

## Jade Buckman

---

**From:** Jack Flanagan <jack@rwcorkery.com>  
**Sent:** Monday, 16 December 2024 2:08 PM  
**To:** Jade Buckman; Emma Yule  
**Cc:** Planning Panels Mailbox; Jodi - Browning Family; Admin - Browning Family; Claudia Le Quesne  
**Subject:** PPSWES-146 - Western RPP - Determination briefing - Narromine - DA2022/38 - 224 Warren Road, Narromine - Browning Sand Quarry  
**Attachments:** DRAFT 12585974\_Brownings Notice of Determination\_PPSWES-146\_RWC Edits.docx  
**Categories:** Western RPP

Good afternoon Jade and Emma,

The Applicant for the Browning Sand Quarry development application, Macquarie Valley Rock and Sand Pty Ltd, and RWC have reviewed and are generally satisfied with the draft conditions of consent. Please find attached a copy of the draft conditions containing tracked changes. All changes shown in the document represent proposed corrections to very minor typographical/formatting errors with the exception of the proposed rewording of Condition 48(a) as follows.

### Original Condition 48(a)

*“A Drivers’ Code of Conduct must be prepared to the satisfaction of Council and TfNSW that includes:*

- 1. toolbox meetings to facilitate continuous improvement initiatives and incident awareness;”*

### Proposed Amendment to Condition 48(a)

*“A Drivers’ Code of Conduct must be prepared to the satisfaction of Council and TfNSW that includes:*

- 2. **measures** to facilitate continuous improvement initiatives and incident awareness;”*

### **Reason for the Proposed Amendment**

The proposed amendment to Condition 48(a) is intended to reflect the likely use of alternative measures (e.g. physical/digital newsletters, formal correspondence, meetings with individual drivers) to facilitate any improvement initiatives and raise awareness of any incidents associated with the Quarry. Toolbox meetings are unlikely to be employed at the Quarry in these situations as all contract truck drivers regularly accessing the Project Site are unlikely to be available on site simultaneously for meetings, particularly given the restriction to dispatch no more than one laden truck per hour outlined under Condition 7(c). Likely measures to be employed will be outlined in the Drivers’ Code of Conduct and subject to approval by Council and TfNSW.

I trust this response provides you with the information you require at this stage. Please don’t hesitate to contact me if you wish to discuss prior to the determination briefing tomorrow.

Regards,



## Jack Flanagan

Senior Environmental Consultant

*B.Sc., M.Env.Sci.*



Mobile: 0402 060 522



Email: [jack@rwcorkery.com](mailto:jack@rwcorkery.com)



[www.rwcorkery.com](http://www.rwcorkery.com)

*R.W. Corkery & Co. and our staff are proud members or supporters of:*



This message is intended for the addressee named and may contain confidential/privileged information. If you are not the intended recipient, please delete it and notify the sender. Any confidentiality or privilege between R. W. Corkery & Co. Pty Limited and our Client is not waived or lost because this email has been sent to you by mistake. You should scan any attached files for viruses.



### NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

<b>Application number</b>	<b>2022/38</b> <b>PAN-230029</b>
<b>Applicant</b>	Macquarie Valley Rock and Sand Pty Ltd PO Box 39 Narromine NSW 2821
<b>Description of development</b>	Extractive Industry (quarry and onsite processing of extractive materials) plans, specifications and supporting documentation stamped with reference to this Consent
<b>Property</b>	224 Warren Road, NARROMINE NSW 2821 Lot 2 DP 733282
<b>Determination</b>	Approved Consent Authority o Western Regional Planning Pannel
<b>Date of determination</b>	DATE
<b>Date from which the consent operates</b>	DATE
<b>Date on which the consent lapses</b>	DATE
<b>OTHER APPROVALS</b>	
EPA General Terms of Approval	refer Part H
DPE – Water General Terms of Approval	refer to Part I

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

#### Reasons for approval

Can be approved as ancilliary residential development subject to Conditions.

#### Right of appeal / request a review of the determination

If you are dissatisfied with this determination.

**Request a review**

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

**Rights to appeal**

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

For further information, please contact Council's Planning department on 02 6889 9999.

Kind Regards,

Name

Position

Signed on behalf of the consent authority.

## Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

## GENERAL CONDITIONS

GENERAL CONDITIONS																	
Condition																	
1	<b>Approved plans</b>																
	Approved plans and supporting documentation Development of the Extractive Industry being a continued operation of the quarry (Browning Sand Quarry) and expansion must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.																
	<i>Table 1      Approved reference documents</i>																
	<table><tr><th>Plan/Doc Title</th><th>Prepared by</th><th>Date</th></tr><tr><td>Proposed Project Site Layout</td><td>RW Corkery &amp; Co. Pty Ltd</td><td>19/06/2022</td></tr><tr><td>Proposed Extraction Area and Processing and Stockpiling Area</td><td>RW Corkery &amp; Co. Pty Ltd</td><td>19/06/2022</td></tr><tr><td>Extraction Area Design</td><td>RW Corkery &amp; Co. Pty Ltd</td><td>30/04/2022</td></tr><tr><td>Proposed Final Landform</td><td>RW Corkery &amp; Co. Pty Ltd</td><td>30/04/2022</td></tr></table>		Plan/Doc Title	Prepared by	Date	Proposed Project Site Layout	RW Corkery & Co. Pty Ltd	19/06/2022	Proposed Extraction Area and Processing and Stockpiling Area	RW Corkery & Co. Pty Ltd	19/06/2022	Extraction Area Design	RW Corkery & Co. Pty Ltd	30/04/2022	Proposed Final Landform	RW Corkery & Co. Pty Ltd	30/04/2022
	Plan/Doc Title	Prepared by	Date														
Proposed Project Site Layout	RW Corkery & Co. Pty Ltd	19/06/2022															
Proposed Extraction Area and Processing and Stockpiling Area	RW Corkery & Co. Pty Ltd	19/06/2022															
Extraction Area Design	RW Corkery & Co. Pty Ltd	30/04/2022															
Proposed Final Landform	RW Corkery & Co. Pty Ltd	30/04/2022															
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, the condition prevails.																	
<b>NOTES:</b>																	
<ul style="list-style-type: none"><li>• <b>Aan</b> 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.</li><li>• 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.</li></ul>																	
Condition Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.																	
2	<b>Commence operations</b>																

Condition									
	<p>The Extractive Industry must not commence operation under this consent until all relevant conditions of development consent have been met or unless other satisfactory arrangements have been made with Council (i.e. a security).</p> <p>Condition Reason: To ensure the development proceeds in accordance with the approval conditions.</p>								
3	<p><b>Limits of approval</b></p> <p>The quarry operator may carry out extractive industry operations on the site for 25 years from the date of commencement. The operator is required to rehabilitate the site and carry out related undertakings to the satisfaction of Council and to the agreed final land use criteria. Consequently, the approval will continue to apply in all other respects, other than the right to conduct extractive industry and processing operations, until the rehabilitation of the site and those undertakings have been carried out to a satisfactory standard in accordance with the Rehabilitation and Closure Plan.</p> <p><b>NOTE:</b> The final land use criteria is to be consistent with the RU1 Primary Production zone objectives and include consultation with the landowner.</p> <p>Condition Reason: To ensure the limits and timeframe permitted for extractive operations are clearly applied.</p>								
4	<p><b>Material extraction</b></p> <p>The quarry operator must not exceed the limits in <a href="#">Table 2</a>.</p> <p><i>Table 2      Approved limits</i></p> <table><tr><th>Extraction area (ha)</th><th>Depth (m AHD)</th><th>Volume (m3)</th><th>Tonnes</th></tr><tr><td>10.3</td><td>224</td><td>968,400</td><td>1,646,280</td></tr></table> <p><b>NOTE:</b> This condition does not apply to the construction of any bores approved by Water NSW or pollution and sediment control structures.</p> <p>Condition Reason: To ensure the limits permitted for extractive operations are clearly applied.</p>	Extraction area (ha)	Depth (m AHD)	Volume (m3)	Tonnes	10.3	224	968,400	1,646,280
Extraction area (ha)	Depth (m AHD)	Volume (m3)	Tonnes						
10.3	224	968,400	1,646,280						
5	<p><b>Limit of extraction</b></p> <p>The operation of the extractive industry must not extract more than 50,000 tonnes of extractive materials in total from the site in any 12-month period or 1,646,280 tonnes in total over the life of the quarry.</p> <p>Condition Reason: To ensure the limits and timeframe permitted for extractive operations are clearly applied.</p>								
7	<p><b>Truck movements</b></p> <p>The operation of the extractive industry must not:</p> <ol style="list-style-type: none"><li>transport more than 50,000 tonnes of extractive material from the site in any <del>12</del> <b>month12-month</b> period;</li><li>dispatch more than 6 and an average of 4 laden trucks from the site on any day; or</li></ol>								

Condition	
	<p>c. dispatch more than 1 laden trucks from the site in any hour.</p> <p>Condition Reason: To ensure the limits for transport / haulage from the site is clearly defined.</p>
8	<p><b>Sediment control</b></p> <p>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 to design or manufacturer's specifications.</p> <p>Condition Reason: To ensure measures are in place to protect council road infrastructure from transfer of sediment and to reduce potential for dust.</p>
9	<p><b>Haulage routes</b></p> <p>Transport of extractive material from the site may only occur on the designated haulage routes, specified in the EIS. Any changes to the designated haulage route must first be approved by Council and may require road upgrade works.</p> <p>An Application to Work within a Public Road under Section 138 of the Roads Act, 1993 must be made for approval to Council as the Roads Authority prior the commencement of any road works.</p> <p>Condition Reason: To ensure the transport / haulage routes are limited to those adequate for heavy vehicle movements.</p>
10	<p><b>Revision of strategies, plans and programs</b></p> <p>A review, and if necessary, revision of the strategies, plans and programs required under this approval, to the satisfaction of Council, is triggered within three (3) months of the following:</p> <p><del>d-a.</del> the submission of an incident report under condition <del>66</del>65;</p> <p><del>e-b.</del> the submission of an Annual Review under condition <del>64</del>63;</p> <p><del>f-c.</del> the submission of an Independent Environmental Audit under condition <del>65</del>64; or</p> <p><del>g-d.</del> the approval of any modification of the conditions of this approval (unless the conditions require otherwise).</p> <p>Any revised plans shall be submitted to Council for approval within six weeks of the review.</p> <p>Condition Reason: To ensure management measures are updated and adaptive to site conditions and circumstances.</p>
11	<p><b>Evidence of consultation</b></p> <p>Where conditions of this approval require consultation with an identified party, the following is required:</p> <p><del>h-a.</del> consult with the relevant party prior to submitting the subject document; and</p> <p><del>i-b.</del> provide details of the consultation undertaken including:</p>

**Formatted:** Font: 11 pt

**Formatted:** Font: 11 pt

**Formatted:** Outline numbered + Level: 2 + Numbering  
Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned  
at: 0.75 cm + Tab after: 1.5 cm + Indent at: 1.5 cm

**Formatted:** Font: 11 pt

**Formatted:** Outline numbered + Level: 2 + Numbering  
Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned  
at: 0.75 cm + Tab after: 1.5 cm + Indent at: 1.5 cm

Condition	
	<ul style="list-style-type: none"> <li>i. the outcome of that consultation, matters resolved and unresolved; and</li> <li>ii. details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.</li> </ul>
	<p>Condition Reason: To ensure adequate consultation is carried out and relevant matters addressed.</p>
<b>12</b>	<p><b>National Construction Code of Australia</b></p> <p>All building work must be carried out in accordance with the requirements of the <i>Building Code of Australia</i>.</p> <p><b>NOTE:</b> <i>Building Code of Australia</i>, Volumes 1 and 2 of the <i>National Construction Code</i>, referred to as the <i>Building Code of Australia</i>, published by the Australian Building Codes Board, as in force from time to time.</p> <p>Condition Reason: This condition is prescribed under the <i>Environmental Planning and Assessment Regulation 2021</i>.</p>
<b>13</b>	<p><b>Payment of section 7.11 contributions</b></p> <p>Pursuant to section 7.11 of the Environmental Planning and Assessment Act 1979, monetary contribution is to be paid to Council. The contribution is to be 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.</p> <p>The contribution payable will be calculated in accordance with the contributions plan current at the time of payment, and will be adjusted at the time of payment in accordance with the Plan.</p> <p>Time of payment of contributions shall be:</p> <p>Within 28 days of receipt of a quarterly notice from the Council stating the contribution amount pursuant to the previous quarter's heavy haulage vehicle activity.</p> <p><b>NOTE:</b> The current Plan is Narromine Shire Council Section 7.11 Contributions Plan 2020 – Heavy Vehicles. Contribution amounts will be adjusted by Council each quarter.</p> <p>Condition Reason: To ensure development contributions are paid to address the increased demand for public amenities and services resulting from the approved development, and road maintenance due to heavy vehicle impacts.</p>
<b>14</b>	<p><b>Compliance</b></p> <p>The operator of the quarry 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 approval relevant to activities they carry out in respect of the project.</p> <p>Condition Reason: To ensure all staff are aware of their obligations in relation to the approval.</p>



## BUILDING WORK BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

Condition	
<b>15</b>	<p><b>Long Service Levy Payment</b></p> <p>Before the issue of a Construction Certificate, the operator of the quarry is to ensure that the person liable pays the long service levy to be calculated based on a cost estimate prepared by a suitably qualified person to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier. The final revised cost estimate and proof of payment is required to be provided to the certifier prior to issue of construction certificate.</p> <p><b>NOTE:</b> The levy rate will be 0.25% of the cost of building and construction works and will only be payable if the cost of works is \$250,000 and above (inclusive of GST). <i>This payment can be made directly to the Long Service Levy Corporation. All benefits and requirements are determined by the Building and Construction Industry Long Service Payments Act 1986.</i></p> <p>Condition Reason: To ensure the long service levy is paid.</p>
<b>16</b>	<p><b>Design amendments and Development Plans</b></p> <p>The Development Plans are to be revised prior to issue of construction certificate as required. Before the issue of a Construction Certificate, the certifier must ensure the approved construction certificate plans (and specifications) detail the required amendments to the approved plans and supporting documentation stamped by Council and are in accordance with the approval conditions. Any amendments due to conditions are to be reflected on Construction plans.</p> <ol style="list-style-type: none"> <li>Plans are to demonstrate fulfilment of the commitments in Management Plans;</li> <li>Show required water tanks for water supply and firefighting; and</li> <li>Any requirements pertaining to compliance with other approvals required for the Project.</li> <li>Form detailed construction plans of any buildings, including site office and amenities.</li> </ol> <p>Condition Reason: To address conditions of approval.</p>
<b>17</b>	<p><b>Engineering Plans – Building Work</b></p> <p>Engineering plans, showing details of all proposed construction works and adhering to any conditions of development consent, must be submitted to, and approved by, Council or an Accredited Certifier prior to issuing of the Construction Certificate.</p> <p><b>NOTE:</b> Footing details for transportable structures will need construction approval.</p> <p>Condition Reason: To address conditions of approval.</p>
<b>18</b>	<p><b>Requirement for Approval - Section 68 Local Government Act</b></p> <p>Prior to issue of a Construction Certificate for building work an approval/s pursuant to Part A, Part B and Part C of section 68 Local Government Act 1993 are to be issued as relevant, including:</p> <ol style="list-style-type: none"> <li>Install a manufactured home, moveable dwelling or associated structure on land (such as a transportable office and the like)</li> <li>Approval to carry out Sewerage, Plumbing and Stormwater Drainage work.</li> </ol>

Condition	
	c. Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility.
	d. Operate a system of sewage management (within the meaning of section 68A).
	Condition Reason: To ensure the appropriate approvals are in place for moveable structures, sewerage and plumbing related works.
<b>19</b>	<b>Rumble grid</b>
	Prior to issue of Construction Certificate submit a design for a dust and sediment control facility, such as a rumble grid, within the property entrance for approval by Council. The installation, ongoing maintenance and operations of such a facility shall be at no cost to Council.
	Condition Reason: To ensure measures are in place to protect Council road infrastructure from transfer of sediment and to reduce potential for dust.

## PRIOR TO COMMENCEMENT OF ROAD WORK

Condition	
<b>20</b>	<b>Section 138 Roads Act – Council Roads</b> Under Section 138 of the Roads Act 1993, should any work on the verge, footpath, or public road reserve be required, a separate Section 138 Roads Act Approval will need to be obtained from Council. The conditions of a s138 approved by Council are to be complied with prior to works commencing in the road reserve (a consent may not be given with respect to a classified road except with the concurrence of TfNSW). Condition Reason: To ensure compliance with the Roads Act 1993 and Council policy.
<b>21</b>	<b>Site access</b> Unless Council agrees otherwise, detailed design for the upgrade of the quarry site access location at Warren Road to a basic (BAL/BAR) intersection treatment must be submitted to Council for approval. The intersection works must be designed for a 110 km/h speed zone and able to accommodate the largest vehicle accessing the intersection and site. Condition Reason: To ensure safe quarry site access is constructed to Council standards.
<b>22</b>	<b>Engineering Plans – Civil Construction</b> Detailed design of road upgrades and construction works must be prepared in accordance with the relevant road works specifications, or to Council's satisfaction. Condition Reason: To establish and document structural condition of adjoining properties and document condition of existing assets on public land for comparison as site work progresses and is completed.
<b>23</b>	<b>Pipe Backfill</b> All pipe backfill designs and construction must be in accordance with AS/NZ 3725:2007 Design for installation of buried concrete pipes or current Australian Standard for that particular product. Condition Reason: To ensure adequate design standards are adopted.

## REQUIREMENTS PRIOR TO COMMENCEMENT OF CONSTRUCTION WORK

Condition	
<b>25</b>	<p><b>Notice of Commencement</b></p> <p>Prior to the commencement of any building work on the site, the person having the benefit of this consent:</p> <ol style="list-style-type: none"> <li>shall appoint a Principal Certifying Authority (PCA).</li> <li>shall ensure a Construction Certificate is issued by the PCA.</li> <li>shall notify Council of their intention to commence the site works, at least 2 days prior to commencement of work.</li> </ol> <p>Condition Reason: To ensure statutory obligations are met.</p>
<b>26</b>	<p><b>Signs on site</b></p> <p>A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out:</p> <ol style="list-style-type: none"> <li>showing the name, address and telephone number of the principal certifier for the work, and</li> <li>showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and</li> <li>stating that unauthorised entry to the work site is prohibited.</li> </ol> <p>Any such sign is to be maintained while the building work or demolition work is being carried out, but must be removed when the work has been completed</p> <p><b>NOTE:</b> This does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.</p> <p>Condition Reason: Prescribed condition EP&amp;A Regulation, clause 70.</p>
<b>27</b>	<p><b>Project Plans &amp; Testing</b></p> <p>Prior to any works commencing, a project construction plan must be submitted to Council for review and approval to ensure all requirements are met. All documentation required for submission should follow Aus-spec 0161 Quality Management - Construction including road works and other services. This should include the following:</p> <ol style="list-style-type: none"> <li>Sequence of operations</li> <li>Documented procedures and work instructions</li> <li>Types of equipment required, capability, maintenance and calibration certificates</li> <li>Any special working environment requirements</li> <li>Personnel competency and skills required</li> <li>Criteria for workmanship and tolerances</li> <li>Materials required</li> <li>Safety requirements</li> <li>Reference documents</li> <li>Records produced</li> <li>Planning</li> <li>Verification measures</li> </ol>

Condition	
	<ul style="list-style-type: none"> <li>m. Inspection, test and control points</li> <li>n. Monitoring of continuous suitability</li> <li>o. Responsibility for implementing and monitoring work process controls and rectifying any deficiencies.</li> </ul>
	Condition Reason: To ensure construction requirements are met and quality management measures implemented.
<b>28</b>	<p><b>Service location</b></p> <p>Prior to carrying out any works, a “Before You Dig” enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the <i>Electricity Supply Act 1995</i> (NSW). Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities.</p> <p>SafeWork NSW (<a href="http://www.safework.nsw.gov.au">www.safework.nsw.gov.au</a>) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.</p> <p>Condition Reason: To safeguard against impact to assets and ensure the safety when working near electricity lines.</p>
<b>29</b>	<p><b>Erosion and Sediment Control</b></p> <p>Prior to the commencement of works, erosion and sediment control measures must be in accordance with the approved soil erosion and sediment management control plan and must be installed and maintained until all disturbed areas have been revegetated and restored.</p> <p>Condition Reason: To ensure runoff and site debris do not impact local stormwater systems and waterways.</p>
<b>30</b>	<p><b>Temporary Onsite Toilet</b></p> <p>Prior to the commencement of works, a temporary on-site toilet must be provided and maintained on-site throughout the construction of the project or until an alternative facility meeting Council’s requirement is available on-site. Sewage must be disposed of at a licensed disposal facility. The Narrmine Sewage Treatment Plant does not accept septic or pan waste.</p> <p>Condition Reason: To ensure amenities are available.</p>

## REQUIREMENTS DURING CONSTRUCTION WORKS

Condition	
<b>31</b>	<p><b>Approved hours of Construction</b></p> <p>Unless otherwise approved by Council, construction work may only be undertaken in during the following hours:</p> <ul style="list-style-type: none"> <li>- Monday to Friday - 7:00 am to 8:00 pm</li> <li>- Saturday - 8:00 am to 1:00 pm</li> <li>- Sunday &amp; Public Holidays – Nil</li> </ul> <p>The principal certifier must ensure building work or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.</p> <p>Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.</p> <p><b>NOTE:</b> Any variation to the hours of work requires Council's approval.</p> <p>Condition Reason: To protect the amenity of the surrounding area.</p>
<b>32</b>	<p><b>Works Near Electricity Infrastructure</b></p> <p>There is overhead electricity infrastructure located within vicinity of the property. Any activities within these locations must be undertaken in accordance with ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.</p> <p>Condition Reason: To ensure the safety when working near electricity lines.</p>
<b>33</b>	<p><b>Building Materials, Plant and Equipment</b></p> <p>During construction works, all building materials, plant and equipment must be placed on site to ensure that pedestrian and vehicular access in public places is not restricted.</p> <p>Condition Reason: To preserve access and protect public infrastructure.</p>
<b>34</b>	<p><b>Dust Abatement</b></p> <p>During construction works, a water cart is required to be readily available to suppress dust during construction. During dry periods or high wind, construction works must be delayed or postponed. Dust suppressant additives are also encouraged during construction works.</p> <p>Condition Reason: To ensure dust suppression is implemented during construction.</p>
<b>35</b>	<p><b>Fill</b></p> <p>During construction works, fill material must not be placed in such a manner that:</p> <ul style="list-style-type: none"> <li>a. natural drainage from adjoining land will be obstructed; and</li> <li>b. surface water will be diverted to adjoining land.</li> </ul> <p>Condition Reason: To prevent fill causing stormwater impacts.</p>
<b>36</b>	<p><b>Uncovering relics or Aboriginal objects</b></p> <p>While any associated construction work and quarry operations are being carried out, if a person</p>

Condition	
	<p>reasonably suspects a relic of Aboriginal object is discovered:</p> <ul 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 <ul 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 National Parks and Wildlife Act 1974, section 85.</li> </ul> </li> </ul> <p>Site work may recommence at a time confirmed in writing by:</p> <ul style="list-style-type: none"> <li>c. for a relic – the Heritage Council; or</li> <li>d. 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 National Parks and Wildlife Act 1974, section 85.</li> </ul>
	<p>Condition Reason:</p> <p>To ensure the protection of objects of potential significance during works.</p>

## REQUIREMENTS PRIOR TO COMMENCEMENT OF OPERATIONS

Condition	
<b>37</b>	<p><b>Repair of infrastructure</b></p> <p>Before the issue of an occupation certificate or certificate of completion (for S68 approvals), the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.</p> <p><b>NOTE:</b> If the Council is not satisfied, the whole or part of any bond submitted will be used to cover the rectification work.</p> <p>Condition Reason: To ensure any damage to public infrastructure is rectified.</p>
<b>38</b>	<p><b>Completion of Road Work</b></p> <p>Council must be satisfied that all road works required have been completed in accordance with approved plans and documents and relevant conditions of this consent and any s138 Roads Act approval.</p> <p>Following completion of all engineering works with a final satisfactory inspection report, and prior to commencement of operations in accordance with this approval (and haulage), a defects bond of 5% of the value of works (not carried out by Council) shall be lodged with Council. The bond may be provided by way of monetary deposit with Council or via Bank Guarantee, which will be held to remedy any defects in public work that arise within 6 months after the work is completed.</p> <p>The maintenance bond period commences from the date of Council's written acceptance of the final inspection report and WAE drawings. If defects are not satisfactorily remedied, Council may use bond money to carry out rectification works. Any unspent bond money will be returned to the developer at the end of the defects period, less the cost of any rectification works carried out by Council.</p> <p>Condition Reason: To ensure road work is satisfactorily completed.</p>
<b>39</b>	<p><b>WAE Drawings</b></p> <p>Prior to commencement, a design report (printed and bound) and three (3) copies of which 1 x A0 size and 2 x A3 size of works-as-executed (WAE) drawings of the road works must be submitted to Council in hard copy format. The certified WAE drawings must be prepared by a registered surveyor and must indicate the following:</p> <ul style="list-style-type: none"> <li>- Subgrade surface level</li> <li>- Sub-base pavement level</li> <li>- Pavement base level</li> <li>- Invert levels of all pits, pipes and orifice plates</li> <li>- Nominal diameter (DN) and class of pipe(s)</li> <li>- Surface levels of pits and surrounding ground levels.</li> </ul>



Condition	
	<p>The plans must be accompanied by a report from the designer stating the conformance or otherwise of the as constructed works in relation to the approved design.</p> <p>The WAE plan and design report must be in both CAD and PDF format and must be submitted for approval to Council prior to commencement.</p> <p>Condition Reason: To ensure road work is satisfactorily completed and documented.</p>
<b>40</b>	<p><b>Post – Construction Dilapidation report</b></p> <p>After the completion of all site establishment work and road work, a post-construction dilapidation report must be prepared by a suitably qualified engineer to the satisfaction of the Principal Certifier or Council, detailing whether:</p> <ol style="list-style-type: none"> <li>After comparing the pre-construction dilapidation report (Condition <a href="#">Error! Reference source not found.23</a>) to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings, structures or works, roads and public land.</li> </ol> <p>Where there has been structural damage to any adjoining buildings that is the result of the work approved under this development consent.</p> <p>Condition Reason: To identify any damage to adjoining properties and infrastructure resulting from development work.</p>
<b>41</b>	<p><b>Release of Securities</b></p> <p>Prior to the release of any securities:</p> <ol style="list-style-type: none"> <li>Any public infrastructure damaged as result of the carrying out of work approved under this consent must be fully repaired to the written satisfaction of Council and at no cost to Council, or</li> <li>If the works in (a) are not carried out to Council's satisfaction Council may carry out the works required and the costs of any such works must be paid as directed by Council and in the first instance will be paid using the security deposit required to be paid under this consent.</li> </ol> <p>Condition Reason: To ensure the public infrastructure is maintained to Council's satisfaction.</p>
<b>42</b>	<p><b>Maintenance bond</b></p> <p>When a maintenance bond or other security under this consent is required, an application may be lodged to release the securities held by Council, after the relevant period.</p> <p>Condition Reason: To allow release of securities where terms and conditions for the securities have been met to Council's satisfaction.</p>
<b>43</b>	<p><b>Identification of Quarry Boundaries</b></p> <p>Prior to the commencement of land clearing and quarry operations, or as otherwise agreed by Council, the Applicant must:</p> <ol style="list-style-type: none"> <li>engage an independent registered surveyor to survey the boundaries of the approved limit of extraction as per plan labelled Extraction Area Design;</li> </ol>

Condition	
	<ul style="list-style-type: none"> <li>b. submit a survey plan of these boundaries to the Council; and</li> <li>c. ensure that these boundaries are clearly marked at all times in a permanent manner that allows operating staff and inspecting officers to clearly identify those limits.</li> </ul>
	<p>Condition Reason: To ensure the area of disturbance is limited to that approved.</p>
<b>44</b>	<p><b>Preservation of survey marks</b></p> <p>Before the commencement of operations, a registered surveyor must submit documentation to the principal certifier which demonstrates that:</p> <ul style="list-style-type: none"> <li>a. no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced, or</li> <li>b. the applicant has re-established any survey mark(s) that were damaged, destroyed, obliterated or defaced in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure.</li> </ul>
	<p>Condition Reason: To protect the State's survey infrastructure.</p>
<b>45</b>	<p><b>Notice of Commencement</b></p> <p>Notice of commencement of operations (at least 48 hours prior) is to be given to Council in writing, with record of compliance with any commitments in the EIS and conditional requirements prior to commencement of operations.</p>
	<p>Condition Reason: To advise Council of commencement date and document compliance.</p>
<b>46</b>	<p><b>Signage</b></p> <p>Prior to commencement, the installation of advance warning signage is required, and must be designed with the current Australian Standard with details submitted to Council with the section 138 Roads Act application. Signage size must be installed 250 metres in advance of the site access intersection with Warren Road at no cost to Council.</p> <p><b>NOTE:</b> Signage installation may have site specific requirements to be included in the approval pursuant to s138 Roads Act.</p>
	<p>Condition Reason: To ensure road safety signage is installed.</p>
<b>47</b>	<p><b>Environmental management plan</b></p> <p>An Environmental Management Plan must be prepared for the project to the satisfaction of Council. This plan must:</p> <ul style="list-style-type: none"> <li>a. provide the strategic framework for environmental management of the project;</li> <li>b. identify the statutory approvals that apply to the project;</li> <li>c. set out the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;</li> <li>d. set out the procedures to be implemented to: <ul style="list-style-type: none"> <li>i. keep the local community and relevant agencies informed about the operation and environmental performance of the project;</li> <li>ii. receive record, handle and respond to complaints;</li> <li>iii. resolve any disputes that may arise during the course of the project;</li> </ul> </li> </ul>

Condition	
	<ul style="list-style-type: none"> <li>iv. respond to any non-compliance and any incident; and</li> <li>v. respond to emergencies.</li> <li>e. a protocol for periodic review of the plan</li> <li>f. include plans for the management and monitoring to ensure the operations comply with the relevant criteria and conditions of this approval for the following: <ul style="list-style-type: none"> <li>i. Noise</li> <li>ii. Blasting</li> <li>iii. Air quality</li> <li>iv. Surface water and Groundwater</li> <li>v. Traffic</li> <li>vi. Aboriginal cultural heritage</li> <li>vii. Biodiversity</li> <li>viii. Bushfire</li> </ul> </li> <li>g. a summary of all the monitoring to be carried out under the conditions of this approval.</li> </ul>
	<p>Condition Reason:</p> <p>To ensure management details and mitigation measures are documented and adopted for the project.</p>
<b>48</b>	<p><b>Drivers Code of Conduct</b></p> <p>A Drivers' Code of Conduct must be prepared to the satisfaction of Council and TfNSW that includes:</p> <ul style="list-style-type: none"> <li>a. <del>toolbox meetings</del> measures to facilitate continuous improvement initiatives and incident awareness;</li> <li>b. drivers to adhere to posted speed limits or other required travelling speeds;</li> <li>c. haul route restrictions under this development consent and the National Heavy Vehicle Regulator scheme for the classes of trucks being used, including the Narromine town centre bypass;</li> <li>d. drivers implement safe and quiet driving practices;</li> <li>e. measures to discourage operating heavy machinery including trucks while under the influence of alcohol and/or drugs;</li> <li>f. safety measures at the level rail crossing;</li> <li>g. truckloads are to be covered at all times when being transported, to minimise dust and loss of material onto roads which may form a traffic hazard;</li> <li>h. measures to manage haulage movements during school bus pick up / drop off times (both on rural roads and through towns) to minimise potential interactions between haulage vehicles and buses or children, and</li> <li>i. the measures to be put in place to ensure compliance with the Drivers' Code of Conduct.</li> </ul>
	<p>Condition Reason:</p> <p>To ensure truck drivers are aware of their obligations in relation to the development.</p>
<b>49</b>	<p><b>Rehabilitation and Closure Plan</b></p> <p>A Rehabilitation and Closure Plan must be prepared for the project to the satisfaction of Council. This plan must:</p>

Condition	
	<ul style="list-style-type: none"> <li>a. outline the final land use and landform options considered, and justification of the preferred option;</li> <li>b. detail any rehabilitation methods to be implemented for both planned and unplanned closure of the site, including the testing of imported material to confirm it is suitable for rehabilitation;</li> <li>c. suitable completion criteria;</li> <li>d. a risk assessment to demonstrate that post-closure risks associated with the proposed final landform and land use are acceptable; and</li> <li>e. an estimate of the closure costs prepared in accordance with the current industry recognised guidelines. This estimate is to be updated annually.</li> </ul> <p>The rehabilitation and closure plan must be prepared in accordance with any applicable legislation and the principles of the Strategic Framework for Mine Closure produced by the Australian and New Zealand Minerals and Energy Council and Minerals Council of Australia (ANZMEC, 2000).</p>
	<p>Condition Reason:</p> <p>To ensure Narromine Shire Council does not incur a financial liability as a result of quarry operations. To ensure rehabilitation management measures and end of life procedures are documented and adopted for the project.</p>

## OPERATIONAL REQUIREMENTS

Condition	
<b>50</b>	<p><b>Environmental Management Plans</b></p> <p>The Environmental Management Plans and adopted measures must be implemented for all phases of the Project.</p> <ol style="list-style-type: none"> <li>The Environmental Management Plans are to be available at the site office at all times.</li> <li>The Environmental Management Plans required by this consent may be combined/consolidated where practical for improved implementation.</li> <li>Environmental Management Plans are to be updated with changes to legislation, approval conditions and review processes to ensure management and mitigation measures are kept up to date.</li> </ol> <p>Condition Reason: To ensure adopted site management measures are implemented at all times.</p>
<b>51</b>	<p><b>Environment Protection Licence</b></p> <p>The operator of the quarry must ensure a fit and proper person holds an Environment Protection Licence required pursuant to Protection of the Environment Operations Act 1997. Works and activities must comply with the requirements of the Environment Protection Authority (EPA) General Terms of Approval, issued pursuant to section 4.46 Environmental Planning and Assessment Act 1979.</p> <p><b>NOTE:</b> General Terms of Approval are provided in Part <del>HA</del> of this consent. The Proponent will need to make separate application to the EPA to obtain this licence.</p> <p>Condition Reason: To ensure NSW EPA general terms of approval and mandatory EPL conditions are adopted.</p>
<b>52</b>	<p><b>Controlled Activity approval</b></p> <p>The attached GTA issued by the Department of Planning and Environment—Water (DPE- Water) do not constitute an approval under the Water Management Act 2000. The development consent holder must apply to the department for a Controlled Activity approval after consent has been issued by Council and before the commencement of any work or activity.</p> <p><b>NOTE:</b> General Terms of Approval are provided in Part <del>BI</del> of this consent. The Proponent will need to make separate application to the DPE - Water to obtain this approval.</p> <p>Condition Reason: To ensure DPE - Water general terms of approval are adopted.</p>
<b>53</b>	<p><b>Water Supply</b></p> <p>A legal and sufficient water supply is required for all stages of the project, and if necessary, the operator is to adjust the scale of operations on site to match its available water supply, to the satisfaction of Council.</p> <p>Condition Reason: To ensure the project has sufficient volume of water for dust suppression and processing obtained through legal sources.</p>
<b>54</b>	<p><b>Monitoring of Product Transport</b></p> <p>By the use of a weighbridge (or other means as agreed by Council), records are to be made:</p>

Formatted: Not Highlight

Condition	
	<p>a. Product Transport Details - retained for at least 12 months, records of the time of dispatch, weight of load, route and vehicle identification for each laden truck dispatched from the project. These records must be made available to Council on request and a summary included in the Annual Review.</p> <p>b. Product Volumes – tonnages of product leaving the site is to be recorded quarterly and provided to Council for calculation of the s7.11 contributions.</p> <p>Condition Reason: To ensure records of extraction and processing activity are kept for the project and obligations to pay s7.11 contributions are met.</p>
55	<p><b>Heritage</b></p> <p>If any Aboriginal object(s) are discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:</p> <ul style="list-style-type: none"> <li>– Not further harm the object(s)</li> <li>– Immediately cease all work at the particular locations</li> <li>– Secure the area so as to avoid further harm to the Aboriginal object(s)</li> <li>– Notify NSW Environment Line as soon as practical by calling 131 555 or emailing: info@environment.nsw.gov.au, providing any details of the Aboriginal objects(s) and its location</li> <li>– Not recommence any work at the particular location unless authorised in writing by Heritage NSW</li> </ul> <p>Condition Reason: To protect any items of Aboriginal heritage uncovered during the development.</p>
56	<p><b>Parking</b></p> <p>The Applicant must provide sufficient parking on-site for all project-related traffic in a dedicated area away from active quarry areas.</p> <p>Condition Reason: To ensure adequate parking is provided on site.</p>
57	<p><b>Visual</b></p> <p>Visual amenity is to be maintained:</p> <ul style="list-style-type: none"> <li>a. all reasonable steps are to be taken to minimise the visual and off-site lighting impacts of the project;</li> <li>b. revegetate overburden emplacements, emplacement extensions and bunds as soon as practicable;</li> <li>c. not erect or display any advertising structure(s) or signs on the site without the written approval of Council.</li> </ul> <p><b>NOTE:</b> This does not include business identification, traffic management and safety or environmental signs.</p> <p>Condition Reason: To ensure impacts to visual amenity are mitigated.</p>
58	<p><b>Waste</b></p> <p>Waste management measures are to be implemented:</p>

Condition	
	<p>a. manage on-site sewage treatment and disposal in accordance with the requirements of the Environmental Protection Licence (EPL), and to the satisfaction of the EPA and Council;</p> <p>b. minimise the waste generated by the development;</p> <p><del>c. ensure that the waste generated by the development is appropriately stored, handled, and disposed of;</del></p> <p>and</p> <p><u>c. ensure that the waste generated by the development is appropriately stored, handled, and disposed of; and</u></p> <p>d. monitor the amount of waste generated by the project.</p>
	<p>Condition Reason: To ensure waste is managed.</p>
<b>59</b>	<p><b>Waste storage</b></p> <p>Except as expressly permitted in an EPL, the quarry site must not receive waste for storage, treatment, processing, reprocessing or disposal.</p> <p><b>NOTE:</b> The only waste derived material that may be received at the development site must be:</p> <p>a. virgin excavated material, within the meaning of Protection of the Environment Operations Act 1997; and</p> <p>b. Any other waste-derived material the subject of a resource recovery exemption under cl.91 of the Protection of the Environment Operations (Waste) Regulation 2014 that is permitted to be used as fill material.</p>
	<p>Condition Reason: To prevent the quarry from accepting waste products without the necessary approvals.</p>
<b>60</b>	<p><b>Storage of Liquids, Chemicals &amp; Petroleum Products</b></p> <p>All liquids, chemicals and/or petroleum products on site are to be stored in accordance with the relevant Australian Standard. During construction works and for the life of the operation, the storage of fuel, chemicals or any hazardous substances and dangerous goods must be secured and stored in accordance with the manufacturers' specifications. Safety Data Sheets (SDS) must be kept on site along with a manifest.</p>
	<p>Condition Reason: To ensure safe storage of hazardous substances.</p>
<b>61</b>	<p><b>Safety</b></p> <p>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.</p>
	<p>Condition Reason: To ensure safety of public and visitors to site.</p>
<b>62</b>	<p><b>Annual survey</b></p> <p>At the anniversary of the commencement of operations, or other timeframe agreed by Council, an independent registered surveyor or other independent practitioner as agreed with Council is required to:</p> <p>a. survey the extent of the extraction areas;</p>

**Formatted:** Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 1.38 cm + Indent at: 2.02 cm

**Formatted:** Indent: Left: 0.75 cm

Condition	
	<ul style="list-style-type: none"> <li>b. survey the depth of the extraction areas;</li> <li>c. calculate the volume extracted since the previous survey; and</li> <li>d. confirm the boundary markers clearly mark the approved limit of extraction.</li> </ul> <p>The survey must be provided to Council within six weeks of the anniversary date.</p> <p>Condition Reason: To ensure approved extraction and disturbance limits are not exceeded.</p>
<b>63</b>	<p><b>Annual Review</b></p> <p>At each anniversary of the commencement of operations, or other timeframe agreed by Council, a report reviewing the environmental performance of the project over the past year, is to be compiled to the satisfaction of Council. This review must:</p> <ul style="list-style-type: none"> <li>a. describe the activities (including any rehabilitation) that was carried out in the previous 12 months, and the activities that are proposed to be carried out over the current 12 months;</li> <li>b. include a survey of the extraction area showing the depth and extent of the extraction and the volume of material extracted in the past 12 months;</li> <li>c. include a comprehensive review of the monitoring results and complaints records of the project over the previous 12 months, including a comparison of these results against the: <ul style="list-style-type: none"> <li>i. relevant statutory requirements, limits or performance measures/criteria;</li> <li>ii. requirements of any plan or program required under this approval;</li> <li>iii. monitoring results of previous years; and</li> <li>iv. relevant predictions in the EIS.</li> </ul> </li> <li>d. identify any non-compliance or incident which occurred in the previous year, and describe what actions were (or are being) taken to rectify the non-compliance and avoid reoccurrence.</li> </ul> <p>Copies of the Annual Review must be submitted to Council within six weeks of the anniversary of the commencement date, or other timeframe agreed by Council, and made available on the Project's website.</p> <p>Condition Reason: To ensure approval requirements are implemented and monitored for improvement.</p>
<b>64</b>	<p><b>Independent Environmental Audit</b></p> <p>Once 150,000 tonnes of material has been extracted, or after 3 years of operations under this consent whichever is sooner or at the request of Council, an Independent Environmental Audit of the project must be commissioned to assess compliance. The audit must:</p> <ul style="list-style-type: none"> <li>a. be led by a suitably qualified, experienced and independent auditor;</li> <li>b. be carried out in consultation with the relevant agencies;</li> <li>c. assess the environmental performance of the project and whether it is complying with the relevant requirements in this approval, any relevant EPL, permits or leases for the project (including any assessment, strategy, plan or program required under these approvals);</li> <li>d. review the adequacy of any approved strategy, plan or program required under the abovementioned approvals and this approval;</li> </ul>



Condition	
	<p>e. recommend appropriate measures or actions to improve the environmental performance of the project and any assessment, strategy, plan or program required under the abovementioned approvals and this approval; and</p> <p>f. be conducted and reported to the satisfaction of Council.</p> <p>Within three months of the Independent Environmental Audit, a copy of the audit report is to be submitted to Council, NSW EPA, and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of Council.</p> <p>Condition Reason: To implement a requirement for an independent environmental audit for the purpose of ensuring satisfactory environmental performance.</p>
<b>65</b>	<p><b>Incident and Complaint Reporting</b></p> <p>An Incident and Complaint Register is to be established. Council and any relevant agencies are to be provided with a detailed report on complaint, incident or non-compliance, as a component of the Annual Review and such further reports as may be requested.</p> <p><b>NOTE:</b> The recording of pollution complaints should be in accordance with EPL conditions.</p> <p>Condition Reason: To ensure incident and complaint records are kept.</p>

### EPA GENERAL TERMS OF APPROVAL

Condition	
	Condition Reason:
	Condition Reason:
	Condition Reason:
	Condition Reason:
	Condition Reason:
	Condition Reason:

**DPE - Water General Terms of Approval**

Condition	
	Condition Reason:
	Condition Reason:
	Condition Reason:
	Condition Reason:
	Condition Reason:
	Condition Reason:
	Condition Reason:

## GENERAL ADVISORY NOTES

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the Conditions of development consent: advisory notes. The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work must not be carried out until a construction certificate has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

## DICTIONARY

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

**Approved plans and documents** means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

**AS** means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

**Building work** means any physical activity involved in the erection of a building.

**Certifier** means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

**Construction certificate** means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

**Council** means Narromine Shire Council

**Court** means the Land and Environment Court of NSW.

**EPA** means the NSW Environment Protection Authority.

**EP&A Act** means the *Environmental Planning and Assessment Act 1979*.

**EP&A Regulation** means the *Environmental Planning and Assessment Regulation 2021*.

**Independent Planning Commission** means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

**Local planning panel** means Local Planning Panel

**Occupation certificate** means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

**Principal certifier** means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

**Site work** means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

**Stormwater drainage system** means all works and facilities relating to:  
the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

**Strata certificate** means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

**Subdivision certificate** means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

**Subdivision works certificate** means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

**Sydney district or regional planning panel** means Western Regional Planning Panel.