

DATE OF DETERMINATION	3 April 2025
DATE OF PANEL DECISION	3 April 2025
DATE OF PANEL BRIEFING	1 April 2025
PANEL MEMBERS	Chris Wilson (Chair), Juliet Grant, Grant Christmas, Julie Costa, John Preston
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 26 March 2025.

MATTER DETERMINED

PPSSTH-409 – Queanbeyan-Palerang – DA.2024.0047 at 552 Larbert Road LARBERT (Lots 24, 25, 27 and 330 of DP 755915) – Extractive Industry - Sand extraction up to 200,000 tonnes per annum (tpa) over a 25-year period with a disturbance footprint of 29.21 hectares (ha). Ancillary use of existing wet screening plant. Construction of ancillary site office and facilities including weighbridge. (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

Development application

The panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The panel determined to approve the application for the following reasons as well as the reasons outlined in the Council Assessment Report:

- The proposed development is permissible with development consent in the RU1 Primary Production zone under the *Queanbeyan-Palerang Regional Local Environmental Plan 2022* and is permissible under the *State Environmental Planning Policy (Resources and Energy) 2021*
- A thorough assessment in terms of section 4.15 of the *Environmental Planning and Assessment Act 1979* had been undertaken
- The proposal is unlikely to result in any unacceptable amenity, environmental or land use safety impacts subject to the imposition of the conditions of consent
- The proposed development will result in positive economic benefits
- Key issues such as air, noise, water, biodiversity, aboriginal cultural heritage, hazards and risk, and transport impacts have been resolved satisfactorily and where necessary, residual matters addressed through the conditions of consent as amended.

Given the above, the panel was satisfied that the development was in the public interest.

CONDITIONS

- Prior to the briefing, the applicant had requested changes to condition 13. Following discussion at the determination meeting Council agreed to amend condition 13 as follows:
 - 13(b) was amended so that an independent person with qualifications in Environmental Science who has extensive experience in extractive industry rehabilitation would be required to verify calculated costs
 - Paragraph 2 was amended to change the bond amount from 140% to 116% of the total cost of works.

It is understood that the Applicant has agreed to the changes in discussion with Council.



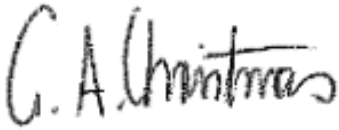


The Development Application was approved subject to the conditions in the Council Assessment Report as amended by the panel as follows:

- Condition 6 was amended to ensure consistency with the general terms of approval
- Condition 18 was amended to ensure the requirements established in the general terms of approval and requirements set out in condition 1 were clear and consistent
- Condition 21 was amended to include reference to the construction phase of the development
- Condition 22 was amended to include reference to the operational phase of the development
- Condition 35 was amended to include a new subclause '(c)' to ensure contributions are payable from the commencement of the consent.

The final conditions agreed to by the panel, which include the above amendments, are attached in Schedule 2.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel notes that no written submissions of objection were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Christopher Wilson (Chair)	 Juliet Grant
 Grant Christmas	 John Preston
 Julie Costa	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-409 – Queanbeyan-Palerang – DA.2024.0047
2	PROPOSED DEVELOPMENT	Extractive Industry - Sand extraction up to 200,000 tonnes per annum (tpa) over a 25-year period with a disturbance footprint of 29.21 hectares (ha). Ancillary use of existing wet screening plant. Construction of ancillary site office and facilities including weighbridge.
3	STREET ADDRESS	552 Larbert Road LARBERT (Lots 24, 25, 27 and 330 of DP 755915)
4	APPLICANT/OWNER	Canberra Sand and Gravel Pty Ltd (CSG) / Jason Griggs Crown Land (Consent granted by Minister for Lands and Property 7 November 2024)
5	TYPE OF REGIONAL DEVELOPMENT	Designated development - extractive industry
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Biodiversity and Conservation) 2021, State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Resources and Energy) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Queanbeyan-Palerang Regional Local Environmental Plan 2022 Development control plans: <ul style="list-style-type: none"> Palerang Development Control Plan 2015 Section 7.11 and 7.12 contributions plans: <ul style="list-style-type: none"> Tallaganda Section 94 Plan No 3 – Roadworks Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council Assessment Report: 26 March 2025 Written submissions during public exhibition: 2 Total number of unique submissions received by way of objection: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 18 July 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas <u>Council assessment staff</u>: Mary Kunang, Jacinta Tonner, Andrew Palmer, Amul Gaire, Kylie Coe <u>Applicant representatives</u>: James Gregory (Canberra Sand & Gravel), Steven Trevillian (Canberra Sand & Gravel), Trevor Allen (Canberra Sand & Gravel), Jack Flanagan (RW Corkery), Grace Scullett-Dean (RW Corkery) <u>DPIE</u>: Amanda Moylan, Tracey Gillett Site inspection: 18 July 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas <u>Council assessment staff</u>: Mary Kunang, Jacinta Tonner, Andrew Palmer, Amul Gaire, Kylie Coe

		<ul style="list-style-type: none"> ○ <u>Applicant representatives</u>: James Gregory (Canberra Sand & Gravel), Steven Trevillian (Canberra Sand & Gravel), Trevor Allen (Canberra Sand & Gravel) • Final briefing to discuss council's recommendation: 1 April 2025 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas, John Preston, Julie Costa ○ <u>Council assessment staff</u>: Jacinta Tonner, Kylie Coe, Amul Gaire, Paul Verghese ○ <u>Applicant representatives</u>: James Gregory (Canberra Sand & Gravel), Jack Flanagan (Environmental Consultant, RW Corkery), Claudia Le Quesne (Environmental Consultant, RW Corkery) ○ <u>DPIE</u>: Amanda Moylan, Nikita Lange
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report

Conditions of Consent – Extractive Industry

APPROVED DEVELOPMENT AND PLANS

1. Plans and documents

The development referred to in the application is to be carried out in accordance with the approved plans and documents including the following:

Title / Description	Prepared by	Issue Date/Lodged dated
Study area – proposed disturbance Figure 1.2	Umwelt	18 March 2024
Land Ownership – Figure 2.2	Umwelt	18 March 2024
Larbert Road Extension – Easement – Figure 2.3	Umwelt	18 March 2024
Proposed Building Locations - Figure 3.1	Umwelt	18 March 2024
Future Extraction Map - Figure 3.2	Umwelt	18 March 2024
Site Plan and Floor Plan A010 – Office Weighbridge	Dezignteam	4 February 2025
Elevations A101 - Office Weighbridge	Dezignteam	4 February 2025
3D – Massing A011	Office Weighbridge	4 February 2025
On-site Sewage Management Report	Soil and Water	24 September 2024
Environmental Impact Statement	Umwelt	October 2023
Groundwater Impact Assessment	Ground Doctor	25 July 2023
Surface Water Impact Assessment	Umwelt	October 2023
Air Quality and Greenhouse Gas Impact Assessment	Zephyr Environmental	24 July 2023
Bushfire Risk and Hazard Assessment	Umwelt	August 2023
Aboriginal Cultural Heritage Assessment Report	AREA Environmental and Heritage Consultants	September 2023
Response to additional information request for Integrated Development	AREA Environmental and Heritage Consultants	22 November 2024
Biodiversity Development Assessment Report	AREA Environmental and Heritage Consultants	September 2023

Traffic Impact Assessment Report	Indesco	May 2023
Noise and Vibration Impact Assessment	MAC – Muller Acoustic Consulting	November 2022

except as modified by any of the following conditions of consent.

Reason: Development is undertaken in accordance with this consent & is used for the approved purpose only.

In the event of any inconsistency between the approved plans and the supporting documentation the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent or statutory GTA, the condition or statutory GTA prevails.

NOTES:

- An inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.
- Any alteration to the plans and/or documentation must be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s4.55 of the Act, or a fresh development application. No works, other than those approved under this consent, shall be carried out without the prior written approval of Council

GENERAL TERMS OF APPROVAL AND REFERRALS

2. General Terms of Approval - EPA

The development must be carried out in accordance with the General Terms of Approval issued by the NSW Environment Protection Authority (Notice Number: 164113) dated 17 July 2024 (Attachment A)

Reason: To comply with agency requirements.

3. General Terms of Approval – NSW Heritage

The development must be carried out in accordance with the General Terms of Approval issued by the Department of Climate Change, Energy, the Environment and Water – NSW Heritage dated 14 January 2025 (Attachment B)

Reason: To comply with agency requirements.

4. General Terms of Approval – Water NSW

The development must be carried out in accordance with the General Terms of Approval issued by WaterNSW dated 24 February 2025 (Attachment C)

Reason: To comply with agency requirements.

5. Concurrence – Water NSW

The development must be carried out in accordance with the conditions required by the concurrence authority – Water NSW dated 21 November 2024 (Attachment D).

Reason: To comply with agency requirements.

SPECIAL CONDITIONS

Production Limits

6. No more than 200,000 tonnes of material is to be extracted and transported in any one calendar year (200,000tpa), consistent with the General Terms of Approval's.

7. Quarry operations shall not extend after 25 years from the date of the consent and/or not more than a total of 5,000,000 tonnes of material are to be extracted from the site.

Reason: To ensure the timeframe and limits and permitted for operations are clearly applied.

Note: Under this consent, the applicant is required to rehabilitate the site and carry out additional undertakings to the satisfaction of Council. Consequently, this consent will continue to apply in all other respects other than the right to conduct quarrying operations until the rehabilitation of the site and related undertakings have been carried out to the satisfactory standard and authorised by Council.

Transportation Limits

8. Truck movements

The quarry operator must not dispatch more than 27 laden trucks per day in accordance with Indesco Traffic Impact Assessment (May 2023).

Reason: To ensure limits for transport/haulage from the site is clearly defined to minimise adverse impacts in the locality.

Identification of approved limits of extraction

9. Identification of disturbance area

Prior to undertaking any site establishment works;

- A registered land surveyor is to be engaged to mark out the boundaries of the approved limits of extraction;
- the location of the disturbance area in relation to the allotment boundaries must be prepared and submitted to Council.
- These boundaries are to be clearly always marked in a permanent manner that allows operating staff and inspecting officers to clearly identify those limits.

Reason: To ensure the approved works are wholly within the subject land and in accordance with the approved plans

Rehabilitation

10. Progressive Rehabilitation

The site must be rehabilitated progressively, that is, as soon as reasonably practicable following disturbance to ensure the disturbed land is returned to a safe, stable and sustainable land use. All reasonable steps must be taken to minimise the area exposed at any time. Interim stabilisation and temporary vegetation strategies must be employed when areas prone to dust generation, soil erosion and weed incursion cannot be permanently rehabilitated.

This condition does not prevent further disturbance at some later stage of the development of areas that have been rehabilitated.

Reason: To ensure progressive rehabilitation and return land to a natural state.

11. Rehabilitation Strategy

A Rehabilitation Strategy must be prepared for all land disturbed by the development. The strategy must:

- (a) be prepared by a suitably qualified and experienced person/s;
- (b) be prepared in consultation with DCCEEW -Biodiversity Conservation Science;
- (c) use a risk-based approach;
- (d) describe the overall rehabilitation outcomes for the site and address all aspects of rehabilitation including quarry closure, final landform and final voids, post-quarrying land use/s and water management;
- (e) align with strategic rehabilitation and quarry closure objectives and address the principles of the Strategic Framework for Mine Closure (AMZMEC and MCA, 2000);
- (f) describe how rehabilitation will be integrated with the quarry planning process, including a plan to address premature or temporary quarry closure;
- (h) include indicative quarry plans and scheduling for life-of-quarry showing each rehabilitation domain;
- (i) include details of target vegetation communities and species to be established within proposed revegetation and tree screening areas;
- (j) include a program to review and update the strategy every five years,
- (k) be submitted to Council for approval within 6 months of the date of this consent.

Reason: To ensure the land is fully restored as specified in the Rehabilitation Strategy.

12. Landscape and Rehabilitation Management Plan

A Landscape and Rehabilitation Management Plan must be prepared for the development to the satisfaction of Council. This plan must

- a) Be submitted to Council for approval within 6 months of the date of this consent and revised every 5 years.
- b) Provide details of the conceptual final landforms and associated land use for the site;
- c) Describe the measures that would be implemented to ensure compliance with the rehabilitation objectives and progressive rehabilitation obligations in this consent;
- d) Include a detailed description of the measures that would be implemented for:

Rehabilitation Management Plan

- i. Rehabilitation and revegetation
- ii. Topsoil management
- iii. Surface preparation
- iv. Scheduling of works
- v. Final landform

- vi. Controlling weeds and feral pests.
- vii. controlling erosion,
- viii. controlling access

Final Void Management

- i. Void design criteria and specification,
- ii. Void slope stability,
- iii. Control of surface inflow,
- iv. Final void rehabilitation

- e) Include program to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria; and
- f) Include details of who would be responsible for monitoring, reviewing and implementing the plan.

Reason: To ensure the land is fully restored as specified in the Landscape and Rehabilitation Management Plan.

13. Rehabilitation Security Bond

The beneficiary of this consent is to ensure suitable security bonds are provided to Council for the rehabilitation of all extractive stages (E1 to E6). Initial bond provision is to occur within one month following approval of the Rehabilitation Strategy and Landscape and Rehabilitation Management Plan and the sum of the security bond will be determined by estimation and verification of rehabilitation cost as follows:

- (a) calculating the estimated rehabilitation costs for each extractive stage (i.e. E1 to E6) identified on Approved plans (Figure 3.2 Future Extraction Map, Umwelt); and
- (b) employing an independent person with qualifications in Environmental Science who has extensive experience in extractive industry rehabilitation to verify the calculated costs, to the satisfaction of Council.

The actual bond value at **any** time must be equal to a minimum of 116% of the estimated cost of rehabilitation works for each extractive stage (i.e. E1 to E6) currently disturbed and any further stages planned for disturbance within the following three-month period.

Bonds are to be provided to Council at least two weeks prior to disturbance of the extractive stage/s to which they relate. Estimated rehabilitation costs are to be reevaluated every 5 years using the rehabilitation cost estimation tool published by NSW Resources or alternate method agreed with Council's Director Development and Environment and bonds updated accordingly.

Notes:

- If capital and other expenditure required by the Landscape and Rehabilitation Management Plan is largely complete, the Council may waive the requirement for lodgement of a bond in respect of the remaining expenditure.
- If the rehabilitation of the site area is completed to the satisfaction of Council, then the Council will release the bond. If the rehabilitation of the site is not completed to the satisfaction of Council, then Council will call in all or part of the bond and arrange for the completion of the relevant works.
- To assist with cost estimation refer to the rehabilitation cost estimation tool (<https://www.resources.nsw.gov.au/resources-regulator/mine-rehabilitation/security-deposits>) on NSW Resources website.

Reason: To cover the full cost of rehabilitation in case of default.

14. Batters and earthworks

Quarry walls shall be battered to a slope of 1V:3H.

Reason: To ensure stability and prevent erosion.

15. Setback of quarry operations

Quarry operations shall not encroach into the tree protection zone in accordance with *AS 4970-2009 Protection of trees on development site* and/or a minimum of 1.5 m (whatever is the greater along the following edges of the development site:

- the western edge of extraction cell E5
- northern edge of extraction cell E6
- south and eastern edge of cell E4
- western and southern edge of cell E1
- around the avoidance areas in extraction cell E6

Reason: To avoid disturbance to vegetation, undermining of adjoining land and prevent disturbance to Aboriginal Heritage sites.

Mitigation and Management

16. Mitigation measures

The mitigation and management measures recommended in the approved documents referenced in Condition 1, must be implemented throughout the construction, operation and rehabilitation phase of the development.

Reason: To ensure environmental impact is minimised.

17. Bushfire Protection

Before quarry operations commence a Bushfire Emergency Management and Evacuation Plan is to be prepared and be consistent with the requirements of *Planning for Bushfire Protection 2019* and in accordance with the Bushfire Risk and Hazard Assessment (Umwelt, 2023).

A 10m Asset Protection Zone (APZ) must be provided around any infrastructure associated with the extractive industry in accordance with the *Planning for Bushfire Protection 2019*

Reason: To protect infrastructure and the surrounding environment from bushfire.

18. Operational Management Plan

The proponent shall prepare and submit an Operational Management Plan, to the satisfaction of Council, which includes;

- baseline data,
- description of the relevant statutory requirements and relevant performance measures/limits placed on the project by this consent, including the General Terms of Approvals, concurrence and requirements set out in the assessment reports identified in Condition 1,
- description of the measures that will be implemented to comply with the relevant statutory requirements, performance measures/limits,

- program to monitor and report impacts and environmental performance of the project and the effectiveness of any management measures,
- complaints handling and reporting system.

Reason: To ensure the proposal complies with the conditions of consent.

19. Code of Conduct

The applicant is to prepare a code of conduct for the transport of materials on public roads to the satisfaction of Council and is to ensure that all truck drivers associated with haulage to and from the quarry comply with the code of conduct.

Reason: Safety for road users and amenity of nearby residents.

20. Waste Management Plan

A Waste Management Plan (WMP) must be prepared and submitted to Council prior to building works commencing. The plan must include but is not limited to the method of disposal for the following waste streams:

Fines, water, slurry, diesel, used oils, motor parts, packaging containers, cardboards, office products, mixed waste.

Reason: To ensure measures are in place to manage any waste on site.

21. Dust Management

Vehicles leaving the site shall pass through/over sediment and dust control infrastructure to prevent dust and other contaminants leaving the site. This infrastructure shall be maintained by the proponent in an acceptable manner that is in accordance with design or manufacturer's specifications.

Reason: To ensure measures are in place to protect Council Road infrastructure from transfer of sediment and dust and to protect residents during hours of operation and construction.

22. Dust suppression

Undertake measures as appropriate, and/or respond to any Council direction to provide dust suppression on roads leading to, adjacent to and within the worksite in the event that weather conditions and construction traffic are giving rise to abnormal generation of dust.

Reason: To ensure that residents and activities are not disadvantaged by dust during operation and construction.

23. Above Ground Fuel Tanks

The aboveground fuel tank(s) must meet the requirements of the WorkCover Authority of NSW and comply with the relevant Australian Standards. Full details of how these requirements are met must be included with the application for Construction Certificate (Building).

Reason: To satisfy relevant environmental standards.

24. Sediment and Erosion Control Plan

A Sediment and Erosion Control Plan (S&ECP) for all site works, including road works and access,

is to be approved by the principal certifying authority prior to work commencing.

The plan is to cover all measures to control erosion and sediment transport in accordance with the NSW Landcom publication *Managing Urban Stormwater -Soils and Construction* (4th Edition 2004-"Blue Book").

Reason: To minimise environmental impact associated with any works & to prevent soil erosion/water pollution.

25. Implementation of Sediment and Erosion Control

Erosion and sediment controls are to be in place before the disturbance of any soils on the site, and are to be maintained during the works and for as long as necessary after the completion to prevent sediment and dirty water leaving the site and/or entering the surface water system outside of the site as follows:

- (a) divert uncontaminated run-off around cleared or disturbed areas,
- (b) erect a silt fence to prevent debris escaping into drainage systems or waterways,
- (c) prevent tracking of sediment by vehicles on roads, and
- (d) stockpile topsoil, excavated material, construction and landscaping supplies and debris within the site.

Reason: To minimise environmental impact associated with any works & to prevent soil erosion/water pollution.

26. Imported fill

All fill delivered to the site must be:

- Virgin excavated natural material (VENM) within the meaning of the POEO; or
- Excavated natural material (ENM) within the meaning of the POEO.

Any fill, soil, mulch and plant brought onto the site must be certified as free of weeds and weed seeds.

Reason: To ensure all fill imported onto the site is clean.

Access

27. Vehicle Access Point

Vehicle access to the quarry is to be taken from the existing entrance to the property from Larbert Road.

Reason: To minimise the impact of traffic generated on the local road system.

28. Right of way internal access

Prior to quarry operations, a suitable right of carriageway is to be registered over the access on Lot 330 DP 755915 and Lot 24 DP 755915 to benefit the quarry operator to ensure legal access is maintained to all lots associated with this development.

Reason: To ensure access always remains available to the development site.

29. Internal access road

Construct/upgrade the internal access road and drainage structures between the entrance on Larbert Road and the quarry operations, to the standard of a Private Access/Right of Way as specified in Table D1.7 D1 Geometric Road Design as amended by Council.

Reason: Roads created allow for environmental protection and requirements for bushfire planning.

30. Traffic Management and Section 138 Consent

Prior to undertaking any works within a public road reserve or affecting the road reserve, a traffic management plan is to be submitted to and approved by Queanbeyan-Palerang Regional Council under Section 138 of the *Roads Act 1993*.

Reason: To ensure that works carried out comply with the Roads Act.

GENERAL CONDITIONS

31. Obtain Construction Certificate before building works commence

Obtain a construction certificate from Queanbeyan-Palerang Regional Council or an appropriately accredited private certifier before undertaking any building work. Forward a copy of any construction certificate issued by a private certifier to Queanbeyan-Palerang Regional Council at least 2 days before undertaking any work in accordance with that construction certificate.

Reason: Work is undertaken in accordance this consent & relevant construction standards.

32. Obtain Occupation Certificate before building works occupied

Do not occupy or use the premises until an occupation certificate has been issued by Queanbeyan-Palerang Regional Council or an appropriately accredited private certifier before a structure is occupied. Provide a copy of any occupation certificate, issued by a private certifier, to Queanbeyan-Palerang Regional Council no later than 2 days after the occupation certificate is issued.

Reason: Ensure that the building complies with relevant standards.

33. Comply with the Building Code of Australia

All work is to comply with the current edition of the Building Code of Australia.

Reason: All building work is carried out in accordance with relevant construction standards.

34. Inspection of Hollow Bearing Trees

Any hollow sections of the tree should be inspected for native fauna prior to work commencing and animals removed by a suitably qualified wildlife handler, when practical and safe to do so. Any hollow sections of the tree should be removed and lowered to the ground with care to be inspected by a suitably qualified wildlife handler. Any native fauna found should be appropriately relocated under supervision of a suitably qualified wildlife handler.

Reason: The tree may have hollows that contain native fauna, including threatened species recorded as occurring in the surrounding region.

35. Development Contributions to be Paid

Pursuant to section 7.11 of the Environmental Planning and Assessment Act 1979, a monetary contribution is levied in accordance with the adopted Section 7.11 Contributions Plan. The payment of a monetary contribution is to be ongoing for the life of the operation in accordance with the

provisions of this Plan. **The Indicative Maximum Total is \$291,681.60 per annum for this year.**

Payment of the monetary contributions at the applicable indexed rate must be:

- (a) paid to Council at the end of each calendar year,
- (b) based on weighbridge records of the quantity of extracted material, and
- (c) payable from the issue of this consent.

Payments at the end of each calendar year shall be supported by quarterly (three months) weighbridge records of quantities of material certified by a company officer and a copy of the annual quarry production rate.

Weighbridge records and payment is due within 30 days of the new calendar year. Late payment of contributions will be subjected to interest charges calculated from 1 January of each year at the appropriate rate of interest.

Note: the current plan is Tallaganda Section 94 Contributions Plan No.3 – Roadworks.

Reason: To provide for the funding of augmentation and provision of services and community facilities.

36. Erection of site signage

The site where works (and access) are proposed to be carried out shall be identified by a sign sited in a visually prominent position containing the following information;

- the development application number,
- name, address and telephone number of the principal certifying authority,
- name of the principal contractor (if any) and 24 hour contact telephone number, and
- a statement that “unauthorised entry to the work site is prohibited”.

Reason: To satisfy the provisions of Clause 70 of the Environmental Planning and Assessment Regulation 2021.

Biodiversity and Conservation

37. Retain and Protect Trees within Site

Trees nominated to be retained in the Biodiversity Development Assessment Report (Area, September 2023) must be protected in accordance with ‘AS4970-2009 Tree Protection on Development Sites’

Reason: To ensure that tree(s) are protected from damage during construction and quarry operations.

38. Retirement of Biodiversity credits

Prior to works commencing the class and number of credits in Table 2 must be retired to offset the impacts of the development on biodiversity.

Alternatively, the requirement to retire credits may be satisfied by payment into the Biodiversity Conservation Fund of an amount equivalent to the class and number of species credits, as calculated by the Biodiversity Offsets Payment Calculator.

Reason: To comply with Biodiversity Conservation Act 2016.

39. Evidence of Retirement of Credits

Evidence of the retirement of credits or payment into the Biodiversity Conservation Fund to satisfy Table 2 must be provided to Council prior to the commencement of operations.

Table 2 - Retirement of Credits

Plant Community Type (PCT) /Species-credit species	Vegetation Zone	Impacted area (ha)	Number of credits required
3347 Southern Tableland Creekflat Ribbon Gum Forest 2	2	0.1	4
Squirrel Glider (Petaurus norfolcensis)	N/A	0.1	4
Brush-tailed Phascogale (phascogale tapoatafa)	N/A	0.1	4
Total			12

40. Biodiversity Management Plan

Prior to quarry operations commencing a Biodiversity Management Plan must be prepared to the satisfaction of Council. The Biodiversity Management Plan must identify the development site as per the Biodiversity Development Assessment Report and set out how the retained vegetation will be maintained and protected during site operations. Impacts must be restricted to the development site and must not encroach into the retained native vegetation area.

Reason: To minimise impact on high biodiversity values.

41. Biodiversity Management Plan – Mitigation Measures

The Biodiversity Management Plan must identify all measures proposed in the Biodiversity Development Assessment Report (Area, September 2023) to mitigate and manage impacts on biodiversity.

Reason: To comply with Biodiversity Conservation Act 2016.

42. Unexpected Finds

The development is to proceed with caution.

If any Aboriginal objects are found, works should stop and DECCW – NSW Heritage notified.

If human remains are found work is to stop, the site is to be secured and the NSW Police and DECCW – NSW Heritage are to be notified.

Reason: To ensure objects discovered during construction are protected and notified in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales.

CONDITIONS TO BE SATISFIED DURING BUILDING WORKS AND QUARRY OPERATIONS

43. Approval Documents

Keep a copy of all stamped approved plans, specifications and documents on site while work is being undertaken.

Reason: Relevant documentation is available for perusal on site by a council officer, for compliance check.

44. Construction Facilities

Toilet facilities are to be provided at or in the close vicinity of the work site on which work involved in the erection or demolition of a building is being carried out.

Reason: To provide adequate facilities to the work site.

45. All Works to Be Confined to the Site

All demolition, excavation, backfilling, construction and other activities associated with the development must:-

- a) Be carried out entirely within the allotment boundaries and in accordance with the prepared survey plan setting out the disturbance area.

Reason: To ensure that all development activity associated with the development is confined to the site.

46. Excavation and Backfilling

All excavations and backfilling associated with the operations must be executed in accordance with the requirements of SafeWork.

Reason: To ensure excavation does not impact on adjoining property and compliance with SafeWork requirements.

47. Maintenance of Erosion Control Measures

All measures to control erosion and sediment transport are to be maintained during the works in accordance with the NSW Landcom publication *Managing Urban Stormwater - Soils and Construction* (4th Edition 2004- "Blue Book") and for as long as necessary after the completion to prevent sediment and dirty water leaving the site and/or entering the surface water system outside of the site.

Reason: To minimise environmental impact associated with any works & to prevent soil erosion/water pollution.

CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

48. Occupation Certificate

The occupation certificate must not be issued until all relevant conditions of consent have been satisfactorily complied with and all mandatory stage/required plumbing inspections undertaken. Plumbing and drainage must be inspected by Queanbeyan-Palerang Regional Council at the relevant stages of construction and a final plumbing certificate obtained prior to issue of any occupation certificate.

Reason: To ensure the development is safe & appropriate for occupation and is completed in accordance with the consent.

49. Stormwater Management - Rural

Roof water that is not connected to a rainwater storage tank, and any overflow from any storage tank, must be discharged into an absorption trench or through a stormwater outlet device with scour protection into an overland flow path, at least three (3) metres clear of any building and the boundaries of the site.

Reason: Stormwater disposal does not impact on the building.

50. Compliance with Acoustic Report

All recommendations and specifications detailed in the acoustic report, Report No.MAC221577-01RP1V3, Muller Acoustic Consulting Pty Ltd, for 552 Larbert Road must be implemented and adhered to.

Reason: To ensure noise levels generated from activities on the site are not excessive and do not impact on surrounding sensitive receptors. To ensure compliance with the recommendations of the acoustic report submitted prior to the issue of the development consent.

51. Repair Damaged Public and Private Property

All damage caused to public and private property during the construction operations and associated activities must be repaired or reinstated.

Reason: To ensure that all public and neighbouring private property in the vicinity of the development is maintained in its pre-development condition.

CONDITIONS TO BE SATISFIED DURING THE ONGOING USE OF THE PREMISES

52. Hours of Operation for Works

All works associated with the operation of this development must be carried out between the following hours unless Queanbeyan-Palerang Regional Council agrees in writing. A written application shall be made to Queanbeyan-Palerang Regional Council if a variation of hours is required.

Weekdays:	6.00am to 6.00pm
Saturdays:	7.00am to 2.00pm
Sundays and Public Holidays:	NIL

Reason: To reduce the chance of offensive noise being created and to minimise the impacts of the development in its locality.

53. Surface Water

Do not re-direct surface water onto adjoining private land. Alterations to the surface contours must not impede or divert natural surface water run-off, to cause a nuisance to adjoining property owners or create an erosion or sediment problem.

Reason: Stormwater disposal does not impact on the building or neighbouring properties.

54. Access to information

The applicant shall make the following information available to Council, any member of the public, and any other stakeholder upon request: -

- All strategies, plans and programs required under the conditions of this consent.
- A comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs.
- The annual review of the development.
- Incident and complaint handling and incident reporting.
- All information is to be up to date.
- Any other matter required by Council from time to time.

Reason: To provide ensure public have access to the information.

55. Safety requirements

The quarry site must be secured to ensure public safety. Appropriate signage, fencing, bunding or the like must be installed to prevent visitor and unauthorised vehicle access to working areas of the quarry.

Reason: To ensure safety of public and visitors to site.

SECTION 68 OF LOCAL GOVERNMENT ACT 1993

56. On-site sewage management system application

A section 68 application for an on-site wastewater management system is to be obtained from Council. The system is to be designed in accordance with the principles of 'On-site Sewage Management for Single Households', AS/NZS 1547-2012 'On-site Domestic Wastewater Management',

- No effluent management areas are to be located within 100 m of any creek, watercourse or bore whether perennial or intermittent, or within 40 m of a drainage depression.
- All stormwater collected from roofs and other hard surface areas is to be diverted away from any effluent management area, with provision for energy dissipation at the outlet to prevent scouring or erosion.

Reason: To ensure that the on-site effluent management system will have a neutral or beneficial effect on water quality, that it will be sustainable over the long term and will not have detrimental impacts on the health of occupants of the land.

ATTACHMENTS

Attachment A - NSW Environment Protection Authority - General Terms of Approval

Attachment B - Department of Climate Change, Energy, the Environment and Water – NSW Heritage - General Terms of Approval

Attachment C - WaterNSW - General Terms of Approval

Attachment D – WaterNSW-Concurrence conditions