

ADDENDUM REPORT

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| Panel Reference | PPSSSH-30 |
| DA Number | DA20/0278 |
| LGA | Sutherland Shire Council |
| Proposed Development | Additional use of Sandy Point Quarry to receive, stockpile and blend up to 100,000 tonnes per annum of recycled products, VENM sands or virgin quarried products with extracted products from quarry |
| Street Address | 14309 Heathcote Road, Menai |
| Date | 28 January 2021 |

REASON FOR THE ADDENDUM REPORT

The applicant has requested that Council consider amendments to the proposed draft conditions and requests that, where a contention remains, that they be presented to the Sydney South Planning Panel for consideration in the determination of the application.

DETAILS OF DISCUSSIONS WITH APPLICANT

Following the Panel meeting on 16 December 2020, further discussions between Council and the Applicant and between Council and NSW RMS were undertaken. Conditions 2 and 17 remain in contention and are discussed below.

1. Condition 2:

This condition requires the completion of the intersection upgrade works prior to the commencement of operation of the blending activity on the site. The proposed wording of the condition is as follows:

Intersection Upgrade Works Requirements

A. *Prior to Commencement of Blending Activity*

The intersection upgrade works detailed in the conditions below must be completed prior to the commencement of the operation of the proposed blending activity.

Applicant's position:

"The traffic impact assessment was based on the additional traffic impacts of the proposed blending activity above 400,000 Tpa. The quarry currently produces some 250,000 Tpa and as such the additional 5 trucks per day, as proposed, does not approach the threshold required by TfNSW triggering the intersection upgrade. There are strict application and construction timelines proposed in the Consent. Because of this we request that the activity can commence immediately after Council-verification of the installation of the storage bays.

We do not agree with Council's calculations as the worst case traffic increase by this proposal is two truck movements per hour without backloading. The proposal estimates 50% backloading and this would mean one additional truck movement per hour. Council's assertion that there would be 4 additional movements per hour is incorrect. 4 truck movements per hour means there would be two trucks per hour carrying 32 tonnes on a conservative average. There are 3500 operational hours in a year so the tonnage imported would be 224,000 Tonnes per annum on the Council's numbers. This application is for up to 100,000 tonnes per annum and includes 50% backloading using existing truck movements. The proposal with backloading estimates 11 movements per day which is one movement per hour. It should be noted that the Quarry can export up to 400,000tpa and currently exports some 250,000tpa therefore the proposed 5.5 trucks per day are well within the current approval and operating conditions and will have a negligible impact on the traffic volumes on Heathcote Road (<1%) at peaks."

Further to the above, the applicant provided the following on 20 January 2021:

"We can confirm that since the panel meeting on 16 Dec 2020, we engaged EMM to commence the intersection design detail. We hope to have the design by the Panel meeting on Feb 4."

We can also confirm that the site EPL has been recently amended and now condition L5.1 speaks directly about the 400,000Tpa export limit from the site (previously extraction limit). We have maintained this position from the application outset but this will avoid confusion/assumptions made by Council's that this application would lead to 500,000Tpa and associated traffic issues. "

The applicant is requesting that the condition be amended to read as follows:

Intersection Upgrade Works Requirements

A. Commencement of blending activity

The intersection upgrade works detailed in the conditions below must be completed within 12 weeks of receiving all approvals necessary to carry out the intersection works. The application and design of the new intersection works must be submitted for approval within 10 weeks of the grant of the Blending Activity Development Consent. The commencement of the blending activity can occur upon the Council confirming the concrete/asphalt bays installation.

Council's position:

The matter was discussed with NSW RMS officers on 14 January 2021 as requested by the Panel at the meeting held 16 December 2020. NSW RMS reinforced their position that the intersection upgrade works must be completed prior to the commencement of the operation of the proposed blending activity. Comments received previously from NSW RMS regarding this matter are as follows and still relevant to the proposal:

“The proposed blending activity is estimated to increase the site traffic volume from four truck movements per hour to eight truck movements per hour (i.e. four inbound and four outbound truck movements). This turn volume, together with the high traffic volumes along Heathcote Road, meets the warrant for a deceleration lane per Figure 3.25 on page 56 of AustRoad’s ‘Guide to Traffic Management Part 6: Intersections, Interchanges and Crossings’. Moreover, the warrant is met for an acceleration lane for both the current and proposed blending activity. The high volume of traffic along Heathcote Road may mean that there are insufficient gaps for trucks to enter the traffic stream. Additionally, when trucks do enter, there is expected to be excessive slowing of vehicles on Heathcote Road, creating the potential for rear-end collisions.”

Council recommends that the condition be retained as drafted.

2. Condition 17

This condition relates to ongoing air quality monitoring to accurately record and measure the level of dust emissions and to ensure that the levels are in compliance with relevant standards.

Following negotiations with the applicant since the Panel meeting on 16 December 2020, a contention remains with this condition that relates specifically to the frequency of ongoing air quality monitoring.

Applicant's position:

“The applicant asserts that the air quality information provided in the DA already models compliance with PM2.5 and PM 10 as well as comfortable compliance with silica levels as per the Victorian EPA standard. The additional testing is proposed by Council (not EPA) and the applicant wishes to have this additional testing frequency gradually reducing should the standards be consistently achieved.

The current frequency proposed by Council – 1 monitor: 2x4 weeks for 3 years then reducing to 2x2 weeks thereafter.

Applicant wishes to see this frequency reduce quicker if there is compliance being achieved e.g. 1 monitor: 2x4 weeks 1st year, dropping to 2x2 weeks 2nd year and then 1 x 2week per annum. There are already 7 in situ dust monitors around the site perimeter currently.”

Council's position:

The quarry’s willingness to do air quality monitoring is most welcome. However, Council’s Environmental Scientist has examined the proposed changes to the air quality sampling program and has concluded that they cannot support the changes suggested. This is because Council is not confident that the shorter proposed monitoring period by the quarry will be robust enough to give a reasonable account of air quality under the operational conditions of the blending activity. Council considers that, at least for the first year of the blending operation, the maximum throughput is unlikely to be achieved to get an accurate representation of dust emissions.

Council has adjusted its position from the original recommendations and now recommends air quality monitoring over 2 x 4 week periods for 3 years from initial commencement of the blending activity to provide an accurate account of the levels of dust emissions. The recommended condition is also drafted such that if levels are shown to be less than the relevant standards after the initial monitoring period of 3 years, then the frequency of monitoring can be reduced to 2 x 2 weeks annually going forward.

On balance, considering the uncertainty in respect to air pollution and the type and scale of operations at the quarry, the monitoring program proposed is considered reasonable. It aims to demonstrate and confirm to Council and the Community that the measures and management practices applied by the quarry to mitigate air pollution are being effectively applied and managed over time. Council is not of the view that this can be achieved as meaningfully under a shorter time frame of monitoring as proposed by the applicant.

Council recommends that Condition 17 be worded as follows:

Air Quality Management Plan and Best Management Practice

A. Design

The 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], must be updated by an appropriately qualified and experienced Air Quality Specialist who is a Certified Air Quality Professional (CAQP) under the Clean Air Society of Australia and New Zealand (CASANZ) or equivalent certification scheme as required by NSW EPA and include the following requirements:

- (i) Undertake air quality monitoring for a period of 4 weeks each between February and March and between June and July for 3 years after the commencement of the blending activity utilising one (1) 24-hour air quality monitoring station / sensor on site.*

If particulate PM_{2.5}, PM₁₀ and silicate levels do not exceed NEPM and NSW EPA air quality standards after this 3 year monitoring program, the program of ongoing annual monitoring may be reduced to 2 x 2 weeks annually between February / March and between June / July. In the event that the particulate and silicate levels exceed air quality standards during the first 3 years of monitoring, a further round of 3 year monitoring must be undertaken as per the initial 4 week periods between February / March and between June / July. This will continue on an ongoing basis until such time as the particulate and silicate levels are below air quality standards, after which, the monitoring can then be reduced to 2 x 2 weeks annually between February / March and June / July. Where it can be demonstrated that, on particular days where ambient air quality exceeds NEPM and EPA air quality standards (such as during bushfire or controlled burn offs), these levels will not count against the levels measured at the quarry.

The primary purpose of the air quality sensors is to accurately record and measure the level of dust emissions including particulates PM2.5, PM10 and silica to ensure compliance with relevant National, State and SafeWork NSW air quality standards, in accordance with the 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], and subsequent updated versions.

- (a) The air quality monitoring sensor must be technologically robust and sensitive to monitor, as a minimum, particulates PM2.5 and PM10 and silicate dusts. The type of air quality monitoring sensors must be reviewed and approved by the NSW Environmental Protection Authority.*
- (b) The location of the 24hr monitor must be situated on site by a suitably qualified and accredited air quality specialist and must be situated in a location that best informs of any dust and particulate impacts on residential receptors at Sandy Point and Picnic Point from the materials blending activity at the quarry. The location of the air quality monitoring sensors must also be reviewed and approved by the NSW Environmental Protection Authority.*
- (c) The air quality monitoring sensors for each 4 week (or 2 week) program must be installed by an appropriately qualified and experienced Air Quality Specialist who is a Certified Air Quality Professional (CAQP) under the Clean Air Society of Australia and New Zealand (CASANZ) or equivalent certification scheme.*
- (d) The timing, type, design, location, installation, management, maintenance and reporting requirements of the air quality monitoring stations / sensors is to be addressed in the Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], and subsequent updated versions.*

Note: *The purpose of the air quality monitoring station / sensor is to provide a continuous period of detailed data to assist Quarry Management to more effectively develop its Air Quality Management Plan by:*

- ☐ *Modifying work practices as required on an ongoing basis to mitigate any dust emissions generated; for example, during rapid changes to climatic and environmental conditions.*
- ☐ *Reviewing the effectiveness of the air quality management control measures implanted onsite.*

- *Control and manage emitted dusts affecting both onsite and offsite locations during operations, taking into account parameters such as wind speed, wind direction, temperature and humidity.*
 - *Assist Quarry Management and relevant Government authorities to reconcile any air quality complaints logged in Environmental Complaints Register.*
 - *Provide more detailed annual information to the community as required.*
- (ii) *Perimeter walls and embankments along the western and northern side of the quarry must be vegetated within 5 years of this consent to mitigate wind erosion and airborne dusts generated from poorly bound soils and sands. Soil stabilisation measures that include jute matting, spray grass or mulch may be used on exposed areas but only to assist the establishment of dense native vegetation (local species) on the perimeter walls and embankments.*
- (iii) *Best management practices to mitigate dust emissions generated at the site (that include but are not limited to, particulates PM10, PM2.5, silica and odours) must be key objectives of the 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], and subsequent updated versions.*
- Best Management Practices and how they will be applied to quarry operations / activities must also be identified in the Air Quality Management Plan. This includes the various activities associated with quarrying, transportation, storage and materials blending activities.*
- (iv) *A rigorous procedure must be maintained for complaints handling that records details of the complaint and complainant, logs / registers the incident, outlines investigation and response/ corrective actions as covered by the Environmental Complaints Register of the 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], and subsequent updated versions.*
- (v) *Guidance related to stockpile management and control provided in the "Guideline for Stockpile Management" South Australian EPA, 1999, where consistent with the legislation and requirements of the NSW EPA, must be applied for onsite blending operations and incorporated in to operational management plans including the 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], and subsequent updated versions.*

The Air Quality Management Plan (AQMP) must be amended to appropriately address the requirements above and include, but not be limited to the following:

- a. *Identify relevant NEPM or other health / environment criteria (i.e. Set the goals).*
- b. *Identify baseline air quality assessment information.*
- c. *Describe strategies for dust control.*
- d. *Describe Air Quality Management System to be adopted, including PM2.5, PM10, Silicate, dust, other air pollutants as appropriate.*
- e. *Describe a Trigger Action Response Plan (TARP) for elevated ambient levels recorded. This could be based around an early warning system e.g. arrange for extra water cart, reduce operations or cease dusty operations, pre-emptive stock pile spraying etc.*
- f. *Review plan and modify based on results.*

The AQMP must be submitted and be to the satisfaction of the NSW Environmental Protection Authority, Regulatory Operations Unit and Sutherland Shire Council, Manager Environmental Science prior to the issue of any Construction Certificate.

B. *Within 12 weeks of the Commencement of the Blending Activity / Issue of Occupation Certificate*

The following must be undertaken within 12 weeks of the commencement of the proposed blending activity or the issue of an Occupation Certificate.

- (i) *Stabilisation of the western and northern perimeter embankment walls*
Evidence of planting of native vegetation at the perimeter walls and embankments of the quarry in accordance with "A" above, must be submitted to the satisfaction of the NSW Environmental Protection Authority, Regulatory Operations Unit and Sutherland Shire Council, Manager Environmental Science within 12 weeks of the issue of any occupation certificate or commencement of the blending activity.

C. *Ongoing*

- (i) *The carrying out of the annual air monitoring program, implemented for a 4 week period between February and March and an additional 4 week period between June and July utilising two (2) 24 hour air quality monitoring stations / sensors on site as a component of the 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], must be submitted to the satisfaction of the NSW Environmental Protection Authority, Regulatory Operations Unit and Sutherland Shire Council, Manager Environmental Science prior issue of any occupation certificate.*
- (ii) *Onsite operations and activities must be carried out in accordance with the requirements of the 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], and subsequent updated versions and any other operational management plan.*

- (iii) *Dust emissions that include, but are not limited to, particulates PM10, PM2.5, silica and odours that are generated from onsite sources such as roadways, material storage bins, machinery, bagged and exposed stockpiles; must be suppressed and managed in accordance with the 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], and subsequent updated versions, in order to achieve all relevant National and State air quality and technical standards as well as SafeWork NSW air quality standards for airborne contaminants.*
- (iv) *Emissions and odours emitted from the quarry must not cause actual or potential harm to human health and safety or interfere with the amenity of adjoining and neighbouring properties.*
- (v) *Effective communication channels for staff and contractors working at the site must be established and maintained for the implementation of the 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], and subsequent updated versions.*
- (vi) *Western and northern perimeter embankment treatment must be appropriately managed and maintained as an ongoing requirement of the 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], and subsequent updated versions.*
- (vii) *Auditing of the 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], and subsequent updated versions, must be undertaken every 3 years from the date of determination of this development consent.*

The auditing must be undertaken by an independent, suitably qualified and certified Air Quality Specialist to assess the effectiveness of the environmental controls and procedures implemented on site. The Air Quality Specialist must be a Certified Air Quality Professional (CAQP) under the Clean Air Society of Australia and New Zealand (CASANZ) or equivalent certification scheme.

The auditing must include, but not be limited to, the following:

- a) *Assessment of the degree of conformance with nominated procedures*
- b) *Review of changes to legislation and guidelines*
- c) *Consideration of updates in industry best practice*
- d) *Review of achievement of annual objectives / emission targets*

- (viii) *All onsite operations and activities must be carried out in accordance with the requirements of Environment Protection Licence no.1924, as varied as required; issued by the NSW Environment Protection Authority.*
- (ix) *Onsite operations and activities must also respond and adapt to legislative and guidelines changes and improvements to best practice technologies and procedures as necessary.*

3. Conclusion

Council and the Applicant engaged in fruitful discussions and negotiations in the finalisation of the draft conditions since 16 December 2020, however, Conditions 2 and 17 remain unresolved. A full copy of the amended draft conditions is included in the appendix to this addendum report for the Panel's consideration.

CONDITIONS OF CONSENT
Development Application No. 20/0278

1. Approved Plans and Documents

The development must be undertaken substantially in accordance with the details and specifications set out on the following approved plans:

| Plan number | Reference | Prepared by | Date |
|------------------|---|-----------------------------|-----------------------------------|
| - | Sandy Point Quarry Layout Plan | EMM | Received by Council on 1/05/2020 |
| Appendix No.2 V2 | Proposed Blending Area Location Plan with Storage Areas | Benedict Industries Pty Ltd | Received by Council on 30/10/2020 |

and any details on the application form and on any supporting information received with the application except as amended by the following conditions.

Note 1: The following must be submitted to Sutherland Shire Council prior to the commencement of any building work.

- i) A Construction Certificate.
- ii) Notification of the appointment of a Principal Certifying Authority and a letter of acceptance from that Principal Certifying Authority.
- iii) Notification of the commencement of building works with a minimum of 2 days' notice of such commencement.

Note 2: Airborne Dust Emissions

Site operations must be undertaken in accordance with relevant Work, Health and Safety regulations, guidelines and standards overseen by SafeWork NSW and NSW Health, particularly with respect to, but not limited to, exposure to airborne dust emissions.

2. Intersection Upgrade Works Requirements

A. Prior to Commencement of Blending Activity

The intersection upgrade works detailed in the conditions below must be completed prior to the commencement of the operation of the proposed blending activity.

3. Integrated Development Approval - Requirement of Approval Bodies

A. General Terms of Approval from Approval Bodies

The development must be undertaken in accordance with all General Terms of Approval (GTA) of the following approval bodies under Section 4.46 of the Environmental Planning and Assessment Act 1979:

- NSW Environment Protection Authority

A copy of the GTAs and any further requirements of the approval bodies are attached to this development consent. These requirements must be incorporated in the application for a Construction Certificate and where required by the GTAs relevant approvals must be granted prior to the release of the Construction Certificate.

4. Requirements from Other Authorities

A. Requirements from TfNSW

The development must be undertaken in accordance with the requirements of Transport for NSW (TfNSW).

TfNSW provide consent under Section 138 of the Roads Act 1993 for the proposed adjustments to Heathcote Road for the site's increased traffic generation, subject to the following requirements being met:

1. An acceleration and deceleration lane along Heathcote Road shall be designed to meet TfNSW requirements, and endorsed by a suitably qualified practitioner. The design requirements shall be in accordance with AUSTROADS and other Australian Codes of Practice. The certified copies of the civil design plans shall be submitted to TfNSW for consideration and approval prior to the release of the Construction Certificate by the Principal Certifying Authority and commencement of road works. Please send all documentation to development.sydney@transport.nsw.gov.au.
2. The developer is required to enter into a Works Authorisation Deed (WAD) for the abovementioned works. TfNSW fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works.
3. Any changes to the access will be required to be constructed as a sealed all weather access driveway. The sealed driveway shall be designed and constructed in accordance with TfNSW requirements. Details of these requirements should be obtained by email to developerworks.sydney@transport.nsw.gov.au.
4. Sight distances from the vehicular crossings to vehicles on Heathcote Road are to be in accordance with the Austroads Guide to Road Design: Part 4A: Unsignalised and Signalised

Intersections (Section 3 - Sight Distance) and AS 2890. Vegetation and proposed landscaping/fencing must not hinder sight lines to and from the vehicular crossings to motorists, pedestrians and cyclists.

These requirements must be incorporated in the application for a Construction Certificate and where required, relevant approvals must be obtained prior to the release of the Construction Certificate. No operation of proposed blending activity at the site must occur prior to certification and operation of the new infrastructure as authorised by TfNSW and as detailed in the WAD.

A copy of the Requirements of TfNSW are attached to this development consent.

5. Ongoing Use of Site for Blending Activities

A. Ongoing

The proposed additional use for blending activities including receiving, stockpiling and blending of waste materials is associated with the current use of the site as a quarry (extractive industry) and is permissible subject to the quarry use being maintained. The proposed blending use must not operate independently of quarrying activities and operations at any time and any final blended product that is to be exported must include a proportion of site quarried material.

In addition to the above, the following conditions apply to the ongoing operation of the proposed blending activity:

- i. Asbestos waste must not be accepted or stored at the premises.
- ii. The authorised amount of material imported onto the site must not exceed 100,000 tonnes per annum.
- iii. The minimum quantity of blended material to be exported from the site in one delivery is 8 tonnes.
- iv. The applicant / EPL licensee must implement procedures to identify and prevent acceptance of prohibited waste in accordance with the Environment Protection Licence (EPL).
- v. The applicant / EPL licensee must maintain and operate a calibrated weighbridge to record the volume of all waste brought into the premises.
- vi. All vehicles entering and existing the premises must be recorded as they pass across the weighbridge or pass through a dedicated vehicles access point to enable vehicles that are transporting waste to be identified.

- vii. The applicant / EPL licensee must ensure that all waste stored and processed at the premises is assessed, classified and validated in accordance with the NSW EPA Waste Classification Guidelines 2014 (and subsequent updates) and any applicable Resource Recovery Orders and Exemptions.
- viii. The height of waste stockpiles must not exceed the height of any bunded walls that surround the premises.

Note: EPL is the abbreviation for 'Environment Protection Licence'; administered by the NSW Environment Protection Authority (EPA).

6. Approvals Required under Roads Act or Local Government Act

A. Before Construction

No occupation or works are to be carried out on public land (including a road or footpath) or access provided over a public reserve adjacent to the development site without approval being obtained from Sutherland Shire Council and the necessary fee paid under the Roads Act 1993 and/or the Local Government Act 1993. These approvals must be to the satisfaction of Council for the required development works and may include but are not limited to the following:

- Frontage works including construction of a driveway, footpath, etc.
- Road openings and restoration to provide services to the development.
- Work Zones and hoardings.
- Skip bins.
- Shoring / anchoring.
- Standing of cranes, concrete pumps, etc.

Note: All Plans and Permits are required to be on site, at all times and may be requested by Council officers at any time.

Note: Approval under the Roads Act or Local Government Act cannot be granted by a Principal Certifying Authority or by a Private Certifier. Failure to obtain approval may result in fines or prosecution.

B. During Works

There must be no occupation or works on public land (including a road or footpath) or access provided over a public reserve adjacent to the development site without approval being obtained from Sutherland Shire Council. Any work on public land must be undertaken strictly in accordance with the relevant approval issued under the Roads Act 1993 and/or the Local Government Act 1993 by Sutherland Shire Council.

7. Design and Construction of Works in Road Reserve

A. Design

Council has determined that the proposed development generates a need for the following works to be undertaken by the applicant in the road reserve. To this end, a Detailed Frontage Works application under the Roads Act 1993 must be submitted to Sutherland Shire Council, prior to the release of the Construction Certificate. The form is available on Council's website. A fee applies for the relevant inspections, assessment, coordination, creation of design brief and the issue of permits providing consent to undertake frontage works. This application must be lodged in conjunction with a Works Authorisation Deed (WAD) as required by Transport for New South Wales (TFNSW).

This design will generally comply with the approved civil design drawings and the current website version of Council's Public Domain Design Manual (PDDM) and Public Domain Technical Manual (PDTM) and any requirements of Transport for New South Wales (TFNSW) except where modified by/or addressing the following:

- i) Construct new deceleration and acceleration lanes as required by TFNSW. This includes any adjustment to existing line marking, widening of road pavement and installation of new signage.
- ii) Ensure that the existing all-weather vehicle crossing (asphalt or concrete) has appropriate transitions to the road pavement on Heathcote Road. This crossing must be designed to cater for vehicles servicing the site and provide sight distance in accordance with AS2890 & Austroads Guide to Road Design Part 4A Section 3 - Sight Distance.
- iii) Construct new stormwater infrastructure as required to facilitate drainage within the Road Reserve associated with the new works.
- iv) Ensure there are adequate transitions between newly constructed and existing infrastructure.
- v) Remove and replace street trees as required by Council to facilitate the adjustments to Heathcote Road and any other works under the WAD as approved by TFNSW.
- vi) Adjust public services infrastructure as required. This includes the adjustment / relocation of any services.
- vii) Install street lighting if required by TfNSW to achieve illumination compliance of the new deceleration, acceleration and turning lanes.

Evidence of the lodgement of this application must be provided to the PCA prior to the release of the Construction Certificate.

B. Before Occupation / Commencement of the Blending Activity

Prior to the commencement of the operation of the proposed blending activity or the issue of an Occupation Certificate, the following certification must be provided to Sutherland Shire Council:

- i) The supervising engineer must certify that the road works were constructed to their satisfaction and in accordance with the development consent and associated Roads Act Consent and RMS Works Authorisation Deed.

8. Site Management Plan

A. Prior to Commencement of Works including Demolition

An Environmental Site Management Plan must accompany the Construction Certificate. If demolition is to commence prior to the issue of a Construction Certificate the applicant must submit to Sutherland Shire Council a separate Demolition Site Management Plan. These plans must satisfy the Objectives and Controls of Sutherland Shire Development Control Plan 2015 relating to environmental site management and must incorporate the following throughout demolition and construction:

- i) Safe access to and from the site during construction and demolition.
- ii) Safety and security of the site, road and footpath area including details of proposed fencing, hoarding and lighting.
- iii) Method of loading and unloading excavation machines, building materials.
- iv) How and where, construction materials, excavated and waste materials will be stored.
- v) Methods to prevent material being tracked off the site onto surrounding roadways.
- vi) Erosion and sediment control measures.
- vii) All trees and their protection zones on and around the site identified for retention are to be protected according to Australian Standard AS 4970 - 2009 Protection of Trees on Development Sites using the methods outlined in that Standard.

B. During Works

The site management measures set out in the above plan must remain in place and be maintained throughout the period of works and until the site has been stabilised and landscaped.

C. Before Occupation

Before the issue of any Occupation Certificate, all foundations / materials associated with the construction works (that do not form part of the approved works) must be removed. This includes but is not limited to foundations for tower cranes, vehicle access ways, stockpiles, building waste etc.

9. Supervising Engineer

A. Before Construction

The applicant must engage an Accredited Certifier in civil engineering works or a Chartered Civil Engineer to supervise construction of any:

- i) Road frontage works.

The PCA must be informed of the supervising engineer's name and contact details, in writing, prior to the commencement of any construction works.

B. During Construction

The engineer must supervise the works as listed above to ensure compliance with:

- i) All relevant conditions of development consent relating to the intersection upgrade works.
- ii) Any Consent issued under the Roads Act for this development.

C. Before Occupation

The supervising engineer must certify the works required in A. above were undertaken and completed in accordance with the requirements of this Development Consent and to their satisfaction.

10. Storage of Diesel, Hazardous or Toxic Material

A. Design

In areas where diesel, hazardous and/or toxic liquids are to be stored; the area must be bunded with a bund constructed of impervious material and be of sufficient size to contain 110% of the volume of the largest tank on the site plus the volume displaced by any additional tanks within the bunded area.

B. Ongoing

- (i) Hazardous and toxic materials must be stored in accordance with SafeWork NSW requirements. All tanks, drums and containers of toxic and hazardous materials in excess of 20L must be stored within a bunded area. Where appropriate, the construction of bunds must comply with the requirements of:

- AS 1940: 2004 The Storage and Handling of Flammable and Combustible Liquids
 - AS 3780: 1994 The Storage and Handling of Corrosive Substances
 - AS 2714: 1993 The Storage and Handling of Hazardous Chemical Materials - Class 5.2 Substances (organic Peroxides)
 - AS 4326: 1995 The Storage and Handling of Oxidising Agents
 - AS/NZS 4452: 1997 The Storage and Handling of Toxic Substances
- (ii) An EPA approved spill kit /absorbent material must be available on the premises at all times. The operator must ensure the absorbent material/spill kit is located in an appropriate location, near to or in the area with the highest risk of spills occurring. The operator must maintain a register with a current copy of a Safety Data Sheets is kept for each hazardous substance, and ensure it is readily accessible to all employees.

11. Environmental Protection Licence (EPL) Requirements

A. Prior to Commencement of the Blending Activity

The Environmental Protection Licence No.1924 held by the applicant for the premises at 14309 Heathcote Road, Menai must be updated to include additional uses and testing requirements. A licence variation under s.58 of the *Protection of the Environment Operations Act 1997* must be applied for the following requirements and be approved by the NSW Environment Protection Authority (NSW EPA) prior to commencement of importation materials and blending activities being carried out on site.

- (i) The following scheduled activities listed under Schedule 1 of the *Protection of the Environment Operations Act 1997*:
- (a) 34: Resource Recovery; triggered by the proposal to receive and process waste from off-site above the threshold amount of 6 000 tonnes per annum; and
 - (b) 42: Waste Storage; triggered by the proposal to receive waste from offsite above the threshold amount of 6 000 tonnes per annum.
- (ii) Any required Resource Recovery Order and Exemption and list of any materials permitted to be imported on to site to be used in accordance with such Orders and Exemptions.
- (iii) 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], to be updated in accordance with the requirements of Condition 17 and any requirements of the NSW EPA Regulatory Operations Unit. The Air Quality Management Plan is to be referenced as necessary in the Environment Protection Licence No. 1924.

Provision of the varied Environment Protection Licence, as issued by the NSW Environment Protection Authority, must be provided to the satisfaction of Sutherland Shire Council, Manager Environmental Science prior to commencement and the issue of any construction certificate.

12. Stockpile Management

A. Design

Individual materials storage bays must be constructed prior to receiving any imported materials to site. The materials storage bays must be constructed of a concrete or asphalt floor, and walls of clay, rock boulders, concrete or equivalent. The height of the walls must be constructed to adequately contain the stockpiles without risk of cross-contamination occurring. The design of the material storage hardstand and walls must be undertaken by a suitably qualified engineer to cater for the loads generated by the materials stored and a fully laden "Articulated Vehicle (AV)" as defined by AS2890.2. Storage bays must only be constructed in the area indicated on Site Plan - Appendix No.2 v2.

Details of these requirements must form part of the documentation for the Construction Certificate.

B. Prior to Commencement of Blending Activity

The material storage bays must be constructed in accordance with the requirements of 'A' above. The hardstand must be certified by a suitably qualified civil engineer prior to commencement of the blending activity.

C. Ongoing

- (i) Materials imported to site must be placed in to designated storage bays constructed in accordance with A. above and must remain there until used for blending purposes.
- (ii) Stockpiles must be covered with tarps or similar during periods of inclement weather or if stored overnight.
- (iii) Any residual waste in the materials storage area that is not to be used for blending purposes or mixed with a new batch of the same material must be classified in accordance with the EPA Waste Classification Guidelines 2014 and disposed off-site at a landfill legally licenced to take such waste and must not be used onsite for any other purpose.
- (iv) Guidance related to stockpile management and control provided in the "Guideline for Stockpile Management" South Australian EPA, 1999, where consistent with the legislation and requirements of the NSW EPA, must be adopted for onsite operations.
- (v) The maximum quantity of mulch to be stored on site at any one time is 300m³.

13. Stormwater Control and Treatment

A. Prior to Commencement of Use

Stormwater diversions must be put in place to divert any stormwater around the imported material storage bays. The applicant must prevent stormwater from the imported materials storage bays and blending area from discharging off-site or mixing with existing basins, unless otherwise approved by the NSW EPA.

Prior to this approval being sought, the proponent must (as a minimum) provide the water characterisation report to the EPA for review.

1: Water Characterisation Study

The applicant must complete a water characterisation of the water containment basins at the premises including at least Basins 2 and 3, and any additional basing that are constructed to capture run-off from the imported materials stockpile and blending area, and soil amendment storage area.

The water characterisation study must include, at a minimum:

- a. Water sampling as per the agreed sampling plan under the approved EPL shall be conducted over a six-month period and commence immediately upon the commencement of the blending activity operation.
- b. Sampling to include pollutants as outlined in Appendix A of revised Stormwater Management Plan dated May 2019, prepared by Tooker and Associates ("the SMP") or as requested by the EPA.
- c. Sampling and analysis must be in accordance with the Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (2004). As a minimum, the analytical suite must include pH, conductivity, heavy metals (arsenic, cadmium, chromium, copper, zinc, mercury, lead, nickel), total nitrogen, total phosphorous, nitrate and nitrite).
- d. Specify the analytical limits of reporting used for any data that is being assessed;
 - i. compare that limit of reporting to the relevant ANZECC (2000) and/or Australian & New Zealand Guidelines assessment criteria, where the limit of reporting does not provide a suitable basis for assessing risk of water pollution,
 - ii. propose alternative options to characterise the risk including more sensitive laboratory testing or risk mitigation options,

- iii. the limit of reporting for concentrations of pollutants should be sensitive enough to detect pollutants at levels related to their environmental risk and ANZECC (2000) toxicant trigger value (where available), and
- iv. Compare results to the relevant ANZECC (2000) and/or Australian & New Zealand Guidelines and assessment criteria for each pollutant.

B. Ongoing

Any stormwater falling within the area defined by the storage bays and blending area must be captured, tested, and if necessary, disposed off-site to a licenced waste facility unless approval to divert to existing quarry ponds is obtained from the NSW EPA.

If stormwater is approved to be diverted to the existing quarry pond then sampling of the quarry pond in accordance with the approved water characterisation study and any other NSW EPA requirements under the approved EPL must be undertaken.

14. Resource Recovery Orders and Exemptions

A. Prior to Commencement of Use

Prior to importation of materials or blending activities being undertaken on the site; operation specific Resource Recovery Orders and Exemptions must be approved and issued by the NSW Environment Protection Authority.

B: Ongoing

Only materials permitted by the specifications of the operation specific approved Resource Recovery Orders and Exemptions can be imported to site and used in the blending activities for resale. No other materials are permitted to be imported to site and no other Resource Recovery Order or Exemption can be utilised unless the Resource Recovery Exemption specifically permits the blending of the recycled material.

15. Blending Activities

A. Ongoing

Blending of material must only occur in the area indicated on the approved site plan titled 'Site Plan Appendix No.2 v2'.

Any residual waste in the mixing / blending area and finished stockpile areas that is not to be used in blended batches within 24 hours must be returned to a dedicated storage bay. If the residual waste cannot be reused in a future blend, then it must be classified in accordance with the EPA Waste Classification Guidelines 2014 and disposed off-site at a landfill legally licenced to take such waste and must not be used onsite for any other purpose.

16. Soil and Groundwater Sampling

The importation of resource recovered materials has the potential to introduce contaminants onto the site. It is best practice in preventing contamination of a site when introducing a new process / activity to undertake a baseline contamination assessment of the site, followed by a further assessment after 12 months. This is to determine whether the new activities are contaminating the site and prompt the reassessment of practices to prevent or at a minimum reduce the contaminating impact on the site.

A. Prior to Commencement of Use

Baseline sampling of soil must be undertaken prior to the importation of materials and blending activities. Soil samples must be taken in the area of the quarry where the blending activities occur including the blending area, finished product stockpiling area and adjacent to the designated raw materials stockpile area. Soil samples must be taken at the surface and 0.5m below ground surface.

The applicant must engage an appropriately qualified, experienced and certified environmental consultant to prepare and approve all necessary documents and supervise all aspects of site investigation and ongoing sampling as required.

The environmental consultant must be certified by one of the following certification schemes:

- EIANZ 'Certified Environmental Practitioner - Site Contamination' scheme (CEnvP SC).
- Soil Science Australia 'Certified Professional Soil Scientist - Contaminated Site Assessment & Management' scheme (SSA CPSS CSAM).

The soil sampling must be undertaken in accordance with Schedule B2 of National Environment Protections (Assessment of Site Contamination Measure 1999 (NEPC 2013)) and any other relevant guidance material endorsed by the NSW EPA such as sampling guidelines.

The baseline contamination assessment must be provided to the satisfaction of NSW EPA in accordance with any EPA requirements under the NSW EPA approved Environmental Protection Licence within 1 month of completion of reporting. Additional sampling including soil and groundwater may be required if baseline sampling results indicate high levels of contamination. This will be determined by NSW EPA. Copies of all reports and documents must be provided to Sutherland Shire Council – Environmental Science Unit within 1 month of their completion.

B. 12 months after Commencement of Blending Activities

An additional round of soil and groundwater sampling (if groundwater sampling was required in (a) above) in the same locations and depths as the baseline contamination assessment must be carried out by an appropriately qualified, experienced and certified environmental consultant after 12 months and before 24 months from the commencement of blending activities. All results must be compared to the baseline assessment results and if an increase in contaminants is observed, then blending, resource recovery materials storage practices and stormwater capture processes must be reviewed and changes implemented to prevent further contamination of the site. All results must be reported to the NSW EPA Regulatory Operations Unit, in accordance with Environment Protection Licence requirements within 1 month of completion of reporting. Copies of all reports and documents must also be provided to Sutherland Shire Council – Environmental Science Unit within 1 month of their completion.

C. Ongoing

Further ongoing monitoring and frequency will be based on previous results and determined by NSW EPA unless the sites Environmental Protection Licence is amended to include a sampling regime. Copies of all reports and documents must be provided to Sutherland Shire Council – Environmental Science Unit within 1 month of their completion.

Note: Sutherland Shire Council is the local Authorised Regulatory Authority (ARA) with regard to contaminated land and must keep contaminated land records up to date.

17. Air Quality Management Plan and Best Management Practice

A. Design

The 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], must be updated by an appropriately qualified and experienced Air Quality Specialist who is a Certified Air Quality Professional (CAQP) under the Clean Air Society of Australia and New Zealand (CASANZ) or equivalent certification scheme as required by NSW EPA and include the following requirements:

- (iii) Undertake air quality monitoring for a period of 4 weeks each between February and March and between June and July for 3 years after the commencement of the blending activity utilising one (1) 24-hour air quality monitoring station / sensor on site.

If particulate PM_{2.5}, PM₁₀ and silicate levels do not exceed NEPM and NSW EPA air quality standards after this 3 year monitoring program, the program of ongoing annual monitoring may be reduced to 2 x 2 weeks annually between February / March and between June / July. In the event that the particulate and silicate levels exceed air quality standards during the first 3 years of monitoring, a further round of 3 year monitoring must be undertaken as per the initial 4 week periods between February / March and between June / July. This will

continue on an ongoing basis until such time as the particulate and silicate levels are below air quality standards, after which, the monitoring can then be reduced to 2 x 2 weeks annually between February / March and June / July. Where it can be demonstrated that, on particular days where ambient air quality exceeds NEPM and EPA air quality standards (such as during bushfire or controlled burn offs), these levels will not count against the levels measured at the quarry.

The primary purpose of the air quality sensors is to accurately record and measure the level of dust emissions including particulates PM2.5, PM10 and silica to ensure compliance with relevant National, State and SafeWork NSW air quality standards, in accordance with the 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], and subsequent updated versions.

- (a) The air quality monitoring sensor must be technologically robust and sensitive to monitor, as a minimum, particulates PM2.5 and PM10 and silicate dusts. The type of air quality monitoring sensors must be reviewed and approved by the NSW Environmental Protection Authority.
- (b) The location of the 24hr monitor must be situated on site by a suitably qualified and accredited air quality specialist and must be situated in a location that best informs of any dust and particulate impacts on residential receptors at Sandy Point and Picnic Point from the materials blending activity at the quarry. The location of the air quality monitoring sensors must also be reviewed and approved by the NSW Environmental Protection Authority.
- (c) The air quality monitoring sensors for each 4 week (or 2 week) program must be installed by an appropriately qualified and experienced Air Quality Specialist who is a Certified Air Quality Professional (CAQP) under the Clean Air Society of Australia and New Zealand (CASANZ) or equivalent certification scheme.
- (d) The timing, type, design, location, installation, management, maintenance and reporting requirements of the air quality monitoring stations / sensors is to be addressed in the Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], and subsequent updated versions.

Note: The purpose of the air quality monitoring station / sensor is to provide a continuous period of detailed data to assist Quarry Management to more effectively develop its Air Quality Management Plan by:

- Modifying work practices as required on an ongoing basis to mitigate any dust emissions generated; for example, during rapid changes to climatic and environmental conditions.
 - Reviewing the effectiveness of the air quality management control measures implanted onsite.
 - Control and manage emitted dusts affecting both onsite and offsite locations during operations, taking into account parameters such as wind speed, wind direction, temperature and humidity.
 - Assist Quarry Management and relevant Government authorities to reconcile any air quality complaints logged in Environmental Complaints Register.
 - Provide more detailed annual information to the community as required.
- (ii) Perimeter walls and embankments along the western and northern side of the quarry must be vegetated within 5 years of this consent to mitigate wind erosion and airborne dusts generated from poorly bound soils and sands. Soil stabilisation measures that include jute matting, spray grass or mulch may be used on exposed areas but only to assist the establishment of dense native vegetation (local species) on the perimeter walls and embankments.
- (iii) Best management practices to mitigate dust emissions generated at the site (that include but are not limited to, particulates PM10, PM2.5, silica and odours) must be key objectives of the 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], and subsequent updated versions.

Best Management Practices and how they will be applied to quarry operations / activities must also be identified in the Air Quality Management Plan. This includes the various activities associated with quarrying, transportation, storage and materials blending activities.

- (iv) A rigorous procedure must be maintained for complaints handling that records details of the complaint and complainant, logs / registers the incident, outlines investigation and response/ corrective actions as covered by the Environmental Complaints Register of the 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], and subsequent updated versions.

- (v) Guidance related to stockpile management and control provided in the “Guideline for Stockpile Management” South Australian EPA, 1999, where consistent with the legislation and requirements of the NSW EPA, must be applied for onsite blending operations and incorporated in to operational management plans including the ‘Air Quality Management Plan, Sandy Point Quarry’ by Benedict Industries, August 2020 [version 4], and subsequent updated versions.

The Air Quality Management Plan (AQMP) must be amended to appropriately address the requirements above and include, but not be limited to the following:

- a. Identify relevant NEPM or other health / environment criteria (i.e. Set the goals).
- b. Identify baseline air quality assessment information.
- c. Describe strategies for dust control.
- d. Describe Air Quality Management System to be adopted, including PM2.5, PM10, Silicate, dust, other air pollutants as appropriate.
- e. Describe a Trigger Action Response Plan (TARP) for elevated ambient levels recorded.
This could be based around an early warning system e.g. arrange for extra water cart, reduce operations or cease dusty operations, pre-emptive stock pile spraying etc.
- f. Review plan and modify based on results.

The AQMP must be submitted and be to the satisfaction of the NSW Environmental Protection Authority, Regulatory Operations Unit and Sutherland Shire Council, Manager Environmental Science prior to the issue of any Construction Certificate.

B. Within 12 weeks of the Commencement of the Blending Activity / Issue of Occupation Certificate

The following must be undertaken within 12 weeks of the commencement of the proposed blending activity or the issue of an Occupation Certificate.

- (i) Stabilisation of the western and northern perimeter embankment walls

Evidence of planting of native vegetation at the perimeter walls and embankments of the quarry in accordance with “A” above, must be submitted to the satisfaction of the NSW Environmental Protection Authority, Regulatory Operations Unit and Sutherland Shire Council, Manager Environmental Science within 12 weeks of the issue of any occupation certificate or commencement of the blending activity.

C. Ongoing

- (i) The carrying out of the annual air monitoring program, implemented for a 4 week period between February and March and an additional 4 week period between June and July utilising two (2) 24 hour air quality monitoring stations / sensors on site as a component of

the 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], must be submitted to the satisfaction of the NSW Environmental Protection Authority, Regulatory Operations Unit and Sutherland Shire Council, Manager Environmental Science prior issue of any occupation certificate.

- (ii) Onsite operations and activities must be carried out in accordance with the requirements of the 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], and subsequent updated versions and any other operational management plan.
- (iii) Dust emissions that include, but are not limited to, particulates PM10, PM2.5, silica and odours that are generated from onsite sources such as roadways, material storage bins, machinery, bagged and exposed stockpiles; must be suppressed and managed in accordance with the 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], and subsequent updated versions, in order to achieve all relevant National and State air quality and technical standards as well as SafeWork NSW air quality standards for airborne contaminants.
- (iv) Emissions and odours emitted from the quarry must not cause actual or potential harm to human health and safety or interfere with the amenity of adjoining and neighbouring properties.
- (v) Effective communication channels for staff and contractors working at the site must be established and maintained for the implementation of the 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], and subsequent updated versions.
- (vi) Western and northern perimeter embankment treatment must be appropriately managed and maintained as an ongoing requirement of the 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], and subsequent updated versions.
- (vii) Auditing of the 'Air Quality Management Plan, Sandy Point Quarry' by Benedict Industries, August 2020 [version 4], and subsequent updated versions, must be undertaken every 3 years from the date of determination of this development consent.

The auditing must be undertaken by an independent, suitably qualified and certified Air Quality Specialist to assess the effectiveness of the environmental controls and procedures implemented on site. The Air Quality Specialist must be a Certified Air Quality Professional (CAQP) under the Clean Air Society of Australia and New Zealand (CASANZ) or equivalent certification scheme.

The auditing must include, but not be limited to, the following:

- a) Assessment of the degree of conformance with nominated procedures
 - b) Review of changes to legislation and guidelines
 - c) Consideration of updates in industry best practice
 - d) Review of achievement of annual objectives / emission targets
- (viii) All onsite operations and activities must be carried out in accordance with the requirements of Environment Protection Licence no.1924, as varied as required; issued by the NSW Environment Protection Authority.
- (ix) Onsite operations and activities must also respond and adapt to legislative and guidelines changes and improvements to best practice technologies and procedures as necessary.

18. External Lighting - (Amenity)

To ensure that any lighting on the site does not cause a nuisance to neighbours or motorists on nearby roads:

A. Design

All lighting must be designed in accordance with Australian Standard AS4282 - Control of the Obtrusive Effects of Outdoor Lighting.

B. Ongoing

All lighting must be operated and maintained in accordance with the Standard above.

19. Noise Control - Design and Operation (General Use)

A. Design

The use of the premises and all plant and equipment must be designed and / or located so that the noise emitted complies with the NSW Environment Protection Authority (EPA) NSW Noise Policy for Industry (2017) and Road Noise Policy (2011).

Use of the premises must not exceed an LAeq sound pressure level of 5dB above the ambient background level when measured at the most affected point on or within any residential property boundary.

The use of the premises and all plant and equipment must also be designed and / or located so that the noise emitted complies with the NSW EPA Environment Protection License no. No. 1924, as varied as required.

The use of the premises and all plant and equipment must be designed and / or located so that the noise emitted complies with the recommendations of the "Sandy Point Quarry - Revised Noise Assessment" by EMM, dated 27 August 2019 [J190010, RP3, v1].

Note: The method of measurement of sound must be carried out in accordance with Australian Standard 1055.1.

B. Ongoing

All plant and equipment must be operated and maintained in accordance with 'A' above. The use of the premises and all plant and equipment must be operated so that the noise emitted complies with the NSW EPA Environment Protection Licence, NSW Environment Protection Authority (EPA), the NSW Noise Policy for Industry (2017) and the Road Noise Policy (2011).

Any recommendations provided in the "Sandy Point Quarry - Revised Noise Assessment" by EMM, dated 27 August 2019 [J190010, RP3, v1] must also be implemented.

Ongoing periodic noise assessments must be carried out in accordance with the NSW EPA Environment Protection License and any exceedances must be addressed to ensure noise does not cause nuisance or sleep disturbance to the residential receivers.

20. Sydney Water Requirements

A. Before Any Works

Prior to the commencement of any works on site, including demolition or excavation, the plans approved as part of the Construction Certificate must also be approved by Sydney Water. Furthermore, Sydney Water has strict requirements for swimming pools / spas discharging to a pressure or vacuum sewer system.

Sydney Water will determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Customers will receive an approval receipt which must be included in the Construction Certificate documentation.

Please refer to the web site www.sydneywater.com.au.

21. Dial Before You Dig

A. Before Construction

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW).

It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

22. Noise Control and Permitted Hours for Building and Demolition Work

A. General

To manage noise impacts upon the surrounding properties and occupants, demolition, excavation, or construction activities must be managed in accordance with the NSW Department of Environment and Climate Change (now Environment Protection Authority). Interim Construction Noise Guideline (ICNG) 2009 and Australian Standard 2436 - 2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites.

B. During Works

To minimise the noise impact on the surrounding environment, all building and demolition work must be carried out only between the hours of 7.00am and 6.00pm Monday to Friday inclusive, 8.00am and 3.00pm Saturdays. No work is permitted on Sundays and Public Holidays.

23. Hours of Operation

A. Occupation

Hours of operation of the blending activity on the site is restricted to:

| | |
|-----------------------------|--|
| June to August (inclusive): | 7am to 4:30pm Monday to Saturday |
| All other times: | 6am to 6pm Monday to Friday and 7am to 4pm on Saturday |

Blending activities and operations are prohibited on Sunday and public holidays.

END OF CONDITIONS