

# General Terms of Approval

Notice No: 1641113



Queanbeyan-Palerang Regional Council  
PO Box 90  
Queanbeyan NSW 2620

Attention: Ms Mary Kunang

Notice Number      1641113  
Date                    17-Jul-2024

**Re: Larbert Quarry Expansion Project**

**Issued pursuant to Section 4.46 of the *Environmental Planning and Assessment Act 1979***

## **General Terms of Approval – Issued (Delegation - Environment Officer Class 11 and above)**

I refer to the development application and accompanying information provided for DA.2024.0047 (**the Proposal**) received by the Environment Protection Authority (**EPA**) on 24 June 2024. Canberra Sands and Gravel Pty Ltd (**the Applicant**) is seeking development consent from Queanbeyan-Palerang Regional Council (**Council**) to increase extractive activities to 30,000t - 100,000t which is the threshold that triggers the requirement of an Environment Protection Licence (**EPL**) from the EPA.

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

If Council grants development consent for the proposal, the EPA recommends the following conditions should be incorporated into (**not attached**) the consent:

7:00am to 6:00pm Monday to Friday  
8:00am to 1:00pm Saturday  
No work is permitted on Sundays or Public Holidays

I also draw your attention to the General Terms of Approval at **Attachment A** and **Attachment B**, which are conditions intended for the environment protection licence for this proposal. Attachment A includes conditions specific to this proposal and Attachment B includes mandatory conditions for all EPA licences. Attachment A and Attachment B **should not** be attached as conditions of consent.

These General Terms of Approval relate to the development as proposed in the documents and information currently provided to the EPA. If the development is modified either by the applicant prior to the granting of

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consent or as a result of the conditions proposed to be attached to the consent, it will be necessary to consult with the EPA about the changes before the consent is issued. This will enable the EPA to determine whether its General Terms of Approval need to be modified.

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

1. The Water Management Plan proposed in the Environmental Impact Statement utilises the existing silt pond, clean water pond and excavation pit. The ponds are designed for a one in two year wet weather event which is not up to standard for a licensed Premises, particularly given the proximity to the Shoalhaven River which forms part of the Sydney drinking water catchment.

The EPA understands that excess water received by the ponds will spill into the extraction pit preventing discharge of water from site. The locally occurring soil is highly permeable therefore water captured by the pit will quickly seep into groundwater. The large water capture potential of the pit negates the requirement of larger sediment ponds.

2. The processing plant and associated water management system is likely to move to a new location onsite during the lifetime of the Development Approval. The new location will be west of the processing plant's current location to reduce distance between the plant and raw material when they begin extracting out of that section.

The EPA understands that this will likely not occur for many years into the lifetime of the quarry however, the EPA wishes to be notified when the processing plant intends to relocate to assess the new plant and associated water management system that replaces the existing designs.

If you have any questions or wish to discuss this matter, further please contact Matt Prentice on 6229 7003 or at [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'H. Robertson', is positioned above the printed name.

.....  
**Hannah Robertson**

**A/ Unit Head**

**Environment Protection Authority**

(by Delegation)

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## Attachment A – Specific conditions for DA.2024.0047

### 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.2024.0047 submitted to Queanbeyan-Palerang Regional Council on 24 June 2024,
- the environmental impact statement relating to the development; and
- all additional documents supplied to the EPA in relation to the development, including:
  - Larbert Quarry Expansion Project, *Air Quality and Greenhouse Gas Assessment*, Zephyr Environmental 24 July 2023
  - *Noise Assessment*, MAC Muller Acoustic Consulting, November 2022
  - Surface Water Impact Assessment, Umwelt Environmental & Social Consultants, October 2023
  - Groundwater Impact Assessment, Ground Doctor PTY LTD, 25 July 2023

#### **A2. Fit and Proper Person**

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

### 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. Waste**

**L2.1** 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. Hours of operation**

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**L3.1** Activities at the premises must only be conducted between 7:00am and 5:00pm Monday to Friday and 7:00am to 1:00pm Saturday. No activity at the premises may be carried out during Sundays and public holidays.

## L4. Noise limits

**L4.1** Noise generated at the premises must not exceed the noise limits at the times and locations in the table below. The locations referred to in the table below are indicated by Figure 1 in the Larbert Quarry Noise Assessment (Muller Acoustic Consulting, November 2022).

Location	Noise Limits in dB(A)	
	Day Shoulder - 6am to 7am	Day - 7am to 6pm
	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)
R02 - Lot 99 DP755915	35	40
R03 - Lot 62 DP755915	35	40
R04 - Lot 38 DP754892	35	40
R05 - Lot 3 DP1192360	35	40
Any other residential receiver	35	40

## L4.2 Hours of operation

For the purposes of condition L4.1:

- a) Day means the period from 7am to 6pm Monday to Saturday and the period from 8am to 6pm Sunday and public holidays.
- b) Day Shoulder means the period from 6am to 7am

Standard construction hours

Unless otherwise specified by any other condition of this licence, all construction activities are:

- a) restricted to between the hours of 7:00am and 6:00pm Monday to Friday;
- b) restricted to between the hours of 8:00am and 1:00pm Saturday; and
- c) not to be undertaken on Sundays or Public Holidays.

## L4.3 Noise-enhancing meteorological conditions

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

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

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

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

- a) The meteorological conditions are to be determined from meteorological data obtained from the meteorological weather station identified as Bureau of Meteorology AWS at Braidwood - Station 069010.

**L4.5** To assess compliance:

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

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

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

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

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

- L4.9** The noise limits identified in L4.1 do not apply at privately owned residences that are subject to a private agreement, relating to the noise levels, between the licensee and the land owner.

## Hours of operation

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**L4.10** Activities at the premises must only be conducted between 7:00am and 5:00pm Monday to Friday and 7:00am to 1:00pm Saturday. No activity at the premises may be carried out during Sundays and public holidays.

## Noise Management Plan

**L4.10** The proponent must prepare and implement a Noise Management Plan that covers all premises-based activities and transport operations. The plan must include but need not be limited to:

- a) all measures necessary to satisfy the limits in Table **L4.1** at all times,
- b) a system that allows for periodic assessment of Best Management Practice (BMP) and Best Available Technology Economically Achievable (BATEA) that has the potential to minimise noise levels from the facility,
- c) Effective implementation of identified BMP and BATEA measures, where considered feasible and reasonable,
- d) Measures to monitor noise performance and respond to complaints,
- e) Measures for community consultation including site contact details,
- f) Noise monitoring and reporting procedures.

## Definition

LA10(15 minute) is the sound pressure level that is exceeded for 10% of the time when measured over a 15 minute period.

### **Note: Noise measurement**

*For the purpose of noise measures required for this condition, the LA10 noise level must be measured or computed at any point 552 Larbert Road over a period of 15 minutes using "FAST" response on the sound level meter.*

*For the purpose of the noise criteria for this condition, 5dBA must be added to the measured level if the noise is substantially tonal or impulsive in character. The location or point of impact can be different for each development, for example, at the closest residential receiver or at the closest boundary of the development. Measurement locations can be:*

*1 metre from the facade of the residence for night time assessment;*

*at the residential boundary;*

*30 metres from the residence (rural situations) where boundary is more than 30 metres from residence.*

**L4.3** The noise emission limits identified in **L4.1** apply for prevailing meteorological conditions (winds up to 3m/s), except under conditions of temperature inversions. Noise impacts that may be enhanced by temperature inversions must be addressed by:

documenting noise complaints received to identify any higher level of impacts or patterns of temperature inversions;

where levels of noise complaints indicate a higher level of impact then actions to quantify and ameliorate any enhanced impacts under temperature inversions conditions should be developed and implemented.

**Note:** *To identify targets or noise measures to be taken, use:*

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*the EIS (if it addresses noise matters satisfactorily and clearly expresses targets/mitigation measures to be adopted); or*

*the Environmental Noise Control Manual.*

*The issue of temperature inversions is complex both in determining when they occur and how they influence noise impacts. Therefore the extent of their impact should be managed in the licence using a noise monitoring and complaints based approach. Where complaints are significant the company should be required to develop management strategies.*

## **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.

### **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).



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## ***Monitoring and recording conditions***

### ***M1 Monitoring records***

**M1.1** The results of any monitoring required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with the load calculation protocol must be recorded and retained as set out in conditions M1.2 and M1.3.

**M1.2** All records required to be kept by the licence must be:

in a legible form, or in a form that can readily be reduced to a legible form;

kept for at least 4 years after the monitoring or event to which they relate took place; and

produced in a legible form to any authorised officer of the EPA who asks to see them.

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

the time(s) at which the sample was collected;

the point at which the sample was taken; and

the name of the person who collected the sample.

### ***Reporting conditions***

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

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## Attachment B – Mandatory Conditions for all EPA licences

### Operating conditions

#### Activities must be carried out in a competent manner

Licensed activities must be carried out in a competent manner.

This includes:

- a. the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b. the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

#### Maintenance of plant and equipment

All plant and equipment installed at the premises or used in connection with the licensed activity:

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

### Monitoring and recording conditions

#### Recording of pollution complaints

The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

The record must include details of the following:

- the date and time of the complaint;
- the method by which the complaint was made;
- any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- the nature of the complaint;
- the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- if no action was taken by the licensee, the reasons why no action was taken.

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.

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## 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:

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

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

#### ***Period covered by Annual Return***

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

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

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

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

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

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

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- 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***

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.

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The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

## ***Written report***

Where an authorised officer of the EPA suspects on reasonable grounds that:

- a. where this licence applies to premises, an event has occurred at the premises; or
- b. where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,

and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

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

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

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

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

## **General conditions**

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

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

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

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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.

Our ref: DOC24/653524

Jacinta Tonner  
Queanbeyan-Palerang Regional Council  
[jacinta.tonner@qprc.nsw.gov.au](mailto:jacinta.tonner@qprc.nsw.gov.au)  
Letter uploaded to the NSW Planning Portal

**Address:** 552 Larbert Road, Larbert NSW 2622

**Proposal:** Increase in extraction rate to a maximum of 1,000 tonnes per day; increase approved extraction area; extend life of quarry; addition of ancillary activities; building of site infrastructure, and changes to transportation.

**Development Application no:** DA.2024.0047, CNR-70045, A-85163

**Received:** 5 July 2024

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**Subject: General Terms of Approval for Integrated Development Application, *National Parks and Wildlife Act 1974***

Dear Jacinta

This letter contains our general terms of approval for the above integrated development application that will require an Aboriginal Heritage Impact Permit pursuant to s.90 of the *National Parks and Wildlife Act 1974*.

We note that:

- We requested further information on 24 September 2024 (DOC24/653524).
- A revised final report *Larbert Quarry Archaeological Test Excavation and Aboriginal Cultural Heritage Assessment Report* (ACHA) prepared by AREA Environmental & Heritage Consultants (AREA) dated 18 November 2024 was uploaded to the portal on 26 November 2024.

Please note that these general terms of approval were initially issued by Heritage NSW on 12 December 2024 with a minor omission. Updated text is provided below, with additions in italics.

We have reviewed the Aboriginal Cultural Heritage Assessment Report, prepared by AREA dated 18 November 2024. The report has identified that Aboriginal objects forming sites Larbert Quarry AS02 (AHIMS 57-3-0545) and *Larbert Quarry AS03 (AHIMS 57-3-0544)* will be impacted by the proposed development. Mitigation is proposed in the form of community collection and reburial of artefacts under an Aboriginal Heritage Impact Permit. The proposed works will avoid impacts to Larbert Quarry AS01 (AHIMS 57-3-0543).

Public submissions were uploaded to the portal on 13 September 2024. None of the public submissions referred to Aboriginal cultural heritage matters:

Considering the above, and in accordance with Section 4.47 of the *Environmental Planning and Assessment Act 1979*, the following general terms of approval are granted:

### **Approved development**

Development must be in accordance with:

- a. *Larbert Quarry Archaeological Test Excavation and Aboriginal Cultural Heritage Assessment Report*, prepared by AREA, dated 18 November 2024.
- b. *Letter: Response to additional information request for Integrated Development Application DA.2024.0047, CNR-70045, A-85163*, prepared by AREA, dated 22 November 2024.
- c. *Larbert Quarry Extension Environmental Impact Statement*, prepared by Umwelt Environmental & Social Consultants, dated 11 October 2023.

### **Except as amended by the following general terms of approval:**

1. A s.90 Aboriginal Heritage Impact Permit for the proposed works must be sought and granted prior to the commencement of works.
2. The Aboriginal Heritage Impact Permit application must be accompanied by appropriate documentation and mapping as outlined in Applying for an Aboriginal Heritage Impact Permit: Guide for applicants (2011).
3. Consultation with the Aboriginal community undertaken as part of the Aboriginal Heritage Impact Permit application must be in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010.
4. The Aboriginal Heritage Impact Permit application must be completed with reference to the requirements of the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (2011).
5. The Aboriginal Heritage Impact Permit application must include complete records satisfying the requirements of the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (2010).
6. Long term management of Aboriginal objects must be considered as part of the Aboriginal Heritage Impact Permit application.
7. No impacts are permitted to Larbert Quarry AS01 (AHIMS 57-3-0543), and boundary fencing is to be established outside the perimeter of the site to avoid potential inadvertent impacts.
8. RAPs to be given the opportunity to provide feedback and input on interpretation signage within the study area.

Please note that any modification of the above development that will result in impacts to Aboriginal cultural heritage must be referred to Heritage NSW to determine whether changes to these general terms of approval are required.



## Advice

We recommend that the following matters be addressed by the applicant and updated in the ACHA prior to submission of the AHIP application:

- Predictive modelling included in the ACHA in response to a request for information from Heritage NSW highlights the potential for:
  - Artefact, hearth. and burial site types within 200m of waterways, and in deep sandy deposits.
  - Flat, flood prone landscapes to create conditions which can lead to the deposition of material which can cover and preserve archaeological deposits, or erosion which can remove or displace archaeological deposits.

Update the ACHA to provide analysis of how these predictive statements were addressed by the archaeological survey and test excavations, including reference to the environmental and archaeological context of the study area.

- Update the ACHA to include a further review of previous archaeological investigations carried out in similar contexts along the Shoalhaven River associated waterways as per the previous request for information from Heritage NSW.
- Review and update the consultation appendices of the ACHA to include all consultation documentation, and ensure that the consultation log is an accurate record based on the evidence provided. It is noted that no stakeholder responses to the test excavation methodology are presently included, and there are minor discrepancies between the consultation log and records.

## Aboriginal community consultation must be maintained

Consultation with the registered Aboriginal parties must be maintained. We recommend updates on the project are provided to the registered Aboriginal parties every six months to ensure the consultation is continuous.

If you have any questions regarding these general terms of approval, If you have any questions in relation to this advice, please contact James Cole, Senior Assessments Officer, at Heritage NSW on 9873 8500 or [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au).

Yours sincerely

*Rochelle Johnston*

Rochelle Johnston  
Strategic Manager, Heritage Referrals  
Heritage NSW  
Department of Climate Change, Energy, the Environment and Water  
As Delegate under National Parks and Wildlife Act 1974

14 January 2025

Contact: S Howe  
Phone: 1300 662 077  
Email: [suellen.howe@waternsw.com.au](mailto:suellen.howe@waternsw.com.au)

Queanbeyan-Palerang Regional Council  
PO Box 90  
QUEANBEYAN NSW 2620

Our ref: IDAS1155920  
Your ref: DA.2024.0047

Email: [jacinta.tonner@qprc.nsw.gov.au](mailto:jacinta.tonner@qprc.nsw.gov.au)

24 February 2025

Dear Jacinta

**RE: Integrated Development Referral – General Terms of Approval  
Proposed Development DA.2024.0047  
Lots 24, 25, 27 & 330 DP755915  
522 Larbert Road, Larbert 2622**

I refer to your recent request regarding an integrated Development Application (DA) proposed for the above location. Please find attached the WaterNSW General Terms of Approval (GTA) for part of the proposed development requiring a Water Supply Work approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 4.47(3) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) which requires a consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

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

- if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works or activities that relate to any excavation which interferes with an aquifer. WaterNSW will ascertain from the notification if the amended plans require review of the GTA. This requirement applies even if the amendment is part of Council's proposed consent conditions and do not appear in the original documentation.
- if Council receives an application under s4.55 of the EP&A Act to modify the development consent and the modifications change the proposed work or activities described in the original DA.
- of any legal challenge to the consent.

Activity cannot commence before the applicant applies for and obtains the relevant approvals, WaterNSW recommends the following condition be included in the development consent.

**The attached GTA issued by WaterNSW do not constitute an approval under the *Water Management Act 2000*.** The development consent holder must apply to WaterNSW for the relevant Water Supply Work and Water Access Licence approvals **after consent** has been issued by Council **and before** the commencement of any activity.

Completed application forms must be submitted to WaterNSW together with any required plans, documents, application fee, and proof of Council's development consent. Application forms are available from the WaterNSW website which can be found [here](#).

WaterNSW requests that Council provides a copy of this letter to the development consent holder. WaterNSW also requests a copy of the determination for this development application be provided by Council as required under section 4.47(6) of the EP&A Act.

#### **Information to the proponent:**

1. The applicant must obtain water access licences in the Lachlan Fold Belt Greater Metropolitan Groundwater Source and ensure they have sufficient water available in their account for any non-exempt take before any pumping of water commences in connection with the development.
2. The applicant must prepare a Water Management Plan for the project within 8 weeks of a development consent being determined that must include:
  - a. Detailed description of the proposed quarry expansion,
  - b. A comprehensive assessment of the collated baseline groundwater quality and level data quarryinforming the conceptual and groundwater models for the expansion of the quarry disturbancearea,
  - c. Outline of the groundwater and water balance modelling outcomes,
    - i. Maximum predicted groundwater take volume
    - ii. Periods of maximum predicted groundwater take based on schedule of operations.
  - d. Both surface water and groundwater monitoring programmes for the detection and measurementof potential impacts and groundwater drawdown upon the quarry activity areas as scheduled.
    - i. A line of sentinel bores from known contamination towards the Shoalhaven River should be considered to determine the extent of down gradient progression of the contamination plume currently and for future monitoring.
  - e. A water quality monitoring program for the detection and measurement of changes to the natural surface water and groundwater quality. Groundwater sampling data is to be provided with characterisation of the water quality and groundwater levels at the site. If treatment is required

for any groundwater discharge, a suitable treatment system (including strategy and a Trigger Action Response Plan) and a figure showing the proposed treatment set up for the site and storage tank locations (including size) will be required.

- f. Demonstration that a Trigger Action Response and reporting Plan (TARP) has been developed for the water monitoring programmes and will be implemented as part of the water management plan.
3. The applicant must prepare a revised and updated three-dimensional groundwater numerical flow model showing predicted impacts over distance, including refined predictions of potential groundwater take. Consideration and reference to the Australian Groundwater Modelling Guidelines (Barnett et al. 2012) is recommended. A standalone Groundwater modelling Report should be provided which describing the results of the modelling including but not limited to (3(a), (b), (c) and:
- 4.
- i. A record of site-specific data including hydraulic conductivity testing, ongoing continuous water level monitoring from on-site bores and water chemistry used in the modelling.
  - ii. Proportioned prediction of take of water from each water source
    - Groundwater, surface water catchment, and any potential surface water source take,
    - for the planned years and schedule of operations.
  - iii. Comprehensive impact predictions based on the site-specific data, for potential impacts to the adjoining surrounding watercourses (as environmental receptors).
    - Predictions under periods of average flow (rainfall), Flood (High water flow, high rainfall), Drought (low water flow, low rainfall) should be considered.

Yours sincerely

*Suellen Howe*

Suellen Howe  
Water Regulation Officer  
WaterNSW

## General Terms of Approval

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

**Reference Number:** IDAS1155920

**Issue date of GTA:** 24 February 2025

**Type of Approval:** Water Supply Work

**Description:** Storage - groundwater

**Location of work/activity:** 522 Larbert Rd LARBERT 2622

**DA Number:** DA.2024.0047

**LGA:** Queanbeyan Palerang Regional Council

**Water Sharing Plan Area:** Greater Metropolitan Region Unregulated River Water Sources 2023

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

Condition Number	Details
<b>Erosion and sediment controls</b>	
GT0269-00001	A. The construction, installation or use of the water supply work authorised by this approval must not cause or increase erosion to the channel or bank of the watercourse. B. If erosion is observed, the area must be stabilised with grass cover, stone pitching or any other material that will prevent any further occurrence of erosion.
<b>Plans, standards and guidelines</b>	
GT0242-00001	The taking of water from a water source that is conditioned by these General Terms of Approval is limited to the project and at the site identified in the development application.
GT0244-00001	The taking of water from a water source that is conditioned by these General Terms of Approval shall cease at the end of the project identified in the development application.
GT0246-00001	A water access licence, for each relevant water source, must be obtained prior to taking more than 3 ML of water for one or more aquifer interference activities carried out in connection with the project of a type listed in Schedule 4, Part 1, clause 7(2), Water Management (General) Regulation 2018. For clarity, the taking of less than 3 ML of water requires a water access licence in accordance with Schedule 4, Part 1, clause 7(1), Water Management (General) Regulation 2018 if the water taken is used for consumption or supply.
GT0247-00001	If no water access licence is obtained for the first 3 ML per year (or less) of water extracted, then, in accordance with clause 21(6), Water Management (General) Regulation 2018, the applicant must: (a) record water taken for which the exemption is claimed (b) record the take of water not later than 24 hours after water is taken (c) make the record in the approved form (d) keep the record for a period of 5 years (e) give the record to WaterNSW, (i) not later than 28 days after the end of the water year (being 30 June) in which the water was taken, or (ii) if WaterNSW directs the person in writing to give the record to WaterNSW on an earlier date, by that date. For clarity, the records for each water year over which the project operates are required to be retained for every following five-year period after every year when the water was taken.
GT0248-00001	Before the commencement of any take of water by any works required for the project, the applicant must apply to WaterNSW for, and obtain, a water use approval, water management work approval or activity approval under Chapter 3,

## General Terms of Approval

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

<b>Reference Number:</b>	IDAS1155920
<b>Issue date of GTA:</b>	24 February 2025
<b>Type of Approval:</b>	Water Supply Work
<b>Description:</b>	Storage - groundwater
<b>Location of work/activity:</b>	522 Larbert Rd LARBERT 2622
<b>DA Number:</b>	DA.2024.0047
<b>LGA:</b>	Queanbeyan Palerang Regional Council
<b>Water Sharing Plan Area:</b>	Greater Metropolitan Region Unregulated River Water Sources 2023
Part 3, clauses 89, 90 or 91, Water Management Act 2000, as relevant.	
GT0249-00001	An approval extraction limit shall be set at a total of 18.9 ML per water year (being from 1 July to 30 June) for the project in accordance with Schedule 4, Part 1, clause 7(1), Water Management (General) Regulation 2018. (a) The applicant may apply to WaterNSW to increase the extraction limit under this condition, (b) Any application to WaterNSW to increase the extraction limit must be in writing and provide all information in a documented hydrogeological assessment, (c) WaterNSW may lower the extraction limit under this condition should the applicant determine that a take of less than 18.9 ML per water year is required by the project.
GT0250-00001	Any existing work that does not comply with distance requirements specified in a relevant water sharing plan where the applicant proposes to use that work for water supply for the project may be subject to any of the following provisions (distance mitigation provisions): a) employment of an extraction limit on the work approval to mitigate potential impacts on surrounding receptors, b) implementation of a comprehensive monitoring program including trigger levels, response plans and cease-to-pump levels for the life of the project, (c) direction to not use the work for water supply, (d) direction to decommission the work in accordance with the Minimum Construction Requirements for Water Bores in Australia and to drill a new work in compliance with the distance rules in the relevant water sharing plan.
GT0251-00001	The applicant shall provide documented evidence of compliance with the distance mitigation provisions applied to the existing work proposed to be used for water supply within six weeks of receiving written notification that a provision has been determined by WaterNSW.
GT0252-00001	All water taken by the project that is to be discharged from a project site must comply with any applicable requirements, a) Council discharge permit for disposal to stormwater system, (b) Environmental Protection Licence for disposal to surface waters.
GT0254-00001	Any water taken by the project that is to be discharged to ground or in-ground must be treated to not directly or indirectly pollute groundwater in accordance with Part 5.3, clause 120, Protection of the Environment Operations Act 1997. The applicant must provide a report containing evidence that the discharge of water to ground or in-ground will not directly or indirectly alter the environmental values of groundwater and include matters set out in any guideline published by the NSW Department of Planning and Environment relevant to the activity. Where no guideline is current or published, the report must include the following: (a) all results from sampling and testing for any prescribed matter listed in Schedule 5, Protection of the Environment Operations (General) Regulation 2022. (b) all results from sampling and testing of ambient groundwater to determine environmental values. (c) details of the treatment methods to remove any identified prescribed matter or other constituents to ensure that no more than minimal harm will occur. (d) proposed management and response actions to maintain discharge water quality treatment.

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<b>LGA:</b>	Queanbeyan Palerang Regional Council
<b>Water Sharing Plan Area:</b>	Greater Metropolitan Region Unregulated River Water Sources 2023
GT0255-00001	The applicant must provide a report detailing any water balance modelling for the project within six weeks of any consent being determined that includes the following (water balance model verification report), (a) details of the theoretical basis of the water balance model, (b) the implementation of the water balance model, (c) description of all assumptions applied within the water balance model, (d) verification of the water balance model through an independent peer review or through comparison to another independently peer reviewed model.
GT0256-00001	The applicant must provide a report detailing any groundwater impact assessment modelling for the project within six weeks of any consent being determined that includes the following (impact assessment model verification report), (a) justification of the type of model used, (b) details of the model inputs, (c) theoretical and conceptual basis of the model, (d) description of all assumptions applied within the model, (e) quantification of the uncertainty of the model results, (f) independent peer review of the model. The impact assessment model verification report shall include matters aligned with the content of the Minimum Groundwater Modelling Requirements for SSD/SSI Projects and the relevant requirements of the Australian Groundwater Modelling Guidelines.
GT0257-00002	All modelling for the project is to be reviewed every five years and the findings included in a report to be provided to Council and WaterNSW within six weeks of the anniversary date of a consent being determined. Any increase to the amounts of water take from any water source identified within the water balance modelling compared to the original version must be notified to WaterNSW immediately.
GT0258-00001	The applicant shall implement a monitoring program within 6 months of a consent being determined that is designed to measure groundwater levels and water quality on and around all the sites comprising the project in accordance with, (a) a minimum of three monitoring bore locations are to be located at or around each exaction into the water table, in non-linear positions selected to allow accurate determination (triangulation) of any groundwater flow orientations, (b) where impact receptors are present surrounding a site, additional sentinel monitoring bores must be installed to detect changes to groundwater levels or quality in locations between the project activity areas and the receptors, (c) the monitoring bores must be installed and maintained as serviceable works for the purpose of groundwater level and quality measurements for the life of the project, (d) the monitoring bores must be protected from construction damage, (e) if unforeseen or unavoidable damage does occur, the monitoring bores must be replaced with like-for-like installations within 30 days of the damage being identified, (f) damaged monitoring bores must be decommissioned in accordance with the Minimum Construction Requirements for Water Bores in Australia, (g) all monitoring bores, including those replacing damaged works, must be surveyed to provide location coordinates at an accuracy of $\pm 0.03$ m, and elevations relative to Australian Height Datum at an accuracy of $\pm 0.03$ m. The applicant shall rehabilitate, decommission, replace, install or resurvey monitoring bores as requested in writing by WaterNSW from time to time during the life of the project to address issues identified in an annual report.



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<b>LGA:</b>	Queanbeyan Palerang Regional Council
<b>Water Sharing Plan Area:</b>	Greater Metropolitan Region Unregulated River Water Sources 2023
GT0259-00001	The applicant must provide a groundwater management plan with the approval application required for the project. The groundwater management plan must align in content with the Guidelines for Groundwater Documentation for SSD/SSI Projects, Appendix A, requirements for the relevant project type, and include matters as follows: (a) detailed maps, sections and diagrams for the project, (b) baseline groundwater level and elevation data, (c) estimates of hydraulic properties for lithologies, (d) interpreted groundwater flow directions, (e) conceptualisation and description of the project area geology and hydrogeology, (f) estimates of groundwater level drawdown within the area of influence, (g) comprehensive assessment against criteria and requirements of the NSW Aquifer Interference Policy, (h) annual calculations of direct and indirect water take per water source, (i) all information required as data inputs for modelling, including rainfall records and discharge measurements, (j) assessment of cumulative impacts, (k) seasonal groundwater and surface water quality sampling and analysis, (l) quality assurance and quality control information (m) a trigger, action, response plan detailing the instances when and what management actions will be taken to reduce impacts from the project.
GT0260-00001	The groundwater management plan for the project must be implemented following the issue of the approval for the project. Any considerations specific to the project location or setting as requested by WaterNSW are to be incorporated into the groundwater management plan before implementation. The applicant must be able to demonstrate compliance with all requirements of the groundwater management plan at any time throughout the life of the project.
GT0261-00001	The applicant shall meter all water taken from any water source, as well as any discharge from each site comprising the project, in accordance with the following: (a) Australian Standard for Non-Urban water meters, (b) a best-practice guide to installing, validating and maintaining non-urban water meters in NSW, (c) NSW Non-Urban Water Metering Policy. The applicant may apply to WaterNSW to vary the metering requirement must be in writing and provide site-specific evidence and professional technical justification as to why a variation is requested.
GT0262-00001	The applicant shall prepare an annual monitoring report following the end of each water year (being from 1 July to 30 June) and make the report available to Council and WaterNSW within six weeks of the end of each period. The applicant may apply to WaterNSW to vary the reporting date specified under this condition to align with other annual reporting requirements where relevant. Any application to WaterNSW to vary the reporting date must be in writing and demonstrate that another approval body or consent authority annual reporting requirement applies to the project.
GT0263-00001	The water supply work authorised by this approval must be surrendered after compliance with all conditions and at the end of the project.
GT0265-00004	The location of the dam/s, shown on a plan held in the relevant licensor, WaterNSW, must not be altered.
GT0266-00002	The dam must be constructed in accordance with the Larbert Quarry Extension



## General Terms of Approval

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<b>LGA:</b>	Queanbeyan Palerang Regional Council
<b>Water Sharing Plan Area:</b>	Greater Metropolitan Region Unregulated River Water Sources 2023
	Environmental Impact Statement plan dated October 2023 as approved by the relevant licensor. A copy of the plan is held in the relevant licensor, WaterNSW Office.
GT0268-00001	The works authorised by this approval must be constructed and maintained to: A. Ensure safe construction & operation. B. Prevent the possibility of damage being caused by the work, or resulting from the work, to any public or private interest.
GT0270-00001	If during the construction of the water supply work/s authorised by this approval and Aboriginal site is uncovered, the approval holder must: A. Cease all construction operations immediately. B. Advise the relevant licences closest office in writing of the location and extent of the aboriginal site. C. Consult with the Office of Environment & Heritage & the Local Aboriginal Land Council. D. Obtain a written notice from the relevant licensor before resuming any construction on the site.
GT0271-00001	The approval holder must not allow any tailwater/drainage to discharge into or onto: - Any adjoining public or crown road. - Any another persons land. - Any crown land. - Any river, creek or watercourse. - Any native vegetation. - Any wetlands.
GT0272-00001	Any water supply work authorised by this approval used for the purpose of conveying, diverting or storing water must be constructed or installed to allow free passage of flood waters flowing into or from a river or lake.
GT0274-00002	The dam must have a volume capacity not exceeding (groundwater) 11.8ML
GT0274-00003	The dam must have a volume capacity not exceeding (surface water) 8.4ML

### Reporting requirements

GT0226-00001	The applicant must record and retain all information generated by the groundwater monitoring plan for the life of the project.
GT0228-00001	The annual monitoring report must include the following: (a) all rainfall, groundwater and surface water data recorded for the project under an approved groundwater management plan (b) monthly records for all meters used in the measurement of water take (or other monthly water take data under an approved variation) (c) detailed comparison between actual water take, water levels and quality with those predicted by the modelling for the project (d) assessment of trends in rainfall, groundwater levels, water quality and water take volumes for the period of record since the start of the project (e) identification of the activation of any triggers for mitigation actions (f) description of any mitigation actions taken to address impacts.

## **SCHEDULE 1**

The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by WaterNSW for integrated development associated with DA.2024.0047 as provided by Council:

- 22128\_R01\_Larbert Quarry EIS\_V3 (Report).
- 22128\_R01\_Larbert Quarry EIS\_V3 (Report)\_V2.
- 22128\_R01\_Larbert Quarry EIS\_V3 (Report)\_V3.
- 22128\_R01\_Larbert Quarry EIS\_V3 (Appendices)\_V1.
- Council briefing - DA.2024.0047 - Extractive Industry - Quarry extension Larbert.

**Letter to Applicant**  
**(consent granted)**

File: 20/10563  
LOC No: 625015

7 November 2024

Canberra Sand & Gravel Pty Limited  
PO Box 110  
FYSHWICK ACT 2609

[larbertquarry@gmail.com](mailto:larbertquarry@gmail.com)

Dear Sir/Madam,

<b>Consent for Development Comprising:</b>	Larbert Quarry Extension
<b>Crown Road</b>	Between Lot 25 and Lot 27 DP 755915
<b>Parish</b>	Bruce
<b>County</b>	St Vincent
<b>Applicant</b>	Canberra Sand & Gravel Pty Limited

Consent is granted by the Minister for Lands and Property to the lodgement of applications for approval under the *Environmental Planning and Assessment Act 1979*, and other associated applications required under other legislation, for the development proposal described above.

This landowner's consent is granted conditional to the following:

1. Landowner's consent will expire after a period of 12 months from the date of this letter if not acted on within that time. Extensions of this consent may be sought.
2. You are required to forward a copy of the DA approval to the NSW Department of Planning Housing & Infrastructure – Crown Lands ("the Department") after approval and prior to commencing works.
3. You are required to ensure that the approval provided is consistent with this landowner's consent.
4. The landowner's consent is provided for the works detailed on the application provided by you and retained by the Department as DOC24/273414.
5. Landowner's consent is granted in accordance with the following:
  - Landowner's consent is given without prejudice so that consideration of the proposed development may proceed under the *Environmental Planning and Assessment Act 1979* and any other relevant legislation;
  - The grant of this landowner's consent does not guarantee that any subsequent authority to occupy will be granted;

- Landowner's consent does not imply the concurrence of the Minister for Lands & Property for the proposed development and does not provide authorisation under the *Crown Lands Management Act 2016* for this proposal;
- The issuing of landowner's consent does not prevent the Department from making any submission commenting on, supporting or opposing an application;
- The Minister reserves the right to issue landowner's consent for the lodgement of applications for any other development proposals on the subject land concurrent with this landowner's consent;
- Any changes made to the proposal, including those imposed by the consent authority, must be consistent with this landowner's consent and therefore if modifications are made to the proposed development details must be provided to the Department for approval;
- Landowner's consent also allows application to any other approval authority necessary for this development proposal.

This letter should be submitted to the relevant consent or approval authority in conjunction with the development application and/or any other application. You are responsible for identifying and obtaining all other consents, approvals and permits required under NSW and Commonwealth laws from other agencies for the proposed development.

It is important that you understand your obligations relating to Condition 3. If any alterations are made to the application (whether in the course of assessment, by conditions of consent, or otherwise), it is your responsibility to ensure the amended or modified development remains consistent with this landowner's consent. If there is any inconsistency or uncertainty you are required to contact the Department before undertaking the development to ensure that the Department consents to the changes. A subsequent landowner's consent application may incur additional application fees.

It is advised that the Department will provide Queanbeyan-Palerang Regional Council a copy of this landowner's consent and will request that Queanbeyan-Palerang Regional Council notify the Department of the subsequent development application, for potential comment, as part of any public notification procedure.

Please note that the proposed activity represents a significant intensification of use of the adjacent Crown road for part of its length adjoining Lot 25 and Lot 27 DP 755915. In accordance with Departmental policy any Crown roads proposed to be upgraded or utilised for access in conjunction with this activity will need to be transferred to Council for management as a Council public road.

During the assessment the Department conducted an Aboriginal Heritage Information Management System (AHIMS) search. An Aboriginal site and/or Aboriginal place has been recorded in or near the proposed development site and/or there are natural landscape features that indicate the potential presence of Aboriginal heritage in or near the proposed development site. Please ensure all due diligence processes are followed in regard to this matter.

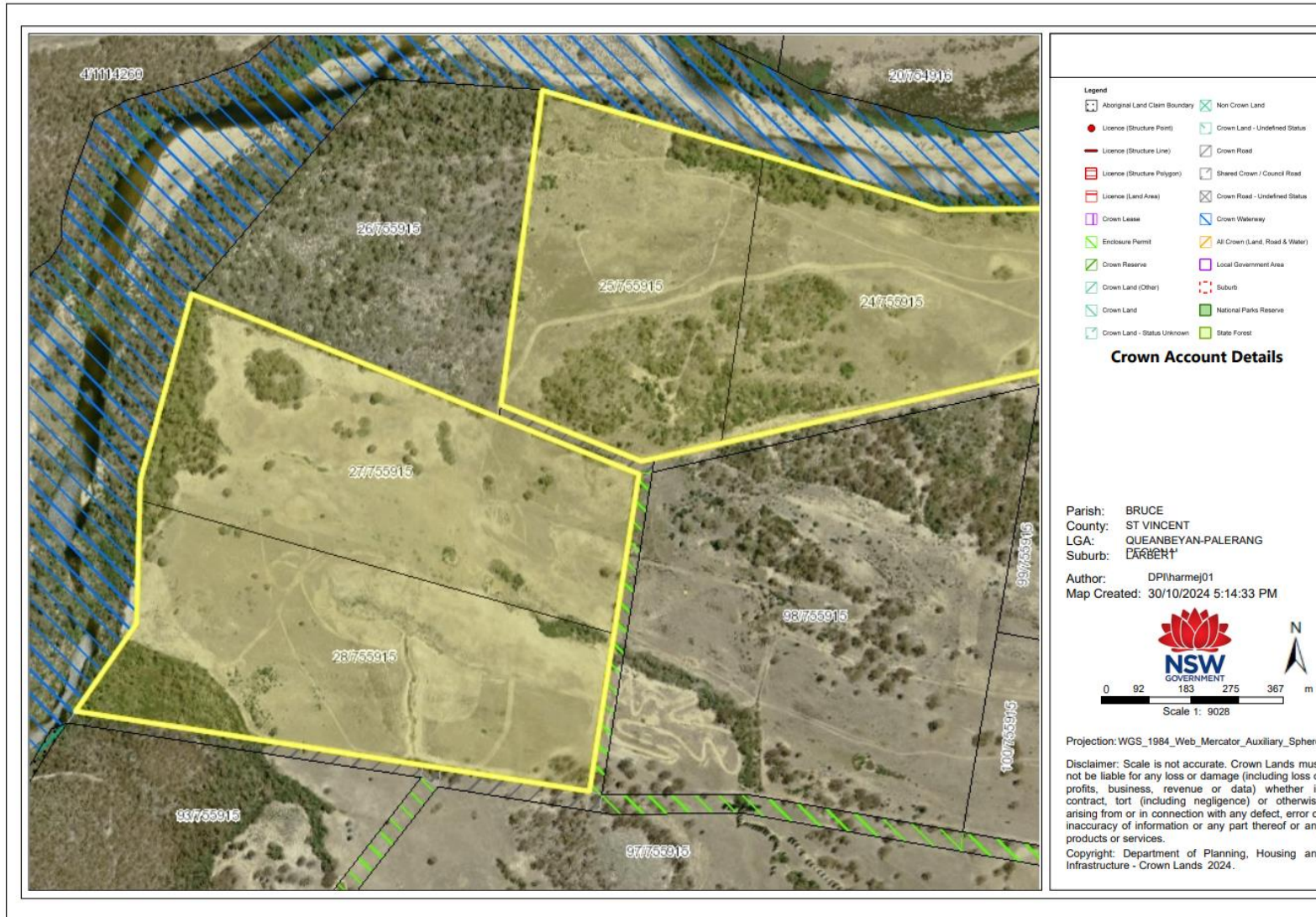
For further information, please contact me at the Goulburn Crown Lands Office by email [jacqui.harmer@crownland.nsw.gov.au](mailto:jacqui.harmer@crownland.nsw.gov.au)

Yours sincerely



Jacqui Harmer  
 Snr Natural Resource Management Officer  
 Department of Planning, Housing and Infrastructure – Crown Lands

## Attachment A – Location Map







Our ref: DOC24/658564

Jacinta Tonner  
Coordinator, Assessment  
Queanbeyan Palerang Regional Council  
  
By email: .Jacinta.Tonner@qprc.nsw.gov.au

Dear Jacinta

**Subject: Biodiversity Development Assessment Report review, Larbert Quarry**

The Biodiversity Conservation and Science South East Planning team have completed a review of the Biodiversity Development Assessment Report (BDAR) for the proposed Larbert Quarry expansion at Larbert. Included in **Attachment 1** are our detailed comments.

The BDAR shows that much of the subject land is relatively low quality vegetation that is likely the result of historical clearing. There are some areas of higher biodiversity values, particularly in the western corner of the site which will be retained. We recommend that Council include in any Development Application (DA) conditions of approval that a biodiversity management plan is prepared and implemented to provide a framework to manage retained vegetation. By retaining and protecting remnant vegetation in the western portion of the subject land the proponent will be able to demonstrate avoidance of high biodiversity values.

We also note a small credit obligation has been generated. Any conditions of approval should require the proponent to retire this obligation before the commencement of any vegetation clearing associated with this DA.

If you have any questions in relation to the above, please do not hesitate to contact Nat O'Rourke, Senior Conservation Planning Officer at [rog.southeast@environment.nsw.gov.au](mailto:rog.southeast@environment.nsw.gov.au).

Your sincerely

Allison Treweek 23/08/2024  
**Senior Team Leader**  
**Planning South East – Regional Delivery**  
**Biodiversity and Conservation Division**

22 August 2024

TfNSW reference: STH24/00529/002

Your reference: DA.2024.0047 (CNR-70045, A-86368)

Jacinta Tonner

Queanbeyan Palerang Regional Council

By Email: [Jacinta.tonner@qprc.nsw.gov.au](mailto:Jacinta.tonner@qprc.nsw.gov.au)

CC: [council@qprc.nsw.gov.au](mailto:council@qprc.nsw.gov.au) [larbertquarry@gmail.com](mailto:larbertquarry@gmail.com) [grace@rwcorkery.com](mailto:grace@rwcorkery.com)

**DA.2024.0047 – Quarry extension – LOT 24 DP 755915 – 552 Larbert Road LARBERT**

Dear Jacinta

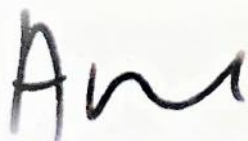
Transport for NSW (TfNSW) is responding to the DA 2024.0047 referred on 9 August 2024.

TfNSW has reviewed the information and does not believe the quarry extension will have a significant impact on the state road network, and therefore has no objections to the proposed development. TfNSW comments are provided in Attachment 1.

TfNSW notes that in determining the application under Part 4 of the Environmental Planning & Assessment Act 1979 it is the consent authority's responsibility to consider the environmental impacts of any road works that are ancillary to the development (such as removal of trees, relocation of utilities, etc). Depending on the nature of the works, the Council may require the developer to submit a further environmental assessment for any ancillary road works.

On Council's determination of this matter, please forward a copy of the Notice of Determination to TfNSW. If you have any questions, please contact Anna Paul, Development Services Case Officer, on (02) 9595 4624 or email [development.south@transport.nsw.gov.au](mailto:development.south@transport.nsw.gov.au).

Yours faithfully



**Anna Paul**

Development Services Case Officer, Development Services

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OFFICIAL

**DA.2024.0047 – Quarry extension – LOT 24 DP 755915 – 552 Larbert Road LARBERT**

**Context**

TfNSW notes for this DA:

- The key state road intersection is the Kings Highway and Larbert Road.
- Council is seeking advice from TfNSW to assist in its assessment under SEPP (Transport and Infrastructure) 2021, s2.122 traffic generating development.
- Larbert Quarry is a sand and gravel quarry that is currently approved as non-designated development under DA 2014.148 and MOD.2019.024 for sand and gravel extraction and wet screening of these materials. The Quarry is approved for an annual extraction rate up to 20,000 m<sup>3</sup> of sand and gravel with a disturbance area of approximately 2 hectares (ha).
- The development proposes to extend operations at the Quarry by expanding the extraction area and progressively increasing production to a maximum of 200,000 tonnes per annum (tpa). The approved area is to be increased from 2ha to 29.21ha. The development seeks to approve the quarry life to 2052. The proposed expansion is expected to generate 9 vehicle trips in the AM and PM peak hours.
- The transportation of processed product to customers is via the existing private Larbert Quarry Access Road, and the public Larbert Road which connects to the Kings Highway.
- The Traffic Impact Assessment (TIA) has been provided as well as SIDRA modelling files. The analysis in the TIA confirms that the traffic generated from the development will have negligible effect on performance of key intersections, and no changes in the level of service have been identified.
- Section 6.4 of the TIA includes a statement that *the current geometric configuration of the Larbert Road / Access Road intersection and Kings Highway / Larbert Road intersection satisfies the B-double truck movements*. In a memo dated 9 August 2024 the applicant has confirmed that b-double trucks will not be used at the Quarry for any purposes.

**TfNSW comments**

1. TfNSW notes that one of the conclusions of the TIA is that QPRC implement *advisory* speed limit signage on Larbert Road. Any change to a speed limit on NSW public roads is a matter for TfNSW and a formal request must be submitted via this link: <https://www.saferroadsnsw.com.au/haveyoursay.aspx>



21 November 2024

Water NSW ref: DAR 24075-a1  
Your Ref: DA.2024.0047

General Manager  
Queanbeyan-Palerang Regional Council  
PO Box 90  
QUEANBEYAN NSW 2620

Attention: Jacinta Tonner

Dear Ms Tonner

**Subject: Part 6.5 of Biodiversity & Conservation SEPP (2021)  
DA.2024.0047; Lot 24 DP 755915; 522 Larbert Road, Larbert**

I refer to NSW Planning Portal referral received on 22 July 2024 requesting the concurrence of Water NSW under Part 6.5 of *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (the SEPP) for a proposal to increase the extraction rate to a maximum of 1,000 tonnes per day, increase the approved extraction area, extend life of the quarry to 2052, ancillary activities and construction of site infrastructure, and changes to transportation.

The subject property, which has been previously inspected by Water NSW, is located within the Shoalhaven Catchment which forms part of Sydney's water supply. Additionally, Water NSW owns land along the Shoalhaven River (Lot 26 DP 755915), which is located directly adjacent to proposed Extraction blocks E4, E5 and E6 within Lots 25 and 27, DP 755915. Lot 26 DP 755915 is leased by WaterNSW, along with other parcels of land in this area.

Water NSW notes the following with regard to its land:

- Water NSW has not been consulted as to any potential impacts from the development on our adjacent lot, nor are impacts to adjacent properties considered in the application
- a Crown Land easement extends from Larbert Road to Lot 26 DP 755915, however it is unclear from the application if this lot will be landlocked by Lots 25 & 27 and access severed from quarry operations. WaterNSW requires the applicant to consult with us on appropriate access arrangements and if required, any necessary property matters such as Right of Way or easement, and
- a one metre buffer is proposed along the western boundary of extraction cell E5 and the northern edge of extraction cell E6, to avoid disturbance to the existing vegetation in Lot 26 DP 755915 (Water NSW owned land). It is intended the quarry walls would be battered to a 1:3 slope (consistent with the proposed final landform design) to provide stability and to further prevent undermining of land in Lot 26 DP 755915. A 1 metre buffer would also be implemented around the avoidance areas in extraction cell E6 to prevent disturbance to the retained vegetation and Aboriginal Heritage site. WaterNSW requests that if Council finds in favour of the application that they require the creation of a suitable buffer zone, where no extraction works can occur directly along the boundary lines, as a Consent condition.

Water NSW considered the following documents in the assessment of the application:

- Site Plans prepared by Dezignteam (undated)
- Groundwater Impact Assessment prepared by Ground Doctor Pty Ltd (dated 25/7/2023)
- Larbert Quarry Extension - Environmental Impact Assessment (dated October 2023), and Surface Water Impact Assessment (dated 7/8/23), all prepared by Umwelt (Australia) Pty Limited
- On-Site Sewage Management Report prepared by Franklin Consulting Australia Pty Ltd (dated 24 September 2024), and
- Response to Water NSW's request for information (dated 14 August 2024), and Response to Council's request for information (dated 26 September 2024), both prepared by RW Corkery & Co.

Water NSW notes the following from its assessment:

- the Environmental Impact Assessment (EIA) noted wastewater generated by the development was proposed to be managed by pump-out septic system to be confirmed following approval. However, an On-Site Sewage Management Report has since been prepared and proposes wastewater treatment and disposal via a 3,000-litre septic tank and absorption bed
- the proposal will result in very minor increases in impervious area as a result of the new office building (31 square metres), bunded fuel container and storage container (each 14 square metres), and weighbridge (80 square metres) and associated gravel access to the weighbridge. Water NSW considers that the proposed rainwater tanks for the office building, and provided any run-off from these impervious areas is directed to a stable surface capable of accepting concentrated flows without causing erosion, is sufficient to manage the associated water quality risks
- no change to the existing unsealed site access road is proposed. Access will remain via the Site Access Road from Larbert Road, on Lot 330 and 24 of DP 755915
- the project proposes little change to the existing sand and gravel extraction and processing, besides an increase in the quantity of sand and gravel extracted from the Quarry, and eventual upgrade of the existing wash plant to a larger wash plant to accommodate the increase in production of screened and washed sand and gravel, and
- the existing Clean Water Pond (with a floor level in the groundwater table, 11.8ML capacity) receives seepage inflows from the Silt Pond (8.4ML capacity), groundwater, direct rainfall and surface facilities runoff. The sand/gravel washing plant is supplied with water from the Clean Water Pond and also loses water via seepage to the groundwater table. If inflows exceed the Clean Water Pond capacity, the Clean Water Pond will spill to and be retained in the Quarry Pit, and preferentially used for Quarry operations (e.g. processing, dust suppression) or allowed to infiltrate into the underlying material or evaporate. No off-site discharges are proposed.

Based on the aerial photography and the information provided, Water NSW is satisfied that the proposed development can achieve a neutral or beneficial effect (NorBE) on water quality, provided appropriate conditions are included in any development consent and are subsequently implemented.

Water NSW concurs with Council granting consent to the application subject to the following conditions:

### **General**

1. The quarry layout and works shall be implemented in accordance with the plans and supporting documents set out in the following table.

Plan Title	Reference	Version/ Issue	Prepared By	Dated
Site Plan – Larbert Quarry – Office/Weighbridge	A010	-	Dezignteam	-
3D Massing – Larbert Quarry – Office/Weighbridge	A011	-		-
Figure 3.2 – Future Extraction Map	Page 25 of the EIS, Report No. 22128/R01	V3	Umwelt (Australia) Pty Limited	11/10/2023
Figure 3.1 – Water Management System Plan	Page 16 of the Surface Water Impact Assessment	1		October 2023
Figure 3.2 – Water Management Schematic	Page 17 of the Surface Water Impact Assessment	1		October 2023
Figure 6.1 – Surface Water Monitoring Locations	Page 30 of the Surface Water Impact Assessment	1		October 2023
Supporting Documents				
Larbert Quarry Extension – Environmental Impact Assessment (EIS)	Report No. 22128/R01	V3	Umwelt (Australia) Pty Limited	11/10/2023
Surface Water Impact Assessment	Report No. 22128/R03	1		October 2023
On-Site Sewage Management Report	-	-	Franklin Consulting Australia Pty Ltd	24/09/2024
Groundwater Impact Assessment	Project No. 2021-GD031		Ground Doctor Pty Ltd	25/07/2023
Response to Water NSW request for information	-	-	RW Corkery & Co	14/08/2024
Response to Council’s request for information	-	-		26/09/2024

No revisions to site layout or works that will have any impact on water quality, shall be permitted without the agreement of Water NSW.

- The extent of the actual quarry boundary shall be clearly and permanently delineated on the ground by star pickets or posts.

*Reason for Conditions 1 & 2 – Water NSW has based its assessment under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 on this version of the development.*

### Wastewater Management

- The septic tank and absorption bed shall be designed, located and installed in accordance with the recommendations in the On-Site Sewage Management Report prepared by Franklin Consulting

Australia Pty Ltd (dated 24 September 2024), and *Designing and Installing On-Site Wastewater Management Systems* (WaterNSW, 2023). The wastewater management system shall:

- have a septic tank with a minimum volume of 3,000 litres and be fitted with an outlet filter
  - ensure the effluent distribution pipe from the tank to the absorption bed:
    - is buried at a minimum depth of 300 mm (500 mm under access way), and
    - is laid in a manner that provides protection against mechanical damage or deformation.
  - have an absorption bed:
    - with a total base area of 30 square metres e.g. one bed 20m long x 1.5m wide
    - that is located as indicated in the report, and
    - protected from livestock and vehicles.
  - ensure that all effluent is fully assimilated within the boundaries of the property
  - have switching valves and/or a dosing/distribution mechanism installed to ensure to evenly distribute the effluent to different parts of the bed, and
  - ensure all run-on and stormwater collected from roofs, access roads and other hard surface areas is diverted away from the bed area, e.g. by means of a stabilised bund or drain with provision for energy dissipation at the outlet to prevent scouring or erosion.
4. No changes to the wastewater treatment and effluent management system that will have any impact on water quality, shall be permitted without the agreement of Water NSW.
5. Appliances and fixtures with at least a four-star rating shall be installed in the office building to minimise the volume of wastewater produced.
6. These conditions of consent relating to wastewater management shall be provided to the installers of the wastewater treatment and effluent management systems.
7. The installers of the wastewater treatment and effluent management systems shall certify to Council in writing that the systems have been:
- constructed and installed as per these conditions of consent and in accordance with *Designing and Installing On-Site Wastewater Management Systems* (WaterNSW, 2023), and
  - tested and are functioning properly.
8. The on-site wastewater management system shall be maintained according to Section 5 of the Department of Local Government's guidelines *On-site Sewage Management for Single Households (1998)*, *AS/NZS 1547:2012 On-site Domestic Wastewater Management*, and the manufacturer's specifications.
9. No use of the office building shall be allowed until Council has received the certification from the installers and approved the onsite wastewater management system under the *Local Government Act 1993* as being consistent with these conditions.

*Reason for Conditions 3 to 9 – To ensure that the on-site wastewater management system is appropriately designed, located and constructed so as to have a sustainable neutral or beneficial effect on water quality over the longer term.*

## **Access Road**

10. The proposed weighbridge driveway shall:
- be constructed with compacted roadbase (aggregate) as a minimum
  - be constructed to Council's engineering standards
  - be consistent with the requirements of *Unsealed Roads Best Practice Guide* (ARRB, March 2020), and

- divert water onto a stable surface capable of accepting concentrated water flow and provide for efficient sediment trapping and energy dissipation.
11. Any upgrade to the existing access road shall be undertaken in accordance with Council's engineering standards.
  12. There shall be no revision to the proposed access road layout that will impact on water quality without the agreement of the Water NSW.

*Reason for Conditions 10 to 12 – To ensure the existing access road, proposed driveway and any works have a minimal impact on water quality and can be maintained over the longer term.*

### **Stormwater Management**

13. Turfed diversion drains constructed for the existing access road shall be maintained in accordance with Volume 2E – Mines & Quarries (DECC 2008) and the Proposed Erosion and Sediment Controls Plan prepared by Robson Environmental Pty Ltd (Drawing No. 9619; Figure No 3, Rev A; dated 23 June 2014).
14. A rainwater collection and reuse system for the office building roof shall be installed that:
  - includes rainwater tanks with a minimum total capacity of 10,000 litres above any volume required for mains top-up
  - ensures roofs and gutters designed to maximise the capture of rainwater in the tanks
  - ensures that the tanks are plumbed to toilets, and other areas for potable and non-potable use including landscape watering, and
  - ensures that all rainwater tank overflow is directed to a stable surface capable of accepting concentrated water flow and provide for efficient sediment trapping and energy dissipation.
15. No variation to stormwater treatment or management that will impact on water quality shall be permitted without agreement of Water NSW.

### **Operational Environmental Management Plan**

16. An Operational Environmental Management Plan shall be prepared by a person with knowledge and experience in the preparation of such plans. The Plan shall be prepared prior to the issuance of an Occupation Certificate for the development and may be included in the overall Quarry Operational Environmental Management Plan. The Plan shall:
  - include details on the location, description and nature of existing and proposed water management system such as clean water diversion drains, the Silt Pond, the Clean Water Pond, the sand/gravel washing plant, and the Pit (with a floor level above the groundwater table), and stormwater management structures such as rainwater tanks, and any other stormwater structures and drainage work
  - include details on the location and nature of wastewater treatment structures and effluent disposal area such as septic tank, filters, delivery lines and absorption bed
  - identify the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all water management, stormwater and wastewater management structures, including the frequency of such activities
  - identify the individuals or positions responsible for inspection and maintenance activities including a reporting protocol and hierarchy
  - include procedures for managing water quality emergencies including identify the authorities including Water NSW to be notified, and
  - provide checklists for recording inspections and maintenance activities.

17. The Quarry operations shall be monitored, maintained and managed as per the Operational Environmental Management Plan, after all comments made by Water NSW during the consultation process have been appropriately resolved and incorporated in the final Operational Environmental Management Plan.

*Reason for Conditions 13 to 17 – To ensure that a stormwater management system is designed and managed that ensures a sustainable neutral or beneficial effect on water quality for the development as a whole over the longer term.*

### **Construction Activities**

18. A Soil and Water Management Plan shall be prepared for all quarry expansion works and operations by a person with knowledge and experience in the preparation of such plans. The Plan shall:
- include details of the existing and proposed water management system as outlined in Section 3.0 and shown in Figures 3.1 and 3.2 of the Surface Water Impact Assessment set out in the table of Condition 1, including:
    - clean water diversion drains
    - Silt Pond which receives surplus water from the sand/gravel washing plant and direct rainfall
    - the existing Clean Water Pond (with a floor level in the groundwater table)
    - the sand/gravel washing plant, and
    - the Pit (with a floor level above the groundwater table)
  - be prepared in consultation with Water NSW, prior to issuance of an Occupation Certificate, and be to the satisfaction of Council
  - meet the requirements outlined in Vol 1 Chapter 2 of the *NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004)* and *Volume 2E – Mines & Quarries (DECC 2008)*, and
  - include controls to prevent sediment or polluted water leaving the quarry site or entering any natural drainage system or stormwater drain.
19. The Soil and Water Management Plan shall be implemented, and no works shall commence until effective erosion and sediment controls have been installed. The controls shall be regularly inspected, maintained and retained for the life of the quarry operations.

*Reason for Conditions 18 & 19 – To manage adverse environmental and water quality impacts during the quarry operations and to minimise the risk of erosion, sedimentation and pollution within or from the site during operations.*

Under section 6.64 (3) SEPP, Council must provide Water NSW with a copy of its determination of the application within 10 days of the determination.

If you wish to discuss this matter further, please contact Nicole Wallwood via [environmental.assessments@waterNSW.com.au](mailto:environmental.assessments@waterNSW.com.au)

Yours sincerely



**JURI JUNG**  
**Catchment Protection Manager**