

# Revised Conditions of Consent

## General Conditions

<b>1</b>	<b>Approved plans and supporting documentation</b>			
Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.				
<b>Approved plans</b>				
Plan number	Revision number	Plan title	Drawn by	Date of plan
G1		Regional Locality Map- Drawing G1	SLR	21 February 2025
G11		Sensitive Receptors - Drawing G11	SLR	21 February 2025
630.032007 Figure X		Conceptual Site Layout Plan (Amended)	SLR	1 July 2025
G14		Pre-Development Landform – Drawing G14	SLR	21 February 2025
630.032007 Figure X		Operation Landform Plan (Amended)	SLR	1 July 2025
<b>Approved documents</b>				
Document title		Version number	Prepared by	Date of document
Environmental Impact Statement		630.032007.00001 Rev. 1	SLR	18 March 2025
Appendix A – SEARs Response Table (Amended)		630.032007.00001	SLR	1 April 2025
Appendix C – Traffic Impact Statement		630.032007.00002 Rev. v1.1	SLR	19 February 2025
Appendix D - Noise and Vibration Impact Assessment (Amended)		630.032007.00007 Revision V2.0	SLR	9 October 2025
Appendix E – Air Quality Impact Assessment		630.032007.00001 Rev. v0.4	SLR	13 March 2025
Appendix F – Surface and Groundwater Assessment		630.032007.00001 Rev. 01	SLR	17 March 2025
Appendix G – BOS Evaluation		240554	NGH	February 2025
Appendix H - Aboriginal and Historical Heritage Due Diligence Assessment		A240554	NGH	September 2024

	Appendix I – Resource Statement	-	James Graham on behalf of Eulonga Quarries	28 November 2024
	Request for Additional Information Response DA 2025/32 - 809 Gobarralong Road, Coolac	630.032007.00001	SLR	11 July 2025
	Eulonga Quarry Amended BOS Evaluation	240554	NGH	26 June 2025
	Technical Memorandum - Eulonga Quarry Proposed Extraction Area Amended Proposal Description	630.032007.00001	SLR	11 July 2025
	<p>In the event of any inconsistency between the approved plans and documents, the most recently dated document prevails.</p> <p>In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.</p> <p><b>Condition reason:</b> To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>			
2	<p><b>Separate approval required from approval bodies that have given general terms of approval</b></p> <p>No works or operations authorised under this development consent may commence until separate approvals are obtained from the NSW Environment Protection Authority (EPA) and the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) in accordance with the General Terms of Approval attached to this consent.</p> <p><b>Condition reason:</b> To ensure compliance with the requirements of relevant regulatory authorities before the commencement of development activities.</p>			
3	<p><b>Statutory Requirements</b></p> <p>The Proponent must ensure that all necessary licences, permits and approvals are obtained and kept up-to-date as required throughout the life of the development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approvals.</p> <p><b>Condition reason:</b> To ensure the development meets legislative requirements.</p>			

### Prior to the commencement of works or operations

4	<b>Copy of approvals to be provided to council</b>
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	<p>No works or operations approved under this development consent are authorised to commence until a copy of the following have been provided to Council:</p> <ul style="list-style-type: none"> <li>• Amended Environmental Protection Licence issued by Environmental Protection Authority; and</li> <li>• Controlled Activity Approval issued by NSW Department of Climate Change, Energy, the Environment and Water, including copies of supporting approved documents.</li> </ul>
	<p><b>Condition Reason:</b> For council records and information</p>
5	<p><b>Identification of approved extraction area</b></p> <p>Prior to the commencement of quarrying operations, unless otherwise agreed in writing by Council:</p> <ol style="list-style-type: none"> <li>A registered surveyor must be engaged to survey and clearly mark the boundaries of the approved extraction area within the site.</li> <li>A survey plan prepared by the registered surveyor, showing the surveyed boundaries with coordinates using geodetic coordinate system: GDA 2020 zones 55, and AHD 71 must be submitted to Council.</li> <li>Where the development is to be undertaken in stages, the boundaries of the approved extraction area for each stage must be separately surveyed and identified in accordance with (a) and (b) above prior to the commencement of that stage.</li> </ol> <p>The approved extraction area boundaries must be clearly delineated on site in a durable manner that ensures they are readily identifiable at all times during quarrying operations.</p> <p><b>Condition reason:</b> To ensure operations do not extend outside of the approved extraction area.</p>
6	<p><b>Staging of Quarrying Operations</b></p> <p>The Proponent must submit to Council a staging plan outlining proposed staging of the quarry operations for Council's consideration, review and written approval.</p> <p>The Staging Plan must clearly detail:</p> <ol style="list-style-type: none"> <li>the location, extent, and number of proposed staged extraction areas; and</li> <li>the rehabilitation measures to be implemented following the completion of extraction within each stage, including the timing of those measures and confirmation that rehabilitation will be undertaken prior to the commencement of quarrying within any subsequent stage or area unless otherwise authorised in writing.</li> </ol> <p>No works or quarrying operations may commence until Council has provided written approval of the Staging Plan.</p> <p>Quarrying operations and rehabilitation works must be carried out strictly in accordance with the approved Staging Plan.</p>

	<p><b>Condition reason:</b> To limit the extent of visual and environmental impacts of the development and ensure rehabilitation of the site.</p>
7	<p><b>Notification of Commencement and Cessation</b></p> <p>The Proponent must notify Council in writing of the intended commencement date of each of the following phases of the development, unless otherwise agreed in writing by Council:</p> <ul style="list-style-type: none"> <li>a) construction of the access track — not less than one (1) week prior to commencement;</li> <li>b) commencement of quarrying operations — not less than one (1) week prior to commencement; and</li> <li>c) cessation of quarrying operations — not less than one (1) week prior to cessation.</li> </ul> <p>Where the construction or operation of the development is to be undertaken in stages, the Proponent must notify Council in writing at least one (1) week prior to the commencement of each stage.</p> <p>Notification is required to be accompanied by written confirmation that all conditions required to be complied with prior to the commencement of works or commencement of each stage has been complied with.</p> <p><b>Condition reason:</b> For council records and information</p>
8	<p><b>Access to Information</b></p> <p>Before the commencement of any works or quarrying operations under this consent, the Proponent must:</p> <ul style="list-style-type: none"> <li>a) Make the following information and documents (as they are obtained or approved) available to adjoining property owners and nearby residential properties identified on the residential receiver plan and publish them on the Proponents website: <ul style="list-style-type: none"> <li>(i) all current statutory approvals for the development;</li> <li>(ii) all approved strategies, plans and programs required under the conditions of this consent;</li> <li>(iii) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;</li> <li>(iv) the result of any monitoring required under the conditions of this consent.</li> </ul> </li> <li>b) Keep such information up to date and provide updated information and documents in the event of any change.</li> </ul> <p><b>Condition reason:</b> To ensure transparency and timely access to relevant information for adjoining and nearby residents regarding the development and its environmental performance.</p>
9	<p><b>Contact information and complaints register</b></p>

	<p>Prior to the commencement of any works or quarrying operations under this consent, the Proponent must:</p> <ul style="list-style-type: none"> <li>a) Provide the following contact details to adjoining property owners and nearby residential properties identified on the approved Sensitive Receptors Plan (Drawing G11), for the reporting of any issues or concerns arising from the development and publish them on the Proponents website: <ul style="list-style-type: none"> <li>(i) a daytime telephone number;</li> <li>(ii) an emergency after-hours telephone number; and</li> <li>(iii) an email address.</li> </ul> </li> <li>b) Ensure the contact details provided under (a) are kept current at all times and, in the event of any change, provide updated details to the identified property owners as soon as practicable.</li> <li>c) Establish and maintain a complaints register recording all complaints received in relation to the development, including: <ul style="list-style-type: none"> <li>(i) the date and time the complaint was received;</li> <li>(ii) the name and contact details of the complainant (where provided);</li> <li>(iii) the nature of the complaint; and</li> <li>(iv) any investigation undertaken and remedial action implemented in response.</li> </ul> </li> <li>c) Provide a copy of the complaints register to Council annually, within 30 days of the anniversary of works commencing and within seven (7) days of receiving any written request from Council.</li> </ul>
	<p><b>Condition reason:</b> To ensure that effective communication mechanisms are in place for surrounding landowners and that complaints are properly recorded and managed in the interests of transparency and accountability.</p>
10	<p><b>Management plans</b></p> <p>Prior to the commencement of any works, the following management plans required under this consent must be prepared and submitted to Council for consideration, review, and written approval:</p> <ul style="list-style-type: none"> <li>a) <b>Soil and Water Management Plan</b> –prepared in accordance with the recommendations of the approved Surface and Groundwater Assessment dated 17 March 2025 and approve Environmental Impact Statement, addressing soil erosion and surface water quality controls, as well as the proposed removal, storage, and reuse of topsoil.</li> <li>b) <b>Site-specific high flow working and quarry flood risk management plan</b>– prepared in accordance with the recommendations of the approved Surface and Groundwater Assessment dated 17 March 2025 and approved Environmental Impact statement.</li> <li>c) <b>Site Specific Air Quality Management Plan</b> – Outlining dust mitigation measures to be applied as part of undertaking of works and operations.</li> </ul>

- d) **Stockpile Management Plan** – Outlining locations and separation of material from the separate extraction areas.

No works may commence until Council has provided written approval of the above management plans.

All operations must be undertaken in accordance with the agreed-upon management plans.

**Condition reason:** To ensure management plans as recommended by approved documents are prepared and operations comply with the developed management plans.

11 **Payment of contributions**

1. In accordance with Section 4.17(1) of the *Environmental Planning and Assessment Act 1979* and the *Gundagai Shire Council Section 7.11 Development generating heavy vehicle usage of local roads*, **\$102,184.20** must be paid to offset the accelerated deterioration of local roads caused by heavy vehicles associated with the development.
2. Any deferred or periodic payment of the contribution is only permitted where with the written agreement of council and must comply with the provisions set by the adopted contribution plan.
3. The value of this contribution is current as of the date of determination of this Development Consent. If the contribution is not paid within the quarter in which consent is granted, the contributions payable under this Plan will be adjusted and the amount payable will be calculated on the basis of the contribution rates that are applicable at the time of payment in the following manner:

$$\begin{aligned}
 \$C_P &= \$C_{DC} + \frac{[\$C_{DC} \times (\$C_Q - \$C_C)]}{\$C_C}
 \end{aligned}$$

Where:

**\$ C<sub>P</sub>** is the amount of the contribution calculated at the time of payment

**\$ C<sub>DC</sub>** is the amount of the original contribution as set out in the development consent

**\$ C<sub>Q</sub>** is the contribution rate applicable at the time of the payment

**\$ C<sub>C</sub>** is the contribution rate applicable at the time of the original consent

4. The monetary contributions shall be paid to Council:

a. Prior to the issue of the carrying out of any works; or

	<p>b. In the case of deferred or periodic payments as agreed upon in writing with Council.</p> <p><i>Note: Gundagai Shire Council Section 7.11 Development generating heavy vehicle usage of local roads may be viewed at <a href="https://www.cgrc.nsw.gov.au/developer-contributions-plans/">https://www.cgrc.nsw.gov.au/developer-contributions-plans/</a> or a copy may be inspected at Council's Offices during normal business hours.</i></p> <p><i>Note: To arrange a Payment Advice for the monetary contributions, please contact Council's Sustainable Development Team on 1300 459 689.</i></p> <p><b>Condition reason:</b> Compliance with Gundagai Shire Council Section 7.11 Development generating heavy vehicle usage of local roads</p>
12	<p><b>Notification of commencement – adjoining properties and residential receivers</b></p> <p>The date of commencement of each of the following phases of the development must be notified to adjoining properties and residential receivers, at least seven (7) days before that date unless otherwise agreed upon with Council in writing:</p> <ul style="list-style-type: none"> <li>a) construction of the access track; and</li> <li>b) commencement of quarrying operations.</li> </ul> <p><b>Condition reason:</b> To keep adjoining property owners and nearby residents informed of key activities, helping to minimise potential impacts and facilitate effective communication.</p>
13	<p><b>Fenced tree exclusion zones</b></p> <p>Prior to the commencement of any works or quarrying operations, fenced tree exclusion zones must be established around all areas of native grassland identified for protection, in accordance with the recommendations provided by NGH in their letter dated 26 June 2025. The exclusion zones must be maintained for the duration of works and must not be disturbed without prior written approval from the consent authority.</p> <p><b>Condition reason:</b> To ensure the protection and preservation of native grassland vegetation in accordance with the approved ecological recommendations.</p>
14	<p><b>Vegetation plantings</b></p> <p>Prior to the commencement of any works, the Proponent must submit a Vegetation Planting Plan to Council for consideration and approval. The Plan must detail:</p> <ul style="list-style-type: none"> <li>a) the proposed planting locations within the site;</li> <li>b) the plant species to be used; and</li> <li>c) the size of plants at the time of planting.</li> </ul> <p>All plantings must be carried out in accordance with the approved Vegetation Planting Plan prior to the commencement of works on the site.</p> <p>The Proponent is responsible for maintaining the plantings for the life of the development.</p>

**Condition reason:** To ensure appropriate vegetation is established for environmental enhancement and to maintain the visual amenity of the site.

### During the carrying out of works and operations

15	<p><b>Protection of Public Infrastructure</b></p>
	<p>Unless the Proponent and the applicable authority agree otherwise, the Proponent must:</p> <ul style="list-style-type: none"> <li>a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and</li> <li>b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.</li> </ul> <p>Note: This condition does not apply to damage to roads caused as a result of general road usage or otherwise addressed by payment of contributions required by this consent.</p>
	<p><b>Condition reason:</b> The protection of public infrastructure</p>
16	<p><b>Compliance with consent and approved documents</b></p>
	<p>The Proponent must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.</p>
	<p><b>Condition reason:</b> To ensure compliance with consent and approved documents</p>
17	<p><b>Operation of Plant and Equipment</b></p>
	<p>All plant and equipment used on site, or to monitor the performance of the development must be:</p> <ul style="list-style-type: none"> <li>a) maintained in a proper and efficient condition; and</li> <li>b) operated in a proper and efficient manner.</li> </ul>
	<p><b>Condition reason:</b> To ensure plant and equipment are properly maintained and operated so as to minimise environmental impacts and ensure the safe and efficient operation of the development.</p>
18	<p><b>Approved transport vehicle route</b></p>
	<p>All haulage vehicles entering or leaving the site must use only the approved access at 338 Darbalara Road and must travel exclusively along the following routes:</p> <ul style="list-style-type: none"> <li>a) Gobarralong Road, between the Hume Highway and Darbalara Road; and</li> </ul>

	<p>b) The section of Darbalara Road connecting the approved site access gate to Gobarralong Road.</p>
	<p><b>Condition Reason:</b> To minimise impacts on local roads, protect public safety, and ensure transport activities are confined to approved routes.</p>
19	<p><b>Non-Compliance Notification</b></p>
	<p>Council must be notified in writing within seven (7) days after the Proponent becomes aware of any non-compliance with this consent.</p> <p>The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.</p>
	<p><b>Condition reason:</b> To ensure Council is promptly informed of any breach of this consent and that appropriate corrective actions are identified and implemented in a timely manner.</p>
20	<p><b>On-Site Stockpiling of Extracted Material</b></p>
	<p>No extracted material is to be stockpiled anywhere within the 'Project Area' as detailed on the approved plans.</p>
	<p><b>Condition Reason:</b> To prevent environmental and amenity impacts associated with on-site stockpiling and to ensure compliance with the approved operational layout.</p>
21	<p><b>Records of Extracted Material</b></p>
	<p>The Proponent must maintain accurate records of the volume of material extracted under this consent. Copies of these records must be submitted to Council annually, within one (1) month of the anniversary of the commencement of extraction unless otherwise agreed by Council in writing.</p>
	<p><b>Condition Reason:</b> To enable verification of extraction volumes and ensure compliance with the conditions of this consent</p>
22	<p><b>Extraction Volume</b></p>
	<p>The total volume of material extracted under this consent must not exceed 635,000 tonnes.</p>
	<p><b>Condition Reason:</b> To ensure extraction remains within the approved limits and to minimise environmental and operational impacts.</p>
23	<p><b>Processing of extracted material</b></p>
	<p>This consent does not authorise the processing of extracted material. Any processing of material must only be carried out as part of the quarry operations approved under DA</p>

	<p>2019/59/2, being modification No. 3 of original consent DA 2007/78, or any further modification or superseding development consent.</p> <p><b>Condition reason:</b> To ensure that processing occurs only under the relevant approved development consent and in accordance with its conditions.</p>
24	<p><b>Discovery of relics and Aboriginal objects</b></p> <p>While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered:</p> <ol style="list-style-type: none"> <li>a. the work in the area of the discovery must cease immediately;</li> <li>b. the following must be notified <ol style="list-style-type: none"> <li>i. for a relic – the Heritage Council; or</li> <li>ii. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the <i>National Parks and Wildlife Act 1974</i>, section 85.</li> </ol> </li> </ol> <p>Site work may recommence at a time confirmed in writing by:</p> <ol style="list-style-type: none"> <li>a. for a relic – the Heritage Council; or</li> <li>b. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the <i>National Parks and Wildlife Act 1974</i>, section 85.</li> </ol> <p><b>Condition reason:</b> To ensure the protection of objects of potential significance during works.</p>
25	<p><b>Hours of work</b></p> <p>Operations must only be carried out between the following times –</p> <ul style="list-style-type: none"> <li>• 7:00am to 5:00pm Monday to Friday</li> <li>• 7:00am to 2:00pm on Saturdays.</li> </ul> <p>Twelve times per year, operations on a Saturday may extend until 5:00pm. The Proponent must maintain a record of when such occurrences occur. Copies of these records must be submitted to Council annually, within one (1) month of the anniversary of the commencement of extraction unless otherwise agreed by Council in writing.</p> <p>No operations are permitted on Sunday and Public Holidays.</p> <p>Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.</p> <p><b>Condition reason:</b> To protect the amenity of the surrounding area.</p>
26	<p><b>Soil management</b></p>

	<p>While site work is being carried out, Council must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:</p> <ul style="list-style-type: none"> <li>a) All excavated material removed from the site must be classified in accordance with the Environment Protection Authority’s Waste Classification Guidelines before it is disposed of at an approved waste management facility or otherwise lawfully managed, and the classification, and the volume of material removed, and the receival facility’s details must be reported to Council.</li> <li>b) All fill material imported to the site must be: <ul style="list-style-type: none"> <li>(i) Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>; or</li> <li>(ii) a material identified as being subject to a resource recovery exemption by the NSW EPA; or</li> <li>(iii) a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> and a material identified as being subject to a resource recovery exemption by the NSW EPA.</li> </ul> </li> </ul> <p><b>Condition reason:</b> To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.</p>
27	<p><b>Heritage NSW requirements</b></p> <p>During the carrying out of works and quarrying operations:</p> <ol style="list-style-type: none"> <li>1. All works must be constrained to the Project Area and other areas of existing disturbance.</li> <li>2. All access to the Project Area must be within existing tracks and disturbed areas otherwise further visual inspection by a qualified archaeologist is required.</li> <li>3. Any activity proposed outside of what has been considered in this assessment should be subject to further assessment by a qualified archaeologist.</li> <li>4. No old growth trees may be disturbed without inspection by a qualified archaeologist for scarring or modification.</li> <li>5. If any items suspected of being Aboriginal in origin are discovered during the work, all work in the immediate vicinity must stop and the NSW Environment Line (1300 361 967) notified. The find will need to be assessed and, if found to be an Aboriginal object, an AHIP may be required.</li> </ol> <p><b>Condition reason:</b> To comply with referral comments made by NSW Heritage</p>
28	<p><b>Internal Access Track – Bushfire compliance</b></p> <p>The proposed internal access track must be constructed and maintained to a standard no less than that required by <i>Planning for Bushfire Protection 2019</i>, to ensure safe egress for occupants and access for emergency vehicles and personnel.</p>

	<b>Condition reason:</b> To ensure compliance with <i>Planning for Bushfire Protection 2019</i>
29	<b>Internal transportation of extracted material</b>
	Material extracted under this consent must only be transported via the approved internal access track.
	<b>Condition reason:</b> To minimise environmental and amenity impacts and ensure safe and controlled movement of materials within the site.
30	<b>Transport Vehicles – School bus routes</b>
	Transport vehicles associated with operations under this consent must not use Darbalara Road or Gobarralong Road during periods when local school buses are operating.
	<b>Condition Reason:</b> To ensure the safety of school children and other road users.
31	<b>Managing noise</b>
	During ongoing use of the premises, the premises must be operated in accordance with the approved Noise and Vibration Impact Assessment.
	In the event of a substantiated noise complaint, the Proponent must complete a noise assessment to be provided to Council. Any such request will be made in writing and must be prepared at the cost of the Proponent.
	<b>Condition reason:</b> To protect the amenity of the local area
32	<b>Waste management</b>
	During ongoing use of the premises, all waste must be separated, stored and disposed of to an appropriately licensed facility.
	During ongoing use, the on-site disposal of organic waste must not have an adverse impact on the use of adjoining land.
	<b>Condition reason:</b> To ensure the lawful and sustainable disposal of waste.
33	<b>Deliveries</b>
	While site work is being carried out, deliveries of material and equipment must only be carried out between—
	<ul style="list-style-type: none"> <li>• 7:00am to 5:00pm Monday to Friday</li> <li>• 7:00am to 2:00pm on Saturdays.</li> </ul>
	Twelve times per year, operations on a Saturday may extend until 5:00pm. The proponent must maintain a record of when such occurrences occur. Copies of these records must be submitted to Council annually, within one (1) month of the anniversary of the commencement of extraction unless otherwise agreed by Council in writing.

	<p>No operations are permitted on Sunday and Public Holidays.</p> <p>Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.</p> <p><b>Condition reason:</b> To protect the amenity of neighbouring properties.</p>
34	<p><b>Erosion and sediment controls in place</b></p> <p>Before any site work commences, Council, must be satisfied the erosion and sediment controls are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the erosion and sediment control plan.</p> <p><b>Condition reason:</b> To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>
35	<p><b>Water Supply</b></p> <p>The Proponent must ensure the availability of a sufficient water supply to implement dust mitigation measures during both construction and operation of the development.</p> <p><b>Condition Reason:</b> To ensure adequate water is available for dust control.</p>