

General Terms of Approval

Notice No: 1657770



The Chief Executive Officer
Murray River Council
PO Box 906
MOAMA NSW 2731

via NSW Planning Portal

Attention: Vish Chandra

Date: 23 April 2026

Notice Number: 1657770

Re: Extractive Industry - Lytton Sand Quarry - 4920 Noorong Road, Tullakool - DA-2025/0357

General Terms of Approval - Issued pursuant to Section 4.46 Environmental Planning and Assessment Act 1979

I refer to the development application (DA-2025/0357) and accompanying information provided for the Lytton Sand Quarry expansion at 4920 Noorong Road, Tullakool, received by the Environment Protection Authority (EPA) on 18 March 2026.

The EPA has reviewed the following documents and associated appendixes:

- The development application DA-2025/0357 submitted to Murray River Council on 6 March 2026;
- The environmental impact statement titled "Environmental Impact Statement - Increased extraction at approved Extraction Industry (Sandpit) site "Lytton Sand Quarry" at 4920 Noorong Road, Tullakool", dated December 2025, prepared by Progressive Rural Solutions Pty Ltd.

The EPA has responsibility for pollution control and environmental management under the *Protection of the Environment Operations Act 1997* (POEO Act). The EPA has reviewed the information provided and has determined that it is able to issue our General Terms of Approval (GTA) for the proposed development.

The GTA provided in Attachment 'A', are conditions that relate to the development proposed in the documents and information provided by the Council and the applicant. Attachment 'B' provides mandatory conditions that apply to all Environmental Protection Licences. Should Council grant development consent for this proposal we recommend that these conditions are incorporated into the consent.

General Terms of Approval



Notice No: 1657770

These GTA's relate to the development as proposed in the documents and information currently provided to the EPA. If the development is modified either by the applicant prior to the granting of consent or as a result of the conditions proposed to be attached to the consent, it will be necessary to consult with the EPA about the changes before the consent is issued. This will enable the EPA to determine whether its General Terms of Approval need to be modified.

Please note, should development approval be granted it will be necessary for the proponent to make an application to the EPA for an EPL consistent with the development application and our GTA prior to undertaking any construction works.

If you have any questions or wish to discuss this matter, further please contact the EPA on 131 555 or by electronic mail at info@epa.nsw.gov.au.

Yours sincerely

A handwritten signature in blue ink, reading 'Briohny Seaman', written over a light blue circular stamp.

.....
Briohny Seaman

Unit Head

Environment Protection Authority

(by Delegation)

General Terms of Approval

Notice No: 1657770



Attachment A – Specific conditions for DA-2025/0357

Administrative conditions

A1. Information supplied to the EPA

A1.1 Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- The development application DA-2025/0357 submitted to Murray River Council on 6 March 2026;
- The environmental impact statement titled "Environmental Impact Statement - Increased extraction at approved Extraction Industry (Sandpit) site "Lytton Sand Quarry" at 4920 Noorong Road, Tullakool", dated December 2025, prepared by Progressive Rural Solutions Pty Ltd.

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.

Discharges to Air and Water and Applications to Land

P1. Location of monitoring/discharge points and areas

P1.1 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for discharges of pollutants to water from the point.

Water and Land

EPA Identification No.	Type of Monitoring Point	Type of Discharge Point	Description of Location
1	Groundwater monitoring	N/A	TBC
2	Groundwater monitoring	N/A	TBC

Note: location of sample points are to be one bore upstream, and one bore downstream of the premises. Locations to be nominated by licensee and approved by EPA.

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 All wastes meeting the definition of either general solid waste (putrescible), general solid waste (non-putrescible), or liquid waste from any staff amenities, showers or toilets, must be collected and disposed of at a facility that can

General Terms of Approval



Notice No: 1657770

lawfully accept the waste.

L2.2 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*.

L2.3 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*.

L2.4 No incineration or burning of any waste type is permitted at the premises.

L3. Noise limits

L3.1 Noise from the premises must not exceed:

- a) an LA10 (15 minute) noise emission criterion of 40 dB(A) (7am to 6pm) Monday to Friday; and
- b) at all other times, an LA10 (15 minute) noise emission criterion of 35 dB(A), except as expressly provided by these general terms of approval.

L3.2 Noise from the premises is to be measured at the location of the nearest sensitive receiver using the methodology outlined in the Noise Policy for Industry (NSW EPA, 2017) to determine compliance with this condition.

Definition

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

L4. Hours of operation

L4.1 All construction works at the premises must only be conducted between the hours of 07:00 and 18:00 Monday to Friday and 08:00 to 16:00 on Saturdays. No construction works to be conducted on Sundays or Public Holidays.

L4.2 All operations at the premises must only be conducted between the hours of 06:00 and 18:00 Monday to Friday and 08:00 to 16:00 on Saturdays. No operations to be conducted on Sundays or Public Holidays.

L4.3 This condition does not apply to the delivery of material outside the hours of operation permitted by condition L4.1 and L4.2 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.

L5. Blasting

L5.1 Blasting is not permitted at the Premises.

L6. Annual limits

L6.1 Annual extractive limits are not to exceed 100,000 tonnes.

Operating conditions

01. Odour

01.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the *Protection of the Environment Operations Act 1997*.

Note: Section 129 of the Protection of the Environment Act 1997, provides that the licensee must not cause or permit emissions of any offensive odour from the premises, but provides a defence if the emission is identified in the relevant

General Terms of Approval



Notice No: 1657770

environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of the licence directed at minimising odour.

02. Dust

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

02.2 All areas must be maintained in a condition that minimises the generation of dust. These areas include but are not limited to:

- a) sealed and unsealed trafficable areas;
- b) stockpile areas;
- c) material handling areas; and
- d) rehabilitated and vegetated areas.

02.3 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

03. Stormwater/sediment control - Construction Phase

03.1 An Erosion and Sediment Control Plan (ESCP) must be prepared and implemented. The plan must describe the measures that will be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction activities. The ESCP should be prepared in accordance with the requirements for such plans outlined in *Managing Urban Stormwater: Soils and Construction* (available from the Department of Housing).

04. Stormwater/sediment control - Operation Phase

04.1 Prior to the commencement of operations a Stormwater Management Plan (SWMP) must be prepared and implemented. Implementation of the Plan must mitigate the impacts of stormwater run-off from and within the premises following the completion of construction activities and during operation. The Plan should be consistent with the guidance contained in *Managing Urban Stormwater: Council Handbook* (available from the EPA). The Stormwater Management Plan must also include, but not be limited to:

- a) A site water balance;
- b) Operational stormwater drainage and sediment controls;
- c) Measures to ensure that there are no water discharges from the Premises;
- d) Contingency measures in the event of extreme rainfall;
- e) Inspection and maintenance procedures;
- f) Record keeping;
- g) Roles and responsibilities; and
- h) Compliance reporting.

05. Air Quality Management Plan

05.1 Prior to the commencement of operations, the applicant must prepare and implement an Air Quality Management Plan. The Air Quality Management Plan must include but not be limited to the following:

- a) Key Performance indicator(s);
- b) Proactive and reactive measures for all significant and potentially significant emission sources;
- c) Monitoring methods, including location, frequency and duration of monitoring;
- d) Methods of ongoing review of the Air Quality Management Plan to inform continual improvement;
- e) Complaint handling and investigative procedures;
- f) Response mechanisms and contingency measures;
- g) Record keeping;
- h) Roles and responsibilities; and
- i) Compliance reporting.

General Terms of Approval

Notice No: 1657770



Monitoring Conditions

M1 Monitoring records

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

M1.2 All records required to be kept by the licence must be:
in a legible form, or in a form that can readily be reduced to a legible form;
kept for at least 4 years after the monitoring or event to which they relate took place; and
produced in a legible form to any authorised officer of the EPA who asks to see them.

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

- 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.

M2 Requirement to monitor concentration of pollutants discharged

M2.1 For each monitoring/discharge point or utilisation area specified below (by point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample frequency, specified opposite in the other columns.

M2.2 Water and/or Land Monitoring Requirements

Point 1, 2

Groundwater

Pollutant	Units of measure	Frequency	Sampling Method
Standing water level	metres	Six monthly	Representative sample
pH	pH	Six monthly	Representative sample
Electrical conductivity	uS/cm	Six monthly	Representative sample
Total dissolved solids	mg/L	Six monthly	Representative sample
Sodium	mg/L	Six monthly	Representative sample
Calcium	mg/L	Six monthly	Representative sample
Magnesium	mg/L	Six monthly	Representative sample
Chloride	mg/L	Six monthly	Representative sample
Sulphate	mg/L	Six monthly	Representative sample
Bicarbonate	mg/L	Six monthly	Representative sample

General Terms of Approval

Notice No: 1657770



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 pollution 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.

R2. Noise Compliance Assessment Report

R2.1 Should the EPA or the licensee receive noise complaints regarding operations at the premises, the EPA may require the applicant to submit a noise compliance assessment report. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include:

- a) an assessment of compliance with noise limits presented in Condition L3.1
- b) details of recommended management actions and/or noise pollution controls required to address any exceedance of the limits contained in Condition L3.1; and
- c) using outcomes of b), nomination of a time-frame for implementation of recommendations.

Note: The nominated acoustical consultant must be approved in writing by the EPA prior to being engaged by the applicant.

R3. Air Quality Impact Assessment

R3.1 In the event that a verified dust complaint is made by an impacted receptor, the EPA may request the applicant to undertake a comprehensive air quality impact assessment, in accordance with the Approved Methods of the Modelling and Assessment of Air Pollutants in New South Wales (NSW EPA, 2016).

The air quality assessment must:

- a) identify all sensitive receptors likely to be impacted by dust from the licensed activity; and
- b) provide details on proposed dust control measures to be implemented at the premises to ensure compliance with Condition O2.1, O2.2 and O5.1.

Note: The report must be prepared by a suitably qualified and experienced person that is approved in writing by the EPA prior to being engaged by the applicant.

R4. Water Quality Impact Assessment

R4.1 In the event that a discharge of water from the premises is observed, or where the EPA reasonably suspects that activities at the premises have caused or are likely to cause pollution of waters, the EPA may request the applicant to undertake a comprehensive water quality impact assessment.

The water quality impact assessment must:

- a) identify all potential surface water and groundwater receptors that may be impacted by activities at the premises;
- b) assess the quality and quantity of any discharge or potential discharge from the premises;
- c) evaluate the effectiveness of existing water management and sediment control measures; and
- d) provide details of additional measures to be implemented to ensure compliance with Condition L1.1.

Note: The report must be prepared by a suitably qualified and experienced person/company that is approved in writing by the EPA prior to being engaged by the applicant.

General Terms of Approval

Notice No: 1657770



Attachment B – Mandatory Conditions for all EPA licences

Administrative conditions

Other activities

This licence applies to all other activities carried on at the premises, including:

- Extractive activities
- Crushing, grinding or separating

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.

General Terms of Approval

Notice No: 1657770



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.

General Terms of Approval

Notice No: 1657770



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').

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
- 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;

General Terms of Approval

Notice No: 1657770



- 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.