

Project Approval

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

As delegate of the Minister for Planning and Infrastructure, the Planning and Assessment Commission of NSW 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 ongoing environmental management of the project.

Commission Member

Commission Member

Sydney 30 August 2012

SCHEDULE 1

Application Number:	09_0080
Proponent:	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd
Approval Authority:	Minister for Planning and Infrastructure
Land:	Lot 5 DP 857530 Lot 1 DP 729118 Lot 4 DP 588125 Lot 183 DP 1013042 Lot 1 DP 127550 Lot 101 DP 755746
Project:	Champions Quarry Project

Red Type – October 2013 Modification
Blue Type – September 2016 Modification
Green Type – August 2017 Modification

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DEFINITIONS

Annual review	The review required by condition 3 of schedule 5
BCA	Building Code of Australia
Biodiversity offset strategy	The conservation and enhancement strategy described in the documents listed in condition 2(a) of Schedule 2, and shown in the figure in Appendix 6
CCC	Community Consultative Committee
Conditions of this approval	Conditions contained in schedules 1 to 5 inclusive
Council	Lismore City Council
CPI	Australian Bureau of Statistics Consumer Price Index
Department	Department of Planning and Environment
DPI (Agriculture)	Department of Primary Industries - Agriculture
DPI (Water)	Department of Primary Industries - Water
DRG	Division of Resources and Geoscience within the Department
EA	Environmental Assessment of the project titled <i>Champions Quarry Expansion, Environmental Assessment Report</i> , prepared by ERM Pty Limited and dated February 2010; the <i>Champions Quarry Response to Submissions</i> , prepared by ERM Pty Limited and dated September 2010 and containing the proposed Quarry Management Plan; and the Preferred Project Report titled <i>Champions Quarry Expansion, Preferred Project Report</i> , prepared by ERM Pty Limited and dated December 2011
EA (MOD 1)	Modification Application MP 09_0080 MOD 1 dated April 2013
EA (MOD 2)	Modification Application MP 09_0080 MOD 2 dated February 2016, the accompanying annexures A and B and the response to submissions dated April 2016
EA (MOD 3)	Modification Application MP 09_0080 MOD 3 dated February 2017, titled <i>Annexure A – Application pursuant to Section 75W of the Environmental Planning and Assessments Act 1979</i> , and the response to submissions dated July 2017
EEC	Endangered Ecological Community, as defined under the <i>Threatened Species Conservation Act 1995</i>
EPA	NSW Environmental 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 under the <i>POEO Act</i>
Extraction Areas	The Central and Southern Extraction Areas, shown on Figure 3 in Appendix 2
Feasible	Feasible relates to engineering considerations and what is practical to build
Haulage routes	The three routes along which quarry product may be hauled from the site: <ul style="list-style-type: none"> • Route 1: north to Lismore via Wyrallah Road, Wyrallah Ferry Road, Coraki Road and Bruxner Highway; • Route 2: south along Wyrallah Road to the Pacific Highway at Woodburn; and • Route 3: south along Wyrallah Road and Broadwater Road to the Pacific Highway at Broadwater.
Incident	A set of circumstances that: <ul style="list-style-type: none"> • causes, or threatens to cause, material harm to the environment; and/or • breaches or exceeds the limits or performance measures/criteria in this approval
Land	As defined in the EP&A Act, except for where the term is used in the noise and air quality conditions in schedules 3 and 4 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
m AHD	metres Australian Height Datum
Material harm to the environment	Actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial

Minister	Minister for Planning, or delegate
Negligible	Small and unimportant, such as to be not worth considering
OEHS	Office of Environment and Heritage
Privately-owned land	Land that is not owned by a public agency or the Proponent (or its subsidiary)
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Project	The development as described in the documents listed in condition 2(a) of Schedule 2
Proponent	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, or any other person who seeks to carry out the development approved under this approval
Public infrastructure	Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications, etc.
Quarrying operations	Includes the removal of overburden and extraction, processing, handling, storage and transportation of extractive materials on site
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Rehabilitation	The restoration of land disturbed by the project to a good condition, ensuring that it is safe, stable and non-polluting and appropriately revegetated
RMS	Roads and Maritime Services
Secretary	Secretary of the Department, or nominee
Sound power testing	Measurement of the total power of sound that is emitted per unit time, measured in watts (W)
Subdivision certificate	Part 4A certificate under section 109D(1)(d) of the EP&A Act
Statement of commitments	The Proponent's commitments in Appendix 3
Site	The land listed under "Land" in schedule 1

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

1. In addition to meeting the specific performance criteria established under this approval, the Proponent **must** implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or rehabilitation of the project.

TERMS OF APPROVAL

2. The Proponent must carry out the development:
 - (a) generally in accordance with the EA, EA (MOD 1), EA (MOD 2) and EA (MOD 3); and
 - (b) in accordance with the Project Layout Plans, the Statement of Commitments and the conditions of this approval.

Notes:

- The Project Layout Plans are included in Appendix 2; and
- The Statement of Commitments is included in Appendix 3.

3. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.
4. The Proponent must comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of:
 - (a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this approval (including any stages of these documents);
 - (b) any reviews, reports or audits commissioned by the Department regarding compliance with this approval; and
 - (c) the implementation of any actions or measures contained in these documents.

SUBDIVISION

5. The Proponent may subdivide the land on site in **general** accordance with the subdivision plan shown in Appendix 4. Prior to obtaining a subdivision certificate, the Proponent **must** prepare a final subdivision plan for the land to the satisfaction of the **Secretary**.

LIMITS ON APPROVAL

Quarrying Operations

6. The Proponent may carry out quarrying operations on the site until 31 December 2038.

*Note: Under this approval, the Proponent is required to rehabilitate the site and carry out additional undertakings 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 rehabilitation of the site and those undertakings have been carried out to a satisfactory standard.*

Extractive Material Extraction

7. The Proponent must not extract extractive materials:
 - (a) outside of the Extraction Areas (other than as required for the approved construction or operation of the project);
 - (b) below a level of 12 m AHD in the Central Extraction Area; and
 - (c) below a level of 8 m AHD in the Southern Extraction Area.

Note: The Extraction Areas are shown in Figure 3 in Appendix 2.

8. The Proponent **must** not extract more than 250,000 tonnes of extractive materials from the site in any calendar year.

Extractive Material Transport

9. The Proponent **must** not:
- (a) transport more than 250,000 tonnes of extractive material from the site in any calendar year;
 - (b) dispatch more than 50 laden trucks from the site on any day; or
 - (c) dispatch more than 5 laden trucks from the site in any hour.

Note: In this condition, 'per hour' means the 60 minutes following the change of hour.

10. The Proponent **must** transport extractive material from the site on the designated haulage routes, except in circumstances where the final destination of the transported quarry products can only be accessed by other roads.

On-site Roads

11. With the exception of vehicle movements required to construct Bund A or movements of light vehicles used by quarry employees who live on Hazelmount Lane, quarry-related vehicles are not permitted to use the unsealed 'farm road' that connects the Central Extraction Area to Hazelmount Lane, or enter or exit the site from Hazelmount Lane.

SURRENDER OF CONSENTS

12. (Deleted)

13. By the end of December 2013, or as otherwise agreed by the **Secretary**, the Proponent **must** surrender the development consent (DA 2005/999) for existing operations on the site in accordance with Section 104A of the EP&A Act.

Note: The conditions or other requirements of this project approval do not prevent the continued carrying out of development which may be undertaken pursuant to DA 2005/999, prior to the surrender of that consent.

STRUCTURAL ADEQUACY

14. The Proponent **must** ensure that any 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 4A 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.

DEMOLITION

15. The Proponent **must** ensure that all demolition work on site is carried out in accordance with AS 2601-2001: *The Demolition of Structures*, or its latest version.

PROTECTION OF PUBLIC INFRASTRUCTURE

16. 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.

Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required by condition 26 to Schedule 3 of this approval.

OPERATION OF PLANT AND EQUIPMENT

17. 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 manner.

STAGED SUBMISSION OF ANY STRATEGY, PLAN OR PROGRAM

18. With the approval of the [Secretary](#), the Proponent may submit any strategy, plan or program required by this approval on a progressive basis.

Notes:

- *While any strategy, plan or program may be submitted on a progressive basis, the Proponent will need to ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times; and*
- *If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.*

PRODUCTION DATA

19. The Proponent [must](#):
- provide annual quarry production data to [DRG](#) using the standard form for that purpose; and
 - include a copy of this data in the Annual Review (see condition 4 of schedule 5).

COMPLIANCE

20. The Proponent must ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.

SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS

IDENTIFICATION OF APPROVED LIMITS OF EXTRACTION

1. Prior to carrying out quarrying operations under this approval, the Proponent **must**:
 - (a) engage a registered surveyor to mark out the boundaries of the approved limits of extraction within the Southern and Central Extraction Areas; and
 - (b) submit a survey plan of these boundaries to the **Secretary**.
2. While ever quarrying operations are being carried out, the Proponent **must** ensure that these boundaries are clearly marked at all times in a permanent manner that allows operating staff and inspecting officers to clearly identify the limits of extraction within the Southern and Central Extraction Areas.

NOISE

Bund Construction

3. The Proponent **must** construct:
 - Bund A prior to carrying out any quarrying operations on site under this approval;
 - Bund D prior to carrying out any quarrying operations within the Southern Extraction Area, **and**
 - Bund E prior to commissioning the sand washing plant within the Southern Extraction Area.
 to the satisfaction of the **Secretary**.

Note: Bund A, Bund D and Bund E are shown on the project layout plans in Appendix 2.

Noise Criteria – Project Construction

4. During periods in which Bunds A, C (stage 3 only) and D and the water re-use and water supply dams are being actively constructed, the Proponent **must** ensure that the noise generated on site does not exceed the criteria in Table 1 at any residence on privately-owned land.

Table 1: Noise Criteria - Construction

Receiver	L_{Aeq} (15 min) dB(A)
NAL 1, NAL 4 and NAL 5	45
NAL 2, NAL 2A, NAL 3 and privately-owned land along the southern end of Hazelmount Lane	42
All other receivers	40

Notes:

- Receiver locations are shown in Appendix 1.
- Noise generated by the project is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy.

Noise Criteria

5. Except for times during which Bunds A, C (stage 3 only) and D and the water re-use and water supply dams are being actively constructed, the Proponent **must** ensure that the noise generated on site does not exceed the criteria in Table 2 at any residence on privately-owned land.

Table 2: Noise Criteria

Receiver	L_{Aeq} (15 min) dB(A)
NAL 4 and NAL 5	38
NAL 2, NAL 2A, NAL 3 and privately-owned land along the southern end of Hazelmount Lane	37

NAL 1 and all other receivers	35
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Notes:

- Receiver locations are shown in [Appendix 2](#).
- Noise generated by the site is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy.

However, these criteria do not apply if the Proponent has a written agreement with the relevant landowner to exceed the criteria, and the Proponent has advised the Department in writing of the terms of this agreement.

Hours of Operation

6. The Proponent [must](#) comply with the operating hours in Table 3.

Table 3: Operating Hours

Day	Construction	Rock Hammer Operations	All Other Quarrying Operations (including on-site truck movements)
Monday – Friday	7 am to 6 pm	9 am to 12 pm and 2 pm to 4 pm	7 am to 6 pm
Saturday	8 am to 1 pm	None	8 am to 1 pm
Sundays and Public Holidays	None	None	None

Note: Maintenance activities may occur at any time provided they are inaudible at privately-owned residences.

- 6A. The following activities may be carried out outside the hours specified in Table 3:
- delivery or dispatch of materials as requested by Police or other public authorities; and
 - emergency work to avoid the loss of lives, property or to prevent environmental harm.

In such circumstances, the Proponent must notify the Secretary and affected residents prior to undertaking the activities, or as soon as is practical thereafter.

Blasting

7. The Proponent [must](#) not carry out any blasting on the site.

Operating Conditions

8. The Proponent [must](#):
- implement best practice noise management to minimise the construction, operational and traffic noise of the project;
 - minimise the noise impacts of the project during meteorological conditions when the noise limits in this approval do not apply;
 - maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired;
 - [carry out noise monitoring to determine whether the project is complying with the relevant conditions of this approval; and](#)
 - regularly assess noise monitoring data and relocate, modify, and/or stop operations on site to ensure compliance with the relevant conditions of this approval, to the satisfaction of the [Secretary](#).

Noise Management Plan

9. 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 the EPA, and submitted to the [Secretary](#) for approval prior to the construction of Bund A and/or Bund D;
 - describe the measures that would be implemented to ensure:
 - best management practice is being employed on site;

- the noise impacts of the project are minimised during any meteorological conditions when the noise limits in this approval do not apply; and
 - compliance with the relevant conditions of this approval;
- (c) describe the proposed noise management system in detail; and
- (d) include a monitoring program that:
- is capable of regularly evaluating the performance of the project, including individual items of plant such as the rock hammer and rock saw;
 - includes quarterly monitoring by a suitably qualified and experienced specialist, unless otherwise required by the Secretary;
 - includes annual sound power testing, unless otherwise agreed by the Secretary;
 - includes a protocol for determining exceedances of the relevant conditions in this approval; and
 - evaluates and reports on the effectiveness of the noise management system on site.

The Proponent must implement the approved management plan as approved from time to time by the Secretary.

AIR QUALITY

Air Quality Criteria

10. The Proponent must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated on site do not exceed the criteria in Tables 4 to 6 at any residence on privately-owned land, or on more than 25% of any privately-owned land.

Table 4: Long-Term Impact Assessment Criteria for Particulate Matter

Pollutant	Averaging period	^d Criterion
Total suspended particulates (TSP)	Annual	^a 90 µg/m ³
Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³

Table 5: Short Term Impact Assessment Criteria for Particulate Matter

Pollutant	Averaging period	^d Criterion
Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³

Table 6: Long-Term Impact Assessment Criteria for Deposited Dust

Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level
^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month

Notes to Tables 4-6:

- ^a Total impact (ie incremental increase in concentrations due to the project plus background concentrations due to all other sources);
- ^b Incremental impact (ie incremental increase in concentrations due to the project on its own);
- ^c 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.
- ^d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity agreed by the Secretary in consultation with EPA.

Operating Conditions

11. The Proponent must:

- (a) implement best management practice to minimise the dust emissions of the project;
- (a1) carry out regular air quality monitoring to determine whether the project is complying with the relevant conditions of this approval;
- (b) regularly assess air quality monitoring data and relocate, modify, and/or stop operations on site as may be required to ensure compliance with the relevant conditions of this approval,
- (c) minimise the air quality impacts of the project during adverse meteorological conditions and extraordinary events (see Note d to Tables 4-6 above);
- (d) minimise any visible off-site air pollution; and
- (e) minimise surface disturbance of the site, other than as permitted under this approval.

Air Quality Management Plan

12. The Proponent **must** prepare an Air Quality Management Plan for the project to the satisfaction of the **Secretary**. This plan must:
 - (a) be prepared in consultation with the EPA, and submitted to the **Secretary** for approval prior to the construction of Bund A and/or Bund D;
 - (b) describes the measures that would be implemented to ensure:
 - best management practice is employed;
 - the air quality impacts of the project are minimised during adverse meteorological conditions and extraordinary events; and
 - compliance with the relevant conditions of this approval;
 - (c) describes the proposed air quality management system; and
 - (d) includes an air quality monitoring program that:
 - is capable of evaluating the performance of the project;
 - includes a protocol for determining any exceedances of the relevant conditions of approval;
 - adequately supports the air quality management system; and
 - evaluates and reports on the adequacy of the air quality management system.

The Proponent must implement the approved management plan as approved from time to time by the Secretary.

SOIL & WATER

Note: The Proponent is required to obtain the necessary water licences for the project under the Water Act 1912 and/or the Water Management Act 2000.

Surface Water Supply

13. The Proponent **must** ensure it has sufficient water during all stages of the project, and if necessary, adjust the scale of quarrying operations on site to match its available supply.

Surface Water Discharges

14. The Proponent **must** ensure that all surface water discharges from the site comply with the discharge limits in any EPL which regulates water discharges from the site, or with section 120 of the POEO Act.
- 14A. Prior to operating the sand washing plant, the Proponent must construct a sediment pond with capacity of at least one megalitre to receive all discharges from that plant.

On-Site Sewage Management

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

Storage of Chemicals & Petroleum Products

16. The Proponent **must** ensure that all chemicals and/or petroleum products held on site in appropriately bunded areas with impervious flooring and of sufficient capacity to contain 110% of the largest container stored within the bund, and in accordance with Australian Standard AS1940-2004, *The Storage and Handling of Flammable and Combustible Liquids*. The flooring and bund(s) **must** be designed in accordance with:

- the requirements of relevant Australian Standards; and
- DECC's *Storing and Handling Liquids: Environmental Protection – Participants Manual*.

Water Management Plan

17. The Proponent **must** prepare a Water Management Plan for the project to the satisfaction of the **Secretary**. This plan must be prepared in consultation with the EPA and **DPI (Water)** by suitably qualified and experienced person/s whose appointment has been approved by the **Secretary**, and be submitted to the **Secretary** for approval prior to the construction of Bund A and/or Bund D.

In addition to the standard requirements for management plans (see condition 3 of schedule 5), this plan must include a:

- (a) Site Water Balance that:
 - includes details of:
 - sources and security of water supply, including contingency planning for future reporting periods;
 - water use on site;
 - water management on site;
 - reporting procedures, including comparisons of the site water balance each calendar year; and
 - describes the measures that would be implemented to minimise clean water use on site;
- (b) Surface Water Management Plan, that includes:
 - detailed baseline data on surface water flows and quality in the water-bodies that could be affected by the project;
 - a detailed description of the surface water management system on site, including the:
 - clean water diversion systems;
 - erosion and sediment controls; and
 - water storages;
 - a plan for extracting, handling, and emplacing any long-term potentially acid forming material identified on site;
 - detailed plans, including design objectives and performance criteria, for:
 - the water storage dams;
 - reinstatement of drainage lines on the rehabilitated areas of the site;
 - control of water pollution from rehabilitated areas of the site;
 - performance criteria, including trigger levels for investigating any potentially adverse impacts, for:
 - the water management system;
 - surface water quality of local water ways and the Tuckean Swamp and associated wetland; and
 - ecosystem health of local water ways and the Tuckean Swamp and associated wetland;
 - performance criteria for surface water quality attributes relevant to water quality impacts on biological diversity and aquatic ecological integrity, including salinity, heavy metals, sediment load, pH, hardness and biological oxygen demand;
 - a program to monitor:
 - the effectiveness of the water management system;
 - surface water flows and quality in local water ways and the Tuckean Swamp and associated wetland; and
 - ecosystem health of local water ways and the Tuckean Swamp and associated wetland;
 - a plan to respond to any exceedances of the performance criteria, and mitigate and/or offset any adverse surface water impacts of the project; and
- (c) Groundwater Management Plan, which includes:
 - detailed baseline data on groundwater levels, yield and quality in the area, that could be affected by the project;
 - a program to augment the baseline data of the Southern Extraction Area prior to the commencement of quarrying operations in the area;
 - groundwater assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts;
 - a program to monitor:
 - groundwater inflows to the quarrying operations;

- the impacts of the project on:
 - the local alluvial aquifer;
 - any groundwater bores on privately-owned land that could be affected by the project; and
 - groundwater dependent ecosystems;
- seepage/leachate from water storages or backfilled voids on site;
- any interaction between water from the re-use dam and the local aquifer identified within nearby alluvial sediments; and
- a plan to respond to any exceedances of the groundwater assessment criteria.

The Proponent must implement the approved management plan as approved from time to time by the Secretary.

VISUAL

Establishment of Effective Vegetative Screens

18. The Proponent must vegetate (with grasses, native endemic shrubs and trees) bunds listed as A – F in the project layout plans in Appendix 2 as soon as practicable after the completion of the construction of the bunds, to the satisfaction of the Secretary.
19. The Proponent must not extract any material in the Southern Extraction Area beyond the area shown as Progression 1, as depicted in Figure 5 of Appendix 2, before:
 - (a) bunds, listed as A to D in Figure 4 of Appendix 2, are established and vegetated (with grasses, native endemic shrubs and trees); and
 - (b) the vegetated screening of planted trees to the north of the access road is established,

to the satisfaction of the Secretary.

Note: material to construct the bunds may be sourced from the proposed Extraction Areas.

Advertising Signage

20. 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 condition does not require approval for any business identification, traffic management, and/or safety or environmental signs.

Operating Conditions

21. The Proponent must:
 - (a) implement all reasonable and feasible measures to minimise the visual impacts and any off-site lighting impacts of the project; and
 - (b) maintain and improve the effectiveness of the bunds, listed as A – F in the project layout plans in Appendix 2, and all associated and other vegetative screens, over the life of the project.

Additional Visual Impact Mitigation

22. Upon receiving a written request from the owner of any residence on privately-owned land which has, or would have, significant direct views of the quarrying operations on site during the project, the Proponent must implement additional visual impact mitigation measures (such as landscaping treatments or vegetative screens) to reduce the visibility of these operations from the residence on the property.

These mitigation measures must be reasonable and feasible, and must be implemented as soon as practicable following the landowner's request.

If the Proponent and the landowner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.

Notes:

- The additional visual impact mitigation measures must be aimed at reducing the visibility of the quarrying operations on site from significantly affected residences, and are not required to be aimed at reducing the visibility of these operations from other locations on the affected properties; and
- The additional visual impact mitigation measures do not necessarily have to be located on the property itself.

TRANSPORT

Road Upgrades

23. Prior to carrying out quarrying operations under this approval, the Proponent **must** upgrade the following intersections in general accordance with the conceptual layout plans shown in the figures in Appendix 5:
- Coraki Road/Wyrallah Ferry Road intersection to provide a sealed turning path for southbound quarry trucks and quarry trucks with trailers from Coraki Road into Wyrallah Ferry Road; and
 - Wyrallah Road/Wyrallah Ferry Road intersection to provide a sealed left-turn lane for northbound quarry trucks and quarry trucks with trailers from Wyrallah Road into Wyrallah Ferry Road,
- to the satisfaction of Council.

Note: These intersection upgrades must be completed to the relevant Austroads standard.

24. Prior to carrying out any quarrying operations in the Southern Extraction Area, the Proponent **must**:
- commission a suitably qualified expert approved by the **Secretary** to undertake a road safety audit of existing approved bus stops along the haulage routes;
 - submit the report for approval to the **Secretary**; and
 - implement any recommendations of the road safety audit to upgrade these bus stops, to the satisfaction of Council.

Note: "Approved bus stops" may be approved by either Council or RMS. Any upgrades must be completed to the relevant Austroads standard.

Road Signage

25. Prior to carrying out quarrying operations under this approval, the Proponent **must**:
- clear roadside vegetation and install an intersection distance advisory sign on the approach to the Wyrallah Road/Wyrallah Ferry Road intersection to improve driver awareness of the intersection;
 - install hinged "Trucks entering" warning signs 200 metres either side of the quarry entrance, and ensure that these signs are open during hours in which the quarry is operating (see condition 6 of schedule 3); and
 - install Koala crossing signs along Wyrallah Road on either side of the quarry entrance, to the satisfaction of Council.

Road Maintenance

26. During the project, the Proponent **must** pay Council \$0.06442 per tonne per kilometre for every tonne of extractive materials in excess of 8,500 tonnes per annum transported from the site on roads for which Council is liable for road maintenance funding, in accordance with Council's *Section 94 Contributions Plan 2004* and relevant *Development Control Plan*. Each payment must be:
- based on the quantity of extractive materials transported from the site recorded by either accredited scales fitted to front-end loaders or weighbridge records;
 - paid by the date required by the invoice issued by Council; and
 - increased over the life of the project in accordance with the annual CPI.

Note: This rate is in accordance with the rate of \$0.05/tonne/kilometre set out in Council's Section 94 Contributions Plan 2004, subject to CPI adjustments since December 2003, as required under that Plan.

Parking

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

Operating Conditions

28. The Proponent **must** ensure that:
- (a) vehicles on site do not exceed a speed limit of 30 kilometres per hour;
 - (b) all loaded vehicles entering or leaving the site have their loads covered; and
 - (c) all loaded vehicles leaving the site are cleaned of sand and other materials before they leave the site, so as to avoid tracking dirt onto public roads.
29. During cane harvesting season (July to December), the Proponent **must** implement all reasonable and feasible measures to minimise project-related traffic delays and congestion at the Broadwater Road/Pacific Highway intersection.
30. The Proponent **must** implement all reasonable and feasible measures to minimise project-related heavy vehicle traffic on the haulage routes during hours in which school buses are operating on these routes, to the satisfaction of the **Secretary**.

Monitoring of Product Transport

- 30A. The Proponent **must** make, and retain for at least 3 years, records of the time of dispatch, weight of load and vehicle identification for each laden truck dispatched from the project. These records must be made available to the Department on request and a summary included in the Annual Review.

Transport Management Plan

31. The Proponent **must** prepare a Transport Management Plan for the project to the **Secretary**. This plan must:
- (a) be prepared in consultation with the RMS and Council, and submitted to the **Secretary** for approval prior to carrying out any quarrying operations;
 - (b) include a drivers' code of conduct for the project;
 - (c) describe the measures that would be implemented to ensure:
 - haulage is minimised or routes altered to avoid school buses;
 - a CB radio communication protocol is established with local bus companies, to improve driver awareness of quarry truck and school bus locations along haulage routes;
 - drivers of project-related vehicles comply with the drivers' code of conduct; and
 - compliance with the relevant conditions of this approval; and
 - (d) include a program to monitor the effectiveness of the implementation of these measures.

The Proponent **must** implement the approved management plan as approved from time to time by the **Secretary**.

WASTE

32. The Proponent **must**:
- (a) minimise the waste generated by the project; and
 - (b) ensure that the waste generated by the project is appropriately stored, handled, and disposed of,
- to the satisfaction of the **Secretary**.
33. The Proponent **must** prepare a Waste Management Plan for the project to the satisfaction of the **Secretary**. This plan must:
- (a) be prepared in consultation with EPA, and submitted to the **Secretary** for approval prior to the commencement of any processing of extracted materials;
 - (b) identify the various waste streams of the project;
 - (c) estimate the volumes of waste material that would be generated by the project;
 - (d) describe and justify the proposed strategy for disposing of this waste material; and
 - (e) include a program to monitor the effectiveness of these measures.

The Proponent **must** implement the approved management plan as approved from time to time by the **Secretary**.

ABORIGINAL HERITAGE

Human Remains

34. This approval does not allow the Proponent to disturb any human remains found on site.

Sub-Surface Investigations

35. Prior to causing any surface disturbance of the land in the sites for the:
- (a) Water Supply Dam;
 - (b) Water Reuse Dam; and
 - (c) Southern Extraction Area
- the Proponent **must** undertake targeted sub-surface archaeological investigations, in consultation with OEH and Aboriginal stakeholders, to the satisfaction of the [Secretary](#).

Heritage Management Plan

36. The Proponent **must** prepare a Heritage Management Plan for the project to the satisfaction of the [Secretary](#). This plan must:
- (a) be prepared in consultation with OEH and Aboriginal stakeholders;
 - (b) be submitted to the [Secretary](#) for approval prior to carrying out any development on site (other than the construction of bunds and vegetative screening) under this approval;
 - (c) include a detailed program for proposed targeted sub-surface archaeological investigations, including a strategic sampling methodology; and
 - (d) describe the measures that would be implemented for:
 - monitoring all new surface disturbance on site for unidentified Aboriginal objects;
 - managing the discovery of any human remains or previously unidentified Aboriginal objects on site; and
 - ensuring ongoing consultation with Aboriginal stakeholders in the conservation and management of any Aboriginal cultural heritage values on site.

[The Proponent must implement the approved management plan as approved from time to time by the Secretary.](#)

LANDSCAPE

37. [\(Deleted\)](#)

Tuckean Swamp & Wetland

38. The Proponent **must** ensure that the project has not greater than negligible environmental consequences on the Tuckean Swamp and associated wetland.

Koalas

39. The Proponent **must** ensure that the project has negligible environmental consequences for the local Koala population.

Biodiversity Offset Strategy

40. The Proponent **must** implement the Biodiversity Offset Strategy, as described in the [documents listed in condition 2\(a\) of Schedule 2](#), summarised in Table 7 and as shown in the figure in Appendix 6, to the satisfaction of the [Secretary](#).

Table 7: Biodiversity Offset Strategy

Area	Offset Type	Minimum Size (ha)
Area 1	Existing vegetation to be enhanced	1.71
Area 2	Existing vegetation to be enhanced	2.56
Area 3	Existing vegetation to be enhanced	2.14
Protected Revegetation Area	Vegetation to be established with the planting of native endemic flora species	1.5
TOTAL		7.91

Relocated Powerlines

41. The Proponent **must** ensure that any relocation of existing powerlines on site to facilitate implementation of the project has not greater than negligible environmental consequences on the approved Biodiversity Offset Strategy.

Long Term Security of Offsets

42. By the end of June 2017, unless the Secretary agrees otherwise, the Proponent **must** make suitable arrangements to provide appropriate long term security for all of the offset areas in the Biodiversity Offset Strategy as identified in Table 7, and as shown in the figure in Appendix 6, to the satisfaction of the Secretary.

Note: Mechanisms to provide appropriate long term security to the land must remain in force in perpetuity.

Rehabilitation Objectives

43. The Proponent **must** rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must be generally consistent with the proposed rehabilitation strategy in the EA, and comply with the objectives in Table 8.

Table 8: Rehabilitation Objectives

Feature	Objective
Site (as a whole)	Safe, stable & non-polluting
Surface Infrastructure	To be decommissioned and removed, unless the Secretary agrees otherwise
Benched Quarry Walls	Landscaped with native endemic flora species
Quarry Pit Floors	Suitable for grazing
Other land affected by the project	Restore ecosystem function, including maintaining or establishing self-sustaining eco-systems comprised of: <ul style="list-style-type: none">native endemic species; anda landform consistent with the surrounding environment

Progressive Rehabilitation

44. The Proponent **must** rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Interim rehabilitation strategies **must** be employed when areas prone to dust generation cannot yet be permanently rehabilitated.

Landscape Management Plan

45. 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, DRG, DPI (Agriculture) and Council;
 - be submitted to the Secretary for approval prior to carrying out any development on site (other than the construction of bunds and vegetative screening) under this approval;
 - describe how the implementation of the Biodiversity Offset Strategy would be integrated with the overall rehabilitation of the site;
 - describe the short, medium and long term measures that would be implemented to:
 - manage remnant vegetation and habitat on site;
 - implement the Biodiversity Offset Strategy; and
 - ensure compliance with the rehabilitation objectives and progressive rehabilitation obligations in this approval;
 - include detailed performance and completion criteria for evaluating the performance of the Biodiversity Offset Strategy and the rehabilitation of the site, including triggering remedial action (if necessary);

- (f) include a detailed description of the measures that would be implemented over the next 3 years, including the procedures to be implemented for:
 - ensuring compliance with the rehabilitation objectives and progressive rehabilitation obligations in this approval;
 - enhancing the quality of remnant vegetation and fauna habitat;
 - restoring native endemic vegetation and fauna habitat within the biodiversity offset areas and rehabilitation area;
 - maximising the salvage of environmental resources within the approved disturbance area – including vegetative and soil resources – for beneficial reuse in the enhancement of the biodiversity areas or rehabilitation area;
 - collecting and propagating seed;
 - ensuring negligible environmental consequences for the local Koala population;
 - minimising the impacts on native fauna on site, including undertaking appropriate pre-clearance surveys;
 - controlling weeds and feral pests;
 - controlling erosion;
 - managing grazing and agriculture on site;
 - controlling access; and
 - bushfire management;
- (g) include a consultation program regarding the potential removal of Bund A as part of the rehabilitation of the site. Receptors NAL 2 and 3, must be consulted as part of the program;
- (h) include a program to monitor the effectiveness of these measures, and progress against the performance and completion criteria;
- (i) identify the potential risks to successful implementation of the Biodiversity Offset Strategy and rehabilitation of the site, and include a description of the contingency measures that would be implemented to mitigate against these risks; and
- (j) include details of who would be responsible for monitoring, reviewing, and implementing the plan.

The Proponent must implement the approved management plan as approved from time to time by the Secretary.

Conservation & Rehabilitation Bond

46. Within 6 months of the approval of the Landscape Management Plan, the Proponent **must** lodge a Conservation and Rehabilitation Bond with the Department to ensure that the Biodiversity Offset Strategy and the rehabilitation of the site is implemented in accordance with the performance and completion criteria set out in the Landscape Management Plan. The sum of the bond **must** be determined by:

- (a) calculating the full future cost of implementing the Biodiversity Offset Strategy;
- (b) calculating the cost of rehabilitating the site, taking into account the likely surface disturbance over the next 3 years of quarrying operations; and
- (c) employing a suitably qualified quantity surveyor or other expert to verify the calculated costs;

to the satisfaction of the Secretary.

Notes:

- If capital and other expenditure required by the Landscape Management Plan is largely complete, the Secretary may waive the requirement for lodgement of a bond in respect of the remaining expenditure.
- If the Biodiversity Offset Strategy and rehabilitation of the site area are completed to the satisfaction of the Secretary, the Secretary will release the bond. If the Biodiversity Offset Strategy and rehabilitation of the site are not completed to the satisfaction of the Secretary, the Secretary will call in all or part of the bond, and arrange for the completion of the relevant works.

47. Within 3 months of the completion of each Independent Environmental Audit (see condition 9 of schedule 5), the Proponent **must** review, and if necessary revise, the sum of the Conservation and Rehabilitation Bond to the satisfaction of the Secretary. This review must consider the:

- (a) effects of inflation;
- (b) likely cost of implementing the Biodiversity Offset Strategy and rehabilitating the site (taking into account the likely surface disturbance over the next 3 years of the project); and

- (c) performance of the implementation of the Biodiversity Offset Strategy and rehabilitation of the site to date.

SCHEDULE 4 ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS

1. As soon as practicable after obtaining monitoring results showing an:
 - (a) exceedance of any relevant criteria in schedule 3, the Proponent **must** notify affected landowners in writing of the exceedance, and provide regular monitoring results to each of affected landowner until the project is again complying with the relevant criteria; and
 - (b) an exceedance of the relevant air quality criteria in schedule 3, the proponent **must** send a copy of the NSW Health fact sheet entitled “*Mine Dust and You*” (as may be updated from time to time) to the affected landowners and/or existing tenants of the land (including the tenants on land which is quarry-owned).

INDEPENDENT REVIEW

2. If an owner of privately-owned land considers the project to be exceeding the relevant 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, then within 2 months of the **Secretary's** decision the Proponent **must**:

- (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 criteria in schedule 3; and
 - if the project is not complying with these criteria, then 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.
3. If the independent review determines that the project is complying with the relevant 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 criteria in schedule 3, 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 criteria, to the satisfaction of the **Secretary**.

SCHEDULE 5 ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. If the Secretary requires, the Proponent must prepare an Environmental Management Strategy for the project to the satisfaction of the Secretary. This strategy must:
 - (a) be submitted to the Secretary for approval prior to any development being carried out on the site under this approval;
 - (b) provide the strategic framework for environmental management of the project;
 - (c) identify the statutory approvals that apply to the project;
 - (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;
 - (e) describe the procedures that would 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
 - respond to emergencies; and
 - (f) include:
 - copies of any strategies, plans and programs approved under the conditions of this approval; and
 - a clear plan depicting all the monitoring required to be carried out under the conditions of this approval.

The Proponent must implement the approved management strategy as approved from time to time by the Secretary.

Evidence of Consultation

- 1A. Where consultation with any public authority is required by the conditions of this consent, the Applicant must:
 - (a) consult with the relevant public authority prior to submitting the required document to the Secretary for approval;
 - (b) submit evidence of this consultation as part of the relevant document;
 - (c) describe how matters raised by the authority have been addressed and any matters not resolved; and
 - (d) include details of any outstanding issues raised by the authority and an explanation of disagreement between any public authority and the Applicant.

Adaptive Management

2. The Proponent must assess and manage project-related risks to ensure that there are no exceedances of the criteria and/or performance measures in schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this approval and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.

Where any exceedance of these criteria and/or performance measures has occurred, the Proponent must, at the earliest opportunity:

- (a) take all reasonable and feasible measures to ensure that the exceedance ceases and does not recur;
- (b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and
- (c) implement remediation measures as directed by the Secretary, to the satisfaction of the Secretary.

Management Plan Requirements

3. The Proponent **must** ensure that the Management Plans required under this approval are prepared in accordance with any relevant guidelines, and include:
- (a) detailed 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: The **Secretary** may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.*

Annual Review

4. By the end of March each year, the Proponent **must submit a report to the Department reviewing** the environmental performance of the project to the satisfaction of the Secretary. This review must:
- (a) describe the development (including rehabilitation) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year;
 - (b) include a comprehensive review of the monitoring results and complaints records of the project over the previous calendar 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 ensure compliance;
 - (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 current calendar year to improve the environmental performance of the project.

Revision of Strategies, Plans & Programs

5. Within 3 months of the submission of an:
- (a) annual review under condition 4 above;
 - (b) incident report under condition 7 below;
 - (c) audit report under condition 9 below; and
 - (d) any modifications to 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**. **Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted for the approval 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

6. The Proponent **must** establish and operate a CCC for the project to the satisfaction of the **Secretary**. This CCC must be operated in general accordance with the *Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects* (Department of Planning, 2007, or its latest version), and be operating prior to any development being carried out on site under this approval.

Notes:

- *The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Proponent complies with this approval.*
- *In accordance with the guideline, the Committee should comprise an independent chair and appropriate representation from the Proponent, Council, recognised environmental groups and the local community.*

REPORTING

Incident Reporting

7. The Proponent **must** immediately notify the **Secretary** and any other relevant agencies of any incident. Within 7 days of the date of the incident, the Proponent **must** provide the **Secretary** and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.

Regular Reporting

8. The Proponent **must** provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval.

INDEPENDENT ENVIRONMENTAL AUDIT

9. Within a year of the commencement of development on site under this approval, 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 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;
 - (c) assess the environmental performance of the project and whether it is complying with the relevant requirements in this approval and any relevant EPL and/or Water License (including any assessment, plan or program required under these approvals);
 - (d) review the adequacy of any approved strategy, plan or program required under the these 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 conducted and reported to the satisfaction of the Secretary.**

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

10. Within 3 months of commissioning this audit, or as otherwise agreed by the **Secretary**, the Proponent **must** submit a copy of the audit report to the **Secretary**, together with its response to any recommendations contained in the audit report, **including a timetable for the implementation of any measures proposed to address the recommendations in the report.**

ACCESS TO INFORMATION

11. Within 4 months of the date of this approval, the Proponent **must**:
 - (a) make the following information publicly available on its website:
 - the EA;
 - current statutory approvals for the project;
 - approved strategies, plans or programs;
 - a summary of the monitoring results of the project, which have been reported in accordance with the various plans and programs approved under the conditions of this approval;

- a complaints register, updated on a quarterly basis;
 - minutes of CCC meetings;
 - copies of any annual reviews (over the last 5 years);
 - any independent environmental audit, and the Proponent's response to the 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](#).

APPENDIX 1 PROJECT SITE & LAND REFERENCE PLAN

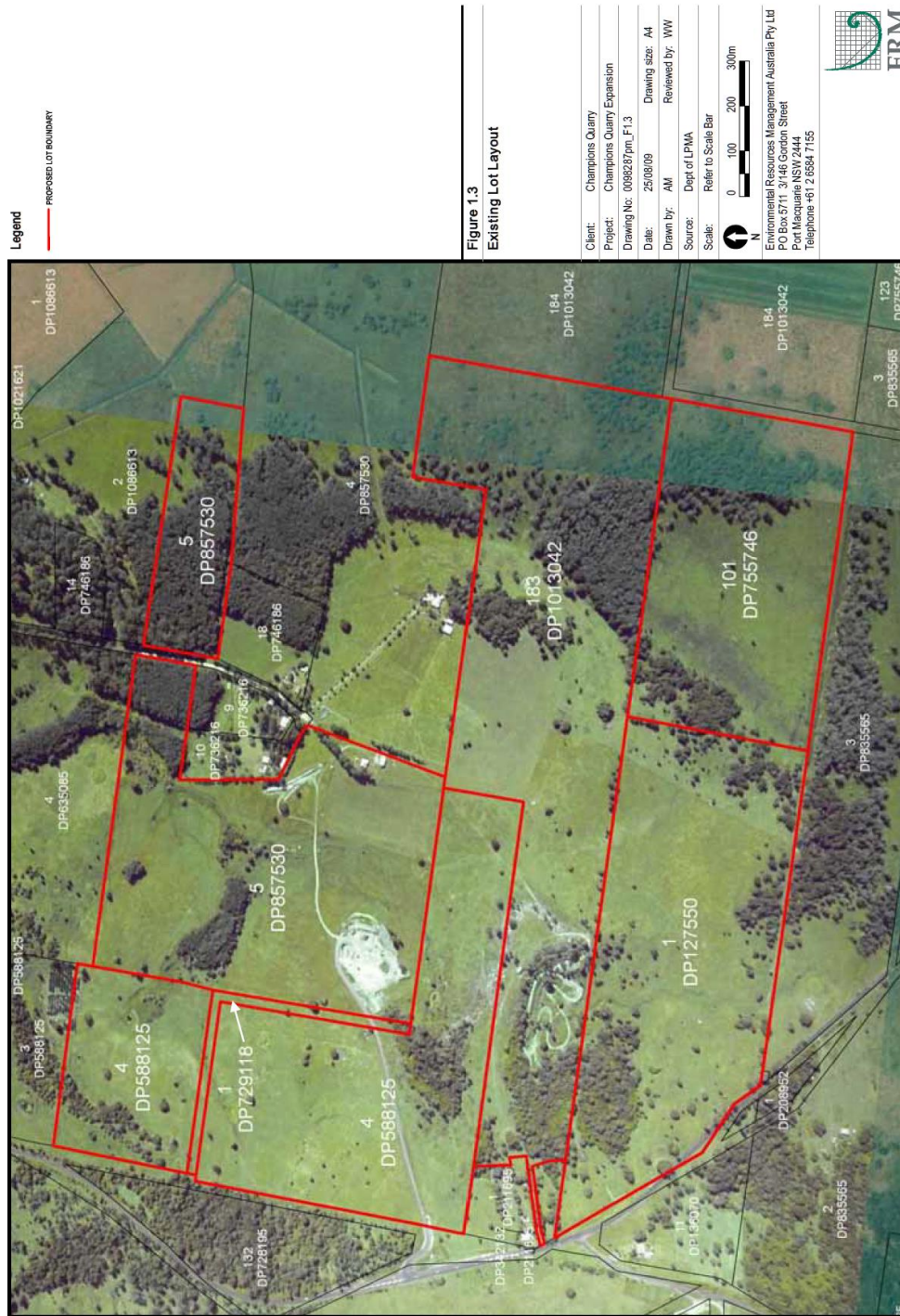


Figure 1: Property Descriptions (Lot and DP)

APPENDIX 2 PROJECT LAYOUT PLANS

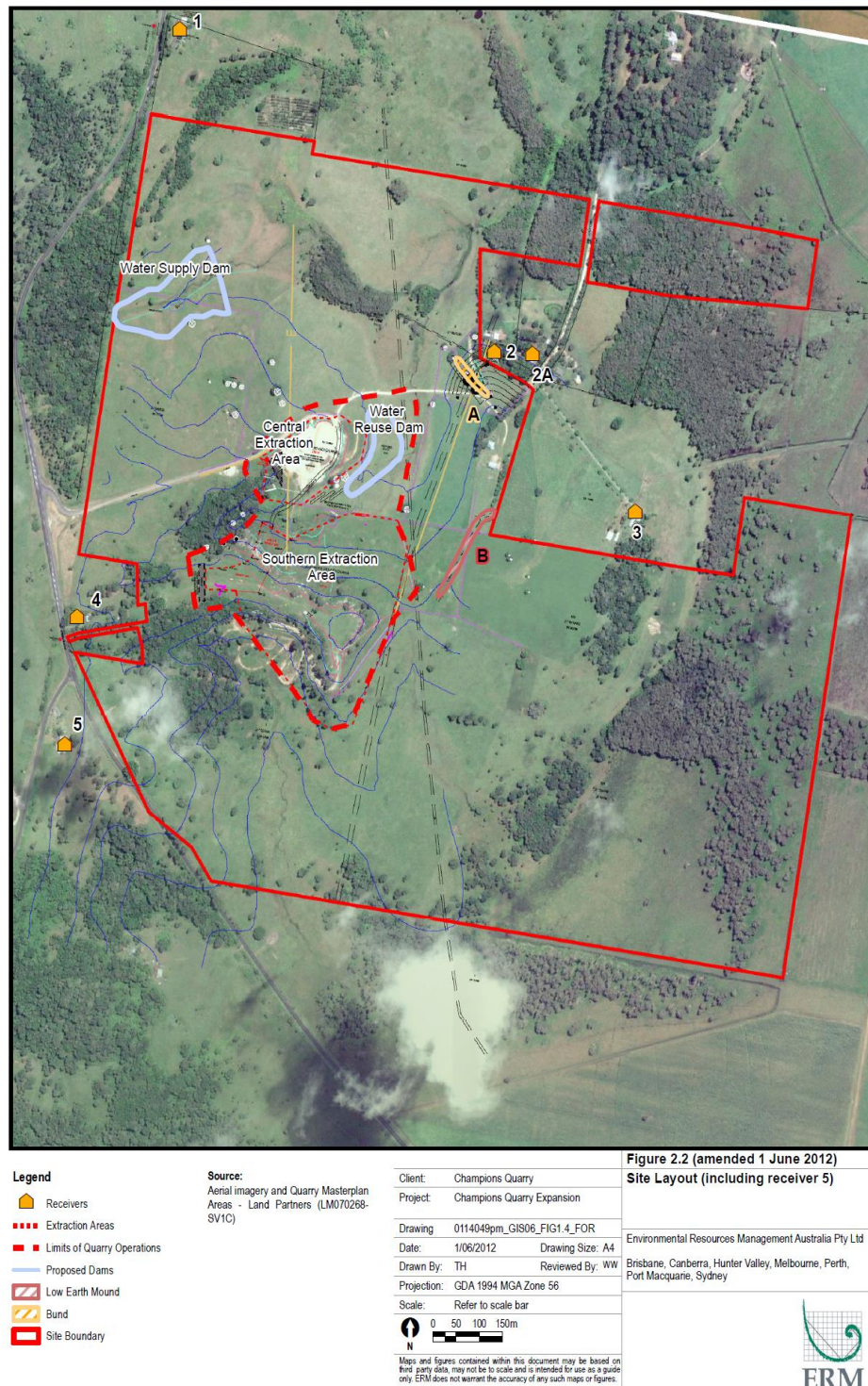


Figure 2: Project Site and Nearest Residential Receivers

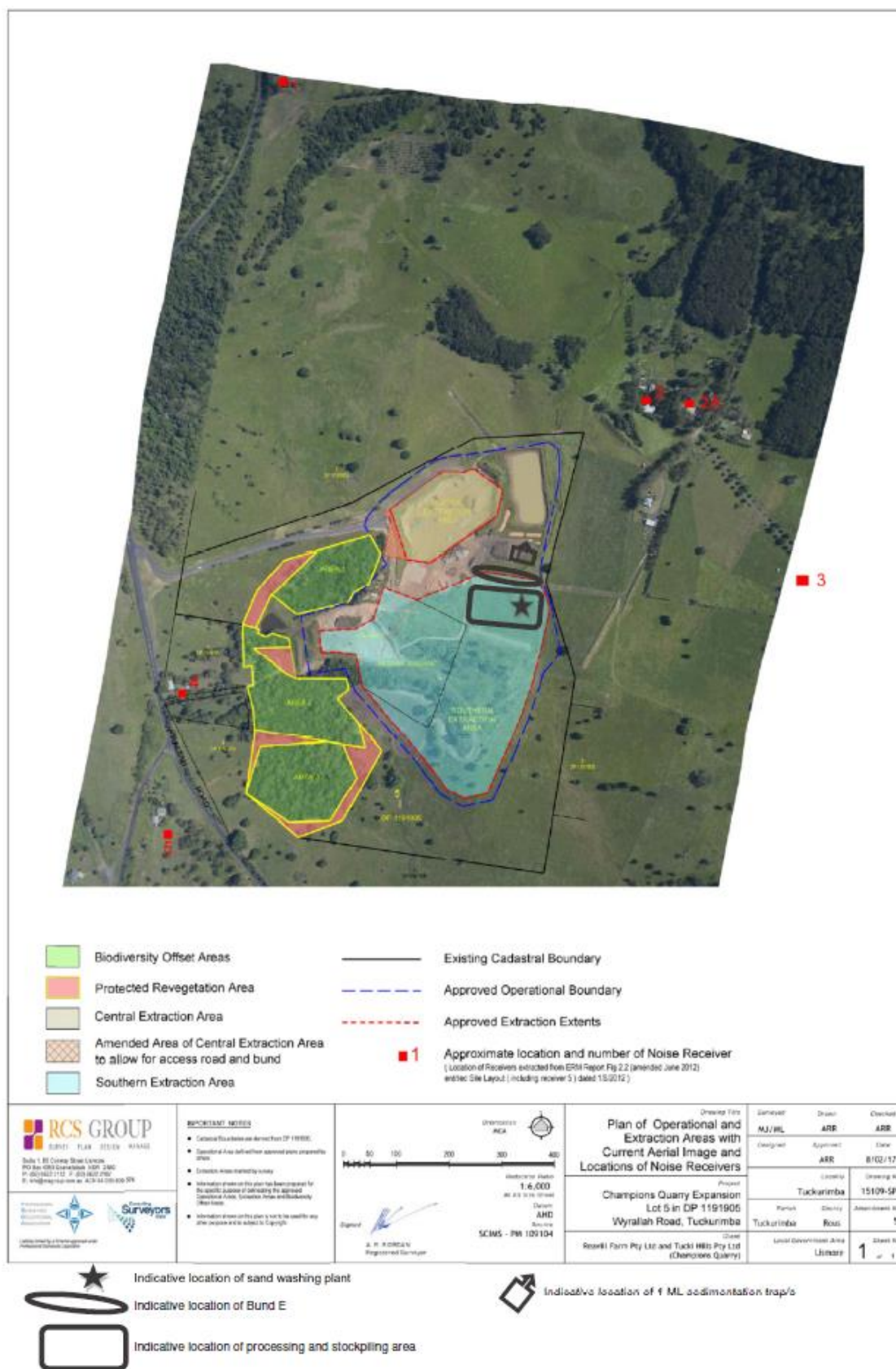


Figure 3: Site Features and Neighbouring Receivers

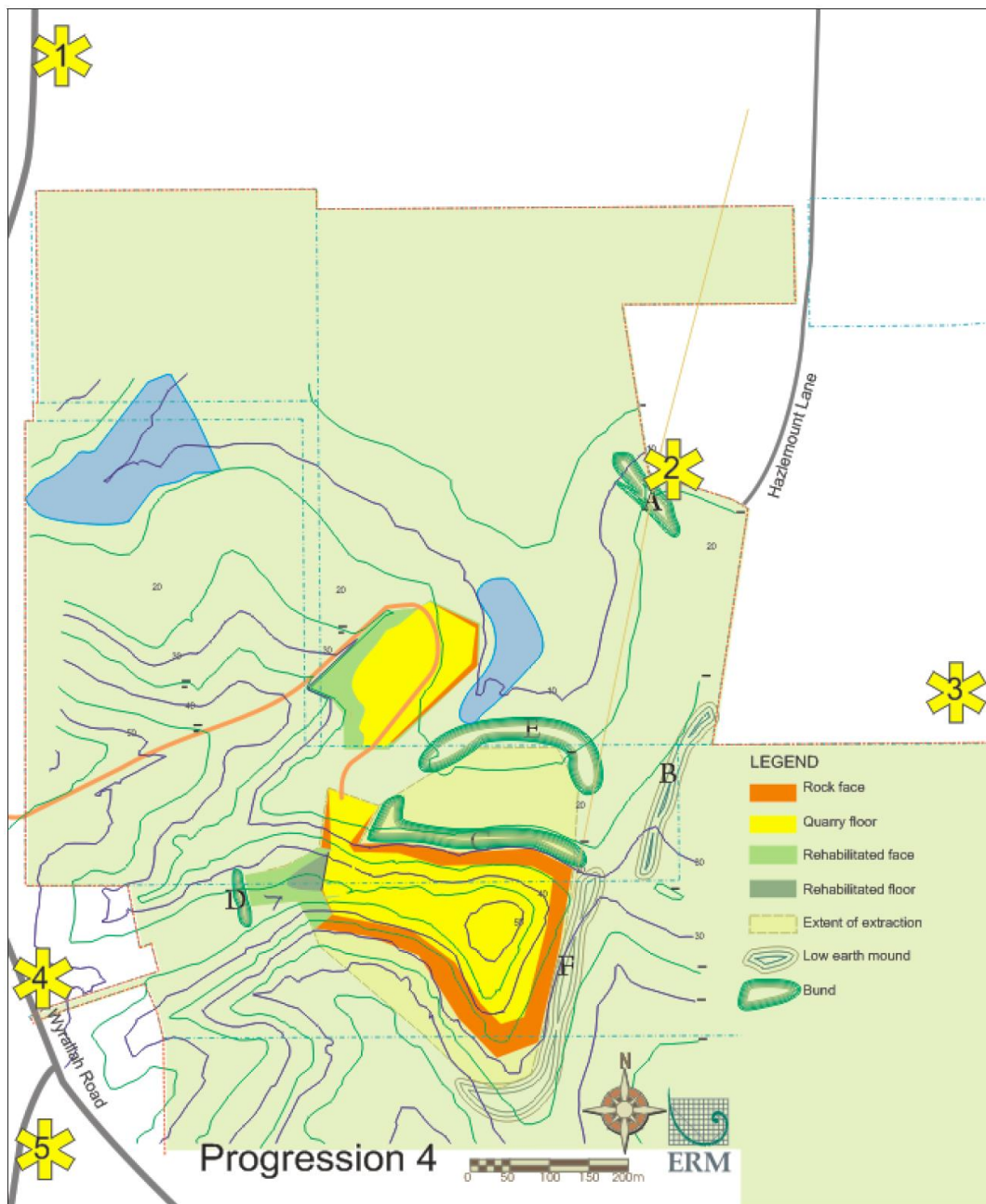


Figure 4: Indicative Locations of Bunds A – F, described in the EA

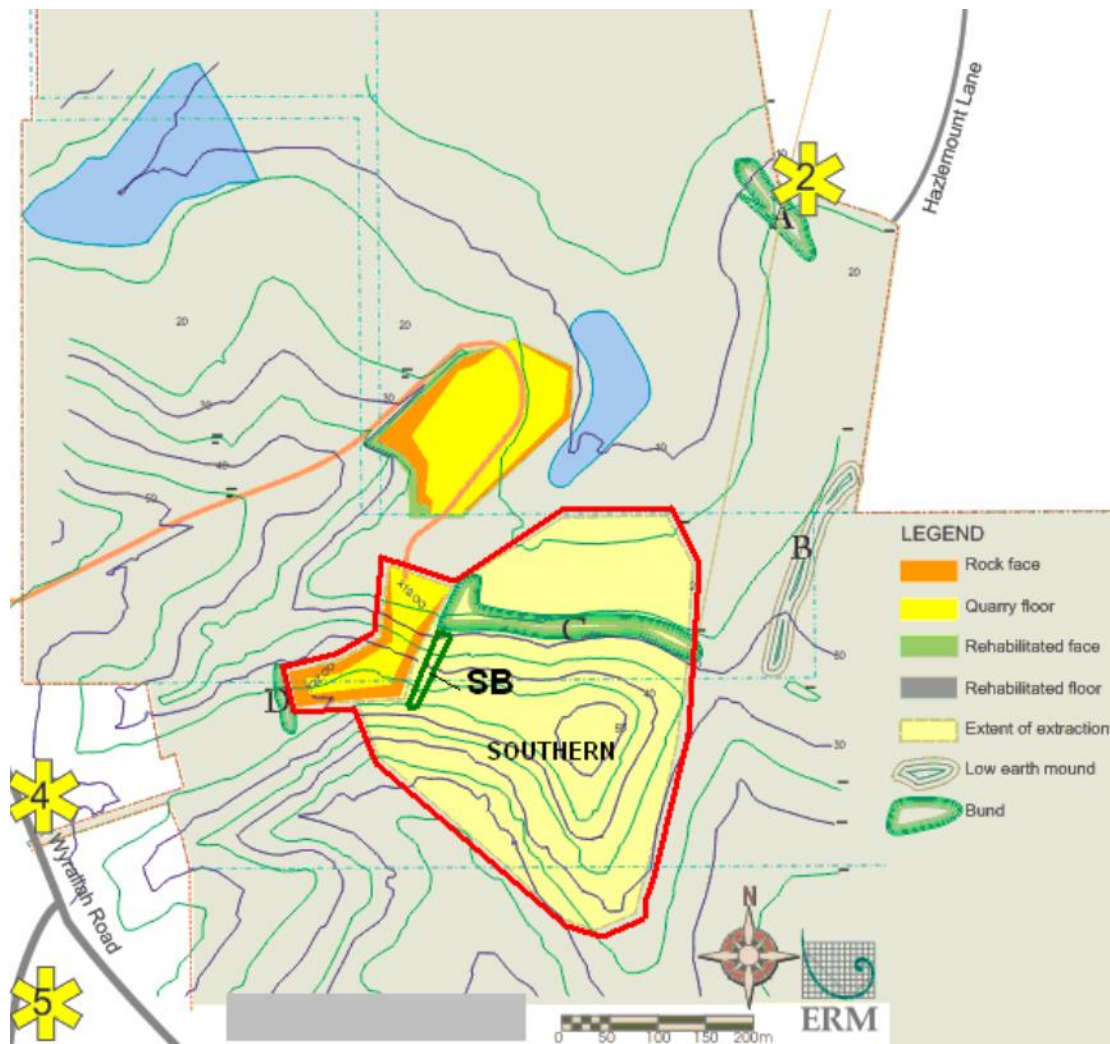


Figure 5: Initial Progression 1 within the Southern Extraction Area

APPENDIX 3 STATEMENT OF COMMITMENTS

Item Number	Item	Commitment	Responsibility	Timing
1	Scope of Development	<p>The development will be carried out as outlined in the documentation and plans listed below, except where amended by other items of this Statement of Commitments, and any conditions of approval issued by the Department of Planning and Infrastructure (DP&I) or the Office of Environment and Heritage (OEH):</p> <ul style="list-style-type: none"> Environmental Assessment (EA) report, prepared by ERM, September 2009 and supporting reports; Additional Assessment provided with the Response to Submissions report and this Preferred Project Report. Quarry Plans (refer Figures 2.5 to 2.8 of the Response to Submissions report) Preferred Project Plans (refer Plans in <i>Annex B</i> of this report) 	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Ongoing
2	Roads	<p>The primary route to and from Lismore to be via the Bruxner Highway, Coraki Road, Wyrallah Ferry Road and Wyrallah Road.</p> <p>The preferred route to and from the Pacific Highway to be Wyrallah Road or via Broadwater Road.</p> <p>The intersection of Wyrallah Road and Wyrallah Ferry Road be upgraded in the form of widening for the left turn in for heavy vehicles from Wyrallah Road (refer to <i>Figure 18</i> in <i>Appendix F</i>)</p>	<p>Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title</p> <p>Reavill Farm Pty Ltd and Tucki Hills Pty Ltd in consultation and cooperation with Lismore City Council</p>	<p>Ongoing</p> <p>Payment to Lismore City Council (as agreed in February 2009) 6 months prior to extraction commencing</p>

Item Number	Item	Commitment	Responsibility	Timing
		<p>Coraki Road and Wyrallah Ferry Road intersection upgraded in the form of widening for the left turn in to cater for heavy vehicles from Coraki Road (refer to <i>Figure 19</i> in <i>Appendix F</i> of EA (ERM, 2010)). The proposed design will require 90m² of pavement widening in conjunction with a two coat seal.</p> <p>Payment of road contributions to Lismore City Council.</p> <p>Reduction of the speed limit on Wyrallah Road from 100km/hr to 80km/hr from Tuckurimba to Wyrallah.</p> <p>Vegetation be cleared that obscures the T-junction warning sign in Wyrallah Ferry Road on the approach to the Bridge.</p> <p>A '200m' distance plate be added to the above sign.</p> <p>When the quarry has an increased truck volumes forecast for particular periods, this information to be forwarded onto the local bus companies.</p> <p>A truck warning sign, W5-22, including a suggested distance of 200 metres should be provided on Wyrallah Road on each approach to the quarry access to be displayed during hours of operation.</p>	<p>Reavill Farm Pty Ltd and Tucki Hills Pty Ltd in consultation and cooperation with Lismore City Council</p> <p>Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title</p> <p>Reavill Farm Pty Ltd and Tucki Hills Pty Ltd in consultation and cooperation with Lismore City Council</p> <p>Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title in consultation with Lismore City Council and NSW RTA.</p> <p>Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title</p> <p>Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title</p>	<p>Payment to Lismore City Council (as agreed in February 2009) 6 months prior to extraction commencing</p> <p>Ongoing</p> <p>Pending Council approval.</p> <p>Prior to extraction commencing</p> <p>Prior to extraction commencing</p> <p>Ongoing</p> <p>Prior to extraction commencing</p>

Item Number	Item	Commitment	Responsibility	Timing
3	Aboriginal Heritage	<p>All site employees/contractors will undergo site induction training that includes stop work procedure if archaeological sites are discovered.</p> <p>Information regarding heritage requirements will be made available on-site for employees/contractors.</p> <p>If an Aboriginal item is found on the Project Site all work will cease and the police (in the case of human remains), relevant Aboriginal community groups and a suitably qualified archaeologist contacted.</p> <p>Aboriginal Burial Management Plan to be in place prior to the commencement of works. This plan should be written in conjunction with the relevant stakeholder groups (such as Elders of the Bundjalung Elders Council).</p> <p>The Proponent commits to preparing and implementing an Aboriginal Cultural Heritage Management Plan (ACHMP) to the satisfaction of the Director-General following the approval of the proposed quarry expansion. This plan will:</p> <p>(1) be prepared in consultation with all relevant Aboriginal communities;</p> <p>(2) be submitted to the Director-General for approval; and</p> <p>(3) include a:</p> <ul style="list-style-type: none"> description of the measures that would be implemented to salvage any identified Aboriginal sites within the disturbance area; description of the measures that would be implemented to protect any Aboriginal sites outside the disturbance area; and description of the measures that would be implemented if any new Aboriginal objects or skeletal remains are discovered during the project 	<p>Reavill Farm Pty Ltd and Tucki Hills Pty Ltd</p> <p>As Above</p> <p>As Above</p> <p>Reavill Farm Pty Ltd and Tucki Hills Pty Ltd in consultation with relevant stakeholders and OEH</p> <p>Reavill Farm Pty Ltd and Tucki Hills Pty Ltd in consultation with relevant stakeholders and OEH</p>	<p>Ongoing</p> <p>As Above</p> <p>As Above</p> <p>Prior to extraction commencing</p> <p>Prior to extraction commencing and following approval of the quarry expansion</p>

Item Number	Item	Commitment	Responsibility	Timing
4	Ecological Considerations	<p>The biodiversity offset strategy shown in <i>Figure 6.1</i> of the Response to Submissions will be implemented through a vegetation management plan developed in consultation with OEH and the DP&I. This will be aimed at retaining and managing areas of existing vegetation outside of the operational quarry area and includes revegetation in adjoining areas. In addition, the proponent will commit to the protection and management of the offset area secured through legal enforcement of the offset strategy via a voluntary conservation agreement under the National Parks and Wildlife Act 1974 or Section 88B-E covenant of the Conveyancing Act 1919 to be negotiated by the proponent and the DP&I and OEH.</p> <p>Pre-clearance inspection of each 'work cell' prior to the commencement of clearing works to identify potential fauna habitat (e.g. fallen hollow logs, and hollow-bearing trees) and identify appropriate measures. Measures to minimise impact on fauna during clearing operations will include modified clearance of hollow-bearing trees by clearing up to the tree, nudging the tree then leaving the tree to be cleared at a later period to allow any resident fauna to relocate;</p> <p>Where potential fauna habitat identified a suitably qualified wildlife handler would be present during clearing operations to supervise clearance and rescue any individuals where required;</p> <p>Pre-clearance inspection of any trees to be felled for presence of Koalas.</p> <p>Measures to minimise impact of traffic movement on fauna includes:</p> <ul style="list-style-type: none"> limiting traffic movement to approved hours; limiting the speed of haul trucks within the <i>Project Site</i> to 30km/h; and selection of shrub species and/or tree species that do not provide a foraging resource for Koalas in visual screening proposed along the haul road; and providing a break in the screening planting near the junction of the haul road and Wyrallah Road to discourage directing terrestrial fauna on to the road. 	<p>Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title</p> <p>Reavill Farm Pty Ltd and Tucki Hills Pty Ltd and/or its successors in title</p> <p>Reavill Farm Pty Ltd and Tucki Hills Pty Ltd and/or its successors in title</p> <p>Any truck drivers requiring access to the <i>Project Site</i></p>	<p>Biodiversity Offset Strategy and Vegetation Management Plan to be developed prior to extraction commencing.</p> <p>Implementation of Plan of Management to be ongoing</p> <p>Prior to commencement of any clearing works.</p> <p>Ongoing</p>

Item Number	Item	Commitment	Responsibility	Timing
		In accordance with the relevant legislation, measures will be taken to control the growth and spread of existing Camphor Laurel and Lantana infestations in the <i>Project Site</i> .	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Ongoing
		The existing quarry has a Rehabilitation and Final Landscape Plan. The principals of this plan will be applied to the expanded quarry operation. Work cells will be progressively rehabilitated. A large part of the proposed quarry will be rehabilitated with pasture species to grazing land as currently characterises the <i>Project Site</i> . The benches would be shaped and rehabilitated with locally occurring native species. The rehabilitation will be monitored monthly to assess establishment of vegetation and progress documented by the Environmental Officer.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Ongoing
5	Noise	Provision of bunding as shown in <i>Quarry Management Plan</i> , with the exception of <i>Bund A</i> which will be constructed per Plan titled <i>LM070268-SV26G</i> as provided in <i>Annex B</i> of this report.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Prior to extraction commencing
		The operating hours of the quarry are restricted to the following: <ul style="list-style-type: none"> 7am to 5.30pm Monday to Friday; 7.30 to 3pm Saturday; and no operations to occur on Sunday or public holiday. 	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Ongoing
		Use of a rock hammer to be limited to the following times: <ul style="list-style-type: none"> 9am–12pm and 2pm–4pm (Monday to Friday); not to be used on weekends or public holidays. 	All personnel associated with extraction, processing and transportation operations Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title All personnel responsible for	Ongoing

Item Number	Item	Commitment	Responsibility	Timing																	
			operating the rock hammer																		
		'Broadband' reversing beepers or alternative non noise emitting reverse warning arrangements (i.e. communications based) will be used on all key plant rather than single frequency reversing beepers.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Ongoing																	
		The Project Specific Noise Levels (PSNL) as per the following table should be the appropriate noise limit for the project in any subsequent approval granted by the DP&L.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Ongoing																	
		<table><tr><th>Location</th><th>Period</th><th>Intrusiveness Criteria LAeq(15minute)</th><th>Amenity Criteria LAeq(Period)</th></tr><tr><td>NAL 1</td><td rowspan="4">Day</td><td>35</td><td>50</td></tr><tr><td>NAL 2</td><td>37</td><td>50</td></tr><tr><td>NAL 3</td><td>37</td><td>50</td></tr><tr><td>NAL 4</td><td>39</td><td>50</td></tr></table>	Location	Period	Intrusiveness Criteria LAeq(15minute)	Amenity Criteria LAeq(Period)	NAL 1	Day	35	50	NAL 2	37	50	NAL 3	37	50	NAL 4	39	50		
Location	Period	Intrusiveness Criteria LAeq(15minute)	Amenity Criteria LAeq(Period)																		
NAL 1	Day	35	50																		
NAL 2		37	50																		
NAL 3		37	50																		
NAL 4		39	50																		
		The proponent will conduct noise compliance monitoring at sensitive receiver locations to demonstrate compliance of the quarrying operations. This monitoring program will form part of a detailed Noise Monitoring Program to be prepared to the satisfaction of the Director General of the DP&L.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Within one month of commencing expanded quarrying operations																	

Item Number	Item	Commitment	Responsibility	Timing
		The rock hammer will only be used on-site in isolation from all other quarrying extraction and processing operations.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Ongoing
		Road traffic noise created by the haul trucks accessing the site speed limited to 30km/h and prohibiting haul trucks from using compression braking on-site.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Ongoing
		Effective placement and stockpiling of product so that where possible, plant equipment can be working behind stockpiles.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Ongoing
		Construction of a 5m earth bund as a barrier to operational plant that is not shielded by permanent bunding or leading quarry walls.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Ongoing
		Modern, well maintained industrial equipment will be used.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Ongoing
		Plant operations personnel will undergo induction training into quarry operations (i.e. lean manufacturing training), the benefits of which help to minimise unnecessary noise emissions from plant equipment	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Prior to any works commencing on site
			All personnel associated with extraction, processing and transportation operations	
		For compliance purposes, attended noise monitoring (at established permanent noise assessment locations) and plant equipment audits will be undertaken on an annual basis	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Ongoing

Item Number	Item	Commitment	Responsibility	Timing
		Sealing of the main access road from the site entrance intersection to the <i>Central Section</i> pit.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Prior to expansion of extraction activities commencing on site
6	Air Quality	Any unsealed quarry roads on the <i>Project Site</i> will be watered at a rate of 2 L/m ² /minute as required.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Ongoing
		Water sprays will be used on all mobile processing equipment and stockpiles to minimize airborne particulate matter.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Ongoing
		All trucks leaving the <i>Project Site</i> to have covers in place prior to leaving the operational area.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Ongoing
		Stockpiles of overburden and topsoil being stored for utilization in rehabilitation activities to be seeded to minimize the potential for fugitive dust.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Ongoing
7	Soil and Surface Water Management	The soil and water management regime developed in accordance with the Soil and Water Management Plan provided as an <i>Appendix of the EA</i> and accounting for the revised sediment dam calculations provided as <i>Annex B of the Response to Submissions Report</i> (ERM, 2010).	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	All water and soil water management devices to be put in place prior to construction commencing Management of water and soil to be ongoing.

Item Number	Item	Commitment	Responsibility	Timing
		The Environmental Management Plan (EMP) to be developed by the proponent will include detailed information to justify the upstream/background monitoring locations/results and clearly quantify and justify any departure from the pH limit range of 6.5–8.5. This will include a detailed surface water monitoring and review program to establish a case for any departure from the commonly prescribed range. Until such time as the case is made, and approved by the OEH and/or Director General of the DP&I, any water discharged from the site will be required to fall within the pH limit range of 6.5–8.5	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Prior to any works commencing on site and ongoing
		All tail water is to be collected in the sediment basins and/or in the waste water reuse dam.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	The quarry is to be designed and infrastructure installed to recapture all tail water before the commencement of works within the expanded quarry. The infrastructure will be progressively developed with the continued quarry expansion
8	Quarry Rehabilitation	The progressive rehabilitation approach developed within the Vegetation Management Plan, Visual Analysis and Quarry Management Plan provided as Annexure to the <i>Response to Submissions Report</i> (ERM, 2010) to be implemented.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Ongoing
		The rehabilitation program will aim to return as much of the disturbed areas to their class 3 and class 4 classifications where possible to assist in achieving the LEP zone objectives and providing opportunities for sustainable grazing in the longer term. Benching may be part of this program as is proposed.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Progressively where possible, but predominately upon quarry closure.

Item Number	Item	Commitment	Responsibility	Timing
9	Quarry Operation	The proponent commits to completing Department of Industry and Investment – Mineral Resources forms for data collection relating to quantity and value of construction materials on annual basis.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	The forms are provided to all operating quarries at the end of each financial year.
10	Visual	The noise control bund (<i>Bund A</i>) proposed in the north eastern section of the Project Site will be relocated approximately 60m to the southwest of <i>Receiver 2</i> , and beyond the existing landscape bunds in order to reduce construction noise impacts and mitigate visual impacts to the receiver.	Reavill Farm Pty Ltd and Tucki Hills Pty Ltd, and/or its successors in title	Initial construction phase.

APPENDIX 4 SUBDIVISION OF LAND

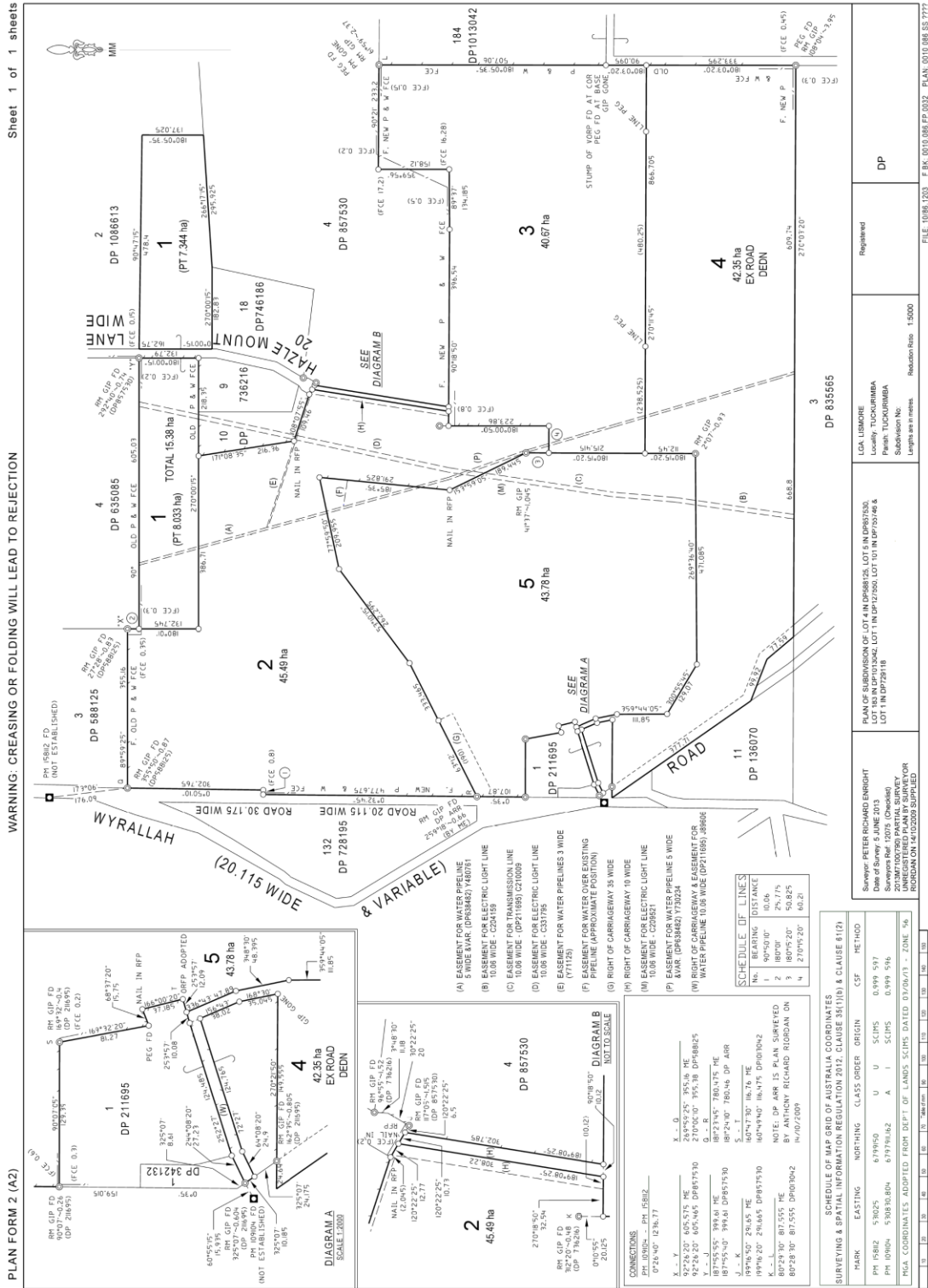


Figure 6: Lands to be Subdivided

APPENDIX 5
CONCEPTUAL LAYOUT OF INTERSECTION UPGRADES

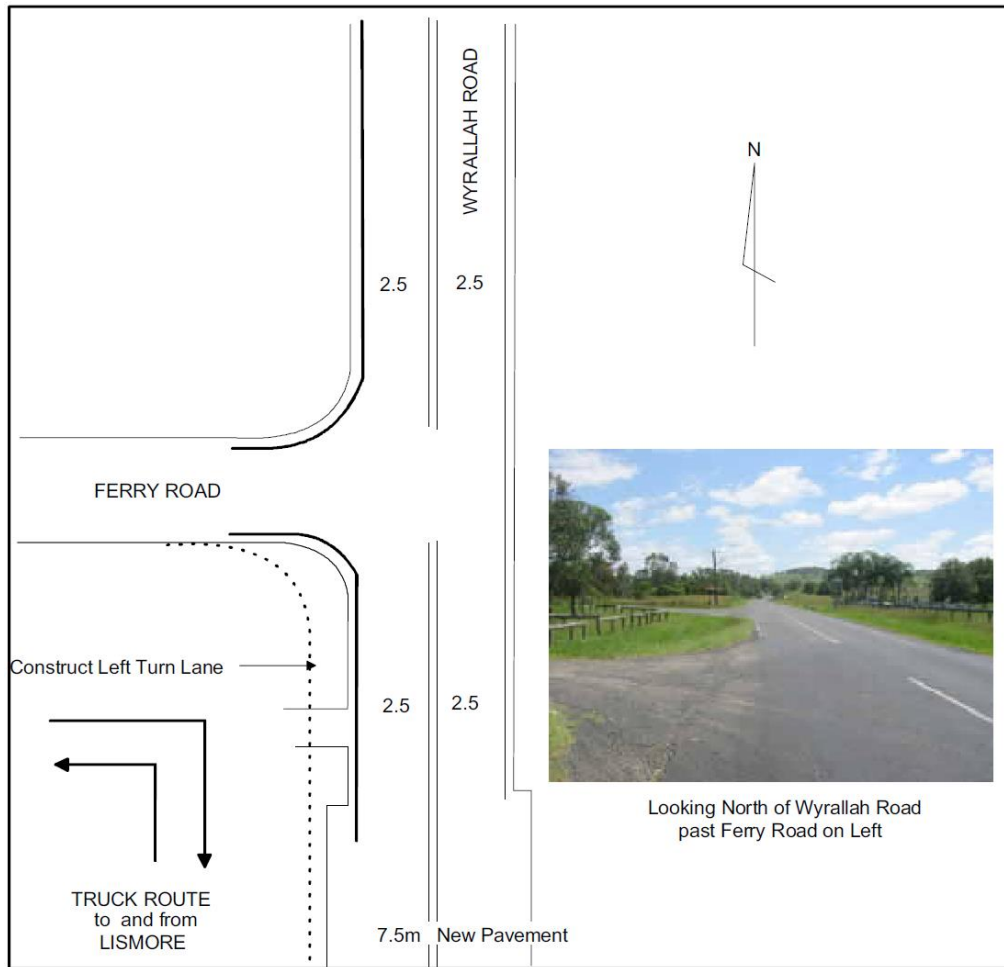


Figure 7: Wyrallah Road / Wyrallah Ferry Road Intersection Upgrade

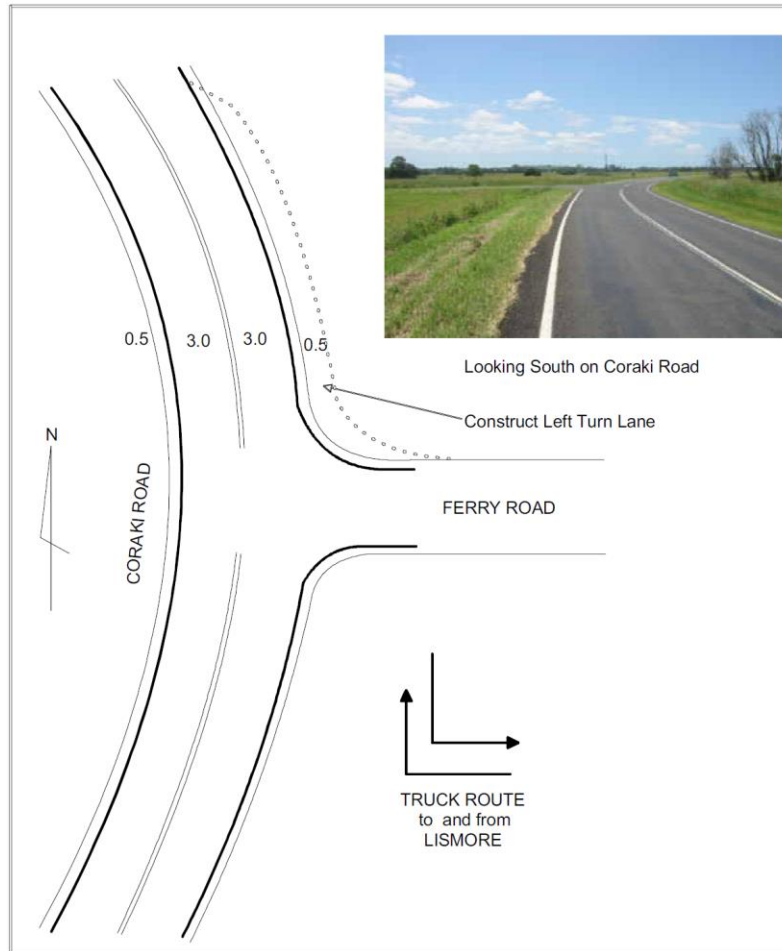


Figure 8: Coraki Road / Wyrallah Ferry Road Intersection Upgrade

APPENDIX 6 BIODIVERSITY OFFSET STRATEGY



Figure 9: Biodiversity Offset Areas and Protected Revegetation Area