

DRAFT CONDITIONS OF CONSENT
DA.2020.1146

APPROVED DEVELOPMENT AND PLANS

1. Approved Development and Plans

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/Revision & Date	Date received by Council
Environmental Impact Statement	R.W. Corkery & Co. PTY. Limited	April 2020	20 April 2020
Heritage Assessment Report	Dr Amy Way	20 July 2020	22 July 2020
Traffic and Transport Assessment	Constructive Solutions Pty Ltd	January 2020	20 April 2020
Biodiversity Development Assessment Report	EnviroKey Pty Ltd	March 2020	20 April 2020
Noise and Vibration Impact Assessment	Spectrum Acoustics Pty Limited	March 2020	20 April 2020
Air Quality Impact Assessment	Todoroski Air Sciences Pty Ltd	13 January 2020	20 April 2020

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.

SPECIAL CONDITIONS

2. Limits on Approval

This consent will lapse; after 5,000,000 tonnes of material have been extracted from the development, or twenty (20) years after the date the consent commences, whichever comes first.

No more than 400,000 tonnes per annum shall be extracted and transported from the development.

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

3. General Terms of Approval

The development must be carried out in accordance General Terms of Approval issued by the following agencies and attached to this consent:

- NSW Environment Protection Authority;
- Heritage NSW

Reason: To comply with concurrence agency requirements.

OFFICES

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10 Majara St, Bungendore
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W: www.qprc.nsw.gov.au
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ABN 95 933 070 982

4. Section 7.11 Contributions - Roads

Section 7.11 contribution payments shall be made in accordance with *Yarrowlumla Development Contributions Plan 2 - Roads* as follows;

- a) The contribution rates shall be \$0.077 per Tonne per kilometre travelled on Tarago Road. These amounts apply in 2020/2021 and will be indexed annually on 1 July in keeping with movements in the CPI for Canberra.
- b) The operator of the quarry shall keep a record of tonnes hauled and the destination of each load and shall submit the calculated payment, the calculations made and a copy of all truck despatch/delivery dockets for all the loads hauled for the year up to 30 June each year.

Reason: Appropriate upgrade of the roads affected by the increase in traffic resulting from this development.

GENERAL CONDITIONS

5. 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.

6. Copy to Owner

A copy of this consent is to be provided to the owner.

Reason: To ensure the owner is aware of the requirements imposed under the consent.

7. Unauthorised Use of Public Land

No materials are to be stored or quarry operations activities undertaken on public or adjoining land without prior written approval from Council.

Reason: To prevent unnecessary disturbance to public land.

8. Work in Accordance with Engineering Specifications

All construction and restoration work must be carried out strictly in accordance with the approved drawings and Design and Construction Specifications as amended by Council.

Reason: To ensure construction and restoration work is in accordance with Council's requirements.

9. Vehicle Access Point

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

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

CONDITIONS TO BE SATISFIED PRIOR TO COMMENCEMENT OF WORKS

10. Site Identification

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,

- These boundaries are to be clearly marked at all times in a permanent manner that allows operating staff and inspecting officers to clearly identify those limits.

Reason: The site is managed in a safe manner.

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 136B and 227A of the Environmental Planning and Assessment Regulation 2000.

11. Internal Access Road

Construct/upgrade as required the internal access road and drainage structures between the entrance on Tarago Road and the Sand Quarry, to the standard of a Private Access/Right of Way as specified in Table D1.7 D1 Geometric Road Design and D2 Pavement Design as amended by Council.

Bitumen seal the pavement of the internal access road with two-coat 14mm/7mm rubberised bitumen seal, where grades of erosion-resistant gravels exceed 15%, or within 50 metres of the near edge of any existing building envelopes or dwelling facade on adjacent properties.

Internal access road to be regularly maintained to a satisfactory standard for all vehicles.

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

12. Entrance - Tarago Road

Construct/upgrade as required the existing entrance to the property to the standard of an asphalt or concrete surfaced vehicular access to cater for articulated vehicles as specified in AUSTROADS Guide to Road Design - Part 4: Intersections and Crossings.

Entrance surface to be regularly maintained at a good standard and routinely resurface at intervals not exceeding 10 years.

Reason: Safe entry and exit to the quarry from the road.

13. 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.

14. Air Quality Management Plan

Develop, maintain and comply with an Air Quality Management Plan that addresses the recommendations made in the *Air Quality Impact Assessment*, prepared by Todoroski Air Sciences Pty Ltd, dated 13 January 2020.

Reason: To ensure that operations at the premises do not cause air pollution

15. Sediment Control

The Sediment Control Details contained in the Environmental Impact Statement (EIS) prepared by Grantham Park Holdings Pty Ltd (dated April 2020) shall be compiled into a Sediment Control Plan to the satisfaction of Council prior to the commencement of construction. As a minimum the plan shall contain adequate measures as to:

- 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.

The Sediment Control Plan shall be implemented, and effective erosion and sediment controls shall be installed prior to any construction and extraction activity. The controls shall be regularly inspected, monitored and maintained until works have been completed and groundcover has established.

Reason: To manage adverse environmental and water quality impacts during the construction phase of the development and to minimise the risk of erosion, sedimentation and pollution within or from the site during this construction phase.

16. Quarry Operation

An Operational Management Plan shall be prepared for the quarry prior to the commencement of operations. The Operational Management Plan shall be to the satisfaction of Council, and shall include the details and limitations of the quarry and its operations as set out in the Environmental Impact Statement (EIS) prepared by Grantham Park Holdings Pty Ltd (dated April 2020) and the following:

- baseline data,
- description of the relevant statutory requirements and relevant performance measures/limits placed on the project by this consent,
- 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.

The quarry operations shall be monitored, maintained and managed as per the Operational Management Plan.

Reason: To manage adverse water quality impacts during the operation phase of the development and to minimise the risk of erosion, sedimentation and pollution within or from the site during this operation phase.

17. Quarry Development and Rehabilitation Plan

Prior to the commencement of operations and every subsequent five years for the duration of the operation of the quarry a Quarry Development and Rehabilitation Plan shall be prepared and submitted to Council for the quarry that provides long-term stability to the quarry site, the access road and immediate surrounds after the completion of operational phase.

The Quarry Development and Rehabilitation Plan shall:

- provide for progressive rehabilitation of the site in a cellular format;
- include the rehabilitation of the riparian land adjacent to Butmaroo Creek;
- provide for the delivery of the site following the completion of quarrying activities in a state that is compatible with likely future environmental or agricultural uses in accordance with the site's zoning.

The actions contained within the plans shall:

- be implemented progressively during the operation of the site, and
- be monitored, maintained and managed as per the Plan.

Reason: To stabilise the site and manage potentially adverse water quality impacts in the post-operational phase of the development, to ensure a neutral or beneficial impact on water quality over the longer term.

18. Quarry Fencing

The extraction areas are to be fenced with agricultural (i.e. stock proof) fencing, with warning signs displayed at appropriate intervals indicating the presence of the extraction area, for the duration of extraction and until the rehabilitation of the sites is achieved. Agricultural fences would be established at an appropriate distance from active extraction areas prior to the commencement of extraction in accordance with procedures detailed in the Quarry Development and Rehabilitation Plan.

Reason: To ensure the site is protected.

19. Traffic Management

Prior to undertaking any works within or affecting the Tarago Road road reserve, a traffic control plan is to be submitted to and approved by Queanbeyan-Palerang Regional Council under Section 138 of the Roads Act 1993. Where occupancy of the road reserve is required, a Section 138 application shall accompany the traffic control plan.

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

20. Submit Notice of Commencement

Prior to the commencement of operations under this consent written notice must be submitted to Council advising of the intention to cease operations under D52/74 and the commencement use of the site under this consent. Such notice is to include written confirmation as to how all pre-commencement conditions as required by this consent have been satisfied.

Reason: To ensure clear delineation between the existing and proposed uses of the site.

21. Fire Management Plan

A draft Fire Management Plan (FMP) shall be prepared for the proposed development and provided to the local

NSW RFS District Office for comment. Any return comment from the District shall be adopted into an amended

FMP. As a minimum, the FMP shall include:

- 24-hour emergency contact details including alternative telephone contact;

- Site infrastructure plan;
- Firefighting water supply plan;
- Site access plan;
- Construction of asset protection zones and their continued maintenance;
- Location of hazards (physical, chemical, and electrical) that will impact on the firefighting operations and procedures to manage identified hazards during the firefighting operations;
- Mitigation measures designed to prevent a fire occurring within the site, and prevent a fire from escaping the site and developing into a bush/grass fire risk to the surrounding area; and
- Such additional matters as required by the NSW RFS District Office.

Reason: To ensure for the provision of adequate bushfire safety measures.

22. Defendable space

To allow for emergency service personnel to undertake property protection activities, a minimum 10-metre defendable space, managed as an asset protection zone, shall be provided around all buildings, built assets, and around the outside perimeter of the development footprint.

Reason: To ensure for the provision of adequate bushfire safety measures.

23. Access

All internal roads shall have the capacity to carry fully loaded firefighting vehicles (up to 23 tonnes) and comply with the design principles outlined in Appendix 3 of 'Planning for Bush Fire Protection 2019'.

Reason: To ensure for the provision of adequate bushfire safety measures.

24. Water Supply

A minimum 20,000-litre water supply (tank) fitted with a 65mm Storz fitting shall be located adjoining the internal access road within the required asset protection zone.

Reason: To ensure for the provision of adequate bushfire safety measures.

CONDITIONS TO BE SATISFIED DURING OPERATIONS

25. 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.

26. Hazardous Materials

All hazardous materials stored onsite, including but not limited to diesel fuel, other hydrocarbons, along with lubricating oils and greases, are to be stored separately onsite within bunded areas or storage areas with no other flammable materials.

Reason: To ensure for safe storage of potentially hazardous materials through operations

27. Unexpected Finds

The development is to proceed with caution. If any Aboriginal objects are found, works should stop and Heritage NSW notified. If human remains are found work is to stop, the site is to be secured and the NSW Police and Heritage NSW 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.

28. All Works to be Confined to the Site

All quarry operations and other activities associated with the material extraction must;

- a) Be carried out entirely within the allotment boundaries unless otherwise approved by Council.
- b) Any gates must be installed so they do not open onto any road or adjoining land.

Reason: To ensure that all development activity associated with the development does not pose a hazard to life or property and that the effectiveness of public services is not impaired.

29. 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.

30. 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 traffic associated with quarry operations are giving rise to abnormal generation of dust.

Reason: To ensure that local residents and activities are not disadvantaged by dust during quarry operations or construction.

31. Haulage Trucks Hours of Operation

Haulage truck operations on Tarago Road shall cease during the period when school buses may be encountered, between the hours of 8.00am to 9.00 am, and 3.00pm to 4.00pm on school days unless with the written agreement of the bus operator.

Reason: To avoid potential conflict with existing local traffic

32. Repair Damaged Public Property

All damage caused to public property during the quarry operations and associated activities must be repaired or reinstated prior to Council accepting any Certificate of Completion.

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

33. 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, so as to cause a nuisance to adjoining property owners or create an erosion or sediment problem.

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

34. On-site Sewage Management System

The existing wastewater management system installed on the property should be able to accommodate the proposed sewerage loads. Should the wastewater management system fail in its operation it will need to be upgraded.

Reason: Compliance with AS1547-2012 On-site Domestic Wastewater Management.

NSW ENVIRONMENT PROTECTION AUTHORITY GENERAL TERMS OF APPROVAL

Protection of the Environment Operations Act 1997

General Terms of Approval - Issued



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Administrative conditions

Note: Mandatory conditions for all general terms of approval

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 DA2020.1146 submitted to Queanbeyan-Palerang Regional Council on 18 May 2020; and
- any environmental impact statement within the Environmental Impact Statement for the Bungendore Sands Expansion Project (prepared by R.W. Corkery & Co. Pty Limited, April 2020) and supporting documents relating to the development;

A2. Fit and Proper Person

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

Limit conditions

L1. Pollution of waters

L1.1 Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation of the development, section 120 of the Protection of the Environment Operations Act 1997 must be complied with in and in connection with the carrying out of the development.

L2. 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.

L2.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence under the Protection of the Environment Operations Act 1997.

L6. Noise limits

Hours of operation

L3.1 All construction work at the premises must only be conducted between 7:00am and 5:00pm Monday to Friday and 8:00am and 1:00pm on Saturdays. No work is to be carried out on Sundays or Public Holidays.

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L3.2 Activities at the premises, other than construction work, may only be carried between 6:00am and 5:00pm Monday to Friday and 6:00am and 2:00pm on Saturdays. Maintenance and rehabilitation activities may be carried out between 7:00am and 6:00pm on Sundays. No other work is to be carried out on Sundays or Public Holidays.

L3.3 This condition does not apply to the delivery of material outside the hours of operation permitted by condition L3.2 or L3.2, if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification is provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.

L3.4 The hours of operation specified in conditions L3.2 and L3.2 may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.

Operating conditions

01. Odour

O1.1 The applicant must comply with section 129 of the Protection of the Environment Operations Act 1997. Section 129 of the Act states that the licensee must not cause or permit the emission of any offensive odour from the premises.

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

O2.1 Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

Monitoring and recording conditions

M1 Monitoring records

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

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

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

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

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- a. the time(s) at which the sample was collected;
- b. the point at which the sample was taken; and
- c. 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 – Mandatory Conditions for all EPA licences

Administrative conditions

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:

- a. must be maintained in a proper and efficient condition; and
- b. 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:

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

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

Period covered by Annual Return

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

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

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

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

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

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

- a. in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b. in relation to the revocation of the licence – the date from which notice revoking the licence operates.

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Deadline for Annual Return

The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

Notification where actual load can not be calculated

(Licences with assessable pollutants)

Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date.

The notification must specify:

- a. the assessable pollutants for which the actual load could not be calculated; and
- b. the relevant circumstances that were beyond the control of the licensee.

Licensee must retain copy of Annual Return

The licensee must retain a copy of the annual return supplied to the EPA for a period of at least 4 years after the annual return was due to be supplied to the EPA.

Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary

Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a. the licence holder; or
- b. by a person approved in writing by the EPA to sign on behalf of the licence holder.

A person who has been given written approval to certify a Statement of Compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review this licence.

Notification of environmental harm

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act

Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.

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

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

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- 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.

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.

HERITAGE NSW GENERAL TERMS OF APPROVAL

ATTACHMENT A: AMENDED GENERAL TERMS OF APPROVAL FOR IDA 2020.1146

Based on the information that has been provided to Heritage NSW we provide the following amended General Terms of Approval (GTAs):

Administrative conditions

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:

- Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared by Dr Amy Way as amended and dated 20 July 2020 and including attached cover letter (Way 2020).
- Environmental Impact Statement (EIS) prepared by RW Corkery & Co Pty Ltd, dated April 2020 (EIS 2020).
- Integrated development application IDA No 2020.1146 received on 20 May 2020 and additional information provided to Heritage NSW on 23 July 2020.
- Email from Queanbeyan Palerang Regional Council dated 14 October 2020 containing a request for consideration of amended GTAs. The request included supporting explanation from the applicant including the commitment to conduct archaeological salvage excavation before commencing extraction works in extraction cells E4, E5, E9 and E10.

Aboriginal Cultural Heritage Regulation conditions

- An Aboriginal Heritage Impact Permit (AHIP) must be sought and granted for these objects prior to the commencement of works.
- The conservation area ('Proposed Heritage Conservation Zone') must be fenced in accordance with section 8.1 of the ACHAR (Way 2020, pp.30) and Figure 4.9 of the EIS (p.4-19). Fencing with minimal subsurface disturbance must be used.
- Archaeological salvage excavation must be *conducted before any works associated with this development application start in extraction cells E4, E5, E9 and E10* in accordance with section 8.2.1 of the ACHAR (Way 2020, p.31).
- *The boundary between extraction cells E4, E5, E9 and E10 and the remainder of the development area must be fenced with temporary fencing and visual markers must be installed to clearly indicate that this area must not be harmed to any person on foot or in a vehicle in the vicinity prior to the undertaking and completion of salvage excavations.*
- *The temporary fencing and visual markers between extraction cells E4, E5, E9 and E10 and the remainder of the development area may be removed only after the completion of archaeological salvage excavation as described in section 8.2.1 of the ACHAR (Way 2020, p.31).*
- The AHIP application must detail a conservation agreement, or appropriate alternative in perpetuity conservation mechanism, over the conservation area shown in Figure 4.9 of the EIS (p.4-19).
- The AHIP application must include an Aboriginal heritage management plan (AHMP) to guide the long term management of the conservation area.
- The AHIP application must be accompanied by appropriate documentation and mapping as outlined in Applying for an Aboriginal Heritage Impact Permit, Guide for Applicants (OEH 2011) and with reference to the requirements of the Guide to Investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH 2011).
- Consultation with the Aboriginal community undertaken as part of an AHIP application must be in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW 2010). Full documentation of this process is required.

- The AHIP application must include complete records satisfying the requirements of the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (DECCW 2010).

Fencing of the conservation area must occur as soon as possible

Fencing of the conservation area must occur as soon as possible to avoid inadvertent impacts to the conservation area from current extraction operations.

An AHIP is required to erect fencing within the conservation area. However, because the permanent fencing cannot be installed until an AHIP has been issued, we recommend the applicant install temporary fencing within the boundary of the current extraction area, along the proposed conservation area, as an interim measure.