

General Terms of Approval - Issued



Notice No: 1610881

Lithgow City Council
PO Box 19
Lithgow
2790

Attention: Mr Mark Hitchenson

Notice Number 1610881
Date 19/07/2021

Graymont Excelsior Quarry Proposed Disposal of Limekiln Dust Issued pursuant to Section 4.46 Environmental Planning and Assessment Act 1979

I refer to the development application (DA069/21) and accompanying information (including Environmental Impact Statement DOC21/321145) provided for the proposed lime kiln dust disposal at Excelsior Quarry received by the Environment Protection Authority (EPA) on 23 April 2021.

The EPA has reviewed the information provided and has determined that it is able to issue the relevant general terms of approval for the proposal. The proposed development requires the addition and modification of conditions on the Environment Protection Licence that the quarry currently operates under (EPL 953). In this regard, if consent is provided for the proposed development the licensee will need to apply to the EPA for a licence variation.

The general terms of approval for this proposal are provided at **Attachment A**. If Lithgow City Council grants development consent for this proposal these conditions should be incorporated into the consent.

The EPA has also provided at **Attachment B** for Lithgow City Council and the Proponent's reference, specific variations that would need to be made to the current environment protection licence if consent is granted. However these proposed variations should not be included in the consent document, unless deemed necessary for Council's own specific purposes.

These general terms relate to the development as proposed in the documents and information currently provided to the EPA. In the event that 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 EPA about the changes before the consent is issued. This will enable EPA to determine whether its general terms need to be modified in light of the changes.

If you have any questions, or wish to discuss this matter further please contact Mr Jacques Theron on 63333800 or via email at Epa.Southopsregional@epa.nsw.gov.au.

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Yours sincerely

A handwritten signature in black ink, appearing to read 'Sandie Jones', written over a horizontal dotted line.

Sandie Jones

Regional Manager

Environment Protection Authority

(by Delegation)

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Attachment A

EPA's General Terms of Approval

Recommended conditions of development consent

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 DA069/21 submitted to Lithgow City Council;
- the environmental impact statement *Excelsior Quarry: Disposal of lime kiln dust - application to land prepared by Pitt&Sherry* dated 30 March 2021 relating to the development; and
- all additional documents supplied to the EPA in relation to the development, including Graymont's response to submissions made by the EPA (DOC21/321145-3).

A1.2 Should any conflict exist between the abovementioned documents, the most recent document or revision supersedes the conflict, except where superseded by any conditions of approval issued by Council or the conditions of an in-force environment protection licence issued by the Environment Protection Authority.

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Attachment B

Proposed variations to existing EPL 953

B1 The EPA, upon Council granting development consent, would require the variation of the existing Environment Protection Licence (No. 953) to include the following conditions that specifically relate to the Proposal

B1.1 Add condition L3 *"The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.*

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.

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."

Code	Waste	Description	Activity	Other Limits
N/A	Lime kiln dust (LKD)	Lime kiln dust from kiln operation at Graymont Charbon lime kiln	Waste disposal (application to land)	Application to land of LKD only permitted for a maximum period of 5 years. Application must cease on 31 August 2026.