

Project Approval

Section 75J of the *Environmental Planning & Assessment Act 1979*

The Land and Environment Court of New South Wales approves the project application referred to in Schedule 1, subject to the conditions in Schedules 2 to 5.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the on-going environmental management of the project.

Sydney

2012

SCHEDULE 1

Application Number:	06_0193
Proponent:	Hanson Construction Materials Pty Limited
Approval Authority:	Land and Environment Court of New South Wales
Land:	Lots 3, 4 and 5 DP854608 Lots 110 and 111 DP852503
Project:	East Guyong Quarry Project

December 2012 modification in red type

April 2019 modification in blue type

TABLE OF CONTENTS

DEFINITIONS	3
ADMINISTRATIVE CONDITIONS	5
Obligation to Minimise Harm to the Environment	5
Terms of Approval	5
Limits on Approval	5
Structural Adequacy	5
Protection of Public Infrastructure	5
Operation of Plant and Equipment	6
Community Enhancement Fund	6
Staging, Combining and Updating Strategies, Plans or Programs	6
Application of Existing Strategies Plans or Programs	6
ENVIRONMENTAL PERFORMANCE CONDITIONS	7
Naturally-Occurring Asbestos	7
Noise	7
Blasting & Vibration	8
Air Quality	8
Meteorological Monitoring	11
Soil and Water	11
Rehabilitation and Landscape Management	12
Heritage	13
Traffic and Transport	14
Visual	15
Waste Management	15
Emergency and Hazards Management	15
Production Data	16
ADDITIONAL PROCEDURES	17
Notification of Landowners	17
Independent Review	17
ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING	18
Environmental Management Strategy	18
Community Consultative Committee	19
Reporting	19
Independent Environmental Audit	19
Access to Information	20
APPENDIX 1: PROJECT PLANS	21
APPENDIX 2: STATEMENT OF COMMITMENTS	25
APPENDIX 3: (deleted)	26
APPENDIX 4: (deleted)	27

DEFINITIONS

AEDT	Australian Eastern Daylight Time
AEST	Australian Eastern Standard Time
Annual Review	The annual review of operations as required under Condition 3 of Schedule 5
BCA	Building Code of Australia
Calendar year	A period of 12 months from 1 January to 31 December
CCC	Community Consultative Committee
Conditions of this approval	Conditions contained in schedules 2 to 5 inclusive
Construction activities	Physical activities required to be completed prior to commencement of quarrying operations, including construction of the processing plant, access road, sediment dam and work pad
Council	Cabonne Shire Council
Day	The period from 7 am to 6 pm
Department	NSW Department of Planning and Environment
DoI L&W	Department of Industry – Lands and Water Division
DRG	Division of Resources and Geoscience within the Department
EA	Environmental Assessment titled <i>Environmental Assessment Report September 2009: East Guyong Quarry NSW</i> (3 volumes), dated September 2009, including the Proponent's Response to Submissions and Preferred Project Report
EA (MOD 1)	Environmental Assessment titled <i>East Guyong Quarry- Section 75W Planning Assessment Report</i> , dated November 2012
EA (MOD 2)	The modification application titled <i>East Guyong Quarry Modification 2 Environmental Assessment</i> , dated September 2018 and prepared for Hanson Construction Materials Pty Limited by Umwelt, and the Response to Submissions Report titled <i>Response to Submissions East Guyong Quarry Modification 2</i> , dated November 2018 and prepared by Umwelt and, and <i>East Guyong Quarry Modification 2 Biodiversity Assessment Report</i> , dated December 2018 and prepared by Umwelt, and additional information dated 11 and 23 January 2019 and provided by Umwelt
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environment Protection Licence issued by EPA under the <i>Protection of the Environment Operations Act 1997</i>
Evening	The period from 6 pm to 10 pm
Feasible	Means what is possible and practical in the circumstances
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance
Laden trucks	Trucks transporting quarry products from the site
Land	Has the same meaning as the definition of the term in section 1.4 the EP&A Act, except for where the term is used in the noise and air quality conditions in Schedule 3 of this approval where it is defined to mean the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this approval
Material harm	Is harm that: <ul style="list-style-type: none"> • involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or • results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) This definition excludes "harm" that is authorised under either this approval or any other statutory approval
Minister	NSW Minister for Planning or delegate
Modification 2	The modification to the development as described in EA (MOD 2)
OEH	NSW Office of Environment and Heritage
Preferred Project Report	The Proponent's Preferred Project Report titled <i>Guyong Quarry – Preferred Project Report, East Guyong Quarry NSW</i> , dated May 2010
Privately-owned land	Land that is not owned by a public agency or a quarry company (or its subsidiary)
Project	The development as described the documents listed in condition 2 of Schedule 2
Proponent	Hanson Construction Materials Pty Limited, or its successors in title
Public Infrastructure	Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, gas supply, drainage, sewerage,

Quarrying Operations	telephony, telecommunications etc Includes all extraction, processing, and related transportation activities carried out on site
Resources Regulator	NSW Resources Regulator
Response to Submissions	The Proponent's response to issues raised in submissions titled <i>Detailed Response to Public Exhibition Submissions, East Guyong Quarry NSW</i> , dated March 2010
RMS	Roads and Maritime Service
Secretary	Planning Secretary under the EP&A Act or nominee
Site	The land referred to in schedule 1
Statement of Commitments	The Proponent's commitments in Appendix 2
Western Boundary Visual Screen	Western Boundary Visual Screen Visual screen described in EA (MOD 2) and shown in Figure 1 of Appendix 1
Visual screen described in EA (MOD 2) and shown in Figure 1 of Appendix 1	

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

1. In addition to meeting the specific performance measures and criteria in this approval, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the project, and any rehabilitation required under this approval.

Terms of Approval

2. The Proponent **must** carry out the project generally in accordance with the:
 - (a) EA, EA (MOD 1) and EA (MOD 2);
 - (b) statement of commitments; and
 - (c) project layout in Appendix 1.

Notes:

- *The layout of the project is shown on the figures in Appendix 1.*
- *The statement of commitments is reproduced in Appendix 2.*

- 2A. The Proponent must carry out the project in accordance with the conditions of this approval.
3. Consistent with the requirements in this approval, the Secretary may make written directions to the Proponent in relation to:
 - (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this approval, including those that are required to be, and have been, approved by the Secretary; and
 - (b) the implementation of any actions or measures contained in any such document referred to in condition 3(a) of Schedule 2.
4. The conditions of this approval and directions of the Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document/s listed in condition 2(a) of Schedule 2. In the event of an inconsistency, ambiguity or conflict between any of the document/s listed in condition 2(a) of Schedule 2, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

Limits on Approval

5. Quarrying operations may take place at the site until 31 December 2042.

Notes:

 - *Under this approval, the Proponent is required to rehabilitate the site to the satisfaction of the **Secretary**. Consequently this approval will continue to apply in all other respects other than the right to conduct quarrying operations until the site has been rehabilitated to a satisfactory standard.*
 - *Any extension of quarrying operations after this time will be subject to further approval.*
6. The Proponent **must** not transport more than 600,000 tonnes of product from the site per calendar year.
- 6A. The Proponent must not dispatch:
 - (a) more than 30 laden trucks per hour on any operating day;
 - (b) more than 160 laden trucks per day, Monday and Friday; and
 - (c) more than 60 laden trucks per day on Saturdays.

Note: Dispatch of laden trucks is also controlled by the operating hours specified in condition 6 of Schedule 3.

Structural Adequacy

7. The Proponent **must** ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.

Notes:

 - *Under Part 6 of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works;*
 - *Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.*

Protection of Public Infrastructure

8. The Proponent **must**:

- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project; and
- (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the project.

Operation of Plant and Equipment

9. The Proponent **must** ensure that all plant and equipment used at the site is:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient condition.

Community Enhancement Fund

10. The Proponent **must** establish a Community Enhancement Fund of a minimum of \$25,000 and implement expenditure from the fund to the satisfaction of the **Secretary**. Proposals for expenditure from the fund must be prepared by the Proponent in consultation with Council and the CCC, and be submitted to the **Secretary** for approval within 6 months of the date of this approval.

Staging, Combining and Updating Strategies, Plans or Programs

11. With the approval of the **Secretary**, the Proponent may:
- (a) prepare and submit any strategy, plan or program required by this approval on a staged basis (if a clear description is provided as to the specific stage and scope of the project to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - (b) combine any strategy, plan or program required by this approval (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
 - (c) update any strategy, plan or program required by this approval (to ensure the strategies, plans and programs required under this approval are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the project).
12. If the **Secretary** agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this approval.

Application of Existing Strategies Plans or Programs

13. The Proponent must continue to apply existing management strategies, plans or monitoring programs approved prior to the approval of Modification 2, until the approval of a similar plan, strategy or program following the approval of Modification 2.

Evidence of Consultation

14. Where conditions of this approval require consultation with an identified party, the Proponent must:
- (a) consult with the relevant party prior to submitting the subject document; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Proponent and how the Proponent has addressed the matters not resolved.

Compliance

15. The Proponent must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this approval relevant to activities they carry out in respect of the project.

Applicability of Guidelines

16. References in the conditions of this approval to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this approval.
17. However, consistent with the conditions of this approval and without altering any limits or criteria in this approval, the **Secretary** may, when issuing directions under this approval in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS

NATURALLY-OCCURRING ASBESTOS

Asbestos Mapping

1. The Proponent **must** undertake further investigations to map the extent of the asbestos mineralisation within the project area to the satisfaction of the **Secretary**. This investigation must:
 - (a) be undertaken in consultation with DRE;
 - (b) be completed by a suitably qualified geologist, whose appointment has been approved by the **Secretary**; and
 - (c) be submitted to the **Secretary** for approval prior to any earthworks occurring on site.

The Proponent **must** make the results of the investigation publicly available either on its website or by another method as agreed to by the **Secretary**.

Fencing and Signage

2. The Proponent **must** install appropriate fencing and warning signage around all surface outcrops of asbestos minerals within the project area to prevent access by persons, to the satisfaction of the **Secretary**.

Asbestos Impact Assessment Criteria

3. The Proponent **must** ensure that any asbestos fibres generated at the site do not exceed the impact assessment criterion in Table 1.

Table 1: Asbestos impact assessment criterion

Measurement	Limit
Asbestos Fibres/ml of air	0.01

Asbestos Management Plan

4. The Proponent **must** prepare an Asbestos Management Plan for the project to the satisfaction of the **Secretary**. This plan must:
 - (a) be prepared by a suitably independent and qualified expert/s;
 - (b) be submitted to the **Secretary** for approval within 3 months of approval of Modification 2;
 - (c) be prepared in consultation with the Resources Regulator;
 - (d) include a description of the measures and controls that would be implemented to minimise exposure risks and manage asbestos within the project area;
 - (e) include an asbestos monitoring protocol for evaluating compliance with the asbestos impact assessment criterion in Table 1 that describes daily, weekly and monthly testing protocols;
 - (f) include a protocol for the notification of monitoring results;
 - (g) include a protocol for the investigation, notification and mitigation of identified exceedances of the assessment criterion; and
 - (h) include a protocol to respond to incidents of human (personnel, neighbours or others) exposure to asbestos.

The Proponent **must** implement the Asbestos Management Plan as approved by the **Secretary**.

NOISE

Impact Assessment Criteria

5. The Proponent **must** ensure that the noise generated by the project does not exceed the noise impact assessment criteria in Table 2.

Table 2: Noise impact assessment criteria dB(A) L_{Aeq} (15min)

Location	Day	Evening	Night
"Hartley Cottage"	35	35	35
"Cadora Vale"	35	35	35
"Lilactime"	35	35	35
"Fairview"	36	35	35

All other privately owned land	35	35	35
--------------------------------	----	----	----

Notes:

- To interpret the locations referred to Table 1, see Figure 3 in Appendix 1.
- Noise generated by the project is to be measured in accordance with the relevant requirements, and exemptions (including certain meteorological conditions), of the NSW Industrial Noise Policy.
- The noise limits do not apply if the Proponent has an agreement with the relevant owner/s of these residences/land to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.

Operating Hours

6. The Proponent **must** comply with the operating hours in Table 3.

Table 3: Operating hours

Activity	Day	Time
All quarrying operations. Transportation off-site	Monday – Friday during AEST (except Public Holidays)	6.00 am to 6.00 pm
	Monday – Friday during AEDT (except Public Holidays)	6.00 am to 8.00 pm
	Saturdays	7.00 am to 1.00 pm
	Sundays and Public Holidays	No activities

However, the Proponent may undertake:

- transportation activities on and off-site outside of these hours (but only between hours up to and including 5.00 am and 10.00 pm, Monday to Saturday), if the Proponent has negotiated agreements to this effect with the owners of the following residences (whilst privately-owned) “Fairview”, “Lilac Time”, “Cadira Vale”, “R1”, “Hartley Cottage”, “Quinton” and “Wheatfields”, as shown in Figure 3 of Appendix 1, and the Proponent has advised the Department in writing of the terms of these agreements; and
- maintenance activities at any time provided that the activities are not audible at any privately-owned residence.

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

Noise Management

7. The Proponent **must** prepare a Noise Management Plan for the project to the satisfaction of the [Secretary](#). This plan must:
- be prepared in consultation with EPA, and be submitted to the [Secretary](#) for approval prior to the commencement of construction activities;
 - include:
 - a description of the measures that would be implemented to minimise noise emissions from the project, with particular focus on:
 - quarrying operations within 500 metres of residences on privately-owned land;
 - transportation activities; and
 - continual improvement of noise performance;
 - a noise monitoring protocol for evaluating compliance with the relevant noise limits in this approval;
 - a protocol for the investigation, notification and mitigation of identified exceedances of the relevant noise limits; and
 - a continual improvement program for investigating, implementing and reporting on reasonable and feasible measures to reduce noise generated by the project.

[The Proponent must implement the Noise Management Plan as approved by the Secretary.](#)

BLASTING AND VIBRATION

Airblast Overpressure Limits

8. The Proponent **must** ensure that the airblast overpressure level from blasting at the project does not exceed the criteria in Table 4 at any residence on privately-owned land.

Table 4: Airblast overpressure impact assessment criteria

Airblast overpressure level (dB(Lin Peak))	Allowable exceedance
115	5% of the total number of blasts in a 12 month period
120	0%

Ground Vibration Impact Assessment Criteria

9. The Proponent **must** ensure that the ground vibration level from blasting at the project does not exceed the levels in Table 5 at any residence on privately-owned land.

Table 5: Ground vibration impact assessment criteria

Peak particle velocity (mm/s)	Allowable exceedance
5	5% of the total number of blasts in a 12 month period
10	0%

Blasting Hours and Frequency

10. The Proponent **must** carry out blasting on site only between 9.00 am and 3.00 pm Monday to Friday. No blasting is allowed on Saturdays, Sundays and Public Holidays.
11. The Proponent may carry out on the site a maximum of:
- 2 blasts a day; and
 - 5 blasts a week, averaged over a calendar year.

Operating Conditions

12. During quarrying operations on site, the Proponent **must** implement best blasting practice to:
- conduct blasting operations in accordance with *AS 2187.2 – Explosive Storage, Transport and Use*;
 - minimise fly-rock and dust and fume emissions from blasting;
 - protect travellers on the Mitchell Highway
 - protect the safety of people and livestock and the serviceability of private property and public infrastructure;
- to the satisfaction of the **Secretary**.

Blast Management Plan

13. The Proponent **must** prepare a Blast Management Plan for the project to the satisfaction of the **Secretary**. This plan must:
- be submitted to the **Secretary** for approval prior to the commencement of blasting activities; and
 - include:
 - a Blast Monitoring Program; and
 - measures to implement the requirements of condition 12.

The Proponent **must** implement the Blast Management Plan as approved by the **Secretary**.

Blast Monitoring Program

14. The Proponent **must** prepare a Blast Monitoring Program for the project to the satisfaction of the **Secretary**. This program must:
- be submitted to the Director General for approval prior to the commencement of blasting activities; and
 - include a protocol for evaluating blasting impacts on, and demonstrating compliance with, the blasting criteria in this approval for all privately-owned residences and other structures.

The Proponent **must** implement the Blast Monitoring Plan as approved by the **Secretary**.

Public Notice

15. The Proponent **must**:

- (a) operate a blasting hotline and advertise the hotline number in a local newspaper at least twice a year, or operate an alternate system agreed to by the [Secretary](#), to enable the public to get up-to-date information on the blasting schedule;
- (b) publish an up-to-date blasting schedule on its website; and
- (c) notify the landowner/occupier of any residence within 2 kilometres of the site about the blasting schedule, blasting hotline and its website, to the satisfaction of the [Secretary](#).

Property Inspections

16. At least 2 months prior to the commencement of blasting operations at the quarry, the Proponent **must** advise the owners of privately-owned land within 2 kilometres of the proposed quarry, that they are entitled to a structural property inspection to establish the baseline condition of buildings and other structures on their property.

If the Proponent receives a written request for a structural property inspection from any such landowner, the Proponent **must**:

- within 2 months of receiving this request, commission a suitably qualified, experienced and independent person, whose appointment has been approved by the [Secretary](#), to inspect the condition of any building or structure on the land, and recommend measures to mitigate any potential blasting impacts; and
- give the landowner a copy of the property inspection report.

Property Investigations

17. If any landowner of privately-owned land within 2 kilometres of blasting operations, or any other landowner nominated by the [Secretary](#), claims that buildings and/or other structures on his/her land have been damaged as a result of blasting at the project after the date of this approval, the Proponent **must** within 2 months of receiving this claim:

- (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the [Secretary](#), to investigate the claim; and
- (b) give the landowner a copy of the property investigation report.

If the independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Proponent **must** repair the damage to the satisfaction of the [Secretary](#).

If the Proponent or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the [Secretary](#) for resolution.

AIR QUALITY

Impact Assessment Criteria

18. The Proponent **must** ensure that the dust emissions generated by the project do not cause additional exceedances of the criteria listed in Tables 6, 7 and 8 at any residence on privately-owned land, or on more than 25 percent of any privately-owned land.

Table 6: Long-term criteria for particulate matter

<i>Pollutant</i>	<i>Averaging period</i>	<i>Criterion</i>
Particulate matter < 10 µm (PM ₁₀)	Annual	^{a, c} 25 µg/m ³
Particulate matter < 2.5 µm (PM _{2.5})	Annual	^{a, c} 8 µg/m ³
Total suspended particulate (TSP) matter	Annual	^{a, c} 90 µg/m ³

Table 7: Short-term criterion for particulate matter

<i>Pollutant</i>	<i>Averaging period</i>	<i>Criterion</i>
Particulate matter < 10 µm (PM ₁₀)	24 hour	^b 50 µg/m ³
Particulate matter < 2.5 µm (PM _{2.5})	24 hour	^b 25 µg/m ³

Table 8: Long-term criteria for deposited dust

<i>Pollutant</i>	<i>Averaging period</i>	<i>Criterion</i>	
^d Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month

Notes:

^a Total impact (i.e. incremental increase in concentrations due to the project plus background concentrations due to all other sources).

^b Incremental impact (i.e. incremental increase in concentrations due to the project on its own).

^c Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Secretary.

^d Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.

Operating Conditions

19. The Proponent **must** ensure any visible air pollution generated by the project is assessed regularly, and that quarrying operations are relocated, modified, and/or stopped as required to minimise air quality impacts on privately-owned land, to the satisfaction of the **Secretary**.

Air Quality Monitoring

20. The Proponent **must** prepare an Air Quality Monitoring Program for the project to the satisfaction of the **Secretary**. This program must:
- be prepared in consultation with EPA, and be submitted to the **Secretary** for approval prior to the commencement of construction activities; and
 - include details of how the air quality performance of the project will be monitored, and include a protocol for evaluating compliance with the relevant air quality criteria in this approval.

The Proponent **must** implement the Air Quality Monitoring Plan as approved by the **Secretary**.

METEOROLOGICAL MONITORING

21. During the life of the project, the Proponent **must** ensure that there is a suitable meteorological station in the vicinity of the site that:
- complies with the requirements in the Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007); and
 - is capable of measuring meteorological conditions in accordance with the NSW Industrial Noise Policy (EPA, 2000).

SOIL AND WATER

Water Supply

22. The Proponent **must** ensure that it has sufficient water for all stages of the project, and if necessary, adjust the scale of operations to match its water supply.

Pollution of Waters

23. Except as may be expressly provided for by an EPL, the Proponent **must** comply with section 120 of the *Protection of the Environment Operations Act 1997* during the carrying out of the project.

Wastewater Treatment

24. The Proponent **must** manage on-site sewage to the satisfaction of Council and EPA. The facility must comply with the requirements of the *Environment and Health Protection Guidelines – On-site Sewage Management for Single Households (1998)*, or most recent version of the relevant guidelines.

Soil and Water Management

25. The Proponent **must** prepare a Soil and Water Management Plan for the project to the satisfaction of the **Secretary**. This plan must:
- be prepared in consultation with EPA and **DoI L&W**, and be submitted to the **Secretary** for approval prior to the commencement of construction activities; and
 - include a:
 - Site Water Balance;
 - Erosion and Sediment Control Plan;
 - Surface Water Monitoring Program; and
 - Ground Water Monitoring Program.

The Proponent **must** implement the Soil and Water Management Plan as approved by the **Secretary**.

Note: The Department accepts that the initial Soil and Water Management Plan may not include a detailed Site Water Balance. However, the detailed Site Water Balance must be approved prior to the commencement of any processing activities.

26. The Site Water Balance must:
- include details of:
 - sources and security of water supply;
 - water use on site;
 - water management on site;
 - any off-site water transfers;
 - reporting procedures; and
 - investigate and describe measures to minimise water use by the project.
27. The Erosion and Sediment Control Plan must:
- be consistent with the requirements of *Managing Urban Stormwater: Soils and Construction, Volume 2E Mines and Quarries*, (DECCW), or most recent version of the relevant guidelines;
 - identify activities that could cause soil erosion and generate sediment;
 - describe measures to minimise soil erosion and the potential for the transport of sediment off site;
 - describe the location, function, and capacity of erosion and sediment control structures; and
 - describe what measures would be implemented to maintain the structures over time.
28. The Surface Water Monitoring Program must include:
- baseline data on surface water quality, where available;
 - surface water impact assessment criteria;
 - a program to monitor surface water quality (particularly in the project's sediment dam); and
 - a protocol for the investigation, notification and mitigation of identified exceedances of the surface water impact assessment criteria.
29. The Ground Water Monitoring Program must include:
- baseline data on ground water levels and quality;
 - groundwater impact assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts;
 - a program to monitor groundwater levels and quality; and
 - a protocol for the investigation and notification of identified exceedances of the ground water impact assessment criteria.

REHABILITATION AND LANDSCAPE MANAGEMENT

Rehabilitation

30. The Proponent **must** progressively rehabilitate the site in a manner that is generally consistent with the final landform depicted in Figure 4 of Appendix 1, to the satisfaction of the [Secretary](#).

Biodiversity Credits Required

- 30A. Within 6 months of the approval of Modification 2, or other timeframe agreed by the Secretary, the Proponent must retire the biodiversity credits specified in Table 9 below.

Table 9: Biodiversity credit requirements

Credit Type	Credits Required
Ecosystem Credit	
PCT275 - Herbaceous White Box- Apple Box valley woodland of the NSW central western slopes	17

Note: The credits in Table 9 were calculated in accordance with Framework for Biodiversity Assessment of the NSW Biodiversity Offset Policy for Major Projects (OEH, 2014) and may need to be converted to reasonably equivalent 'biodiversity credits', within the meaning of the Biodiversity Conservation Act 2016, to facilitate retirement.

The retirement of the biodiversity credits specified in Table 9 must be carried out in accordance with the Biodiversity Offsets Scheme of the *Biodiversity Conservation Act 2016*.

Landscape Management Plan

31. Within 3 months of approval of Modification 2, the Proponent **must** prepare a Landscape Management Plan for the project to the satisfaction of the [Secretary](#). This plan must:
- be prepared in consultation with [OEH](#), [DoI L&W](#) and Council, and be submitted to the [Secretary](#) prior to the commencement of quarrying operations; and
 - include a:
 - Rehabilitation and Biodiversity Management Plan; and
 - Long-Term Management Strategy.

The Proponent must implement the Landscape Management Plan as approved by the Secretary.

Note: The Department accepts that the initial Landscape Management Plan may not include the detailed Long-Term Management Strategy. However, a conceptual strategy must be included in the initial plan, along with a timetable for augmentation of the strategy with each subsequent review of the plan.

32. The Rehabilitation and Biodiversity Management Plan must include:
- (a) the objectives for the site rehabilitation and site landscaping;
 - (b) a description of the short, medium, and long-term measures that would be implemented to rehabilitate and landscape the site;
 - (b1) a description of the short, medium, and long-term measures to be undertaken to:
 - (i) retire the credits in Table 9;
 - (ii) manage any remnant vegetation and fauna habitat on the site and in any offset areas;
 - (b2) a description of the measures that would be implemented to establish and maintain the Western Boundary Visual Screen to integrate with surrounding vegetation and align with Plant Community Type 275;
 - (c) detailed performance and completion criteria for biodiversity management actions, site rehabilitation and site landscaping;
 - (d) a detailed description of the measures that would be implemented over the next 3 years, including the procedures for:
 - progressively rehabilitating disturbed areas;
 - landscaping the site to minimise visual impacts;
 - protecting vegetation and soil outside the disturbance areas;
 - undertaking pre-clearance surveys;
 - salvaging and reusing material from the site for habitat enhancement;
 - managing impacts on fauna;
 - conserving and reusing topsoil;
 - controlling weeds and feral pests;
 - controlling access; and
 - bushfire management;
 - (e) a program to monitor the effectiveness of these measures, and progress against the performance and completion criteria;
 - (f) a description of the potential risks to successful rehabilitation, and a description of the contingency measures that would be implemented to mitigate these risks; and
 - (g) details of who would be responsible for monitoring, reviewing, and implementing the plan.
33. The Long-Term Management Strategy must:
- define the objectives and criteria for quarry closure and post-extraction management;
 - investigate and/or describe options for the future use of the site;
 - describe the measures that would be implemented to minimise or manage the ongoing environmental effects of the project; and
 - describe how the performance of these measures would be monitored over time.

Rehabilitation Bond

34. Prior to commencing quarrying operations, the Proponent **must** lodge a rehabilitation bond for the project with the **Secretary**. The sum of the bond **must** be calculated at \$2.50/m² for the area to be disturbed in the first 3 years of quarrying operations, to the satisfaction of the **Secretary**.
- Notes:*
- If the rehabilitation and revegetation works are completed to the satisfaction of the **Secretary**, the **Secretary** will release the rehabilitation bond.
 - If the rehabilitation and revegetation works are not completed to the satisfaction of the **Secretary**, the **Secretary** will call in all or part of the rehabilitation bond, and arrange for the satisfactory completion of the relevant works.
35. Within 3 months of each Independent Environmental Audit (see condition 8 of schedule 5), the Proponent **must** review, and if necessary revise, the sum of the rehabilitation bond to the satisfaction of the **Secretary**. This review must consider:
- the effects of inflation;
 - the area proposed to be disturbed in the next 3 years and any changes to the total area of disturbance; and
 - the performance of the rehabilitation to date.

HERITAGE

Aboriginal Cultural Heritage Management Plan

36. The Proponent **must** prepare an Aboriginal Cultural Heritage Management Plan for the project to the satisfaction of the **Secretary**. This plan must:
- (a) be prepared in consultation with **OEH and Registered Aboriginal Parties**, and be submitted to the **Secretary** for approval prior to any ground disturbance; and
 - (b) be prepared by suitably qualified and experienced person/s;

- (c) be submitted to the Secretary for approval within 3 months of approval of Modification 2;
- (d) include a protocol for monitoring ground disturbance associated with construction activities or quarrying operations;
- (e) describe the measures to be implemented on the site or within any offset area to:
 - (i) ensure all workers on the site receive suitable Aboriginal cultural heritage inductions prior to carrying out any activities which may cause impacts to Aboriginal objects or Aboriginal places, and that suitable records are kept of these inductions;
 - (ii) protect, monitor and manage Aboriginal objects and Aboriginal places identified (including any proposed archaeological investigations and salvage measures);
 - (iii) protect Aboriginal objects and Aboriginal places located outside the approved disturbance area from impacts of the development;
 - (iv) manage any new Aboriginal objects or Aboriginal places discovered during the life of the project;
 - (v) maintain and manage reasonable access for relevant Aboriginal stakeholders to Aboriginal objects and Aboriginal places (outside of the approved disturbance area); and
 - (vi) facilitate ongoing consultation and involvement of Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site.

The Proponent must implement the Aboriginal Cultural Heritage Management Plan as approved by the Secretary.

- 36A. If human remains are discovered on site, then all work surrounding the area must cease, and the area must be secured. The Proponent must immediately notify NSW Police and OEHL, and work must not recommence in the area until authorised by NSW Police and OEHL.
- 36B. If any Aboriginal object or Aboriginal place is discovered on the site:
- (a) all work in the immediate vicinity of the object or place must cease immediately;
 - (b) a 10 metre buffer area around the object or place must be cordoned off; and
 - (c) OEHL must be contacted immediately.
- 36C. Work in the immediate vicinity may only recommence if:
- (a) the potential Aboriginal object or Aboriginal place is confirmed by OEHL upon consultation with the Registered Aboriginal Parties not to be an Aboriginal object or Aboriginal Place; or
 - (b) the Aboriginal Cultural Heritage Management Plan is revised to include the Aboriginal object or Aboriginal place and appropriate measures in respect of it, to the satisfaction of the Secretary; or
 - (c) the Secretary is satisfied as to the measures to be implemented in respect of the Aboriginal object or Aboriginal place and makes a written direction in that regard.

TRAFFIC AND TRANSPORT

Road Haulage

37. Prior to transporting any extractive material from the site, the Proponent **must** ensure that the intersection of the site access road and the Mitchell Highway is constructed to a 'Type CHR Intersection Treatment', to the satisfaction of the RMS and the Secretary, or as otherwise accepted by the Secretary.

The road works must be constructed in accordance with the relevant RMS or AUSTRROADS standards, and signposted, marked and lit in accordance with AS:1742 – Manual of Uniform Traffic Control Devices.

38. The Proponent **must** ensure that:
- (a) the site access road is sealed between the Mitchell Highway and the infrastructure area;
 - (b) shaker grids are installed at the boundary of the weighbridge and stockpile area;
 - (c) all loaded vehicles entering or leaving the site are covered;
 - (d) all loaded vehicles leaving the site are cleaned of materials that may fall on the road, before they leave the site; and
 - (e) take all reasonable steps to minimise traffic safety issues and disruption to local road users.

Road Safety

- 38A. Within 6 months of approval of Modification 2, the Proponent must undertake a Road Safety and Condition Audit for the project, to the satisfaction of the Secretary. This audit must:
- (a) be prepared by a suitably independent and qualified expert/s;
 - (b) be prepared in consultation with RMS;
 - (c) assess the safety, performance and condition of the site access road/ Mitchell Highway intersection based on current use and 10 year forecast SIDRA modelling; and
 - (d) identify any measures that are required to comply with relevant Austroad standards or other relevant RMS requirements.

- 38B. Within 12 months of completing the Road Safety and Condition Audit or as otherwise agreed with RMS, the Proponent must undertake and complete any road works recommended in the Audit, to the satisfaction of RMS. If there is a dispute about the implementation of these measures, then the Proponent may refer the matter to the Secretary for resolution.
- 38C. The Proponent must prepare a Traffic Management Plan for the project to the satisfaction of the Secretary. This plan must:
- (a) be prepared by suitably qualified and experienced person/s;
 - (b) be submitted to the Secretary for approval within 3 months of approval of Modification 2;
 - (b) be prepared in consultation with RMS and Council;
 - (c) include details of all transport routes and traffic types to be used for project-related traffic;
 - (d) describe the processes in place for the control of truck movements entering and exiting the site;
 - (e) include details of the measures to be implemented to minimise traffic safety issues and disruption to local road users, including minimising potential for conflict with school buses and stock movements;
 - (f) include a Drivers' Code of Conduct that includes procedures to ensure that drivers:
 - (i) adhere to posted speed limits or other required travelling speeds;
 - (ii) adhere to designated transport routes;
 - (iii) implement safe and quiet driving practices; and
 - (iv) describe the measures to be put in place to ensure compliance with the Drivers' Code of Conduct; and
 - (g) propose measures to minimise the transmission of dust and tracking of material onto the surface of public roads from vehicles exiting the site.

The Proponent must implement the Traffic Management Plan as approved by the Secretary.

Parking

39. The Proponent **must** provide sufficient parking on-site for all project-related traffic, in accordance with Council's parking codes.

VISUAL

Visual Amenity

40. The Proponent **must** minimise the visual impacts of the project to the satisfaction of the **Secretary**.
- 40A. Within 6 months of the approval of Modification 2, the Proponent must establish the Western Boundary Visual Screen, as shown in Figure 1 of Appendix 1. The Proponent must maintain the visual screen for the life of the project.

Lighting Emissions

41. The Proponent **must**:
- (a) take all practicable measures to mitigate off-site lighting impacts from the project; and
 - (b) ensure that all external lighting associated with the project complies with *Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting*, to the satisfaction of the **Secretary**.

Advertising

42. The Proponent **must** not erect or display any advertising structure(s) or signs on the site without the written approval of the **Secretary**.

Note: This does not include traffic management, safety or environmental signs.

WASTE MANAGEMENT

Waste Minimisation

43. The Proponent **must** minimise the amount of waste generated by the project to the satisfaction of the **Secretary**.

EMERGENCY AND HAZARDS MANAGEMENT

Dangerous Goods

44. The Proponent **must** ensure that the storage, handling, and transport of fuels and dangerous goods are conducted in accordance with the relevant *Australian Standards*, particularly AS1940 and AS1596, and the *Dangerous Goods Code*.

Safety

45. The Proponent **must** secure the project to ensure public safety, to the satisfaction of the Executive Director, Mineral Resources.

Bushfire Management

46. The Proponent **must**:
- (a) ensure that the project is suitably equipped to respond to any fires on-site;
 - (a1) *provide for asset protection in accordance with the relevant requirements in the [Planning for Bushfire Protection \(RFS, 2006\) guideline](#); and*
 - (b) assist the rural fire service and emergency services as much as possible if there is a fire on-site.

PRODUCTION DATA

47. The Proponent **must**:
- (a) provide annual production data to **DRG** using the standard form for that purpose; and
 - (b) include a copy of this data in the Annual Review.
-

SCHEDULE 4 ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS

1. Within 3 months of this approval, the Proponent **must** notify, in writing, the landowners of all residences located within one kilometre of any of the project site boundaries of their right to request monitoring in accordance with condition 3 below.
2. If the results of the monitoring required in Schedule 3 identify that the impacts generated by the project on site are greater than the relevant impact assessment criteria, and there is no negotiated agreement in place to allow the impact, then within 2 weeks of obtaining the monitoring results the Proponent **must**:
 - (a) notify the **Secretary**, the affected landowners and tenants (including tenants of quarry-owned properties) accordingly, and provide monitoring results to each of these parties until the results show that the project is complying with the relevant criteria in Schedule 3; and
 - (b) in the case of exceedances of the relevant air quality criteria, send the affected landowners and tenants (including tenants of mine-owned properties) a copy of the NSW Health fact sheet entitled "*Mine Dust and You*" (as may be updated from time to time).

INDEPENDENT REVIEW

3. If a landowner of privately-owned land considers the project to be exceeding the relevant air quality or noise impact assessment criteria in Schedule 3, then he/she may ask the **Secretary** in writing for an independent review of the impacts of the project on his/her land.

If the **Secretary** is satisfied that an independent review is warranted, the Proponent **must** within 2 months of the **Secretary's** decision:

- (a) commission a suitably qualified, experienced and independent expert, whose appointment has been approved by the **Secretary**, to:
 - consult with the landowner to determine his/her concerns;
 - conduct monitoring to determine whether the project is complying with the relevant impact assessment criteria in Schedule 3; and
 - if the project is not complying with these criteria then:
 - determine if more than one source, including the project, is responsible for the exceedance, and if so the relative share of each source towards the impact on the land;
 - identify the measures that could be implemented to ensure compliance with the relevant criteria; and
 - (b) give the **Secretary** and landowner a copy of the independent review.
4. If the independent review determines that the project is complying with the relevant impact assessment criteria in Schedule 3, then the Proponent may discontinue the independent review with the approval of the **Secretary**.

If the independent review determines that the project is not complying with the relevant impact assessment criteria in Schedule 3, and that the project is primarily responsible for this non-compliance, then the Proponent **must**:

 - (a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent expert, and conduct further monitoring until the project complies with the relevant criteria; or
 - (b) secure a written agreement with the landowner to allow exceedances of the relevant impact assessment criteria, to the satisfaction of the **Secretary**.
 5. If the independent review determines that the relevant impact assessment criteria in Schedule 3 are being exceeded, but that more than one source, including the project, is responsible for this non-compliance, then the Proponent **must**, together with the relevant sources:
 - (a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent expert, and conduct further monitoring until there is compliance with the relevant criteria; or
 - (b) secure a written agreement with the landowner and other relevant sources to allow exceedances of the relevant impact assessment criteria in schedule 3, to the satisfaction of the **Secretary**.

SCHEDULE 5
ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. The Proponent **must** prepare an Environmental Management Strategy for the project to the satisfaction of the **Secretary**. The strategy must:
 - (a) be submitted for approval to the **Secretary** prior to the commencement of construction activities;
 - (b) provide the strategic framework for environmental management of the project;
 - (c) identify the statutory approvals that apply to the project;
 - (d) **set out** the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;
 - (e) **set out** the procedures to be implemented to:
 - keep the local community and relevant agencies informed about the operation and environmental performance of the project;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise during the course of the project;
 - respond to any non-compliance **and any incident**; and
 - respond to emergencies; and
 - (f) include:
 - **references** to the various strategies, plans and programs that are required under the conditions of this approval once they have been approved; and
 - a clear plan depicting all the monitoring to be carried out in relation to the project.

The Proponent **must** implement the **Environmental Management Strategy** as approved by the **Secretary**.

Management Plan Requirements

2. The Proponent **must** ensure that the Management Plans required under this approval are prepared in accordance with any relevant guidelines, and include:
 - (a) **a summary of relevant background or baseline data**;
 - (b) a description of:
 - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - any relevant limits or performance measures/criteria; and
 - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures;
 - (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
 - (d) a program to monitor and report on the:
 - impacts and environmental performance of the project; and
 - effectiveness of any management measures (see (c) above);
 - (e) a contingency plan to manage any unpredicted impacts and their consequences;
 - (f) a program to investigate and implement ways to improve the environmental performance of the project over time;
 - (g) a protocol for managing and reporting any:
 - incidents;
 - complaints;
 - non-compliances with statutory requirements; and
 - exceedances of the impact assessment criteria and/or performance criteria; and
 - (h) a protocol for periodic review of the plan.

*Note: At the discretion of the **Secretary**, some of these requirements may be waived where they are either not relevant or necessary.*

Annual Review

3. By 31 March 2012, and annually thereafter, the Proponent **must** review the environmental performance of the project to the satisfaction of the **Secretary**. This review must:
 - (a) describe the works (including rehabilitation) that were carried out in the previous calendar year, and the works that are proposed to be carried out over current calendar year;
 - (b) include a comprehensive review of the monitoring results and complaints records of the project over the past year, which includes a comparison of these results against:
 - the relevant statutory requirements, limits or performance measures/criteria;
 - the monitoring results of previous years; and
 - the relevant predictions in the **documents listed in condition 2(a) of Schedule 2**;

- (c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to [rectify the non-compliance and avoid reoccurrence](#);
- (d) identify any trends in the monitoring data over the life of the project;
- (e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and
- (f) describe what measures will be implemented over the next year to improve the environmental performance of the project.

Revision of Strategies, Plans & Programs

4. Within 3 months of:
- (a) [the submission of an](#) annual review under condition 3 above;
 - (b) [the submission of an](#) incident report under condition 6 below;
 - (c) [the submission of an independent environmental](#) audit report under condition 8 below;
 - (d) [the approval of any modification of the conditions of this approval](#),
- the Proponent **must** review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the [Secretary](#).

Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.

COMMUNITY CONSULTATIVE COMMITTEE

5. The Proponent **must** establish a Community Consultative Committee (CCC) for the Project to the satisfaction of the [Secretary](#). This CCC must be operated in general accordance with the [Department's Community Consultative Committee Guidelines: State Significant Projects \(2016\)](#) to the satisfaction of the [Secretary](#).

Notes:

- *The CCC is an advisory committee only.*
- *In accordance with the Guidelines, the Committee should comprise an independent chair and appropriate representation from the Proponent, Council and the local community.*

REPORTING AND AUDITING

Incident Notification

6. The Proponent **must** immediately notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing to compliance@planning.nsw.gov.au and identify the project (including the project application number and name) and set out the location and nature of the incident.

Non-Compliance Notification

7. Within seven days of becoming aware of a non-compliance, the Proponent **must** notify the Department of the non-compliance. The notification must be in writing to compliance@planning.nsw.gov.au and identify the project (including the project application number and name), set out the condition of this approval that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

INDEPENDENT ENVIRONMENTAL AUDIT

8. By 31 December 2013, and every 3 years thereafter, unless the [Secretary](#) directs otherwise, the Proponent **must** commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:
- (a) be [led and](#) conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the [Secretary](#);
 - (b) include consultation with the relevant agencies [and the CCC](#);
 - (c) assess the environmental performance of the project and assess whether it is complying with the relevant requirements in this approval and any relevant EPL or other approval (including any assessment, plan or program required under these approvals);
 - (d) review the adequacy of strategies, plans or programs required under the abovementioned licences or approvals;
 - (e) recommend measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under these approvals; and
 - (f) be completed within 2 months of the approval of the audit team.

Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.

9. Within 6 weeks of the completing of this audit, or as otherwise agreed by the Secretary, the Proponent must submit a copy of the audit report to the Secretary and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report.

ACCESS TO INFORMATION

10. Within 3 months of this approval, the Proponent must:
- (a) make copies of the following publicly available on its website:
- the documents referred to in condition 2 of schedule 2;
 - all relevant statutory approvals for the project;
 - all approved strategies, plans and programs required under the conditions of this approval;
 - a comprehensive summary of the monitoring results for the project;
 - a complaints register, which is to be updated on a quarterly basis;
 - minutes of CCC meetings;
 - the annual reviews required under this approval (over the last 5 years);
 - any independent environmental audit of the project, and the Proponent's response to any recommendations in any audit; and
 - any other matter required by the Secretary; and
- (b) keep this information up-to-date, to the satisfaction of the Secretary.
11. Any condition of this approval that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance report and independent audit.
- Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the approval or on the environmental impact of the project, and an "environmental audit" is a periodic or particular documented evaluation of the project to provide information on compliance with the approval or the environmental management or impact of the project.*
12. Noise, blast and air quality monitoring under this approval is not required at all privately-owned residences and the use of representative monitoring locations can be used to demonstrate compliance with criteria.

APPENDIX 1
PROJECT PLANS

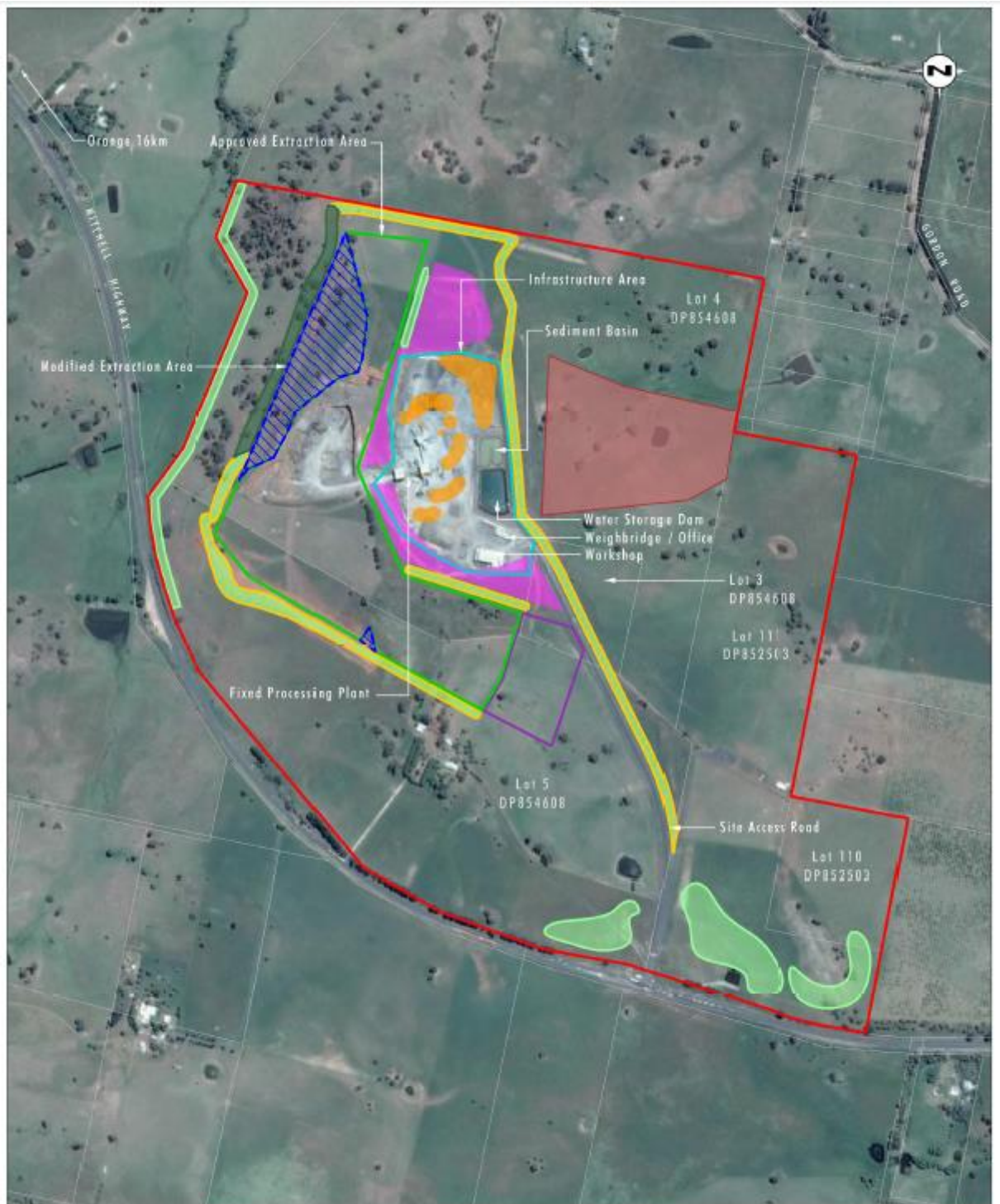


Image Source: Google Earth (November 2015)
Data Source: LPI (September 2017); Manson (2017)

0 100 250 500m
1:10 000

Legend	
 Site Boundary	 Growth Medium Storage Area
 Infrastructure Area	 Approved Visual Bund and Vegetation Screen
 Approved Extraction Area	 Approved Vegetation Screen
 Proposed Additional Extraction Area	 Proposed Vegetation Screen
 Fenced Asbestos Exclusion Zone	 Product Stockpile
 Product Stockpile	 Soil Stockpile Area

FIGURE 1.2

East Guyong Quarry and Proposed Modification

Figure 1: Project Layout

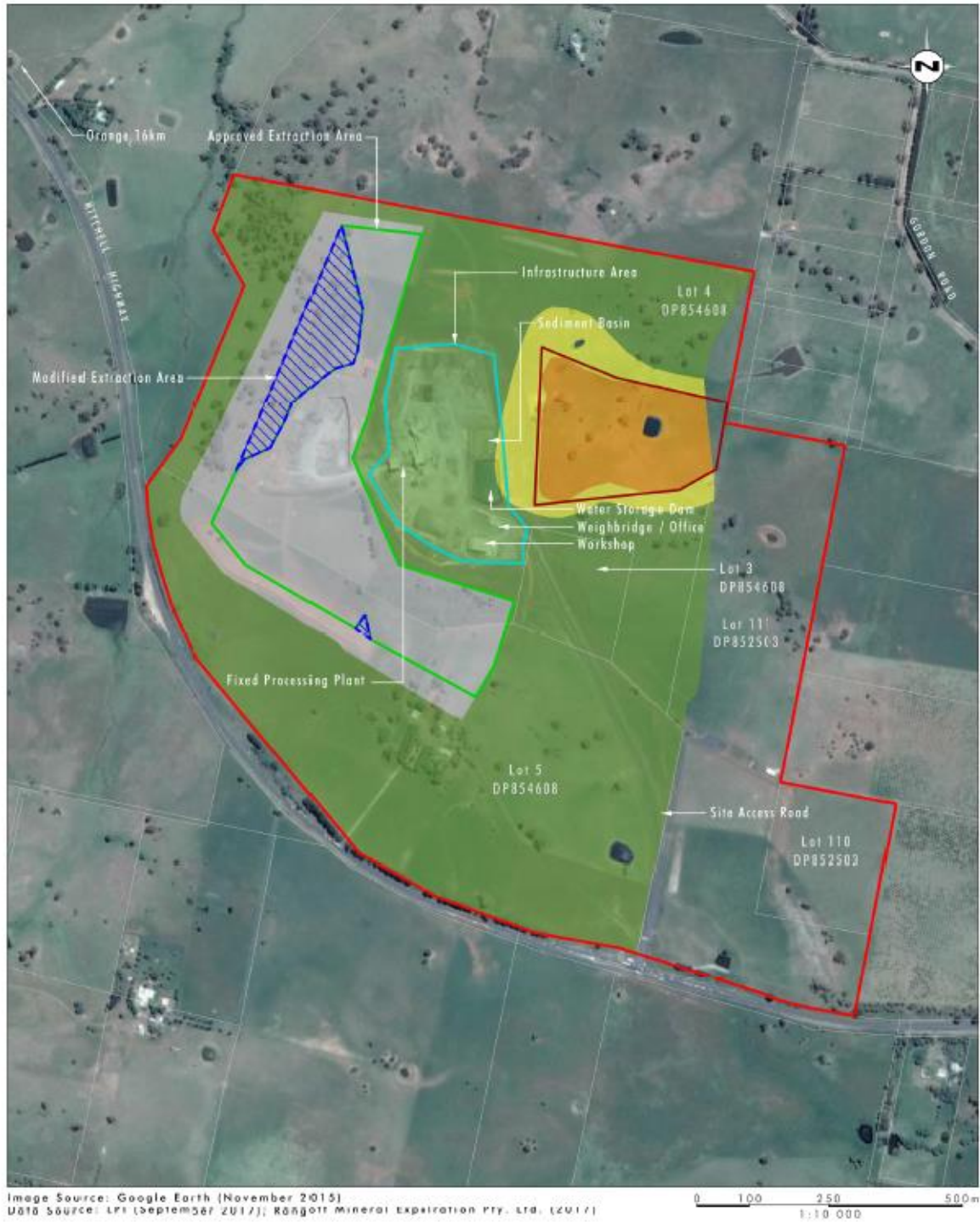


FIGURE 7.2
Asbestos Risk

Figure 2: Asbestos risk profile

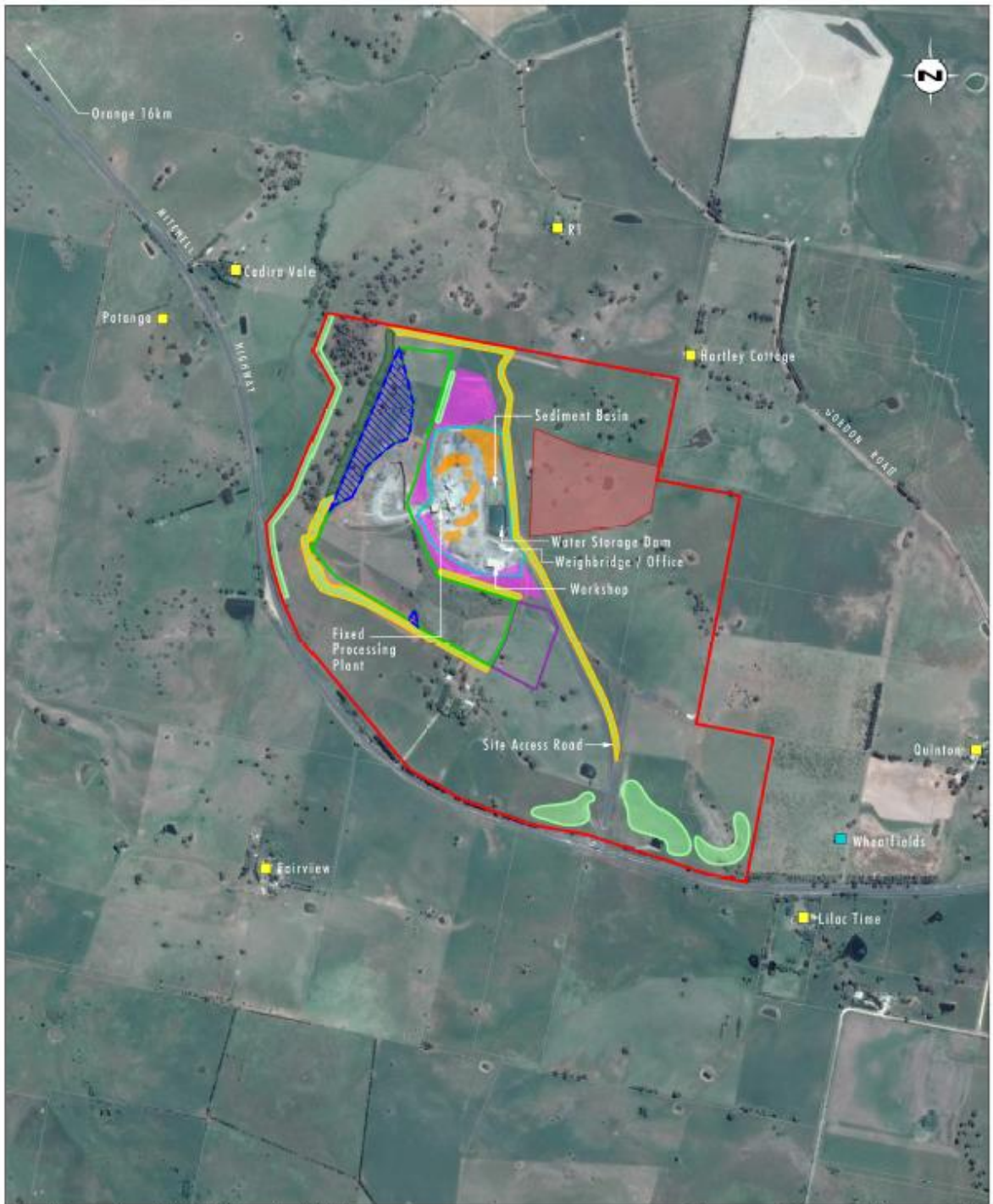


Image Source: Google Earth (November 2015)
 UoM Source: LPI (September 2017)

0 250 500 750m
 1:15 000

Legend	
 	Site Boundary
 	Sensitive Receivers
 	Quarry Owned Receiver
 	Infrastructure Area
 	Approved Extraction Area
 	Proposed Additional Extraction Area
 	Fenced Asbestos Exclusion Zone
 	Product Stockpile
 	Soil Stockpile Area
 	Growth Medium Storage Area
 	Approved Visual Band and Vegetation Screen
 	Approved Vegetation Screen
 	Proposed Vegetation Screen

FIGURE 2.2
 Sensitive Receivers and Land Use Context

Figure 3: Neighbouring residences

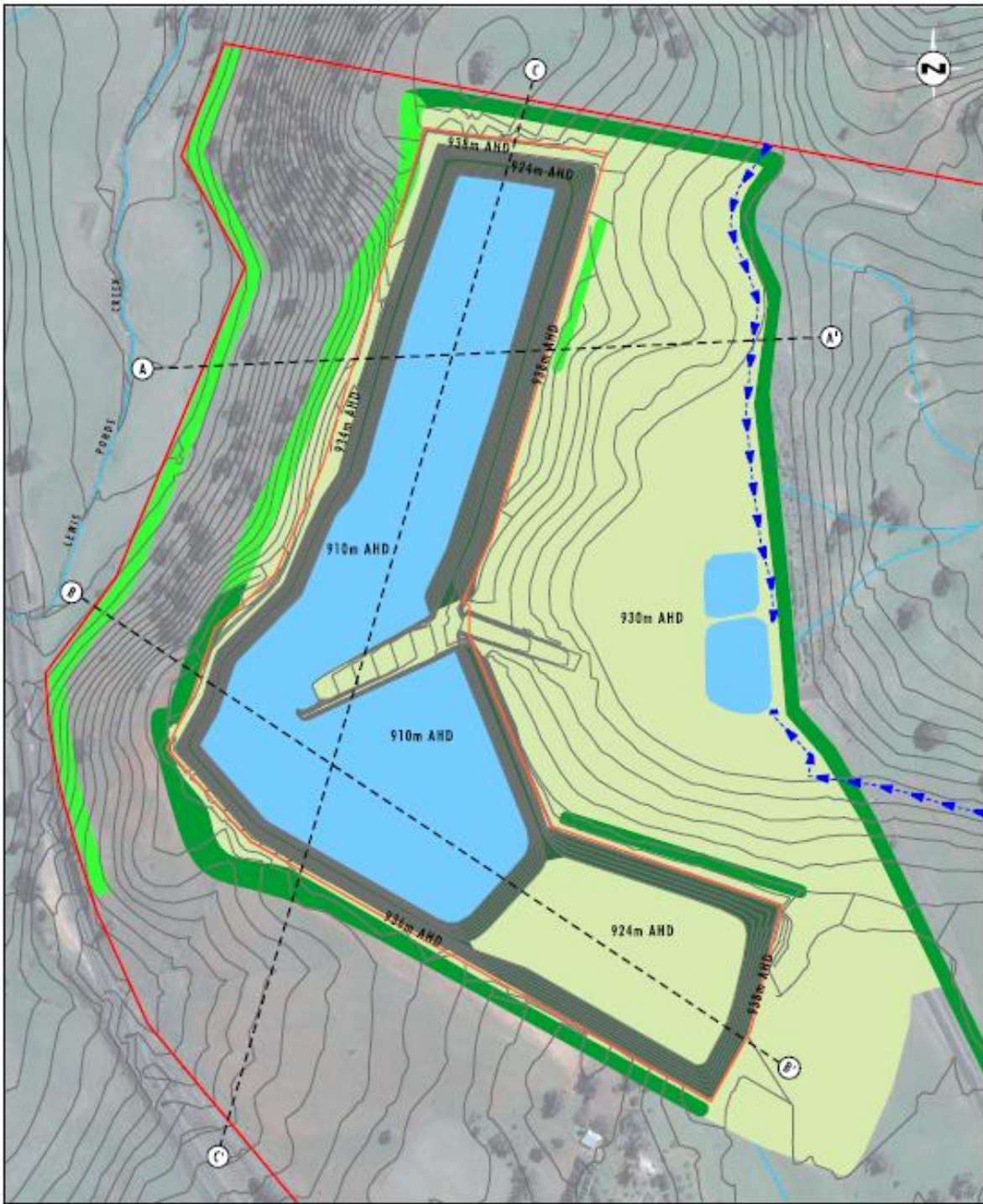


Image Source: Google Earth (2018)
 Data Source: Hanson (2017)

0 100 200 250m
 1:5000

Legend

- Site Boundary
- Extraction Area
- Vegetation Screen
- Vegetated Visual Band
- Revegetated to Pasture
- Revegetated to Native Vegetation
- Water Storage
- ▲- Clean Drainage Flow line
- - - Transect Location

FIGURE 1

Conceptual Final Landform
 and Rehabilitation Plan

File Name [A4]: R0178131_028.dgn
 20190402 15:56

Figure 4: Rehabilitation Plan

**APPENDIX 2
STATEMENT OF COMMITMENTS**

<p>Operational Controls</p>	<ul style="list-style-type: none"> • All activities will be undertaken generally in accordance with the EAR and Preferred Project Report. • Hard rock extraction and processing activities will be as follows: <ul style="list-style-type: none"> - Drill and blasting only to occur during daylight hours Monday to Saturday; - Plant processing to occur during daylight hours however this may be extended from time-to-time depending on customers needs. Notice will be provided should this be the case; and - Sales and transportation activities will occur 24 hours per day as required. • Annual production will commence at 250,000 tonnes per annum and increase to a maximum of 600,000 tonnes per annum. • The quarry will be rehabilitated and the final land form will be constructed as per Figure 4 of Appendix 1. A comprehensive Rehabilitation and Decommissioning Plan will be prepared to ensure rehabilitation objectives are achieved to a reasonable extent. The Plan will include: <ul style="list-style-type: none"> - the rehabilitation program; - native vegetation and fauna habitat management; - feral animal control; - fire management; - weed management; - minimisation of edge effects; - stormwater control; - control of public access; and - monitoring; and funding.
<p>Flora and Fauna</p>	<ul style="list-style-type: none"> • In order to minimise the impact of vegetation clearing the proponent will commission and commence a Vegetation Clearance Management Plan, Revegetation Plan, Feral Animal Control Management Plan, and Weed Management Plan prior to commencement of quarrying activities. These plans will be developed by a suitable qualified and experienced person and take into consideration the following: <ul style="list-style-type: none"> - Implications of meta-population dynamics; - Implications of transitional zone dynamics; - Episodic high disturbance events; - Loss of functional role of species; - Clearing of native vegetation; and removal of dead wood and dead trees; - Bush rock removal; - Invasion of exotic perennial grasses; and - Predation by European Red Fox , Feral Cats, and Rabbits.
<p>Heritage</p>	<ul style="list-style-type: none"> • The proponent will give the Orange LALC seven days notice of their intention to commence stripping of overburden or any disturbance of the existing ground to allow the land council sufficient time to arrange for a Sites Officer to be present. • All Hanson employees, contractors and the employees will be bound by the provisions of the National Parks and Wildlife Act 1974 as amended, which was in part designed to mitigate impacts to the indigenous archaeological record. • All Hanson employees, contractors and the employees will be instructed that in the event of any bone or stone artefacts, or discrete distributions of shell are unearthed during quarry activities, work should cease immediately in the area of the find, and the Orange LALC, and officers of the National Parks and Wildlife Service informed.
<p>Traffic and Access</p>	<ul style="list-style-type: none"> • The proponent will construct the driveway junction with the Mitchell Highway being compliant with the recommended layout depicted in Annexure B of the McLaren Traffic Report (Volume 3 of the EAR) report. It should be noted that all traffic channelisation works within the Mitchell Highway to involve line marking to AS1742 standards with delineation to allow adequate visibility in fog conditions. No concrete medians to be placed within the Mitchell Highway carriageway as raised concrete medians would be hazardous in the location. • The driveway between the property boundary and the Mitchell Highway carriageway should be sealed and extended to internally installed shaker

	<p>grids within the site offset by a distance of 20 metres.</p> <ul style="list-style-type: none"> On-site parking will be provided to accommodate at least 20 car spaces (16 staff, 4 visitors) and 8 trucks (up to 19m in length, to allow for semi-trailers). A further area for occasional B-Double temporary parking should also be provided. An allowance for up to 2 B-Doubles is recommended each with a bay length of 25m and a width of 3.5m. The proponent will submit a Driver Code of Practice for approval to ensure that truck drivers are made aware of the obligations of safety and environmental compliance when accessing the site and driving on the quarry property. All Hanson employee truck drivers and sub-contractors will be conditioned to adhere to the approved Driver Code of Practice. The road from the Mitchell Highway will have access and passing lanes, allowing for trucks and other vehicles to turn safely into the quarry. Where practicable, the access road will be asphalt sealed and extended to internally installed shaker grids at the boundary of the weighbridge and stockpile area. The Preferred Project site access road will adopt a route deviating away from Naturally Occurring Asbestos (NOA) affected areas following the proposed corridor as shown on Figure 1 of the Preferred Project Report. The sealed entry road will have grades of less than 15% and will be constructed with adequate erosion and drainage control measures. A minimal amount of vegetation will be cleared during the road construction and will be used as mulch or seed beds in any re-vegetation works. The recommended driveway geometric design shown in annexure B of the Traffic Impact Assessment (Vol 3 of EAR) for Proposed Hard Rock Quarry at Mitchell Highway, Guyong.
Noise	<ul style="list-style-type: none"> An Operational Noise Management Plan will be developed for the proposal and be implemented prior to extraction commencing. The plan will incorporate a noise monitoring program to monitor noise emissions and determine compliance with the project specific noise goals. The Plan will include: <ul style="list-style-type: none"> Noise monitoring on site and within the community Prompt response procedures to any community issues of concern Refinement of on-site noise mitigation measures and quarry operating procedures where practical Mechanism for discussion and negotiation with relevant property holders to assess concerns Traffic Noise Management Plan will be developed and implemented for truck movements on and accessing/exiting the site.
Air Quality	<ul style="list-style-type: none"> Dust suppression activities, such as spraying a suitable dust suppressant, will be undertaken on all unsealed quarry roads so that dust generation is minimised. A weather station monitor will be installed on-site to continuously monitor weather conditions so that quarry operations can be modified to reduce dust emitting activities and appropriate mitigations taken in response to adverse weather. An Air Quality management Plan will be developed for the proposal and be implemented prior to extraction commencing. This Plan will include air quality monitoring during construction and initial operation at the sensitive receptors as nominated in the Heggies Pty Ltd, Air Quality Impact Assessment Report of the EAR.
Groundwater	<ul style="list-style-type: none"> A Groundwater Management Plan will be developed prior to any extraction activities to the satisfaction of the Department in consultation with EPA. The Plan will include a groundwater monitoring program that includes weekly monitoring of groundwater level and quarterly monitoring of groundwater quality (electrical conductivity, pH, turbidity, arsenic, manganese and iron). The results of the monitoring are to be kept on-site and made available to the relevant authority.
Surface Water	<ul style="list-style-type: none"> Drainage controls will consist of diversion mounds, spoon drains, and shallow trenches (gutters) to divert runoff around the infrastructure area. Final details will be designed for a storm return period of one in ten years. As the first flush of runoff from disturbed areas contains the majority of suspended solids, the 3ML sediment dam controls will be designed to contain and treat these parts of the storm. To prevent clean water runoff (i.e. water from undisturbed areas) from entering the quarry and plant site (of disturbed areas) diversion mounds will be constructed around the infrastructure area. Any runoff from disturbed

	<p>areas will be diverted to a sedimentation dam as shown in Figure 1 of the Preferred Project Report. All channels will be constructed to the requirements of the Soil Conservation Service and, where necessary, channels will be protected with riprap and vegetation.</p> <ul style="list-style-type: none"> • To prevent soil erosion problems, only limited areas will be stripped ahead of the quarry pit development and heavy quarry traffic will be confined to constructed roads and quarry areas. Drainage channels will be constructed for all access roads and any crossings will be designed for the expected flows from upslope areas. All channels will be stabilised to prevent scouring. Rehabilitation will be carried out progressively following extractive operations to ensure a stable landform and to control soil erosion. • Runoff from the quarry and work areas will be collected by a system of diversion mounds and drains and directed to sedimentation dams for water clarification as shown in Figure 1 of the Preferred Project Report. There will be no dry weather discharge. Storage and settlement dams shown on Figure 1 of the Preferred Project Report will be constructed prior to quarrying. These dams will be designed to handle storms of duration equal to the time of concentration of the catchments. The design and construction of the sedimentation dams will be completed in accordance with the technical requirements of the Relevant Authority. • A licensed discharged point will be established at the junction of the eastern drainage line and the adjoining property. Prior to construction of the processing plant background monitoring of water quality will be undertaken on the eastern drainage line during periods of flow or, alternatively at existing dams located on the drainage line, for the purposes of determine whether there is an existing load of NOA contained within stormwater. • Used oils and greases will be collected and removed by a licensed contractor for disposal off site or on an approved disposal area. Diesel will be stored on site in an above ground fuel storage tank located in a bunded area. All fuel storage will be conducted in accordance with Australian Standards for storage of fuels (AS 1940- 2004 5.8.2, AS 3780-1994 5.7.2, AS 4452-1997).
Naturally Occurring Asbestos	<ul style="list-style-type: none"> • Further investigation will be undertaken to confirm the absence of NOA within the Preferred Project infrastructure area prior to commencement of construction. This investigation will be conducted under the supervision of a suitably qualified person, and the proposed methodology will be similar to that detailed in the 2009 Rangott Report. • The proponent will operate the site for the health and safety of the employees and the public by: <ul style="list-style-type: none"> - Keeping high risk areas fenced off to prevent unauthorised access, and clearly defining areas that prohibit unauthorised access; - Implementing a Naturally Occurring Asbestos monitoring plan; - Maintaining an induction system and safety management and reporting procedures; and - Maintaining plant and equipment in a safe condition.
Visual	<ul style="list-style-type: none"> • Trees will be planted to screen the plant area, as it has been previously cleared for grazing. The topsoil from this area will be stockpiled for use around the site and will be used in the rehabilitation of worked-out areas. The proposed base level for the plant site is at 924 m AHD, as shown on the plant layout plan (Figure 1 of the Preferred Project Report). • The plant site will be screened by a large continuous mound extending right around the infrastructure area and along the eastern side of the site entry road to within of 200m of the Mitchell Highway (as shown on Figure 1 of the Preferred Project Report). This large natural screen has been purposely located to avoid areas of high risk of encountering asbestiform materials at depths of less than 5m, and away from the boundaries of adjoining neighbours who will benefit from the retention of views of the valley slope.
Greenhouse Gases	<ul style="list-style-type: none"> • The proponent will continue to report annually the quarry operation's Greenhouse Gas emissions.
Environmental Management, Monitoring and Auditing	<ul style="list-style-type: none"> • The proponent will obtain an Environmental Protection Licence for the proposal in accordance with the Protection of the Environment Operations Act 1997. Three years after the commencement of the proposal, and every four years thereafter, the proponent will commission and pay the full cost of an Independent Environmental Audit of the proposal. • Within 7 days of detecting an exceedance of the limits/performance criteria in this approval or an incident causing (or threatening to cause) material

	<p>harm to the environment, the proponent shall report the exceedance/incident to EPA and any relevant agency. The report will:</p> <ul style="list-style-type: none">- describe the date, time and nature of the exceedance/incident;- identify the cause (or likely cause) of the exceedance/incident;- describe what action has been taken to date; and- describe the proposed measures to address the exceedance/incident. <ul style="list-style-type: none">• Prior to the commencement of any operations, proponent will implement, publicise and list with a telephone company a contact phone number, which will enable the general public to reach a person who can arrange appropriate response action to the enquiry. The proponent will maintain a register to record details of all enquiries received and actions undertaken in response. This record will be made available to the EPA as required.
--	---

APPENDIX 3
(deleted)

APPENDIX 4
(deleted)