

General Terms of Approval - Issued



Notice No: 1588793

Ms Kerri-Anne Gilkson
Planning and Environment Administration Officer
Gwydir Shire Council
Locked Bag 5,
BINGARA NSW 2404

Attention: Ms Patsy Cox

Notice Number 1588793
Date 26-Nov-2019

Issued pursuant to Section 4.46 Environmental Planning and Assessment Act 1979

Dear Ms Cox

Re: General Terms of Approval, Development Application 29/2019, Proposed extractive industry on the property of "Tikitere", Lots 5 & 17 DP755984, 1135 Croppa Creek Road, North Star, NSW

I refer to the development application and accompanying information provided for the development application 29/2019 received by the Environment Protection Authority (EPA) on 11 September 2019.

The EPA has reviewed the information provided and has determined that it is able to issue a licence for the proposal, subject to a number of conditions. The applicant will need to make a separate application to EPA to obtain this licence.

The general terms of approval for this proposal are provided at **Attachment A**. If Gwydir Shire Council grants development consent for this proposal these conditions should be incorporated into the consent.

These general terms relate to the development as proposed in the documents and information currently provided to EPA. In the event that 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 EPA about the changes before the consent is issued. This will enable the EPA to determine whether its general terms need to be modified in light of the changes.

In assessing the proposal, the EPA has also identified a number of environmental issues that Gwydir Shire Council may wish to consider in its overall assessment of the application.

The EPA notes the proposed activity is predicted not to exceed the relevant noise criteria but is likely to be

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audible to nearby residences, and therefore noticed as a change in the acoustic environment. The proponent is encouraged to:

- Schedule noisy operations as much as practicable after 7am;
- Utilise a site layout that maximises forward movement and minimises vehicle and machinery reversing, to minimise reversing alarm noise; and
- Use alternatives to tonal reversing alarms (“beepers”) such as broadband alarms, reversing cameras, proximity alarms or a combination of these, to minimise potential noise impacts associated with reversing beepers.

The EPA notes the proponent intends to operate between 6am-6pm Monday to Saturday however, there is potential to operate 24hours a day. Because of the use of assumed power levels for some plant and equipment, the EPA expects actual measured levels of plant and equipment operating on site to be supplied with any application for 24-hour operation to ensure noise limits and criteria remain appropriate.

Standard conditions included on all environment protection licences are provided at **Attachment B** for your information and do not necessarily need to be incorporated into any consent granted for the proposal.

If you have any questions or wish to discuss this matter further, please contact Mike Lewis at the Armidale EPA office on (02) 6773 7000 or by email to armidale@epa.nsw.gov.au

Yours sincerely

A handwritten signature in blue ink that reads 'Rebecca Scrivener'.

.....
Rebecca Scrivener
Head Regional Operations Unit
North - Armidale
(by Delegation)

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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 DA 29/2019 submitted to Gwydir Shire Council and dated 19 August 2019
- environmental impact statement titled *Pearlman Quarry Environmental Impact Statement* dated August 2019; and
- all additional documents supplied to the EPA in relation to the development.

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.

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 The discharge point will be the spillway of the sediment dam to be constructed on the premises. The exact location and co-ordinates will be provided after construction.

L2.2 For each discharge point, the concentration of a pollutant specified in Table 1 below, the concentration discharged at that point, must not exceed the concentrations limits specified for that pollutant in the table.

L2.3 Where a pH quality limit is specified in Table 1, the specified percentage of samples must be within the specified ranges.

L2.4 To avoid any doubt, conditions L2.1-L2.3 inclusive do not authorise the discharge or emission of any other pollutants.

L2.5 The Total Suspended Solids concentration limits specified in Table 1, may be exceeded for water discharged from the sediment basins provided that:

- (a) the discharge occurs solely as a result of rainfall measured at the premises that exceeds 36.3 millimetres over any consecutive 5 day period immediately prior to the discharge occurring; and
- (b) all practical measures have been implemented to dewater all sediment dams within 5 days of rainfall such that they have sufficient capacity to store run off from a 36.3 millimetre, 5 day rainfall event.

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Note: 36.3 millimetres equates to the 5 day 90%ile rainfall depth for Moree sourced from Table 6.3a, Managing Urban Stormwater: Soils and Construction Volume 1: 4th edition, March 2004.

Table 1 - DISCHARGE POINTS: Overflow from the spillway of water sediment basin [exact locations to be confirmed]

Pollutant	Units of measure	50% concentration limit	90% concentration limit	3DGM concentration limit	100% concentration limit
Oil & 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 L3.2 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 Noise generated at the premises must not exceed the noise limits in the table below.

Location	NOISE LIMITS dB(A)			
	Day LAeq (15 minute)	Evening LAeq (15 minute)	Night LAeq (15 minute)	Night LAmax
1137 Croppa Creek Road (1500m W)	40	35	35	52
473 Birralee Road (3700m W)	40	35	35	52
1176 Oaklands Road (2900m N)	40	35	35	52
1835 Croppa Creek Road (4300m N)	40	35	35	52
391 Boonery Park Road (Lot 1 DP1080910) (3400m SSW)	40	35	35	52
1216 Croppa Creek Road (3400m ESE)	40	35	35	52
391 Boonery Park Road (Lot 54 DP751116) (3400m S)	40	35	35	52
141 Boonery Park Road (3500m S)	40	35	35	52

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391 Boonery Park Road (Lot 1 DP751134) (4200m SSW)	40	35	35	52
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L4.2 For the purposes of the table above:

- a) Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays;
- b) Evening is defined as the period from 6pm to 10pm;
- c) Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.

L4.3 The noise limits set out in condition L4.1 apply under all meteorological conditions except for the following:

- a) Wind speeds greater than 3 metres/second at 10 metres above ground level.
- b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
- c) Stability category G temperature inversion conditions.

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

- a) Data recorded by a Bureau of Meteorology meteorological station at **Moree** 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 of the Noise Policy for Industry.

L4.5 To determine compliance:

- a) with the Leq(15 minute) noise limits in condition L4.1, the noise measurement equipment must be located:
 - approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or
 - 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, where applicable
 - within approximately 50 metres of the boundary of a National Park or a Nature Reserve.
- b) with the noise limits in condition L4.1, the noise measurement equipment must be located:
 - at the most affected point at a location where there is no dwelling at the location; or
 - at the most affected point within an area at a location prescribed by condition L4.5(a).

L4.6 A non-compliance of condition L4.1 will still occur where noise generated from the premises in excess of the appropriate limit is measured:

- at a location other than an area prescribed by conditions L4.5(a) and L4.5(b); and/or
- at a point other than the most affected point at a location.

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L4.7 For the purposes of determining the noise generated at the premises the modification factors in Fact Sheet C of the Noise Policy for Industry must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

Additions to Definition of Terms of the licence

- Noise Policy for Industry - the document entitled "Noise Policy for Industry" published by the Environment Protection Authority in October 2017."
- Noise – 'sound pressure levels' for the purposes of conditions L4.1 to L4.7.

L5 Hours of operation

L5.1 Unless otherwise approved in writing by the EPA, the hours of operation must be limited to 6am to 6pm, Monday to Saturday. No work is to be carried out on Sunday or public holidays. For the purpose of this licence, the term "works" refers to all construction activities associated with the project and movement of materials and substances used to carry out this licensed activity. This condition does not apply to activities which are inaudible at all non-project related residences or other noise sensitive locations.

L5.2 Condition L5.1 does not apply to the delivery of material outside the hours of operation permitted by condition L5.1, 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.

L5.3 The hours of operation specified in conditions L5.1 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.

L7. Blasting

Overpressure

L7.1 The overpressure level from blasting operations on the premises must not:

- a) Exceed 115dB (Lin Peak) for more than 5% of the total number of blasts over a period of 12 months; and
- b) Exceed 120dB (Lin Peak) at any time,

NOTE: The airblast overpressure values stated above apply when the measurements are performed with equipment having a lower cut-off frequency of 2Hz or less. If the instrumentation has a higher cut off frequency then a correction of 5dB should be assessed to the measured value. Equipment with a lower cut-off frequency exceeding 10Hz should not be used for the purpose of measuring airblast overpressure.

Ground vibration (ppv)

L7.2 Ground vibration peak particle velocity from the blasting operations at the premises must not:

- a) Exceed 5mm/s for more than 5% of the total number of blasts over a period of 12 months; and
- b) Exceed 10mm/s at any time,

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when measured at any point within 1 metre of any affected residential boundary or other noise sensitive location such as a school or hospital.

Time of blasting

L7.3 Blasting operations on the premises may only take place between 9am and 5pm Monday to Saturday inclusive.

L7.4 The hours of operation for blasting operations specified in this condition may be varied if the EPA, having regard to the effect that the proposed variation would have on the amenity of the residents in the locality, gives written consent to the variation.

Frequency of blasting

L7.5 Blasting at the premises is limited to 1 blast each day on which blasting is permitted.

The restrictions on times and frequency of blasting referred to above are based on the ANZEC guidelines – “Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration” September 1990.

L7. Production Limit

L7.1 Extraction from the premises must not exceed 500,000 tonnes during any consecutive 12 month period.

L7.2 For the purposes of determining compliance with this condition, a tally of trucks and trailers carrying loads from the quarry must be maintained by the applicant, 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

01. Odour

Note: The POEO Act states that no offensive odour may be emitted from particular premises unless potentially offensive odours are identified in the licence and the odours are emitted in accordance with conditions specifically directed at minimising the odours are permitted. Where it is appropriate for a licence to identify and control offensive odours, conditions for the licence should be developed in consultation with Air Policy.

02. Dust

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

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

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03. Stormwater/sediment control - Construction Phase

03.1 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).

04. Stormwater/sediment control - Operation Phase

04.1 A Stormwater Management Scheme must be prepared for the development and must be implemented. Implementation of the Scheme must mitigate the impacts of stormwater run-off from and within the premises following the completion of construction activities. The Scheme should be consistent with the Stormwater Management Plan for the catchment. Where a Stormwater Management Plan has not yet been prepared the Scheme should be consistent with the guidance contained in *Managing Urban Stormwater: Council Handbook* (available from the EPA).

Note: This condition would normally only be used where a SWMP is required and stormwater management would be incorporated into EPA's licence. For other proposals the EPA may suggest that the consent authority include a similar condition where appropriate. Information relating to structural and non-structural options for managing site stormwater is provided in the "Managing Urban Stormwater: Source Control" and "Managing Urban Stormwater: Treatment Techniques" documents respectively.

05. Emergency Response

05.1 The licensee must maintain, and implement as necessary, a current emergency response plan for the premises. The licensee must keep the emergency response plan on the premises at all times. The emergency response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. If a current emergency response plan does not exist at the date on which this condition is attached to the licence, the licensee must develop an emergency response plan within three months of that date.

06. Noise

Blast management protocol

06.1 A Blasting/Vibration Management Protocol must be prepared in relation to the development and implemented. The protocol must include, but need not be limited to, the following matters:

- a) compliance standards;
- b) mitigation measures;
- c) remedial action;
- d) monitoring methods and program;
- e) monitoring program for flyrock distribution*;
- f) measures to protect underground utilities (eg: rising mains, subsurface telecommunication and electric cables) and livestock nearby;

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- g) notification of procedures for neighbours prior to detonation of each blast;
- h) measures to ensure no damage by flyrock to people, property, livestock and powerlines.

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:

- a) in a legible form, or in a form that can readily be reduced to a legible form;
- b) kept for at least 4 years after the monitoring or event to which they relate took place; and
- c) produced in a legible form to any authorised officer of the EPA who asks to see them.

M1.3 The following records must be kept in respect of any samples required to be collected: the date(s) on which the sample was taken;

- a) the time(s) at which the sample was collected;
- b) the point at which the sample was taken; and
- a) 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:

Table 1 - DISCHARGE POINTS: Overflow from the spillway of water sediment basin [exact locations to be confirmed]

Pollutant	Units of measure	Frequency	Sampling Methods
Oil & Grease	mg/L	Special Frequency 1	Representative Sample
pH	pH	Special Frequency 1	Representative Sample
Total Suspended Solids	mg/L	Special Frequency 1	Representative Sample

Note: For the purposes of this condition, 'Special Frequency 1' means as soon as practicable after overflow commences and in any case not more than 12 hours after any overflow commencing and prior to any controlled discharge from the sedimentation basin to demonstrate compliance with the concentration limits defined at condition L2.

M3. Testing methods - concentration limits

M3.2 Monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area required by

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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 the general terms of approval or in the licence under the Protection of the Environment Operations Act 1997 in relation to the development or the relevant load calculation protocol, a method approved by the EPA in writing before any tests are conducted unless otherwise expressly provided in the licence.

M4. Noise monitoring

M4.1 Noise monitoring requirements may be added to the licence if the EPA receives complaints in relation to noise emissions from the premises.

Blast Monitoring

M5.1 For the purpose of blast monitoring, the ground vibration or the overpressure must be measured at the nearest residence that is not owned by the applicant or subject to a private relating to airblast overpressure and ground vibration levels.

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 – Mandatory Conditions for all EPA licences

Administrative conditions

Other activities

(To be used on licences with ancillary activities)

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

- **Not applicable**

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:

- b) must be maintained in a proper and efficient condition; and
- c) 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;

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- the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- if no action was taken by the licensee, the reasons why no action was taken.

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

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

Telephone complaints line

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

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

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

Reporting conditions

Annual Return documents

What documents must an Annual Return contain?

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

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

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

Period covered by Annual Return

An Annual Return must be prepared in respect of each reporting, 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.

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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').

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.

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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;

action taken by the licensee in relation to the event, including any follow-up contact with any complainants;

- e. details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
- f. 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.



File No: NTH17/00128/04
Your Ref: DA 29.2019:192331:kag

General Manager
Gwydir Shire Council
Locked Bag 5
BINGARA NSW 2404

Attention: Patsy Cox

Dear Sir / Madam,

**Re: Development Application 29/2019 - Pearlman Quarry
Lot 5 DP: 755984 - 1375 Croppa Creek Road North Star**

I refer to your letter of 9 September 2019 requesting comments from Roads and Maritime Services in relation to the abovementioned development application.

Roles and Responsibilities

The key interests for Roads and Maritime are the safety and efficiency of the road network, traffic management, the integrity of infrastructure and the integration of land use and transport.

Croppa Creek Road is a public (local) road under the *Roads Act 1993* (Roads Act) and Gwydir Shire Council is the roads authority for this road. Council is responsible for setting standards and determining priorities. In accordance with Section 138 of the Roads Act Council's approval is required prior to works being undertaken on this road. Roads and Maritime's concurrence is not required for unclassified roads.

In accordance with Clause 16 of the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*, Roads and Maritime is given the opportunity to review and provide comment on the subject development application.

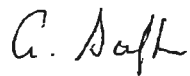
Roads and Maritime Response

Roads and Maritime has reviewed the referred information and provides the following comments to assist the consent authority in making a determination;

- The Austroads BAR, BAL and sealing improvements that were undertaken for the adjoining Tikitere Quarry has a limited capacity before they will require upgrading to a CHR and/or AUL. Roads and Maritime recommends that the total number of loads for both quarries should not exceed more than 15/hour for each approach of Croppa Creek Road until the intersection is further upgraded.
- The development application has demonstrated that the largest design vehicle entering the site will be a truck and dog. Council will need to determine if the consent will need to be conditioned to limit access to larger design vehicles.
- It is noted that arrangements have been made with both Gwydir and Moree Shire Councils for contributions to the maintenance of the road network.
- The existing Traffic Manage Plan (TMP) and Code of Conduct used by Tikitere Quarry should be implemented for the Pearlman Quarry.

Upon determination of the application it would be appreciated if Council could forward a copy of the approval for our records. If you have any further enquiries regarding the above comments please do not hesitate to contact Greg Sciffer, Development Assessment Officer on (02) 6640 1362 or via email at: development.northern@rms.nsw.gov.au

Yours faithfully



For Matt Adams
Manager Land Use Assessment, Northern

16 October 2019