance Assessment.

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 is prohibited; and
- (b) provide the name of the person in charge of quarry operations and a contact number for that person.

Reason: To ensure no that there is unauthorised entry to the quarry and provide contact details in case of emergency or complaint.

USE OF THE SITE/OPERATIONAL REQUIREMENTS

19. Hours of Operation

The operation of the quarry is limited to the following hours:

- (a) Monday to Friday 7.00 am to 6pm (excluding blasting)
- (b) Saturday 7.00am to 1.00pm (excluding blasting)
- (c) Sunday & Public Holidays - No work or activity (including quarrying, processing or haulage) is permitted on Sundays or Public Holidays.
- (d) Blasting is restricted to 9.00am to 3.00pm Monday to Friday. Blasting outside of this period must not take place without the prior written approval of the EPA.
- (e) Haulage trucks are not to use Oakey Creek Road, Clifton Road, Denver Lane and Pialloway Road between 7:30am to 8:00am and 4:00pm to 4:30pm Monday to Friday during school term. Condition 19(e) may be amended at the written request of local school bus operators, should school pick up and drop off times along these roadways change in future.

Reason: To protect the amenity of the surrounding area

20. Quantity of Material Extracted

- (a) The quantity of material extracted from the site is limited to a maximum of 40,000 tonnes per annum.
- (b) The total quantity of material to be extracted from the approved operation during the quarry operating life is not to exceed 734,000 tonnes.
- (c) The quarry manager shall notify the Council's Director Community and Development within three (3) months of the end of the calendar year, the audited total quantity of material quarried has reached 734,000 tonnes.

Reason: To limit the impact of quarrying activities.

21. Life of Consent

Consent for the purposes of extraction, processing and haulage of material is limited to a period of twenty (20) years from the date of this consent. Should quarrying operations cease prior to this 20-year period, written advice of the date on which quarrying operations ceased is to be provided to Council's Director Community and Development. This consent will continue to apply for a six (6) year period after cessation of quarrying operations, to ensure the effective completion of the establishment and implementation periods for rehabilitation works.

Reason: To limit the impact of quarrying activities to those parameters that formed part of the development assessment and to provide a timeframe for the commencement of rehabilitation.

22. Maximum Extraction Area

The maximum disturbance area due to project operations (including the extraction area, product stockpiling area, overburden and fines stockpile and placement, internal access road and truck turning circle) must not exceed the 2.71 hectares area identified on the Site Layout Plan approved under Condition 2

Reason: To minimise environmental impacts.

23. Depth of Extraction

The finished quarry floor level is restricted to a maximum depth of RL320, with a finished floor level for the primary sediment basin of RL318.

Reason: To prevent excess tonnage being extracted beyond the limits set by this consent.

24. Quarry Environmental Management Plan

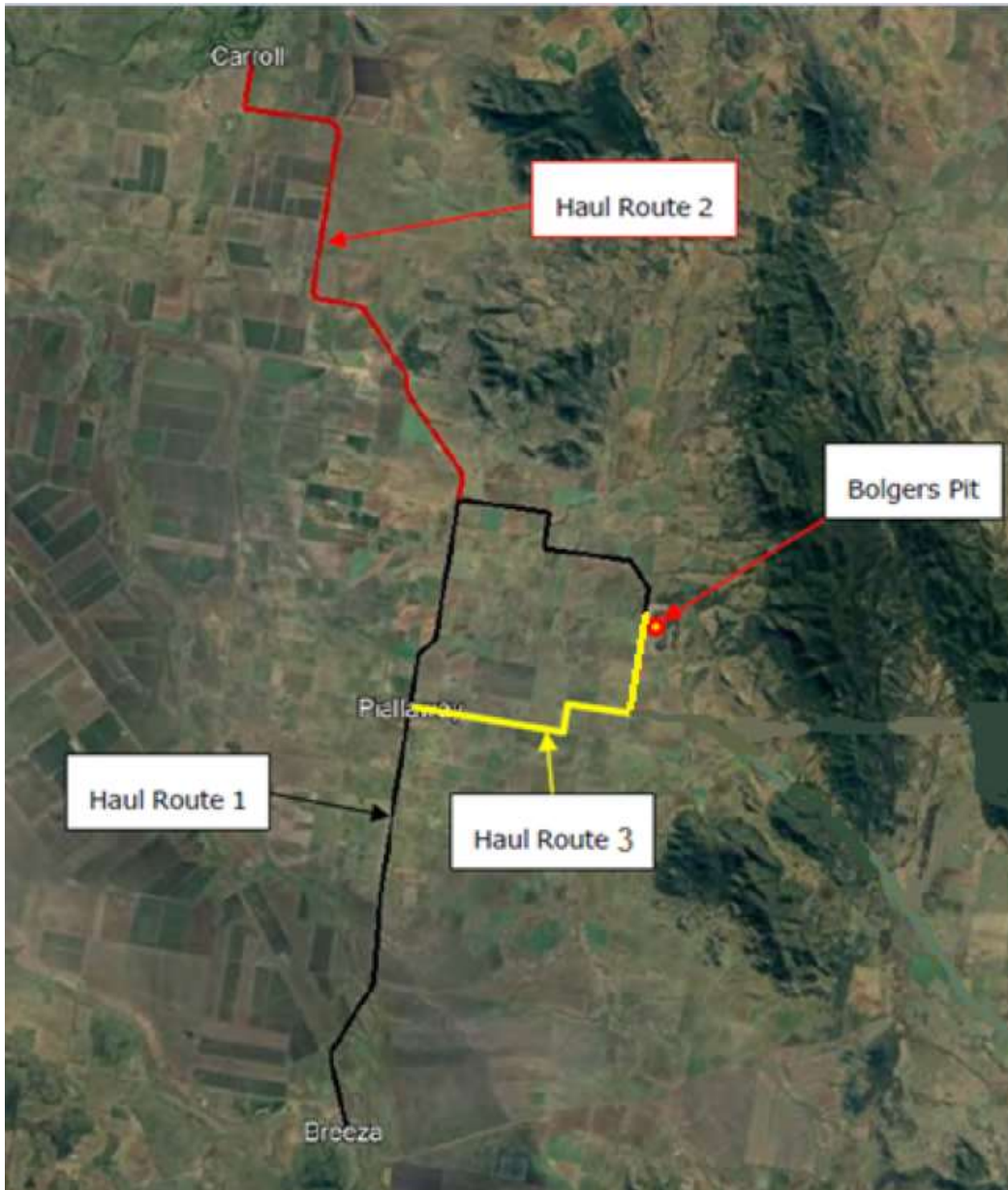
The Quarry Environmental Management Plan approved under Condition 10 must be complied with at all times, and a copy of the plan is to be kept on site and provided to regulatory authorities if required.

Reason: To ensure that quarry operations reflect these consent conditions.

25. Primary Haulage Routes

All quarry haulage trucks are to use the primary haulage routes indicated below. Haulage trucks must use primary haulage routes to the maximum extent possible, before deviating onto other roads as required to access their final destination. The primary haulage routes are described below and shown at the figure below:

- Haul Route 1: Access to and from Kamillaroi Highway at Breeza via Clifton Road/Edward Street, Hogarth Street and Oakey Creek Road
- Haul Route 2: Access to and from Oxley Highway at Carroll via Clifton Road, Howe Street and Oakey Creek Road.
- Haul Route 3: Alternative access to Clifton Road via Denver Lane



Primary Haulage Routes (source: Noise and Vibration Impact Assessment – as amended by Council)

26. Ongoing Maintenance of Key Haulage Roads

- (a) Within four (4) weeks of the start of each extraction campaign (i.e. a period of active quarry operations that involves extraction, processing and haulage, between periods where the quarry is not operating for a period of weeks or months) and within (4) weeks following the end of each extraction campaign, road inspections and applicable maintenance works are to take place along the key haulage roads listed below which are to be/were used during the campaign:
 - Oakey Creek Road
 - Denver Lane
 - Hogarth Street
 - Clifton Road/Edward Street
 - Piellaway Road
- (b) Road maintenance works required under Condition 26(a) are:
 - (i) The road surface is to be maintained in accordance with the *ARRB Unsealed Roads Best Practice Guide 2020*;
 - (ii) The following sections of haulage route are to be maintained at a minimum six metres trafficable width:
 - Oakey Creek Road, between Clifton Road and Denver Lane; and

- Denver Lane, between Oakey Creek Road and Clifton Road.

- (c) Road upgrades at the start of a campaign are not required if upgrade works required under this condition have occurred within the past three (3) months, unless local flooding has occurred since those upgrades were completed.

Reason: to ensure that the key haulage roads are at an acceptable standard to ensure safe traffic conditions during each extraction campaign and to ensure that damage to local roads from material haulage along designated haul routes is rectified and repaired.

27. Sediment Basin Pump-out

Immediately following each occasion when the primary sediment basin is pumped out to maintain adequate onsite stormwater storage levels, the section of Oakey Creek Road downstream of the discharge point is to be inspected for damage and road repairs are to be carried out within two weeks. Repairs are to ensure a minimum trafficable width of 6 metres and the road surface is to be maintained in accordance with the *ARRB Unsealed Roads Best Practice Guide 2020*.

Reason: to ensure local roads are not adversely impacted by stormwater discharge from the quarry.

28. Blasting

A maximum instantaneous charge of 200kg is to be used, with a maximum of 2 blasts per calendar year and no more than one blast per day. All neighbours will be given not less than 48 hours written notice via letterbox drop or email.

Reason: to minimise vibration and overpressure impacts

29. Vehicle entry and exit

All vehicles must enter and leave the site in a forward direction.

Reason: To ensure traffic safety.

30. Vehicle Parking

All vehicles associated with the use of the premises, including haulage trucks, water trucks, staff and contractor's vehicles, are to be parked within the confines of the site, at all times. A designated parking area is to be utilised that is located a safe distance from any blasting, plant equipment, flammable or hazardous substances.

Reason: To ensure that all vehicles are to be parked within the confines of the site

31. Operational Traffic Management Plan

The extraction and rehabilitation phases of the quarry operation must be undertaken in accordance with the Operational Traffic Management Plan required by this consent at all times.

Reason: To ensure road safety.

32. Workplace Safety

- (a) The quarry and rehabilitation operations shall be undertaken in accordance with the requirements of SafeWork NSW, the NSW Resource Regulator and the Quarry Environmental Management Plan at all times.

- (b) The quarry manager is to ensure that staff are aware of the evacuation procedures within the Bushfire Emergency Management and Evacuation Plan dated 24 February 2023.

Reason: To ensure workplace safety

33. Protection of Groundwater

The operation of the quarry must not intercept groundwater. In the event of groundwater being breached, operations are to cease immediately, and the quarry operator is to notify Water NSW. Quarry operations are not to recommence until any Water NSW requirements are met (which may include obtaining Water Supply Works Approval).

Reason: To ensure legislative requirements are met

34. Offensive Noise

The use of the premises, equipment, machinery and vehicles shall not give rise to “offensive noise” as defined under the provisions of the *Protection of the Environment Operation Act 1997*.

Reason: To ensure that properties adjoining the quarry and primary haulage routes are not adversely affected by undue noise.

35. Toilet Facilities

A minimum of one portable toilet must be provided on site during the carrying out of works, quarry operations and rehabilitation works.

Reason: To provide appropriate on-site amenities for staff, contractors and visitors.

36. Records of extracted material

The quarry is to have, maintain and utilise on-board weighing systems installed on all front-end loaders, excavators and all other loading machinery in order to keep accurate records of annual extraction rates. Records are to include the date and time of departure of all quarry haulage vehicles. The stored weighing data and records of haulage truck movements are to be retained and utilized for the purpose of preparing the Annual Return required by the EPA.

Reason: To ensure accurate records are kept of annual quantities extracted.

37. INDEPENDENT ENVIRONMENTAL AUDIT

- (a) Within 2 years of the date of this consent, and every 5 years thereafter, the Quarry Manager shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:
- (i) be conducted by a suitably qualified, experienced and independent (i.e. have not been involved in preparation of any of the documents listed at Condition 1 of this consent) team of experts, led by a suitably qualified environmental auditor;
 - (ii) include consultation with relevant agencies;
 - (iii) include a site plan by a registered surveyor showing:
 - the boundary of the active quarry pit at the date of the report, compared to the location of the outside walls of the active quarry pit at the completion of expansion shown on the approved Site Layout Plan.
 - the location of existing native vegetation within 50m of the quarry expansion area, compared to the location of the native vegetation to be retained, as shown on the approved Site Layout Plan.

- (iv) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL or necessary water licences for the development (including any assessment, strategy, plan or program required under these approvals);
 - (v) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and
 - (vi) recommend appropriate measures or actions to:
 - improve the environmental performance of the development, and any assessment, strategy, plan or program required under the abovementioned approvals.
 - adequately address each non-compliance with these conditions
- (b) Within 6 weeks of completion of this audit, the Quarry Manager shall submit a copy of the audit report to Council's Director Community and Development, together with a response to any recommendations contained in the audit report.
- (c) Within 6 months of completion of the audit, a statement from the environmental auditor involved in preparing the independent environmental audit, certifying that all recommendations of the independent environmental audit (excepting any recommendations that Council's Director Community and Development has indicated in writing are not required, following consideration of the Quarry Manager's written response to the audit results) have been implemented, must be submitted to Council's Director Community and Development.

REHABILITATION

The conditions below are to be implemented immediately following the cessation of quarry activities in accordance with Condition 21, unless a modification application to extend the life of the quarry has been approved prior to that date. Should an approved modification application(s) extend the life of the quarry, then rehabilitation will commence immediately following the cessation of quarry activities under Condition 21 as amended.

38. Remediation

On the cessation of quarry activities, the quarry operator will commission the preparation of a Contamination Assessment Report for all areas of the site. The report is to be prepared by an EPA certified contaminated land specialist and any recommended remediation actions identified within the report are to be completed by the quarry operator within six months of the cessation of quarry activities and prior to the commencement of Stage 2 rehabilitation works.

Reason: To ensure that any contamination resulting from quarry operations is removed from the site.

39. Quarry Rehabilitation Management Plan - Implementation

- (a) The site must be rehabilitated in accordance with the approved Quarry Rehabilitation Management Plan required under Condition 11.
- (b) An Annual Progress Report (i.e. first 12 months, end of 24 months, end of 36 months, end of 48 months, end of 60 months, end of 72 months) starting at the end of the establishment period, must be submitted to Council's Director Community and Development.
- (c) The Annual Progress Report must be accompanied by a statement certifying that all rehabilitation works have been completed in accordance with the approved Quarry Rehabilitation Management Plan and conditions within this consent under the "Rehabilitation" heading. The certification must be provided by the author of the Rehabilitation Management Plan or a suitably qualified restoration ecologist.

- (d) Despite any other condition of this consent, replanting and restoration works must be continued beyond the envisaged six-year rehabilitation period if required until all completion criteria have been achieved in accordance with the approved Quarry Rehabilitation Management Plan. Annual Progress Reports will continue and will outline appropriate remedial actions to be taken until it is demonstrated that all completion criteria have been met.

Reason: To ensure effective rehabilitation of the site.

40. Fill Material

Only material sourced from the quarry site is to be used to achieve the final landform. There shall be no fill imported to the site for this purpose. This condition does not restrict the import of Virgin Excavated Natural Material (VENM) required for replanting (versus land shaping) purposes, should the stockpiling of topsoil obtained from the site be insufficient.

Reason: To prevent contaminated land from being imported to the site.

41. Material not to leave site during rehabilitation

No material or product (other than that required to be removed due to remediation of any site contamination) shall leave the site during rehabilitation and there shall be no continuation of quarrying activities following the cessation of the twenty (20) year quarry operating period.

Reason: To minimise environmental and amenity impacts after the approved period of quarry operations.

42. Commencement of Final Use

Final use of the quarry floor is limited to grazing purposes. Grazing is not to commence until the third year of the implementation phase of Stage 2 rehabilitation (i.e. 2 years after the quarry floor has been planted) in order to allow the pasture to sufficiently mature to resist damage and serve its dual purpose of minimising erosion and sedimentation.

Reason: To ensure that premature reuse of the site does not hinder effective rehabilitation.

43. Hours for Rehabilitation Works

The rehabilitation works are limited to the following hours:

- (a) Monday to Friday: 7.30 am – 4.30pm.
- (b) Saturday: 8.00am – 1.00pm.
- (c) Sunday & Public Holidays - Closed - No work or activity is permitted on Sundays or Public Holidays.

There shall be no truck movements associated with the rehabilitation works outside the operating hours as outlined in this condition.

Reason: To reduce impacts on adjoining residents.

ATTACHMENT A

General Terms of Approval

Notice No: 1637800



General Manager
Gunnedah Shire Council
PO Box 63
GUNNEDAH NSW 2380

Attention: Wade Hudson

Notice Number 1637800
Date 05-Apr-2024

Re: Bolgers Pit Expansion - DA 2023/046

Issued pursuant to Section 4.46 Environmental Planning and Assessment Act 1979

I refer to the development application and accompanying information provided for the Expansion of Bolgers Pit received by the Environment Protection Authority (EPA) on 26 February 2024.

The EPA has reviewed the information provided and has determined that it is able to issue a licence for the proposal, subject to conditions. The applicant will need to make a separate application to the EPA to obtain this licence. The EPA website explains how to apply for a licence (<https://www.epa.nsw.gov.au/licensing-and-regulation/licensing>).

The general terms of approval for this proposal are provided at Attachment A and Attachment B. Attachment B are mandatory conditions for all EPA licences. If Gunnedah Shire Council grants development consent for this proposal these conditions should be incorporated into the consent.

These General Terms of Approval 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.

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If you have any questions or wish to discuss this matter, further please contact Daniel Stokes on 4908 6804.

Yours sincerely

A handwritten signature in black ink, appearing to be 'D. Stokes', with a long horizontal line extending to the right.

.....
Daniel Stokes
Acting Unit Head
Environment Protection Authority
(by Delegation)

General Terms of Approval

ce No: 1637800



Attachment A – Specific conditions for DA2023/046

Administrative conditions

A1. Information supplied to the EPA

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

- the development application DA2023/046 submitted to Gunnedah Shire Council on 20 July 2023;
- any environmental impact statement including *Continuation and Expansion of Existing Extractive Industry: Bolgers Pit, March 2023* relating to the development; and
- all additional documents supplied to the EPA in relation to the development, including *Bolgers Pit Noise, Vibration and Air Quality Impact Assessment (9 February 2023)*; *Noise and Vibration Impact Assessment (22 March 2023)*; *Water Balance Assessment: Bolgers Pit (January 2023)*.

A2. Fit and Proper Person

A2.1 The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the Protection of the Environment Operations Act 1997, having regard to the matters in s.83 of that Act.

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Discharges to Air Water and Applications to Land

P1. Location of monitoring/discharge points and areas

P1.1 The following points referred to the table are identified as points for the purposes of monitoring and/or the setting of limits for the discharge of pollutants to water from the point.

Water and Land

EPA Identification No.	Type of Monitoring Point	Type of Discharge Point	Location Descriptions
1	Wet Weather Discharge / Discharge Water Quality Monitoring	Wet Weather Discharge / Discharge Water Quality Monitoring	Overflow from sediment basin (Location TBD by proponent)

Limit conditions

L1. Pollution of waters

L1.1 Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation of the development, section 120 of the Protection of the Environment Operations Act 1997 must be complied with in and in connection with the carrying out of the development.

L2. Concentration limits

L2.1 For each discharge point or utilisation area specified in the table/s below, 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.

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

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Table 1 - Discharge Point: Overflow from the spillway of sediment dam (exact location to be confirmed)

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

L3. Waste

L3.1 The licensee must not cause, permit or allow any waste generated outside 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 Protection of the Environment Operations Act 1997.

L3.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence under the Protection of the Environment Operations Act 1997.

Note: Condition L5.2 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).

L4. Noise limits

L4.1 The proponent must ensure that noise generated during the construction and operation of the quarry, and operation of crushing facility with associated plant, does not exceed the 40 dB(a) LAeq (15 minute) at all non-associated sensitive receivers.

L4.2 The noise limits set out in condition L4.1 apply under all meteorological conditions, including inversion meteorological conditions determined at the meteorological station.

L4.3 For the purposes of condition L4.2:

a) Data recorded by the meteorological weather station identified as **<TBC by Proponent>** must be used to determine meteorological conditions; and

b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Fact Sheet D - Accounting for Noise-Enhancing Weather Conditions in the NSW Noise Policy for Industry.

L4.4 To determine compliance with the noise limits in condition L4.1, the noise measurement equipment must be located:

a) approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or

b) within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or

c) within approximately 50 metres of the boundary of a National Park or Nature Reserve; or

d) at the most affected point at a location where there is no dwelling at the location; or

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e) at the most affected point within an area at a location prescribed by conditions L4.4a.

L4.5 A non-compliance of condition L4.1 will still occur where noise generated from the premises exceeds the appropriate limit as measured:

a) at a location other than an area prescribed by condition L4.4(a), L4.4(b) and L4.4(c); and/or

b) at a point other than the most affected point at a location.

L4.6 For the purposes of determining the noise generated at the premises, the modification factors in Fact Sheet C - Corrections for Annoying Noise Characteristics of the NSW Noise Policy for Industry must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

L5. Hours of operation

L5.1 All construction work at the premises are to be restricted to between the hours of:

a) 7:00am to 6:00 pm Monday to Friday;

b) 8:00am to 1:00pm Saturday;

c) No construction works to be undertaken on Sunday or Public Holidays.

L5.2 Activities at the premises, other than construction work, are restricted to between the hours of:

a) 7:00am to 6:00pm Monday to Friday;

b) 7:00am to 1:00pm Saturdays;

c) No activities to be undertaken on Sunday or Public Holidays.

L5.3 This condition does not apply to the delivery of material outside the hours of operation permitted by condition L5.1 or L5.2, 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 is provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.

L5.4 The hours of operation specified in conditions L5.1 and L5.2 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. 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) 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

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

L6.6 Blasting in or on the premises must only be carried out between 0900 hours and 1500 hours, Monday to Friday. Blasting in or on the premises must not take place on Saturdays, Sundays, or Public Holidays, without the prior approval of the EPA.

L6.7 Blasting at the premises is limited to 1 blast each day on which blasting is permitted.

L7. Other limit conditions

L7.1 No more than 40,000 tonnes during any consecutive 12 month period can be extracted and processed at the site.

L7.2 No more than 40 loaded trucks are to be dispatched per day.

L7.3 For the purposes of determining compliance with condition L7.1 and L7.2, a record of trucks and trailers carrying loads from the quarry must be maintained by the licensee, to enable production to be calculated for any consecutive 12 month period by multiplying the number of truck and trailer loads for each vehicle type by the known capacity of each relevant vehicle.

Operating conditions

O1. Odour

O1.1 No condition of this licence identified a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

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

O2. Dust

O2.1 Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

O2.2 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

O2.3 All plant and equipment (including loaders, excavators, crushers, screens, drill rig, trucks) must be maintained in accordance with manufacturer requirements to minimise malfunction that could result in increased air quality emissions.

O2.4 The maximum disturbance area due to the project operations must not exceed 2.71 hectares. This includes, but not limited to, the extraction area, product stockpiling area, overburden and fines stockpile and emplacement.

O2.5 No offsite material must be received or processed at the premises.

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O3. Soil and Water Management Plan

O3.1 Prior to commencing operations a Soil and Water Management Plan (SWMP) must be prepared and implemented. The plan 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 during construction activities. The SWMP should be prepared in accordance with the requirements for such plans outlined in *Managing Urban Stormwater: Soils and Construction* (available from the Department of Housing) including, Volume 1, 4th edition (Landcom, March 2004) and Volume 2E Mines and Quarries (Department of Environment and Climate Change, June 2008)..

O4. Chemical and Fuel Storage

O4.1 All chemicals, fuels, and oils, must be stored in a bunded area which complies with the specifications of the relevant Australian Standard and legislative requirements.

Monitoring and recording conditions

M1 Monitoring records

M1.1 The results of any monitoring required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development 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:

M2.2 Water and/or Land Monitoring Requirements

Point 1

Pollutant	Units of measure	Frequency	Sampling Method

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Oil and Grease	mg/L	Special Frequency 1	Representative sample
pH	mg/L	Special Frequency 1	Representative sample
Total Suspended Solids	mg/L	Special Frequency 1	Representative sample

M2.3 Special Frequency 1 means as soon as practicable, and no more than 12 hours after a discharge commences, and before any controlled discharge from the sediment basin.

M3. Testing methods - concentration limits

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

M4. Blast Monitoring

M4.1 To determine compliance with Conditions L6.1 to L6.4:

a) Airblast overpressure and ground vibration levels must be measured and recorded for all blasts carried out at the premises, at the nearest residence that is not owned by the applicant or subject to a private agreement relating to airblast overpressure and ground vibration levels.

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

Note: A breach will still occur if airblast overpressure or ground vibration levels from blasting at the premises exceeds a limit specified in Conditions L6.1 to 6.4 at any "noise sensitive location" other than the one specified in Condition M4.1.

M4.2 The airblast overpressure and ground vibration limits in Conditions L6.1 to L6.4 do not apply at noise sensitive locations that are owned by the licensee or subject to a private agreement, relating to airblast overpressure and ground vibration, between the applicant and owner of the noise sensitive location.

R1. Reporting conditions

R1.1 The applicant must provide an annual return to the EPA in relation to the development as required by any licence under the Protection of the Environment Operations Act 1997 in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the applicant will be required to submit load-based fee calculation worksheets with the return.

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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**

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:

- must be maintained in a proper and efficient condition; and
- 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;
- 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.

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The record of a complaint must be kept for at least 4 years after the complaint was made.

The record must be produced to any authorised officer of the EPA who asks to see them.

Telephone complaints line

The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

This condition does not apply until 3 months after this condition takes effect.

Reporting conditions

Annual Return documents

What documents must an Annual Return contain?

The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

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

A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

Period covered by Annual Return

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

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

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

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

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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').

Notification where actual load can not be calculated

(Licences with assessable pollutants)

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

The notification must specify:

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

Licensee must retain copy of Annual Return

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

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

Within the Annual Return, the Statement of Compliance must be certified and 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:

- 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:

- a. the cause, time and duration of the event;
- b. the type, volume and concentration of every pollutant discharged as a result of the event;
- c. the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; and
- d. 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;
- e. action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f. details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
- g. any other relevant matters.

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

General conditions

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

A copy of 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.