

## Development Application 4.15 Assessment Report

<b>PART ONE: GENERAL ADMINISTRATION</b>	
<b>DA No</b>	DA 50/2020-2021
<b>Property Information</b>	<p>Lots 133 &amp; 134 DP 726537</p> <p>Strontian Road</p> <p>Gillenbah NSW 2700</p>
<b>Applicant's Details</b>	<p>Geoff Pigram</p> <p>Milbrae Quarries Pty Ltd</p> <p>PO Box 225</p> <p>Leeton NSW 2705</p>
<b>Land Owner's Details (if different)</b>	<p>NSW Department of Planning, Industry &amp; Environment – Crown Lands</p> <p>PO Box 2155</p> <p>Dangar NSW 2309</p>
<b>Proposed Development</b>	<p>The extension and continued operation of Strontian Quarry and associated product transport as follows:</p> <ul style="list-style-type: none"> <li>• Increase the extraction of material from the site from 30,000m<sup>3</sup> per annum to 125,000 tons per annum (approximately 75,000m<sup>3</sup>).</li> <li>• Import up to a maximum of 1,500 tonnes per annum of concrete washout and other construction materials for recycling and incorporation into Quarry products.</li> <li>• Crushing and screening of fragmented rock and imported materials on site using a mobile processing plant.</li> <li>• Ongoing transportation of up to 125,000 tonnes per annum of Quarry products to end points of use within Narrandera Shire and the broader Riverina area.</li> <li>• Progressive and final rehabilitation of the Quarry to develop a final landform suitable for passive nature conservation and grazing.</li> </ul>
<b>Type of Development</b>	<p>The development is to be assessed and considered as Designated Development as follows and as such requires the consideration and consent from the Western Regional Planning Panel.</p> <p><b>Extractive industries</b></p> <p>(1) Extractive industries (being industries that obtain extractive materials by methods including excavating, dredging, tunnelling or quarrying or that store, stockpile or process extractive materials by methods including washing, crushing, sawing or separating)—</p>

	<p>(a) that obtain or process for sale, or reuse, more than 30,000 cubic metres of extractive material per year, or</p> <p>(b) that disturb or will disturb a total surface area of more than 2 hectares of land by—</p> <p>(i) clearing or excavating,</p> <p><b>Regional Planning Panels</b></p> <p>Development for the purposes of extractive Industries which meet the requirements for designated development are considered to be regionally significant development</p>
<b>Lodgement Date</b>	22 March 2021
<b>Value of Development</b>	\$ 60,000
<b>Other Approvals</b>	A permit under Section 138 of the NSW Roads Act 1993 for the road upgrade works to Strontian Road.
<b>Report Author/s</b>	Garry Stoll
<b>Report Date</b>	7 June 2021

<b>PART TWO: SITE HISTORY &amp; CHARACTERISTICS</b>	
<b>Current land use</b>	The site has approval for, and is operated as, a quarry extracting a maximum of 30,000m <sup>3</sup> per annum of indurated sandstone material within a maximum area of 2 ha over Lots 133 & 134 in DP 726537.
<b>Previous approvals</b>	Development Application 27/2011-2012 was issued by Narrandera Shire Council on 27 March 2012 for the excavation of a maximum amount of 30,000 m <sup>3</sup> per annum of indurated sandstone material within a maximum area of 2ha over Lots 133 & 134 in DP 726537.
<b>Development Proposal</b>	<p>The development seeks approval to;</p> <ul style="list-style-type: none"> <li>• Increase the extraction of material from the site from 30,000m<sup>3</sup> per annum to 125,000 tons per annum (approximately 75,000m<sup>3</sup>).</li> <li>• Import up to a maximum of 1,500 tonnes per annum of concrete washout and other construction materials for recycling and incorporation into Quarry products.</li> <li>• Crushing and screening of fragmented rock and imported materials on site using a mobile processing plant.</li> <li>• Ongoing transportation of up to 125,000 tonnes per annum of Quarry products to end points of use within Narrandera Shire and the broader Riverina area.</li> <li>• Progressive and final rehabilitation of the Quarry to develop a final landform suitable for passive nature conservation and grazing.</li> </ul> <p>It has been identified that the site has further potential deposits of indurated sandstone of approximately 2.24 million tonnes which will require an increase in the operational area to approximately 7.6ha.</p>

	<p>Within the proposed expansion area is an existing area of remnant vegetation of approximately 3.93ha which would be progressively cleared as operations progress within the excavation area.</p> <p>The maximum laden truck movements are proposed to increase from 5 to 22 a day when fully operational, which are to continue to use the existing access and egress road across Lot 105 from Strontian Road.</p> <p>It is proposed to operate the site by drilling bore holes into the indurated sandstone and use blasting to loosen and remove the product, which would be processing by mobile crushing and screen equipment to produce</p>
<b>Site Description</b>	<p>The site is described as being Lot 133 and Lot 134 in DP 726537. Access to the site is from Strontian Road over Lot 105 in DP 754552, 3671 Strontian Road, Gillenbah.</p> <p>Lots 133 and 134 in DP 726537 are both crown land reserved for the purposes of future public requirements, trigonometrical purposes and a quarry. Conditional landowners' consent from NSW Planning, Industry &amp; Environment – Crown Lands was issued on 22 February 2021 for the development application to be lodged and for the extension and continued operation of the Strontian Quarry and associated product transport.</p> <p>Lot 105 in DP 754552, 3671 Strontian Road, Gillenbah is owned as freehold land by PA Woods &amp; Co. Pty Ltd, who are the owners of Milbrae Quarries.</p> <p>Lots 133 and 134 have a combined area of approximately 15ha and currently has a portable site office/staff room. Portable sanitary facilities are provided when the site is operating.</p> <p>The principle use of the site is for the operation of a quarry. The surrounding land comprises of broadscale dryland cropping and grazing activities. The Buckingbong trig Station is located on the southern boundary of Lot 134 and is outside of the current and proposed quarry operational area.</p> <p>The land is not mapped by the NSW Rural fire Service as being bush fire prone land.</p> <p>The current quarry operation is predominantly undertaken on Lot 134 which has a high point of 185AHD.</p> <p>From Lot 134 a ridge extends in a northerly direction through Lot 133 creating a western and eastern slope catchment areas. Surface flows from rain events would generally flows on either side onto Lot 105.</p> <p>The eastern side of Lot 133 from its southern to northern boundary contains areas of existing native vegetation, comprising of White Cypress Pine woodland, Western Grey Box – White Cypress Pine tall woodland and Dwyer's Red Gum - White Cypress Pine – White Cypress Pine – Currawang shrubby woodland.</p> <p>The proposed expansion will largely avoid the area covered by this native vegetation, however an area of approximately 3.93ha will need to progressively be removed over the life of the quarry to permit access to the excavation area.</p>
<b>Planning Matters and 4.15 Evaluation</b>	<p><b>Narrandera Local Environmental Plan 2013</b></p> <ul style="list-style-type: none"> <li>The site of the quarry is within the RU1 primary Production zone.</li> </ul> <p>Under Clause 3 of the Land Use table, extractive industries are permitted with consent. The objectives of the RU1 Zone are to;</p> <ol style="list-style-type: none"> <li>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</li> </ol>

2. To encourage diversity in primary industry enterprises and systems appropriate for the area.
3. To minimise the fragmentation and alienation of resource lands.
4. To minimise conflict between land uses within this zone and land uses within adjoining zones.

In response to these objectives Council considers that:

1. The proposed development will utilise existing mineral resources.
2. The proposed development will increase diversity in this area as it creates another income opportunity other than broadscale dry land cropping and grazing.
3. The proposed development will not fragment or alienate farming resource lands, as it will be undertaken on an existing lot which is largely unsuitable for traditional broadscale dry land cropping and grazing.
4. The site has been operating since 2012 without any complaints made to Council.

- Terrestrial Biodiversity Map

The proposed development is on land that has identified as 'Biodiversity' on the Terrestrial Biodiversity Map (Sheet CL1\_003) in the Narrandera LEP.

Assessment of development on land identified as being "Biodiversity" on the Terrestrial Biodiversity Map must comply with the following requirements of Part 6.4 of the Narrandera LEP.

- (1) The objective of this clause is to maintain terrestrial biodiversity by—
  - (a) protecting native fauna and flora, and
  - (b) protecting the ecological processes necessary for their continued existence, and
  - (c) encouraging the conservation and recovery of native fauna and flora and their habitats.
- (2) This clause applies to land identified as "Biodiversity" on the Terrestrial Biodiversity Map.
- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider—
  - (a) whether the development is likely to have—
    - (i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and
    - (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and
    - (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
    - (iv) any adverse impact on the habitat elements providing connectivity on the land, and
  - (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—
  - (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
  - (b) if that impact cannot be reasonably avoided by adopting feasible alternatives— the development is designed, sited and will be managed to minimise that impact, or

- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

In response to these matters

- (3)(a)(i) The development will have an adverse impact of flora on the site as eventually result in the removal of 3.93ha of existing native vegetation.

- (ii) The Biodiversity Development Assessment Report prepared by Ozark Environment and Heritage Management Pty Ltd submitted in support of the application has included a Biodiversity Development assessment Report (BDAR) assessing the impacts of the proposed development.

This report concludes that the likely ecological impacts of the proposed development will be mitigated through the management actions recommended in the report (Table 6-2 Recommended environmental safeguards pgs. 41 -43 and biodiversity offsets).

- (iii) The Biodiversity Development Assessment Report prepared by Ozark Environment and Heritage Management Pty Ltd submitted in support of the application has included a Biodiversity Development assessment Report (BDAR) assessing the impacts of the proposed development.

This report concludes that the likely ecological impacts of the proposed development will be mitigated through the management actions recommended in the report (Table 6-2 Recommended environmental safeguards pgs. 41 -43 and biodiversity offsets).

- (iv) The Biodiversity Development Assessment Report prepared by Ozark Environment and heritage Management Pty Ltd submitted in support of the application has included a Biodiversity Development assessment Report (BDAR) assessing the impacts of the proposed development.

This report concludes that the likely ecological impacts of the proposed development will be mitigated through the management actions recommended in the report (Table 6-2 Recommended environmental safeguards pgs. 41 -43 and biodiversity offsets).

- (b) The Biodiversity Development Assessment Report prepared by Ozark Environment and Heritage Management Pty Ltd concludes that the likely ecological impacts of the proposed development will be mitigated through the management actions recommended in the report (Table 6-2 Recommended environmental safeguards pgs. 41 -43 and biodiversity offsets).

- (4) (a) Council is satisfied that should the proposed development be undertaken in accordance with the recommendation provided by Ozark Environment and heritage Management Pty Ltd in their Biodiversity Development Assessment Report.

- Groundwater Vulnerability Map

The site is not identified on the on the Groundwater Vulnerability Map as being an area of groundwater vulnerable land.

- Flood Planning map

The site is not identified on the on the Flood Planning Map as being an area of flood prone land.

- Heritage

The site is not identified on the on the Heritage Map as being an area of heritage significance.

- Wetlands

The site is not identified on the on the Wetlands or Watercourse Map as being a wetland area or watercourse.

### **Narrandera Shire Council Development Control Plan 2013**

There are no provisions under the Narrandera Development Control Plan 2013 that apply to this proposed development.

### **Likely Impacts of the Proposed Development**

- Traffic

The site will be accessed from Strontian Road via an existing site access and internal gravel road. Strontian Road is a sealed local road under the control of Narrandera Shire Council. It joins at the Sturt Highway to the north of the existing site entrance, which is approximately 245m from the Sturt Highway intersection.

Strontian Road continues in a southerly direction for approximately 37 km until it enters the village of Boree Creek.

Vehicles used to cart gravel from the site will be a maximum of 38t, requiring a truck and dog trailer and will principally turn left after leaving the site to access the Sturt Highway.

Should the maximum allowable quantity of 125,000 tons per annum (approximately 75,000m<sup>3</sup>) be achieved, this will equate to 4,167 laden truck movements a year, 80 a week or 16 per day.

A Road Transport Assessment Report was lodged in support of the DA and proposes that Strontian Road be upgraded from a point 50m south of the quarry access to its intersection with the Sturt Highway. This upgrade will involve widening and sealing works for this section as well as further widening at the existing quarry entrance to permit traffic travelling south to safely by-pass trucks turning right into the quarry.

These works will be undertaken in accordance with any requirements of Traffic NSW and Narrandera Shire Council and are considered to limit the traffic impact of the quarry expansion.

- Noise

The operation of the quarry will involve gravel extraction using blasting techniques, gravel crushing, truck movements and gravel loading.

It is proposed to operate with approximately 4 campaigns a year over a 20-30 day period, with gravel loading and truck movements occurring year round with peaks in activity driven by demand.

The standard hours of operation for blasting and crushing activities are to be from 6.00am to 6.00pm Monday to Friday and 8.00am to 5.00pm on Saturdays

A Noise and Vibration Impact Assessment Report for Strontian quarry prepared by Muller Acoustic Consulting, has identified that there are 10 receptor dwellings within a 7.3km range of the quarry site. There were no submissions received from these receptors opposing the quarry.

This noise report concludes that the operational noise levels of the expanded quarry will comply with relevant noise control guidelines.

- Air

The operation of the quarry has the potential to create dust emissions through blasting and crushing activities, the creation stockpiles of product, loading of product and traffic movement.

An Air Quality Impact Assessment report prepared by Northstar Air Quality Pty Ltd has assessed the potential impact of the quarry expansion on air quality in accordance with the NSW EPA Approved Methods for the Modelling and Assessment of Air Quality in NSW.

This modelling determined that the development proposal *is not anticipated to result in any increases in particulate concentrations would result in additional exceedances of the criteria* and that greenhouse gas *emissions resulting from the proposal are calculated to be insignificant.*

- Aboriginal Heritage Impact Assessment

The application seeking approval to extend the Strontian Road quarry is supported by an Aboriginal Archaeological Impact Assessment & Historic Heritage Impact Assessment of the quarry site by OzArk Environment & heritage

This assessment has determined following an Aboriginal Heritage Information Management System that there are no recorded Aboriginal sites on Lots 133 & 134 DP 754552 or Lot 105 DP 754552, and that there were two previous Aboriginal Heritage studies conducted on the quarry site, the first being in 1999 and the second in 2017, with neither study identifying any Aboriginal sites on Lots 133 or 134.

- Stormwater Runoff and Management

The proposed expansion of the Strontian Road quarry is designed to divert clean stormwater away from the operational area, and collect soiled stormwater from the edge of the operational area and channel it to a sediment basin at the north-western corner of Lot 133.

The size of the sediment basin has been determined on a 5 day 90<sup>th</sup> percentile rainfall event which equates to a total volume of the dam of 495m<sup>3</sup> during the quarry development and 135m<sup>3</sup> at the completion of the development.

- Waste

The operation of the quarry will generate the three separate waste streams;

1. Over burden. It is expected to generate 11,000m<sup>3</sup> of overburden (5.6ha x 200mm = 30,000m<sup>3</sup>) from the expanded extraction area. It is proposed to use this material to construct bunds to divert stormwater run off to the sediment storage dam and on the vegetation rehabilitation areas.
2. General waste, tyres, recycling and scrap metal. This will be collected in appropriate disposal bins and removed from the site for disposal at an offsite disposal facility.
3. Effluent from staff amenities. There will be no permanent staff amenities constructed onsite. Instead, portable WC facilities will be transported to the site prior to gravel extraction and crushing events. Nightsoil waste generated from the use of these portable facilities will be taken to an offsite licensed disposal facility.

#### **Suitability of the Site for the Development**

It is considered that the site of the development is suitable for the proposed expansion of the quarry for the following reasons;

1. The site has been operating for a considerable length of time as a quarry without any known issues or objections from neighbouring landowners or Council. This has established the quarry as an acceptable and well know land use in this area.
2. The quarry will utilise current approved traffic routes, and whilst an increase in traffic will occur local road users have over time have become aware of the quarry operation. Furthermore, the road network currently being used has a high traffic capacity with a major highway network being accessible less than 250m from the site entrance.
3. The site having an extensive past use as a quarry contains a majority of highly disturbed land areas with no identified items of Aboriginal Heritage sites, significant remnants of native vegetation, with the nearest dwelling receptor being 3.9 km away.
4. The site contains a thin layer of poor-quality soil (approximately 200mm) that is unsuitable for farming over the top of the material to be extracted. Overburden created will be used to progressive construct a perimeter safety bund around the excavation area and for top dressing the vegetation rehabilitation areas ,resulting in little waste products being generated.
5. The proposed development has the potential to create significant economic contribution to the local communities due the supply of gravel for construction projects and road networks.
6. The site has little visual impact as it is not easily seen from either Strontian Road or the Sturt Highways. Any reduction in existing vegetation through the expansion of the quarry will be reduced through vegetation rehabilitation measures.

#### **Submissions Received**

The proposed expansion of the Strontian Road Quarry was subject to the Department of Planning, Industry and Environment Secretary's Environmental Assessment Requirements (SEARs).

Submissions were received from;

NSW Department of Industry – Crown Lands

NSW Department of Primary Industries – Agricultural Land Use Planning



	<p>NSW Department of Primary Industries – Fisheries</p> <p>NSW EPA</p> <p>NSW Office of Environment &amp; Heritage</p> <p>NSW Planning &amp; Environment – Resource Regulator</p> <p>NSW Rural Fire Service</p> <p>NSW Transport – Roads &amp; Maritime Service</p> <p>NSW Planning &amp; Environment</p> <p>NSW Natural Resources Access Regulator – Senior Water Regulations Operations</p> <p>Water NSW Catchment Authority</p> <p>Water NSW</p> <p>Narrandera Shire Council</p> <p>Following the statutory Exhibition period which ran from 19 April 2021 to 17 May 2021 the following further submissions were received;</p> <p>NSW Planning, Industry &amp; Environment – South West Branch Biodiversity and Conservation Group</p> <p>NSW Rural Fire Service</p> <p>NSW Transport for NSW</p> <p>NSW EPA</p> <p>Heritage NSW – Aboriginal Cultural Heritage Regulation – South</p> <p>Regional NSW – Land Use Assessment</p> <p>NSW Natural Resources Access Regulator – Water Regulatory Operations</p> <p>NSW EPA – Regulatory Operations Regional West</p>
<b>Images</b>	

### PART THREE: MATTERS FOR CONSIDERATION

#### SECTION 4.15 (1)(a)(i) any environmental planning instrument

<b>State Environmental Planning Policies</b>	<p><a href="#">List applicable to NSC</a></p> <p>The following SEPPS were considered as potentially being applicable to this development and those that are applicable are indicated with a check box</p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/> State Environmental Planning Policy (Infrastructure) 2007</p> <p><input type="checkbox"/> State Environmental Planning Policy No 33—Hazardous and Offensive Development – use of hazardous or offensive goods are below the thresholds for consideration.</p>
--	--

	<p><input type="checkbox"/> State Environmental Planning Policy No 44—Koala Habitat Protection. The subject land is not considered to be core koala habitat or potential core koala habitat.</p> <p><input type="checkbox"/> State Environmental Planning Policy No 55—Remediation of Land The subject land is not listed on Council's Contaminated Land Register. In accordance with Clause 7 of SEPP 55, Council is satisfied that, the land is suitable in its current state for the purpose for which the development is proposed to be carried out.</p> <p><input type="checkbox"/> State Environmental Planning Policy (Infrastructure) 2007</p> <p><input checked="" type="checkbox"/> State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Consent authority must consider; Compatibility of the proposed development with existing development in the vicinity. Whether or not the proposed development is to be undertaken in an environmentally responsible manner. The efficiency of resource recovery undertaken by the proposed development. The transport of materials from the site and the use of public roads. The rehabilitation of the land on which the proposed development will be undertaken.</p> <p><input checked="" type="checkbox"/> State Environmental Planning Policy (Primary Production and Rural Development) 2019 The objects of this Part are as follows— (b) to provide for the protection of agricultural land— (i) that is of State or regional agricultural significance, and (ii) that may be subject to demand for uses that are not compatible with agriculture, and (iii) if the protection will result in a public benefit.</p> <p>Although there is no State Significant Agricultural land that has been mapped under the State Environmental Planning Policy (Primary Production and Rural Development) 2019.</p> <p><input type="checkbox"/> State Environmental Planning Policy (State and Regional Development) 2011</p>
<p><b>Narrandera Local Environmental Plan 2013</b></p>	<ul style="list-style-type: none"> <li>• The subject site is zoned RU1 Primary Production under the provisions of the Local Environmental Plan.</li> <li>• The proposed development is permitted with consent under the RU1Primary Production zone land use table.</li> <li>• The proposed development meets both the plan and zone objectives</li> </ul> <p><b>Part 1 Preliminary</b></p> <p>Clause 1.2 - Aims of Plan</p> <p>The plan objectives:</p> <ol style="list-style-type: none"> <li>a. to protect, enhance and conserve agricultural land through the proper management, development and conservation of natural and man-made resources,</li> <li>b. to encourage a range of housing, employment, recreation and community facilities to meet the needs of existing and future residents of Narrandera,</li> <li>c. to promote the efficient and equitable provision of public services, infrastructure and amenities,</li> <li>d. to conserve environmental heritage</li> </ol> <p>Generally the development complies with the above Plan objectives.</p>

	<p><b>Part 2 Permitted or prohibited development</b></p> <p>The subject land is zoned RU1 Primary Production under NLEP 2013. The proposed development is defined as Extractive Industries under the LEP and is permissible in the zone with consent.</p>
	<p><b>Part 3 Exempt or complying development</b></p> <p>The proposed development does not satisfy the required provisions to be defined as Exempt and/or Complying Development, and therefore development consent has been sought.</p>
	<p><b>Part 4 Principal development standards</b></p> <p>No Principal Development Standards are applicable to the proposed development.</p>
	<p><b>Part 5 Miscellaneous provisions</b></p> <p>No Miscellaneous Provisions are applicable to the proposed development.</p>
	<p><b>Part 6 Additional local provisions</b></p> <p><b>Comment:</b> Relevant to the proposed development:</p> <ul style="list-style-type: none"> <li>• <b>Clause 6.1 – Earthworks:</b> Earthworks are associated with the proposed development and include removal and relocation of topsoil, excavation of gravel material and the construction of levy banks and a sedimentation dam. Appropriate conditions will be recommended to ensure any works do not have any detrimental impact on environmental functions and processes, neighbouring uses, or features of the surrounding land.</li> <li>• <b>Clause 6.2 - Flood Planning:</b> The subject land is not included within land identified as “Flood planning area” on the Flood Planning Map.</li> <li>• <b>Clause 6.3 – Stormwater:</b> Additional runoff associated with the proposed building additions will be required to discharge to a proposed new sedimentation dam.</li> <li>• <b>Clause 6.5 – Groundwater Vulnerability:</b> The subject land is not affected by the Groundwater Vulnerability mapping.</li> <li>• <b>Clause 6.13 – Essential Services:</b> The subject land has suitable road access. And all other required services.</li> </ul> <p>No Additional Local Provisions are applicable to the proposed development.</p>
<b>SECTION 4.15 (1)(a)(ii) any proposed instrument</b>	<p>There are no draft amendments NLEP 2013 that have been identified changing the planning the provisions affecting the subject land.</p>
<b>SECTION 4.15(1)(a)(iii) any development control plan</b>	<p>The following parts of the DCP have been considered in the assessment of the proposed development:</p>
	<p><b>Part A - Introduction</b></p> <ul style="list-style-type: none"> <li>• Noted.</li> </ul>
	<p><b>Part B - Strategic Land Use Plans for Shire</b></p> <ul style="list-style-type: none"> <li>• Noted.</li> </ul>
	<p><b>Part C - Controls Applying to All Development</b></p>

	<p>5.1 On-site effluent Disposal for land without reticulated sewer – effluent is to be contained onsite and removed o a separate approved disposal area.</p> <p>5.2 Parking</p> <ul style="list-style-type: none"> <li>• There is adequate onsite vehicle parking provided.</li> </ul>
	<p><b>Part D - Land Use Based Controls</b></p> <p>Chapter 6 - Rural Residential / Large Lot Residential Development</p> <p>Chapter 7 - Residential Development</p> <p>Chapter 8 - Narrandera Business Centre</p> <p>Chapter 9 - Industrial Development</p> <ul style="list-style-type: none"> <li>• NA</li> </ul>
	<p><b>Part E - Planning for Natural Hazards</b></p> <p>Chapter 10 - Flood Liable Land – The land is not considered to be flood prone land.</p> <p>Chapter 11 - Bushfire Prone Land – The land is not mapped as being bushfire prone land.</p>
	<p><b>Part F - Natural Resources</b></p> <p>Chapter 12 - Sensitive Land - The land is mapped on the NSC LEP Terrestrial Biodiversity map</p> <p>Chapter 13 - Sensitive Water - The land is not mapped on the NSC LEP Groundwater Vulnerability map</p>
	<p><b>Part G - Heritage Controls</b></p> <p>Chapter 14 - Heritage Items</p> <ul style="list-style-type: none"> <li>• NA</li> </ul>
	<p><b>Part H - Notification of Development</b></p> <p>Chapter 15 - Notification</p> <ul style="list-style-type: none"> <li>• The development was notified in accordance with the Environmental Planning &amp; Assessment Regulations and the Narrandera Shire public Participation Plan.</li> </ul>
<b>SECTION 4.15 (1)(a)(iiia) any planning agreement</b>	No planning agreement relates to the site or to the proposed development.
<b>SECTION 4.15(1)(a) (iv) the regulations</b>	<p>There are no matters prescribed by the Regulations applicable to this development.</p> <p>Section 79C(1)(a)(iv) requires Council to take into consideration the provisions of clauses 92-94 of the Environmental Planning and Assessment Regulations, 2000.</p>
<b>SECTION 4.15(1)(b) the likely impacts of the development</b>	See attached Table 1.

SECTION 4.15(1)(c) the suitability of the site	The subject land is considered suitable for the proposed development having regard to the site attributes and generally being in accordance with Council's policies.
SECTION 4.15 (d) any submissions made in accordance with the Act or the Regulations	The application was placed on notification for a period of 28 days. No submissions have been received to date.
SECTION 4.15(1) (e) the public interest	The public interest is a broad consideration relating to many issues and is not limited to effect upon the streetscape. Taking into account the full range of matters for consideration under Section 4.15 of the Environmental Planning and Assessment 1979 (as discussed within this report) it is considered that approval of the application is consistent with the public interest.
Part 7 Biodiversity Conservation Act 2016 – Clause 7.3 Test for determining proposed development likely to significantly affect threatened species.	<p>1. The following is to be taken into account for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats:</p> <p>a. in the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,</p> <p><b>The proposed development will remove up to 3.93ha of existing native vegetation, which is in addition to the total gravel quarry excavation area of 7.6 ha.</b></p> <p><b>One of the vegetation types, PCT80, is associated with certain listed Threatened Ecological Communities (TECs). In their report Titled <i>Biodiversity Development Assessment Report (BDAR)</i> authors OzArk found that the listed TECs were not present on the proposed development site.</b></p> <p>b. in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:</p> <p>i. is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction</p> <p><b>No endangered ecological community or critically endangered ecological community is identified within the site of the development.</b></p> <p>ii. is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,</p> <p><b>The site of the proposed development is an extension of an existing quarry site, expanding to 7.6ha. Threatened Ecological Communities were not found to be present on the proposed development site.</b></p> <p>c. in relation to the habitat of a threatened species or ecological community:</p> <p>i. the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity</p> <p><b>The development site will be expanded to 7.6ha and will require the removal of top site and some existing vegetation. No endangered</b></p>

	<p><b>ecological community or critically endangered ecological community is identified within the site of the development.</b></p> <p>ii. whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity.</p> <p><b>No. Not all habitat on the site will be removed. Areas of existing habitat remain and the site will be rehabilitated.</b></p> <p>iii. the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality</p> <p><b>No endangered ecological community or critically endangered ecological community is identified within the site of the development.</b></p> <p>d. whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly)</p> <p><b>No declared area of outstanding biodiversity value was identified within the study area.</b></p> <p>e. whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.</p> <p><b>The development is not considered as part of a key threatening process.</b></p>
<p><b>Part 7 Biodiversity Conservation Act 2016</b></p> <p><b>7.7 Biodiversity assessment for Part 4 development (other than State significant development or complying development)</b></p>	<p>2. If the proposed development is likely to significantly affect threatened species, the application for development consent is to be accompanied by a biodiversity development assessment report.</p> <p><b>The development will not affect any threatened species.</b></p>

#### PART FOUR: STATUTORY REFERRALS

Referrals	The application has been considered with regard to Section 91 of the Environmental Planning and Assessment Act, 1979 and whether or not the proposal was integrated development. The following table identifies whether or not there were any other statutory referrals required in terms of relevant State Environmental Planning Policies.		
	AGENCY	LEGISLATION	APPLIES
	DPI	Fisheries Management Act, 1994	No
		Mines Subsidence Compensation Act, 1961	No
		Mining Act, 1992	No
		Petroleum (Onshore) Act, 1991	No
	OEH	National Parks, & Wildlife Act, 1974	Yes
(The development will need to comply with the provisions relating to Aboriginal Cultural Heritage under the National Parks, & Wildlife Act, 1974)			

	Protection of the Environment Operations Act, 1997 Yes (The development will require a license to operate from NSW EPA)
	Water Management Act, 2000 No
NSW Heritage	Heritage Act, 1977 Yes
RTA	Roads Act, 1993 No
RFS	Rural Fires Act, 1997 No
	The site is mapped as bush fire prone land.
	The application is local development as defined as Designated Development under Section 4.10 of the Environmental Planning and Assessment Act, 1979, as being an Extractive Industry that obtain or process for sale more than 30,000 cubic metres of extractive material a year as described by Schedule 3 of the Environmental Planning & Assessment Regulations 2000.

#### PART FIVE: CONTRIBUTIONS

<b>Section 94 &amp; Section 94A Contributions (Environmental Planning &amp; Assessment Act, 1979)</b>	<ul style="list-style-type: none"> <li>Section 7.12 Fixed Development Consent Levy is not applicable as the development cost is less than \$100,000.00</li> </ul>
<b>Section 64 Contributions (Local Government Act, 1993)</b>	NA

#### PART SIX: DETERMINATION

The development application has been analysed and evaluated as per Section 4.15 of the Environmental Planning and Assessment Act, 1979.	<p>The assessment has identified that:</p> <ul style="list-style-type: none"> <li>the proposed development is permissible within the zone under NLEP 2013 and is consistent with the aims, objectives and special provisions of that environmental planning instrument</li> <li>the proposed development is unlikely to have any unreasonable impact on the environment, and where an adverse impact has been identified appropriate conditions have been imposed to mitigate the effects</li> <li>the subject site is suitable for the proposed development</li> <li>the proposed development does not raise any matter contrary to the public interest</li> </ul> <p>Having regard to NLEP 2013, NDCP 2013 and the matters discussed within this report and the relevant matters for consideration listed under Section 4.15 of the Environmental Planning &amp; Assessment Act 1979, this assessment considers the development should be supported.</p>
<b>Recommendation</b>	That consent be granted to Development Application DA-50/202-2021 for the Extension and continued operation of Strontian quarry and associated product transport as follows;

	<ul style="list-style-type: none"> <li>• Increase the extraction of material from the site from 30,000m<sup>3</sup> per annum to 125,000 tons per annum (approximately 75,000m<sup>3</sup>).</li> <li>• Import up to a maximum of 1,500 tonnes per annum of concrete washout and other construction materials for recycling and incorporation into Quarry products.</li> <li>• Crushing and screening of fragmented rock and imported materials on site using a mobile processing plant.</li> <li>• Ongoing transportation of up to 125,000 tonnes per annum of Quarry products to end points of use within Narrandera Shire and the broader Riverina area.</li> <li>• Progressive and final rehabilitation of the Quarry to develop a final landform suitable for passive nature conservation and grazing, on Lots 133 &amp; 134 DP 726537 Strontian Road, Gillenbah NSW 2700, subject to conditions set out in attachment A</li> </ul>
--	--

**Table 1:****Section 4.15(1)(b) – Any likely impacts of that development**

Attributes	Satisfactory	Satisfactory if conditioned	Not Satisfactory	Not Relevant	Comment
Context & setting	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Streetscape	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The existing vegetation screening restricting the view of the quarry from Strontian Road will be reduced over time as the quarry expansion occurs. This will be offset by rehabilitation of the site and new plantings.
Traffic, access and parking	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The existing access into the development and parking within are considered suitable. The section of Strontian Road from 50m to the south of the existing entrance to the intersection of the Sturt Highway will need to be upgraded.
Public domain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	
Utilities	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site has all required utilities currently.
Environmental heritage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	
Aboriginal cultural heritage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	The site was found to not contain any Aboriginal heritage site.
Other land resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	
Water quality & stormwater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	
Soils, soil erosion	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The actual operation site will be surrounded by a compacted earthen bank to reduce stormwater runoff and erosion and will divert stormwater to a sedimentation dam.
Air and microclimate	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The operation of the quarry will result in the emission of dust. The proponent has listed mitigation measures that will be incorporated into their operational practises.
Flora and fauna	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proponent has lodged a report indicating that the proposed expansion will only have limited effect on existing flora and fauna due to the area to be development and past operations reducing suitable habitat.
Biodiversity	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proponent has lodged a report indicating that the proposed expansion will only have limited effect on biodiversity due to the



**Table 1:****Section 4.15(1)(b) – Any likely impacts of that development**

<b>Attributes</b>	<b>Satisfactory</b>	<b>Satisfactory if conditioned</b>	<b>Not Satisfactory</b>	<b>Not Relevant</b>	<b>Comment</b>
					area to be development and past operations reducing suitable habitat. Any impacts will be mitigated through biodiversity offsets.
Waste	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Waste will be limited and removed from the site for disposal at licenced waste landfills. Top soil will be kept on site to be used for rehabilitation and soil erosion measures.
Energy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	
Noise & vibration	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The operation of the quarry will result in a level of noise and vibration through blasting, crushing and movement of machinery and vehicles. The proponent has lodged a report indicating that the effects of noise and vibration generated by quarry operations will be within current acceptable guideline thresholds at the exiting dwelling receptors.
Hours of operation	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The quarry will operate from between 6.00am to 6.00pm weekday and from 8.00am to 5.00pm on Saturdays, with no work on Sundays or Public Holidays. Blasting will occur on weekdays when required between the hours of 10.00am to 3.00pm only. The quarry is expected to have a life of approximately 30 years. The operational hours mirror the existing approval for the quarry.
Natural hazards - Flooding - Bushfire	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	The site of the quarry is not mapped as being neither flood affected or as bush fire prone land.
Technological hazards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	
Safety, security and crime prevention	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	
Social impact	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	
Economic impact	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The operation of the quarry will result in the production of gravel suitable for a range of construction purposes in the region.
Site design and internal design	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Overlooking - overshadowing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	
Landscaping	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The operation of the quarry will require the rehabilitation and landscaping of native vegetation to replace areas of vegetation that have been removed due to the expansion of the site and over the disused parts of the quarry.
Construction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	
Private open space	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	
Cumulative Impacts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Disabled access	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	
Signage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	The development application does not seek any change to existing site signage.
Setbacks, building envelopes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	
Easements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	

Include summary of SEARs

Include summary of submissions received during notification period.

<b>SUMMARY OF SEARS REQUIREMENTS – STRONTIAN ROAD QUARRY EXPANSION</b>		
<b>AGENCY</b>	<b>EIS TO ADDRESS THE FOLLOWING MATTERS</b>	<b>EIS RESPONSE</b>
NSW Planning - SEARS	<p>General Requirements –</p> <ol style="list-style-type: none"> <li>1. Summary</li> <li>2. Description of the development</li> <li>3. Conclusion justifying development</li> <li>4. Signed declaration that EIS is neither false or misleading</li> </ol> <p>EIS to address the following matters-</p> <ol style="list-style-type: none"> <li>1. Noise</li> <li>2. Blasting &amp; Vibration</li> <li>3. Air</li> <li>4. Water</li> <li>5. Biodiversity</li> <li>6. Heritage</li> <li>7. Traffic &amp; Transport</li> <li>8. Land Resources</li> <li>9. Waste</li> <li>10. Hazards</li> <li>11. Visual</li> <li>12. Social &amp; Economic</li> <li>13. Rehabilitation</li> </ol>	<ol style="list-style-type: none"> <li>1. Page ES-1</li> <li>2. Page 1-3</li> <li>3. Page 1-8 &amp; pages 7-5/10</li> <li>4. Page iii</li> </ol> <ol style="list-style-type: none"> <li>1. Noise - Pages 5-17/24 &amp; Appendix 6 Noise and Vibration Impact Assessment – Muller Acoustic Consulting</li> <li>2. Blasting &amp; Vibration – Pages 5-17/24 &amp; Appendix 6 Noise and Vibration Impact Assessment – Muller Acoustic Consulting</li> <li>3. Air - Pages 5-9/16 &amp; Appendix 5 Air Quality Impact assessment – Northstar Air Quality Pty Ltd</li> <li>4. Water - Pages 5-24/28 &amp; Appendix 7 Sediment Basin Storage Requirement Calculations – R.W. Corkery &amp; Co. Pty Limited</li> <li>5. Biodiversity – Pages 2-24/25, 5-33/39 &amp; Appendix 8 Biodiversity Development Assessment Report – Ozark Environment and Heritage Management</li> <li>6. Heritage – Pages 5-39/43 &amp; Appendix 9 Aboriginal Archaeological Impact Assessment and Historic Heritage Impact assessment – Ozark Environmental and Heritage Management Pty Ltd</li> </ol>

		<ul style="list-style-type: none"> <li>7. Traffic - Pages 2-17/ and 5-3/9 &amp; Appendix 4 Traffic Impact Assessment – The Transport Planning Partnership Pty Ltd</li> <li>8. Land Resources - Pages 5-45/46</li> <li>9. Waste - Pages 2-19/20</li> <li>10. Hazards – Pages 4-9 &amp; 5-50/52</li> <li>11. Visual – Pages 5-48/50</li> <li>12. Social &amp; Economic – Pages 5-53/59</li> <li>13. Rehabilitation – Pages 2-21/24</li> </ul>
NSW Department of Industry – Crown Lands	No objections. Development not to impact on existing Trig station and to comply with existing Extractive License conditions.	
NSW Department of Primary Industries – Agricultural Land Use Planning	<ul style="list-style-type: none"> <li>1. Site suitable for development.</li> <li>2. Impacts to agricultural resources and land.</li> <li>3. Bushfire risk identifies and managed.</li> <li>4. Suitable and secure water supply.</li> <li>5. Surface and groundwater protected.</li> <li>6. Biosecurity Standards met.</li> <li>7. Suitable traffic movements.</li> <li>8. Visual amenity achieved.</li> <li>9. Land stewardship met.</li> <li>10. Adequate consultation with community.</li> <li>11. Contingency and Environmental Management Plan developed</li> </ul>	<ul style="list-style-type: none"> <li>1. Page 1-8</li> <li>2. No</li> <li>3. Page 4-9</li> <li>4. Page 5-32</li> <li>5. Pages 5-25/ 32</li> <li>6. Biodiversity – Pages 2-24/25, 5-33/39 &amp; Appendix 8 Biodiversity Development Assessment Report – Ozark Environment and Heritage Management</li> <li>7. Traffic - Pages 2-17/ and 5-3/9 &amp; Appendix 4 Traffic Impact Assessment – The Transport Planning Partnership Pty Ltd</li> <li>8. Visual – Pages 5-48/50</li> <li>9. No</li> <li>10. Compliance with NSC Public Participation Plan and notification requirements of Environmental Planning &amp; Assessment Act &amp; Regulations.</li> <li>11. Pages 6-3/6</li> </ul>

NSW Department of Primary Industries – Fisheries	Nil comment.	
NSW EPA	<ol style="list-style-type: none"> <li>1. Potential environmental impacts.</li> <li>2. Potential impacts on air quality.</li> <li>3. Potential impacts of noise, vibration &amp; blasting.</li> <li>4. Potential impacts on water quality and quantity.</li> <li>5. Potential impacts on land.</li> <li>6. Waste.</li> <li>7. Monitoring</li> </ol>	<ol style="list-style-type: none"> <li>1. Biodiversity – Pages 2-24/25, 5-33/39 &amp; Appendix 8 Biodiversity Development Assessment Report – Ozark Environment and Heritage Management.</li> <li>2. Air - Pages 5-9/16 &amp; Appendix 5 Air Quality Impact assessment – Northstar Air Quality Pty Ltd.</li> <li>3. Noise - Pages 5-17/24 &amp; Appendix 6 Noise and Vibration Impact Assessment – Muller Acoustic Consulting Blasting &amp; Vibration – Pages 5-17/24 &amp; Appendix Noise and Vibration Impact Assessment – Muller Acoustic Consulting.</li> <li>4. Water - Pages 5-24/28 &amp; Appendix 7 Sediment Basin Storage Requirement Calculations – R.W. Corkery &amp; Co. Pty Limited</li> <li>5. Rehabilitation – Pages 2-21/24 &amp; Sediment Basin Storage Requirement Calculations – R.W. Corkery &amp; Co. Pty Limited</li> <li>6. Waste - Pages 2-19/20</li> <li>7. Monitoring – Table 6.1 Pages 6-3/6.</li> </ol>
NSW Office of Environment & Heritage	<ol style="list-style-type: none"> <li>1. Description of the proposal.</li> <li>2. Environmental impacts.</li> <li>3. Aboriginal Cultural Heritage.</li> <li>4. Biodiversity.</li> <li>5. Matters of National Significance.</li> </ol>	<ol style="list-style-type: none"> <li>1. Page 1-3</li> <li>2. Biodiversity – Pages 2-24/25, 5-33/39 &amp; Appendix 8 Biodiversity Development assessment Report – Ozark Environment and Heritage Management.</li> <li>3. Heritage – Pages 5-39/43 &amp; Appendix 9 Aboriginal Archaeological Impact Assessment and Historic Heritage Impact</li> </ol>

		<p>assessment – Ozark Environmental and Heritage Management Pty Ltd.</p> <p>4. Biodiversity – Pages 2-24/25, 5-33/39 &amp; Appendix 8 Biodiversity Development Assessment Report – Ozark Environment and Heritage Management.</p> <p>5. Executive Summary Page iii – Biodiversity Development Assessment report (BDAR) – Ozark Environmental &amp; Heritage Management Pty Limited</p>
NSW Planning & Environment – Resource Regulator	Nil.	
NSW Rural Fire Service	<ol style="list-style-type: none"> <li>1. The aims and objectives of planning for Bush Fire Protection 2006.</li> <li>2. Identification of potential ignition sources during construction and operation.</li> <li>3. Storage of fuels and other hazardous materials.</li> <li>4. Proposed bush fire protection measures for the development, including vegetation management and fire suppression capabilities.</li> <li>5. Operational access for fire fighting appliance to the site.</li> <li>6. Emergency and evacuation planning</li> </ol>	Pages 5-51/53
NSW Transport – Roads & Maritime Service	Appropriately consider and minimise the impacts of the development on the exiting road network and maintain the level of safety, efficiency and maintenance along the existing road network.	Traffic - Pages 2-17/ and 5-3/9 & Appendix 4 Traffic Impact Assessment – The Transport Planning Partnership Pty Ltd
NSW Planning & Environment – Land Use Assessment – Geological Survey of NSW – Mining, Exploration & Geoscience	<ol style="list-style-type: none"> <li>1. EIS to document the size and quantity of the resource and demonstrate that both have been adequately assessed.</li> </ol>	<ol style="list-style-type: none"> <li>1. Pages 2-6/8</li> <li>2. Pages 2-11/17</li> </ol>

	2. EIS to document the methods used to assess the resource and its suitability for the intended applications.	
NSW Natural Resources Access Regulator –Water Regulations Operations	<ol style="list-style-type: none"> <li>1. Proposed water licensing agreements.</li> <li>2. Identification of an adequate and secure water supply for the life of the project.</li> <li>3. A detailed and consolidated site water balance.</li> <li>4. Assessment of impacts on groundwater sources.</li> <li>5. Proposed surface and groundwater monitoring activities and methodologies.</li> <li>6. Assessment of any accumulative impacts on water resources.</li> <li>7. A statement of where each element of the SEARS is addressed in the EIS.</li> <li>8. Full technical details and data of all surface and groundwater modelling.</li> <li>9. Details of licencing requirements under the Water Management Act 2000 or the Water Act 1912.</li> <li>10. Where ground water may be intercepted or impacted detailed assessment against the NSW Aquifer Interference Policy.</li> <li>11. Detailed design of overburden storage and treatment, including an erosion sediment control plan for runoff.</li> <li>12. Details of the final landform of the site.</li> </ol>	<ol style="list-style-type: none"> <li>1. No</li> <li>2. Page 5-32</li> <li>3. No</li> <li>4. Pages 5-24/28</li> <li>5. Pages 5-24/33</li> <li>6. Pages 5-24/33</li> <li>7. Pages 24-25</li> <li>8. Pages 24-33 &amp; Appendix 7 Sediment Basin Storage Requirement Calculations – Reworked &amp; Co. Pty Limited</li> <li>9. No</li> <li>10. Pages 5/24/28</li> <li>11. Pages 24-33 &amp; Appendix 7 Sediment Basin Storage Requirement Calculations – R.W. Corkery &amp; Co. Pty Limited</li> <li>12. Pages 2-21/24</li> </ol>
Water NSW Catchment Authority	Nil.	
Water NSW	Nil.	
Narrandera Shire Council	The developer will be required to fund the following works between 50m south of the quarry entrance up to the highway intersection (total	Traffic - Pages 2-17/ and 5-3/9 & Appendix 4 Traffic Impact Assessment – The Transport Planning Partnership Pty Ltd

	<p>approximately 300m) to safely accommodate the additional truck movements:</p> <ul style="list-style-type: none"><li>• Each side of the road to have 1m width of shoulder graded smooth and level to the bitumen with additional gravel brought in as required*</li><li>• Each side of the road is to have 1 metre additional width of bitumen seal placed, making a total bitumen width of about 8metres</li><li>• At the entrance to the quarry the seal and gravel shoulder is to curve into the driveway such that large trucks will keep their wheels on the bitumen.</li><li>• Undertake an assessment of the section of Strontian Road followed by routine maintenance.</li></ul> <p>*Amended 18 May 2020. SEARs comment from NSC dated 15 August 2019 required 8m sealed road width with a 2m of gravel edge on both sides. This has been amended to a sealed road width of 8m with a 1m wide gravel edging after consultation and approval from NSC Engineers on request from RW Corkery.</p>	
--	--	--

SUMMARY OF RESPONSES FOLLOWING PUBLIC NOTIFICATION PERIOD		
SUBMISSION MADE BY	COMMENTS	RESPONSE
NSW Department of Primary Industries – Agricultural Land Use Planning	<p>Following matters require further consideration:</p> <ol style="list-style-type: none"> <li>1. Potential land use conflicts have not been fully identified &amp; no reference to a LUCRA (Land Use Conflict Risk Assessment). There is limited information provided on any implications for surrounding agricultural systems.</li> <li>2. Weed and Pest Management and Control Plans should include consideration of impacts on agriculture, not just biodiversity and be developed in conjunction with landholders and the relevant agencies.</li> <li>3. Travelling Stock Routes and Reserves have not been identified and no consideration appears to be given to truck vs livestock incidents in relation to the local stock routes and the access road.</li> </ol>	<ol style="list-style-type: none"> <li>1. The proposed expansion of the quarry was notified in accordance with the EP&amp;A Regulations 2000 and the Narrandera Community Participation Plans. Each adjoining landowner was personally notified. No submissions were received from any landholder.</li> <li>2. Given the landform and environment of the site being in effect a stoney ridge having poor quality soil, resulting in a current lack of weed issues, it is considered that the expansion of the quarry will not result in any weed or pest management issues.</li> <li>3. The impact on travelling stock reserves was addressed by Section 4.8 of the Appendix 4 Traffic Impact Assessment – The Transport Planning Partnership Pty Ltd</li> </ol>



NSW Rural Fire Service	<ol style="list-style-type: none"> <li>1. A draft Fire Management Plan (FMP) shall be prepared for the proposed development and provided to the NSW RFS district office for comment. The FMP shall include: <ul style="list-style-type: none"> <li>• 24-hour emergency contact details including alternative telephone contact;</li> <li>• Site Infrastructure plan;</li> <li>• Fire fighting water supply plan;</li> <li>• Site access plan;</li> <li>• Construction of asset protection zones and their continued maintenance;</li> <li>• Location of hazards (physical, chemical, and electrical) that will impact on the fire fighting operations and procedures to manage identified hazards during the fire fighting operations;</li> <li>• 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</li> <li>• Such additional matters as required by the NSW RFS District Office.</li> </ul> </li> <li>2. 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.</li> <li>3. 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'.</li> <li>4. 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.</li> </ol>	<p>Section 4.4 of the EIS states that <i>'as the Quarry Site is not located within a designated bush fire prone area, an assessment of bush fire risk is not required under section 4.14 of the EP&amp;A Act 1979'</i>.</p> <p>Section 4.14 of the EP&amp;A Act requires that <i>'Development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) on bush fire prone land (being land for the time being recorded as bush fire prone land on a relevant map certified under section 10.3(2))'</i>.</p> <p>The RFS website has advised that the quarry site <i>is not identified as bush fire prone land however you could still be affected by a bush fire.</i></p> <p>Section 8.3.6 of the RFS Planning for Bush Fire Protection 2019 for Mining (underground and open cut) and petroleum production recommends that <i>'Where mining and associated activities are carried out on BFPL, consideration should be given to any hazards and risks associated with bush fire. It may be necessary to implement measures to control and manage any identified</i></p>
------------------------	--	--

		<p><i>hazards and risks and given the potential hazard and risks, a Bush Fire Emergency Management and Operations Plan should be prepared to cover any mining activities and petroleum production undertaken on BFPL, with consideration to the same provisions detailed in section 8.3.5 for wind and solar farms which include the preparation of a Bush Fire Emergency Management and Operations Plan identifying all relevant risks and mitigation measures associated with the construction and operation of the mine.</i></p> <p><i>This should include:</i></p> <ol style="list-style-type: none"> <li><i>1. Detailed measures to prevent or mitigate fires igniting;</i></li> <li><i>2. Work that should not be carried out during total fire bans;</i></li> <li><i>3. Availability of fire-suppression equipment, access and water;</i></li> <li><i>4. Storage and maintenance of fuels and other flammable materials;</i></li> <li><i>5. Notification of the local NSW RFS Fire Control Centre for any works that have the potential to ignite surrounding vegetation, proposed to be carried out during a bush-fire fire danger period to ensure weather conditions are appropriate; and</i></li> <li><i>6. Appropriate bush fire-emergency management planning.</i></li> </ol>
--	--	--

		<p>A Condition of Consent will be applied to expand Action 9 of the proposed Environmental Measures and Monitoring Measures to include the following actions;</p> <ol style="list-style-type: none"> <li>1. Detailed measures to prevent or mitigate fires igniting;</li> <li>2. Work that should not be carried out during total fire bans;</li> <li>3. Details on the availability of fire-suppression equipment, access and water;</li> <li>4. Details on the appropriate storage and maintenance of fuels and other flammable materials;</li> <li>5. Contact details of the local NSW RFS Fire Control Centre</li> <li>6. Maintenance of a fire break around the perimeter of the site.</li> </ol>
NSW Heritage – Aboriginal Cultural Heritage Regulation - South	<p>Recommend the following conditions of consent:</p> <ol style="list-style-type: none"> <li>1. No Aboriginal objects may be harmed without an approval from Heritage NSW.</li> <li>2. If any Aboriginal object(s) is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must: <ul style="list-style-type: none"> <li>• Not further harm the object(s)</li> <li>• Immediately cease all work at the particular location</li> <li>• Secure the area so as to avoid further harm to the Aboriginal object(s)</li> <li>• Notify heritage NSW as soon as practical by calling 131 555 or emailing: <a href="mailto:info@environment.nsw.gov.au">info@environment.nsw.gov.au</a>, providing any details of the Aboriginal object(s) and its location</li> </ul> </li> </ol>	<ol style="list-style-type: none"> <li>1. Agreed Condition of Consent.</li> <li>2. Agreed Condition of Consent.</li> </ol>

	<ul style="list-style-type: none"> <li>• If, following the identification of Aboriginal objects, harm cannot be avoided, an application for an Aboriginal Heritage Impact Permit (AHIP) must be prepared and submitted to Heritage NSW before work can continue.</li> <li>• In the event that skeletal remains are unexpectedly encountered during work activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and Heritage NSW contacted.</li> </ul>	
NSW Planning & Environment – Land Use Assessment – Geological Survey of NSW – Mining, Exploration & Geoscience	<p>Recommends the following condition of consent:</p> <ol style="list-style-type: none"> <li>1. The proponent be required to provide annual production data relating to the annual quantity of construction materials produced from the quarry.</li> </ol>	1. Agreed Condition of Consent
NSW Planning, Industry & Environment – Biodiversity	<p><b>Recommended conditions of consent (from Guidance for Local Government preparing conditions of consent from a BDAR)</b></p> <p><b>Ecosystem Credit Retirement</b></p> <ol style="list-style-type: none"> <li>1. Prior to the issue commencement of works the class and number of ecosystem credits in Table C.1 must be retired to offset the residual biodiversity impacts of the development.</li> <li>2. The requirement to retire credits in condition 1 may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the BAM Credit Calculator.</li> <li>3. Evidence of the retirement of credits including through a Biodiversity Stewardship Agreement or payment to the Biodiversity Conservation Fund in satisfaction of condition 1 must be provided to Council prior to commencement of works.</li> </ol> <p><b>Table C.1 Ecosystem credits required to be retired – like for like</b></p>	1. All of the Recommended Conditions of Consent provided by NSW Planning, Industry & Environment – Biodiversity and Conservation Division are to be applied.

	<p>Dwyer's Red Gum - White Cypress Pine - Currawang shrubby woodland mainly in the NSW South Western Slopes Bioregion 16</p> <p>White Cypress Pine woodland on sandy loams in central NSW wheatbelt 1</p> <p>Western Grey Box- White Cypress Pine tall woodland on loam soil on alluvial plains of NSW South Western Slopes Bioregion and Riverain Bioregion 9</p> <p><b>Species Credit Retirement</b></p> <p>4. Prior to commencement of works the class and number of species credits in Table C.2 must be retired to offset the residual biodiversity impacts of the development.</p> <p>5. The requirement to retire credits outlined in condition 4 may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of species credits, as calculated by the BAM Credit Calculator.</p> <p>6. Evidence of the retirement of credits including through a Biodiversity Stewardship Agreement or payment to the Biodiversity Conservation Fund in satisfaction of Table C.2 requirements must be provided to the consent authority prior to the commencement of works.</p> <p><b>Table C.2 Species credits required to be retired – like for like</b></p> <p><i>Austrostipa metatoris</i> (A spear-grass) 1</p> <p><i>Austrostipa wakoolica</i> (A spear-grass) 23</p> <p><i>Cerartetus nanus</i> (Eastern Pygmy-possum) 21</p>	<p>Lower Slopes subregion of the NSW South Western Slopes region</p> <p>PCT 185</p> <p>PCT 70</p> <p>PCT 80</p> <p>Any in NSW</p>	
--	---	---	--

	<p><i>Diuris callitrophila</i>, 32  <i>Diuris sp. Oaklands</i>,  <i>D. L. Jones 5380</i>  (Oaklands Diuris)  <i>Lepidium monoplocides</i> 22  (Winged Peppercress)  <i>Petaurus norfolcensis</i> 15  (Squirrel Glider)  <i>Tylophora linearis</i> 1</p> <p><b>Biodiversity Management Plan</b></p> <p>7. Prior to the commencement of work, a Biodiversity Management Plan must be prepared to the satisfaction of the consent authority consistent with section 6.2 of the BDAR. The Biodiversity Management Plan may form part of a Construction Environmental Management Plan.</p> <p>8. The Biodiversity Management Plan must identify the development site as per the BDAR and approved plans. The applicant shall provide to the consent authority shape files and vegetation data consistent with Table 25 and Table 26 of the Biodiversity Assessment Method before commencement.</p> <p>9. The Biodiversity Management Plan must identify areas of native vegetation that are to be retained as outlined in the BDAR.</p> <p>10. Construction impacts must be restricted to the development site and must not encroach into areas of retained native vegetation and habitat. All materials stockpiles, vehicle parking, machinery storage and other temporary facilities must be located within the areas for which biodiversity impacts were assessed in the BDAR.</p> <p>11. The Biodiversity Management Plan must identify all measures proposed in section 6.2 of the BDAR to mitigate and manage impacts on biodiversity. These measures are outlined in Table C.3, including performance measures for each commitment.</p>	
Transport for NSW	TfNSW highlights that in determining the application it is the consent authority's responsibility to consider the environmental impacts of any road works which are ancillary (proposed or deemed	Noted.

	necessary) to the development. This may include the need for further environmental assessment for any ancillary road works.	
NSW Natural Resources Access Regulator	Controlled Activity Not Required The proposed works are not located on waterfront land as defined by the WM Act - The proposed works are greater than 40m from top of bank of the watercourse.	Noted
EPA	<p><b>Administrative conditions</b></p> <p><b>A1. Information supplied to the EPA</b></p> <p><b>A1.1</b> Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:</p> <ul style="list-style-type: none"> <li>• the development application DA/50-2020-2021 submitted to Narrandera Shire Council on <i>13 April 2021</i>;</li> <li>• the environmental impact statement titled "Strontian Quarry" <i>dated March 2021</i> and prepared by <i>R. W. Corkery &amp; Co Pty Ltd</i> relating to the development.</li> </ul> <p><b>A2. Fit and Proper Person</b></p> <p><b>A2.1</b> 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.</p> <p><b>A3. Premises to which the General Terms of Approval applies</b></p> <p><b>A3.1</b> These General Terms of Approval apply to the following premises: The Strontian Quarry Lot 133 and 134 DP 726537 as depicted in Figure 2.1 of the environmental impact statement titled "Strontian Quarry" <i>dated March 2021</i> and prepared by <i>R. W. Corkery &amp; Co Pty Ltd</i> kept on EPA file DOC21/301665.</p> <p><b>Limit conditions</b></p> <p><b>L 1. Pollution of waters</b></p> <p><b>L.1.1</b> 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.</p> <p><b>L2. Waste</b></p> <p><b>L2.1</b> The applicant must not cause, permit or allow any waste to be received at the premises, except for the wastes</p>	<p><b>1.</b> All of the Recommended Conditions of Consent provided by NSW EPA to be included.</p>

	<p>expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.</p> <p>Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.</p> <p>Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.</p> <p>This approval condition does not limit any other condition included in an environment protection licence.</p>	
--	--	--



Code	Waste	Description	Activity	Other Limits
NA	Construction waste	Concrete and similar materials and excluding metals, plastic, timber and paper.	Resource recovery	A maximum of 1,500 tonnes received at the premises each year.

### ***L3. Extraction and processing limits***

L3.1 The applicant must not extract or process more than 126,500 tones of material at the premises in any annual return reporting period.

### ***L4. Noise limits***

L4.1 Noise from the premises must not exceed and Leq (15 minute) noise emission criterion of 40 dB(A) during the daytime (7am to 6pm) and a noise criterion of 35 dB(A) at any other time, except as expressly provided by these General Terms of Approval.

L4.2 Noise from the premises is to be measured at the nearest sensitive receptor not associated with the development to determine compliance with the noise limits.

### ***L5. Hours of operation***

L5.1 Activities at the premises are restricted to the following times.

Activity	Monday to Friday	Saturdays	Sundays or Public Holidays
Site development and construction	6:00am – 6:00pm	8:00am – 5:00pm	Nil
Extraction operations	6:00am – 6:00pm	8:00am – 5:00pm	Nil
Blasting operations	10:00am – 3:00pm	Nil	Nil
Processing operations	6:00am – 6:00pm	8:00am – 5:00pm	Nil
Product despatch	6:00am – 6:00pm	8:00am – 5:00pm	Nil
Maintenance	24 hours / day	24 hours / day	Nil

### ***L6. Blasting***

#### **Overpressure**

L6.1 The overpressure level from blasting operations on the premises must not:

Exceed 115 dB (Lin Peak) for more than 5% of the total number of blasts over a period of 12 months; and

Exceed 120 dB (Lin Peak) at any time.

The airblast overpressure values stated above apply when the measurements are performed with equipment having a lower cut-off frequency of 2Hz or less. If the instrumentation has a higher cut-off frequency then a correction of 5 dB should added to the measurement value. Equipment with a lower cut-off frequency exceeding 10Hz should not be used for the purpose of measuring airblast overpressure.

#### **Ground vibration (ppv)**

**L6.2** Ground vibration peak particle velocity from blasting operations level from blasting operations on the premises must not:

Exceed 5 mm/sec for more than 5% of the total number of blasts over a period of 12 months; and

Exceed 10 mm/sec at any time.

**L6.3** The premises must only undertake 1 blast per week between Monday to Friday and 10am to 3pm.

**L6.4** Blast monitoring must be in accordance with conditions at M5.

### **Operating conditions**

#### ***O1. Odour***

**O2.1** No condition of this Approval identifies a potentially offensive odour for the purposes of Section 129 of the *Protection of the Environment Operations Act 1997* (POEO Act).

*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.*

#### ***O2. Dust***

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

**O2.2** Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

**O2.3** Vehicle speed limits are restricted to a maximum of 20km/h in the quarry boundaries on unsealed roads and 40km/h on the quarry access road.

#### ***O3. Contaminated stormwater***

**O3.1** All rainfall falling on the active or disturbed quarry areas must be captured and detained on the premises in dams or retention basins. This condition applies to rainfall events up to but not exceeding the regional 1 in 20 year 24 hour average recurrent interval event.

## 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:

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;

the time(s) at which the sample was collected;

the point at which the sample was taken; and

the name of the person who collected the sample.

### ***M2. Requirement to monitor volume or mass***

**M2.1** The applicant must monitor:

the volume of material extracted and processed at the premises, and

the volume of construction waste received at the premises

at the frequency and using the method of units of measures, specified below

Frequency	Units of measure	Sampling method
Daily	Tonnes	Weighbridge

### ***M3. Blast Monitoring***

**M3.1** One blast undertaken at the premises must be monitored in each annual return reporting period

**M3.2** For the purpose of blast monitoring, the ground vibration or the overpressure must be measured at the nearest affected premises not associated with the development and must be

*At the residential boundary; or*

*30 metres from residences in rural situations where the boundary is more than 30 metres from residences.*

*Airblast overpressure levels should not be measured within 3.5 metres of any building.*

*Ground vibration levels should not be measured with the longest dimension of the foundations of a building or structure away from such building or structure.*

## **Reporting conditions**

### ***R1. Annual returns***

**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.

## Attachment – Mandatory Conditions for all EPA licences

### Administrative conditions

#### Other activities

(To be used on licences with ancillary activities)

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

- **Waste storage (construction waste)**

### 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.

### **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:

- Statement of Compliance; and
- 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,

- 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

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.

#### ***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
- 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.





