

Your ref: DA2022/0107  
Our ref: 12547851

23 March 2026

Cherie Smith  
Richmond Valley Council  
Locked Bag 10  
Casino NSW 2470

## DA2022/0107 Bentley Quarry Modification - Response to Independent Environmental Audit

Dear Cherie

Please find attached the Independent Environmental Audit on Bentley Quarry, in accordance with Condition 103 and the response to the findings, in accordance with Condition 104.

### 1. Summary

ENV Solutions (ENV) were engaged to prepare the Independent Environmental Audit of Bentley Quarry in accordance with Condition 103:

*Within one year of the commencement of any development under this consent, and every five years after the Operator must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. The Audit must:*

- a. *be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by Council;*
- b. *assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL (including any assessment, plan or program required under these approvals);*
- c. *review the adequacy of any approved strategy, plan or program required under this consent;*
- d. *recommend appropriate measures or actions to improve the environmental performance of the development and any assessment, strategy, plan or program required under the abovementioned consent; and*
- e. *be conducted and reported to the satisfaction of Council.*

ENV undertook an audit of all available documentation and conducted a site inspection on 26 August 2025. The findings of the audit indicate that the development is generally compliant with the Development Conditions set out in the Development Application (DA2022/0107). Although the majority of the conditions of consent were complied with, some items were considered partially compliant, including;

- Conditions 5(h) and (i) and 78 - Incomplete truck records.
- Condition 11 - Missing volumetric surveys.
- Condition 37 - Truck passby noise monitoring not completed during noise monitoring event.
- Condition 47 - EMS missing emergency response for flyrock.
- Condition 49 and 50(d) - Incomplete air quality monitoring.
- Condition 60(b)(ii) - Trucks entering the site during restricted time hours.

- Maintenance of the current erosion and sediment controls.
- Condition 86(d) - Leachate capture system and impermeable pad for the import of waste concrete (required for EPA exemption).
- Condition 103 - Exceeding the engagement of the independent audit.

ENV considered the only major noncompliance noted during the audit was Condition 87, as below.

*‘Prior to importing onto the site any concrete waste or any other material that may be classified as a waste under the EPA Waste Classification Guidelines 2009 (or its latest version), the Operator must obtain a ‘resource recovery exemption’ under the POEO Act and provide evidence of this exemption to Council.’*

A copy of the IEA is provided in Attachment 1.

In accordance with Condition 104, Table 1 provides a response to the recommendations contained the IEA, and a timetable for the implementation of the recommendations.

**Table 1** IEA recommendation response

Condition	Recommendation	Response
Conditions 5(h) and (i)	Ensure all truck movements are provided and detailed in future Annual Reviews.	Technical issues with the weighbridge mean recording truck movements continues to be a problem. Bentley Quarry are continuing to try and resolve the issue with the supplier and once fixed, the records will be provided in the Annual Reviews.
Condition 11	Undertake volumetric survey for future financial years.	A volumetric survey was completed on 15 September 2025. In future surveys will be completed to align with the financial year and Annual Review.
Condition 37	Ensure typical truck movements are collected during monitoring to ensure compliance.	During the monitoring no quarry trucks movements on the public road network was observed. Reasons for this included noise monitoring locations did not have direct line of sight to the road and or no truck movements needed to enter/exit the site during measurements. The monitoring was done by an experienced acoustic consultant. Based on their observations (existing traffic volumes, vehicle composition, etc) and recorded noise levels, they anticipate that the noise contributions of the site associated truck movements would be within the RNP criteria, as reflected in the 2024 Compliance Noise Monitoring report.
Condition 47	Update EMS to include flyrock emergency response.	Fly rock emergency response procedures will be included in the next review of the EMS.
Condition 49 and 50(d)	Recommend removing PM10 and TSP annual monitoring due to significant costs of monitoring compared to DDG. Recommend conducting a risk assessment for Council and EPA to review. Include a provision to conduct real time PM10 and TSP in response to complaints or persistent DDG exceedances.	The recommended changes will be included in the next review of the EMS.

Condition	Recommendation	Response
Condition 60(b)(ii)	Truck movements should be limited as much as practically possible during the restricted hours. If bus movement times are generally fixed (i.e. 8:00- 8:15 am and 3:00-3:15 pm), a smaller restricted window of 15-30 minutes may be sufficient.	Bentley Quarry continues to manage the truck movements within the restricted hours. It is also proposed to modify the condition to be more practical.
Condition 78	Ensure annual, daily and hourly truck movements are recorded.	Technical issues with the weighbridge mean recording truck movements continues to be a problem. Bentley Quarry are continuing to try and resolve the issue with the supplier.
Condition 86(d)	Construct impermeable pad with leachate capture system.	Condition 86(d) requires management of leachate from waste but does not require an impermeable pad. The only waste imported to site is concrete Virgin Excavated Natural Material (VENM), which are stored in a designated location. The leachate generated by VENM and concrete is expected to be minimal. Regardless, Bentley Quarry will continue to monitor the area to ensure runoff is captured and managed appropriately.
Condition 87	Seek resource recovery exemption as per council condition and EPL.	<p>The only waste imported to site is waste concrete and VENM. The VENM has been used to construct the bunds around the perimeter of the quarry. While VENM is included in the EPA Waste Classification Guidelines, it does not have a resource recovery exemption. Rather it is exempt from requiring a resource recovery order due to Clause 39(e) of the POEO Act. It is therefore not possible to comply with this condition, although the importation and use of VENM is lawful.</p> <p>In regards to waste concrete, it was never proposed to import waste concrete under a resource recovery exemption, as indicated by the EIS. The intent was to accept waste concrete and then blend it with quarried material, which would then be classified as Recovered Aggregate in accordance with the relevant resource recovery exemption requirements.</p> <p>The EPL included condition E2.1 which required a number of requirements be satisfied, prior to waste being accepted at site. The EMS was updated to address these requirements, which was submitted to the EPA and the EPL was subsequently modified on 19/03/2024 to include the importation of &lt;50,000 tonnes of waste concrete, see Attachment 2.</p>

Condition	Recommendation	Response
		<p>The EPL also includes the importation of any amount of VENM.</p> <p>Based on the above, it is considered the intent of the condition was achieved but the condition itself requires rewording to be more appropriate. Suggested wording could be:</p> <p>Waste, as defined by the EPA Waste Classification Guidelines 2009 (or its latest version), is not to be imported to site, unless it's subject to a 'resource recovery exemption' under the POEO Act or is permitted by the EPL.</p>
Condition 103	Future audits are to be undertaken in accordance with the required timeframe	Future audits will be commenced within the required timeframe.

We trust this satisfactorily responds to the submissions but if you require any further information, please contact the undersigned.

Regards



**Ben Luffman**  
 Technical Director - Environment  
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 ben.luffman@ghd.com

Attachments

- Attachment 1 Independent Environmental Audit
- Attachment 2 Environment Protection Licence

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# **Attachments**

# **Attachment 1**

**Independent Environmental Audit**

21 November 2025

R & S Contracting Pty Ltd  
Attn: Rob Mckenzie  
1465 Bentley Road  
Bentley NSW 2480

## Independent Environmental Audit – Rev1

PROJECT NAME: Bentley Quarry

SITE ADDRESS: 1465 Bentley Road, Bentley, NSW 2480

Dear Rob,

ENV Services Pty Ltd (ENV) was engaged by R & S Contracting Pty Ltd to undertake an Independent Environmental Audit (audit) of Bentley Quarry, located at 1465 Bentley Road, Bentley, NSW (the 'site'). This letter outlines the findings of the audit carried out at the site, with reference to relevant environmental requirements set out in the Conditions of Consent for operation of the site.

The audit was carried out to meet Condition 103 of the Development Application (DA2022/0107) which requires a suitably qualified person/s to carry out an independent environmental audit of the development. According to Condition 103, the audit must:

- a) Be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by Council;
- b) Assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL (including any assessment, plan or program required under these approvals);
- c) Review the adequacy of any approved strategy, plan or program required under this consent;
- d) Recommend appropriate measures or actions to improve the environmental performance of the development and any assessment, strategy, plan or program required under the abovementioned consent; and
- e) Be conducted and reported to the satisfaction of Council.

ENV undertook an audit of all available documentation and conducted a site inspection on 26 August 2025. The findings of the audit (Attachment 1) indicate that the development is generally compliant with the Development Conditions set out in the Development Application (DA2022/0107). The site's Environmental Management Strategy (EMS) (GHD, 2023) is considered thorough and generally provides adequate environmental controls and mitigation techniques to prevent environmental harm.

Although the majority of the conditions of consent were complied with, some items were considered partially compliant, including;

- Incomplete truck records;
- Missing volumetric surveys;
- Truck passby noise monitoring not completed during noise monitoring event;
- EMS missing emergency response for flyrock;
- Incomplete air quality monitoring;

- Trucks entering the site during restricted time hours;
- Maintenance of the current erosion and sediment controls;
- Leachate capture system and impermeable pad for the import of waste concrete (required for EPA exemption); and
- Exceeding the engagement of the independent audit.

Further details regarding the partially compliant conditions are provided in Attachment 1. All partially compliant actions are to be rectified as soon as practically possible and prior to the next annual return.

During the inspection, the erosion and sediment controls near the weighbridge were observed to require maintenance. A photolog with a markup of corrective actions is provided in Attachment B (Photo 6-8). The corrective actions include removing silt from the drain running parallel to the weighbridge, laying gravel within the drain and laying gravel at the stormwater outlet. These corrective actions should be implemented as soon as possible.

The only major noncompliance noted during the audit was Condition 87, as below.

*'Prior to importing onto the site any concrete waste or any other material that may be classified as a waste under the EPA Waste Classification Guidelines 2009 (or its latest version), the Operator must obtain a 'resource recovery exemption' under the POEO Act and provide evidence of this exemption to Council.'*

ENV has been advised by GHD that a resource recovery exemption has not been sought or received from the NSW EPA. A resource recovery exemption is required for the import of waste concrete to meet Condition 87. The exemption is also required to meet condition E2.1 of the site's Environmental Protection License (EPL) (EPL 21833). A resource recovery exemption must be sought as soon as possible, and prior to any further waste material being brought to site. No additional waste material is to be brought to site until a resource recovery exemption has been sought from and granted by NSW EPA.

Should you have any queries with regards to the items addressed within this letter then please do not hesitate to contact me.

Yours Faithfully



Timothy Bischof  
Environmental Scientist  
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ENVIRONMENTAL | ASBESTOS | REMEDIATION | RESOURCE RECOVERY

**ENV Services Pty Ltd**

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**ABN:** 98 640 278 977

## Attachment 1 Audit Findings

ENV250392 BENTLEY QUARRY – Independent Environmental Audit - 21 November 2025 - Rev1

Operator: R & S Contracting Pty Ltd

DA2022/0107

NOTE: Commenced operations in April 2022.

DA Conditions	Questions/Information Request	Document Reference	Observations	Compliant	Action																																
<b>PART A: GENERAL</b>																																					
<b>OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT</b> <b>1. In addition to meeting the specific performance measures and criteria established under this consent, the Applicant 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 development.</b>			Outlined in the EMS and assessed during the annual review and this audit. The outcome of the independent audit is detailed below. The operation is considered generally compliant with minor non-compliances to address.	Generally Compliant	Address any minor non-compliances and implement suggested actions.																																
<b>TERMS OF CONSENT</b> <b>2. The Operator shall carry out the development in accordance with the conditions of this consent and generally in accordance with the:</b>		EMS, EIS and Annual Report	Generally compliant with terms of consent. Minor non compliances and issues to address are provided in detail within this report.	Generally Compliant	See specific actions and issues to address throughout audit.																																
a) Environmental Impact Statement (EIS) titled <i>Bentley Quarry Environmental Impact Statement</i> (GHD, 11 November 2021); and																																					
b) Supporting documents submitted with the EIS;																																					
c) Submissions Report titled Proposed Bentley Quarry Submissions Report (GHD 24 May 2022);																																					
d) Traffic Management Plan approved pursuant to the condition under Part 1 Deferred Commencement																																					
e) Drivers Code of Conduct approved pursuant to the condition under Part 1 - Deferred Commencement; and																																					
f) Stamped Approved Plans listed in Table 1.:																																					
<table border="1"> <thead> <tr> <th>Plan/Document Title</th> <th>Drawing No.</th> <th>Date</th> <th>Prepared By</th> </tr> </thead> <tbody> <tr> <td>Proposed Quarry Plan</td> <td>22-12547851-001</td> <td>23/11/2021</td> <td>GHD</td> </tr> <tr> <td>Proposed Quarry Sections</td> <td>22-12547851-002</td> <td>23/11/2021</td> <td>GHD</td> </tr> <tr> <td>Proposed Quarry Concept Rehabilitation Plan</td> <td>22-12547851-004</td> <td>23/11/2021</td> <td>GHD</td> </tr> <tr> <td>Site Shed Typical Details</td> <td>12547851-Site Shed</td> <td>08/08/2022</td> <td>GHD</td> </tr> <tr> <td>20m Pitless Mounted Weighbridge Structural Details</td> <td>TX10281.00</td> <td>02/11/2017</td> <td>Triaxial Consulting</td> </tr> <tr> <td>Proposed Noise Bunds</td> <td>Figure 8-1</td> <td>04/05/2022</td> <td>GHD</td> </tr> <tr> <td>Bentley Road Site Access Intersection Plan</td> <td>12547851-SKT-002</td> <td>17/11/2022</td> <td>GHD</td> </tr> </tbody> </table>	Plan/Document Title	Drawing No.	Date	Prepared By	Proposed Quarry Plan	22-12547851-001	23/11/2021	GHD	Proposed Quarry Sections	22-12547851-002	23/11/2021	GHD	Proposed Quarry Concept Rehabilitation Plan	22-12547851-004	23/11/2021	GHD	Site Shed Typical Details	12547851-Site Shed	08/08/2022	GHD	20m Pitless Mounted Weighbridge Structural Details	TX10281.00	02/11/2017	Triaxial Consulting	Proposed Noise Bunds	Figure 8-1	04/05/2022	GHD	Bentley Road Site Access Intersection Plan	12547851-SKT-002	17/11/2022	GHD					
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<b>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 consent shall ultimately prevail to the extent of any inconsistency.</b>			N/A	Compliant	N/A																																
<b>LIMITS ON CONSENT</b> <b>Quarrying Operations</b> <b>4. The Operator may carry out quarrying operations on the site for thirty years from the date that this consent becomes operative.</b>			Operations began in April 2022. Approximately 27 years remaining.	Compliant	N/A																																
<b>Production and Transportation Limits</b> <b>5. The Operator must not:</b>																																					
a) extract more than 1,266,000 tonnes of quarry product from the site under this consent;			Weighbridge documents indicate that between 16 March 2024 and 30 June 2024, 18,958.91 tonnes was extracted.	Yes																																	

DA Conditions	Questions/Information Request	Document Reference	Observations	Compliant	Action
b) extract to a depth below a level of RL49m;		Section 2 of Annual Report.	Extraction depth to RL49m to occur in Stage 3. Quarry is currently in Stage 3.	Compliant	
c) establish an in-pit sump/basin below a level of RL47m;		Section 3 of EMS.	To be installed during Stage 3.	Compliant	
d) extract more than 300,000 tonnes of quarry products, in any financial year;		Weighbridge Documents and Section 2 of Annual Review.	16 March 2024 – 30 June 2024: extracted 18,958.91 tonnes.	Compliant	
e) transport more than 300,000 tonnes of quarry products, concrete waste, ENM or VENM to or from the site in any financial year;		Section 7 of Annual Review.	108 tonnes of waste concrete imported. Extracted 18,958.91 tonnes.	Compliant	
f) process more than 2,000 tonnes of quarry products, per day;		Weighbridge Documents	Daily weighbridge details provided.	Compliant	
g) transport more than 2,000 tonnes of quarry products, concrete waste, ENM or VENM to or from the site per day;		Weighbridge Documents	Daily weighbridge details provided.	Compliant	
h) dispatch more than 70 laden trucks from the site per day;		Section 4 of Annual Review.	Truck movement log prior to 30 May was not available. Truck movements from 30 May 2024 to 30 June 2024 provided.	Partially Compliant	Ensure all truck movements are provided and detailed in future Annual Reviews.
i) dispatch more than 7 laden trucks from the site per hour.		Section 4 of Annual Review.	Transaction summary between 30 May 2024 and 30 June 2024 does not provide hourly movements. ENV understand a new weighbridge system has been installed that tracks hourly truck movements. Trucks are staged and held from leaving when required.	Partially Compliant	Ensure all truck movements are provided and detailed in future Annual Reviews.
6. Heavy Vehicles are limited to a maximum length of 20m. Heavy Vehicles must not be over mass or oversized.			Bentley Road does not allow trucks over 20m in length. No trucks over 20 are accepted onsite.	Compliant	
<b>Importation of Material</b>					
7. The Operator may receive up to 50,000 tonnes (in total) of concrete waste, ENM or VENM on the site in a financial year. No other materials classified as waste under the EPA Waste Classification Guidelines 2009 (or its latest version) may be received and processed on the site.		Section 4 of Annual Review.	Annual Review reports 108 tonnes of waste concrete imported to site. No ENM or VENM reported.	Compliant	
8. Concrete waste is to consist of clean hardened or spadable concrete that has been validated as being free of demolition waste or other general waste materials only. No demolition wastes, or similar, are to be accepted.		Section 13 of EMS.	W11 of the EMS states 'Prior to importing onto the site any concrete waste or any other material that may be classified as a waste under the EPA Waste Classification Guidelines 2009 (or its latest version), a 'resource recovery exemption' under the POEO Act will be obtained and provided to Council.'  GHD advised material was visually inspected and subsequently tested to confirm recovered aggregate. COA E25-00-1423 demonstrates compliance with recovered aggregate order. However, no exemption has been sought to import unvalidated material to site. See condition 87 for further details.	Partially compliant.	See Condition 87 for details.
<b>Use of Premises</b>					
9. The use of the premises excludes any plant and equipment hire activities and associated maintenance and repair of plant and hire equipment.		Section 11 of EMS.	Requirements included in EMS.	Compliant	
<b>PRODUCTION DATA</b>					
10. One month prior to commencing quarrying operations, the Operator must engage a registered surveyor to carry out a baseline topographical survey to determine the footprint of the existing excavations and set the benchmark against which all other surveys will be compared.		Pre-Operation Survey	Pre-Operation Survey completed by Newton Denny Chapelle 12/02/2024.	Compliant	
11. The Operator must:					

DA Conditions	Questions/Information Request	Document Reference	Observations	Compliant	Action
a) from the commencement of quarrying operations provide financial year annual quarry production data, verified by volumetric survey, including the volume of material excavated and volume of product stockpiles; and		Section 2 of EMS.	Annul review provided total quarry production. Did not include volumetric survey or product stockpiles.	Partially compliant.	Undertake volumetric survey for future financial years.
b) include a copy of this data in the Annual Review.			Annul review provided total quarry production. Did not include volumetric survey or product stockpiles.	Partially Compliant	Undertake volumetric survey for future financial years.
<b>12. Prior to the quarry extracting or transporting 100,000 tonnes of quarry material, concrete waste, ENM or VENM to or from the site in any financial year or consecutive 12 month period, the Applicant must install a weighbridge. Once installed, all heavy vehicles must be weighed on the weighbridge upon entry and exit, with a docket provided to the driver, for the remaining life of the operation.</b>		Section 2 of Annual Review.	Weighbridge installed with digital recording and docking system implemented.	Compliant	
<b>IDENTIFICATION OF APPROVED EXTRACTION LIMITS</b>					
<b>13. One month prior to commencing quarrying operations, unless otherwise agreed with the Council, the Operator must:</b>		Pre-Operation Survey	Pre-Operation Survey with extents and GPS coordinates completed.	Compliant	
a) engage a registered surveyor to mark out the boundaries of the approved limits of extraction within the site; and					
b) submit a survey plan of these boundaries with applicable GPS coordinates to the Council.					
<b>14. While quarrying operations are being carried out, the Operator must ensure that these boundaries are clearly marked at all times in a manner that allows operating staff to clearly identify the approved limits of extraction.</b>		Pre-Operation Survey	Pre-Operation Survey with extents and star pickets.	Compliant	
<b>STRUCTURAL ADEQUACY</b>	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.				
<b>15. The Operator 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.</b>					
<b>OPERATION OF PLANT AND EQUIPMENT</b>					
<b>16. The Operator must ensure that all the plant and equipment used at the site, or to monitor the performance of the development is:</b>					
a) maintained in a proper and efficient condition; and		Section 11 of EMS.	Requirements included in EMS. Heavy Vehicle Service Sheet for Units 103 & 102 provided.	Generally compliant.	Provide service records for all heavy machinery to ensure proper maintenance.
b) operated in a proper and efficient manner.					
<b>DEMOLITION</b>	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.				
<b>17. Any demolition work must comply with the provisions of AS 2601 - 2001 "The Demolition of Structures".</b>					
<b>18. Appropriate precautions shall also be taken to ensure compliance with the requirements of WorkCover Authority of NSW.</b>	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.				
<b>PROTECTION OF PUBLIC INFRASTRUCTURE</b>					
<b>19. Rehabilitation of the Bentley Road reserve and associated works approved under DA2022.0187 must be completed, other than achieving 80% planting cover prior to commencement of operations, to the satisfaction of Council.</b>		Completion Certificate RDA 2023/0027 & RVC - Engineering Site Inspection	Completion Certificate by RVC and Engineering Site Inspection by Safety Culture provided showing compliance.	Compliant	
<b>20. Any damage caused to public infrastructure (roads, footpaths, kerb and gutter, stormwater, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired to the satisfaction of Council. The repairs shall be carried out prior to the operation of the quarry under this consent.</b>  Council shall be notified in writing, prior to commencement of works, of any existing damage to roads, stormwater drainage, kerb and gutter or footpaths.		Annual Review	No damage to public infrastructure reported in Annual Review.	Compliant	

DA Conditions	Questions/Information Request	Document Reference	Observations	Compliant	Action
Absence of notification signifies that no damage exists, and the applicant is therefore liable for the cost of reinstatement of any damage found at the completion of the works.					
<b>ROAD MAINTENANCE CONTRIBUTIONS</b> 21. A contribution under Section 7.11 (1)(b) of the Environmental Planning and Assessment Act 1979, amounting to \$1.28 per tonne (rate as @ 22/7/2022) of material transported to and from the site is to be paid to Richmond Valley Council. Rates provided are correct at the time of this consent and are subject to variation annually based upon CPI. Each payment must be:	N/A. ENV is not engaged to undertake Financial Compliance as part of the Independent Environmental Audit.				
a) Paid to Council at the end of each financial year; and					
b) Based on: i. Prior to installation of the weighbridge, site records and annual volumetric survey. ii. Following installation of the weighbridge, weighbridge records of the quantity of quarry products and concrete waste, ENM or VENM transported to and from the site.					
<b>SIGNAGE</b> 22. Prior to commencement of operations, the Operator must install a business identification sign, including phone number for registering complaints.			Sign installed.	Compliant	
<b>PART B: SPECIFIC BUILDING CONDITIONS</b>					
<b>GENERAL</b> 23. Notice of Commencement of work at least two (2) days prior to any building or ancillary work being carried out must be submitted to Council on the relevant form.	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.				
24. Prior to any work commencing toilet facilities must be provided at or in the vicinity of the work site.	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.				
25. Details and certification prepared by a Practising Structural Engineer must be submitted to the certifying authority for the following prior to the issue of a Construction Certificate:					
a) site classification.	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.				
b) all footings and slabs.					
c) all bracing and tie downs including design wind speed assessment.					
d) structural steelwork. The certification must: i) certify that the design complies with the requirements of the Building Code of Australia; and ii) set out the basis on which it is given and the extent to which relevant codes of practice, specifications, rules or other publications have been relied upon. iii) Details of bore log results (if applicable)					
26. All plumbing, drainage and stormwater work must be in accordance with AS3500, All Plumbing and Drainage work must be carried out by a licensed person.	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.				
27. Prior to commencement of any Plumbing Works a Notice to Commence Plumbing Works must be lodged with Council and required inspection fees paid. Upon completion of works a Certificate of Compliance and Sewer Service Diagram must be provided to Council for its records.	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.				
28. Submission of a separate application under Section 68 of the Local Government Act 1993 for a Plumbing Permit. Detailed plans to be submitted and approved by Council prior to issue of Construction Certificate.	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.				
29. The occupation or use of the building must not commence until an Occupation Certificate has been issued by the Principal Certifying Authority. Where Council is not the Principal Certifying Authority then all documentation must be forwarded to Council within seven (7) days of issue.	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.				
30. If Council is to be engaged as the Principal Certifying Authority the following progress and mandatory critical stage inspections will be required with 48 hours' notice.					
a) prior to pouring any in-situ reinforced concrete building element.	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.				

DA Conditions	Questions/Information Request	Document Reference	Observations	Compliant	Action																	
b) prior to covering of the framework for any floor, wall, roof or other building element.																						
c) prior to covering waterproofing in any wet areas. (Class 2, 3 and 4 only 10% of rooms)																						
d) the external drainage lines which have been installed by a licensed plumber. A water test is required prior to drains being covered. A layout plan of the drains certified by the plumber must be submitted to Council.																						
<b>31. Where Council is not the Principal Certifying Authority the following inspections will be required with 48 hours' notice:</b>	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.																					
a) the external sewer drainage lines which have been installed by a licensed plumber. A water test is required prior to drains being covered. A layout plan of the drains certified by the plumber must be submitted to Council.																						
<b>32. At completion/occupation, the following certification must be submitted to Council, if Council is to be engaged as the Principal Certifying Authority:</b>																						
a) Sewer Service diagram of external and internal drainage. A licensed plumber's certificate of completion that all plumbing and drainage complies with AS 3500 must accompany the diagram.	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.																					
b) Glazing manufacturer's certification that glazing components including windows, doors and balustrade comply with the relevant Australian Standards.																						
c) A suitably qualified person's certification that the waterproofing of the wet areas is in accordance with Part 1.7 of the Building Code of Australia.																						
<b>33. At completion/occupation, the following certification must be submitted to Council, if Council is not the Principal Certifying Authority:</b>																						
a) 'Works as executed' diagram of external and internal drainage. A licensed plumber's certification that 'works as executed' complies with AS 3500 must accompany the diagram.	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.																					
b) The development has been completed in accordance with the development consent.																						
c) Installation of all stormwater and/or water sensitive urban design features from the installing Licensed plumber.																						
<b>PART C: SPECIFIC ENVIRONMENTAL CONDITIONS</b>																						
<b>NOISE</b>																						
<b>Hours of Operation</b>																						
<b>34. The Operator must comply with the operating hours set out in Table 2.</b>																						
<i>Table 2: Operating Hours</i>																						
<table border="1"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td rowspan="3">Extraction, processing, loading, dispatch and other quarry related activities</td> <td>Monday to Friday</td> <td>7:00am to 6:00pm</td> </tr> <tr> <td>Saturday</td> <td>8:00am to 1:00pm</td> </tr> <tr> <td>Sunday &amp; Public Holidays</td> <td>Nil</td> </tr> <tr> <td rowspan="3">Blasting</td> <td>Monday to Friday</td> <td>10:00am to 3:00pm</td> </tr> <tr> <td>Saturday</td> <td>Nil</td> </tr> <tr> <td>Sunday &amp; Public Holidays</td> <td>Nil</td> </tr> </tbody> </table>	Activity	Day	Time	Extraction, processing, loading, dispatch and other quarry related activities	Monday to Friday	7:00am to 6:00pm	Saturday	8:00am to 1:00pm	Sunday & Public Holidays	Nil	Blasting	Monday to Friday	10:00am to 3:00pm	Saturday	Nil	Sunday & Public Holidays	Nil		Section 8 of EMS.	Outlined in EMS. No non compliance or noise complaints noted during Annual Review Period. Although, noting noise complaints have been received subsequent to the annual review.	Compliant	
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Extraction, processing, loading, dispatch and other quarry related activities	Monday to Friday	7:00am to 6:00pm																				
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<b>Noise Criteria</b>																						
<b>35. The Operator must ensure that the noise generated by the development on site does not exceed an LAeq(15 minute) daytime noise criterion of 40dB(A) at any residence on privately-owned land.</b>		Section 4 of Annual Review.	40dB exceeded during blasting, however, noise monitoring during blasting was under the specified criteria for blasting. No noise complaints during blasting received.  Noise monitoring at N1, N2, N3 and an alternate location was undertaken on 31/07/2024 demonstrating compliance.	Compliant																		
<b>36. These criteria do not apply if the Operator has a written agreement with the relevant landowner/s to generate higher noise levels, and the Applicant has advised the EPA and Council in writing of the terms of this agreement.</b>			No agreements.	Compliant																		
<b>37. The Operator must ensure that the noise generated by traffic from the development on public roads does not exceed an LAeq(1 hour) daytime noise criterion of 55dB(A) (external) at any residence on privately-owned land.</b>		Section 4 of Annual Review.	Noise monitoring was undertaken during times of no truck activity. Compliance Noise Monitoring report states 'There were no site associated truck movements at the time of conducting truck passby measurements. Observations during compliance monitoring at the	Partially Compliant	Ensure typical truck movements are collected during monitoring to ensure compliance.																	

DA Conditions	Questions/Information Request	Document Reference	Observations	Compliant	Action
			four (4) measurement locations, suggest that the site's truck movements will be within the RNP criteria.' Considered partially compliant.		
<b>Operating Conditions</b> 38. <b>The Operator must:</b>					
a) implement best management practice to minimise the construction, operational and traffic noise of the development,		Section 4 of Annual Review and Section 8 of EMS.	Outlined in EMS. No non-compliance or noise complaints noted during Annual Review Period. Although, noting noise complaints have been received subsequent to the annual review.	Compliant	
b) carry out regular monitoring to determine whether the development is complying with the relevant conditions of this consent,		Section 4 of Annual Review.	Noise monitoring completed on the 31/07/2024. Compliance Noise Report provided demonstrating compliance.	Compliant	
c) regularly assess the results of noise monitoring to ensure compliance with the relevant conditions of this consent, to the satisfaction of the Council.		Section 4 of Annual Review.	Noise monitoring completed on the 31/07/2024. Compliance Noise Report provided demonstrating compliance.	Compliant	
<b>Noise Attenuation</b> 39. <b>During Stage 1 of operations, the Operator must construct and maintain an earth bund, at least 2 metres high and 80 metres long on the northern boundary of the quarry, within 2 months of commencement of conversion or alteration of sensitive receiver R2 to residential occupation.</b>			Earth bunds constructed.	Compliant	
40. <b>The Operator must construct and maintain an earth bund, at least 3 metres high and 60 metres long, east of the access road entrance, within 2 months of commencement of construction of sensitive receiver R9. The bund must be designed to ensure it does not impact surface water drainage within the Bentley Road road reserve.</b>			Earth bunds constructed.	Compliant	
<b>Noise Management Plan</b> 41. <b>The Operator must prepare (and subsequently implement) a Noise Management Plan, in consultation with Council and the EPA, prior to commencement of construction. This plan must describe the measures that would be implemented to ensure:</b>		Section 8 of EMS.	Plan provided in Section 8 of EMS.	Compliant	
a) compliance with the noise criteria in this consent,		Section 8 of EMS and Section 4 of Annual Review.	Noise monitoring completed on the 31/07/2024. Compliance Noise Report provided demonstrating compliance.	Compliant	
b) best practice management is being employed;		Section 4 of Annual Review	The following mitigation measures are being undertaken. - Ensuring machines were operated at low speed and were switched off when not being used. - Maintaining plant and equipment to manufacturer's standards. - Only operating within the approved hours. - Closing all engine covers while equipment is operating. - Avoiding dropping materials from height and avoiding metal to metal contact on material.	Compliant	
c) noise attenuation is implemented, where necessary; and			Earth bunds attenuating noise have been constructed.	Compliant	
d) a monitoring program is implemented to measure noise from the development against the noise criteria in this consent, and which evaluates and reports on the i. effectiveness of the noise management system onsite, and ii. includes a protocol for determining exceedances of the noise criteria.		Section 4 of Annual Review.	Noise monitoring completed on the 31/07/2024. Compliance Noise Report provided demonstrating compliance.	Compliant	
<b>BLASTING AND VIBRATION</b> <b>Blasting Criteria</b> 42. <b>The Operator must ensure that the blasting on the site does not cause exceedances of the criteria in Table 3.</b>		Section 4 of Annual Review.	Blasting monitoring provided in Annual Review. Actual noise and vibration under threshold.	Compliant	

DA Conditions	Questions/Information Request	Document Reference	Observations	Compliant	Action											
<p>Table 3 - Blasting Criteria</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Airblast overpressure (dB(Lin Peak))</th> <th>Ground vibration (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Any residence on privately-owned land</td> <td>120</td> <td>10</td> <td>0%</td> </tr> <tr> <td>115</td> <td>5</td> <td>5% of the total number of blasts over a period of 12 months</td> </tr> </tbody> </table>						Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance	Any residence on privately-owned land	120	10	0%	115	5	5% of the total number of blasts over a period of 12 months
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Any residence on privately-owned land	120	10	0%													
	115	5	5% of the total number of blasts over a period of 12 months													
<p>43. However, these criteria do not apply if the Operator has a written agreement with the relevant owner/s or infrastructure provider/owner, and the Applicant has advised the EPA and Council in writing of the terms of this agreement.</p>			No additional agreements. Criteria above applies.	Compliant												
<p><b>Roads Act approval</b></p> <p>44. The Operator must submit a Section 138 Roads Act application to Council for the approval to carry out the temporary road closure of Bentley Road for any quarry blasting operations. This will be forwarded to Transport for New South Wales (TfNSW) for concurrence. In association with this Section 138 Roads Act application a Traffic Guidance Scheme (TGS) and a Blast Management Plan shall be prepared and submitted.</p> <p>All contractors working within the road reserve are to have Public Liability Cover to a minimum value of \$20,000,000. A certificate of currency is to be attached to the Section 138 Roads Act application to Council.</p> <p>Blasting operations shall not commence until such time that the Section 138 Roads Act application for the temporary Bentley Road Closure has been approved and the Blast Management Plan has been satisfied.</p>	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.															
<p><b>Blasting Frequency</b></p> <p>45. The Operator may carry out a maximum of 1 blast a month, unless an additional blast is required following a blast misfire.</p>		Section 2 of Annual Review.	Single blast undertaken on the 3 June 2024.	Compliant												
<p><b>Operating Conditions</b></p> <p>46. During blasting operations, the Operator must implement best management practice to:</p>																
a) protect the safety of people and livestock in the surrounding area;																
b) protect public or private infrastructure/property in the surrounding area from any damage;																
c) minimise the dust and fume emissions of any blasting; and																
d) operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site, to the satisfaction of the Council.																
<p><b>Blast Management Plan</b></p> <p>47. The Operator must prepare (and subsequently implement) a Blast Management Plan, in consultation with Council and the EPA, prior to commencement of operations. This plan must describe the measures that would be implemented to ensure:</p> <p>a) best management practice is being employed;</p> <p>b) the protection of road users and infrastructure when blasting within 500 metres of Bentley Road; and</p> <p>c) compliance with the relevant conditions of this consent.</p> <p><b>The Blast Management Plan must include:</b></p> <p>a) a monitoring program for evaluating the performance of the development including compliance with the blasting criteria;</p> <p>b) a protocol for temporary closure of Bentley Road consistent with the approved traffic management plan;</p> <p>c) community notification procedures for the blasting schedule;</p> <p>d) a protocol for notification of emergency services and road users of temporary</p>		Section 8 of EMS.	<p>Blast management plan included in Section 8 of the EMS. Annual Report advises blasting conducted on 3 June 2024 reported no complaints, with vibration and noise monitoring below the assessment criteria. Blasting conducted as per the Blasting Management Plan in the EMS and no reported safety issues.</p> <p>Note: The Blasting Management Plan does not specifically address an emergency response procedure in the event of flyrock. Please update EMS to include an emergency response procedure in the event of flyrock.</p>	Partially Compliant	Update EMS to include flyrock emergency response.											

DA Conditions	Questions/Information Request	Document Reference	Observations	Compliant	Action																	
closure/s of Bentley Road consistent with the approved traffic management plan; and e) an emergency response procedure in the event of flyrock; and f ) a protocol for investigating and responding to complaints.																						
<b>Dilapidation Report</b> <b>48. Within 3 months of commencing operations, the Operator must engage a suitably qualified engineer to prepare a dilapidation report detailing the structural condition of existing buildings and structures located within 1km of the maximum approved quarry pit footprint, if requested by the landowner and subject to safe access being provided by the landowner.</b> <b>The Operator must write to the owners within 1km of the maximum approved quarry pit footprint, within 6 months of commencing operations, to make them aware of this condition.</b>			Dilapidation assessments provided.	Compliant																		
<b>AIR QUALITY</b> <b>Air Quality Criteria</b> <b>49. The Operator must ensure that the particulate matter emissions generated by the development do not cause exceedances of the criteria in Table 4 at any residence on privately-owned land.</b>  <i>Table 4 – Air Quality Criteria</i> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate Matter &lt;10 µm (PM<sub>10</sub>)</td> <td>Annual</td> <td><sup>a</sup>30µ/m<sup>3</sup></td> </tr> <tr> <td>Particulate Matter &lt;10 µm (PM<sub>10</sub>)</td> <td>24 hour</td> <td><sup>b</sup>50µ/m<sup>3</sup></td> </tr> <tr> <td>Total Suspended Particulates (TSP)</td> <td>Annual</td> <td><sup>a</sup>90µ/m<sup>3</sup></td> </tr> <tr> <td>Deposited Dust</td> <td>Annual (maximum increase)</td> <td><sup>b</sup>2 g/m<sup>2</sup>/month</td> </tr> <tr> <td>Deposited Dust</td> <td>Annual (maximum total)</td> <td><sup>a</sup>4 g/m<sup>2</sup>/month</td> </tr> </tbody> </table> <i>Notes for Table 4:</i> a. Cumulative impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources). b. Incremental impact (i.e. incremental increase in concentrations due to the development on its own). c. Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents etc.	Pollutant	Averaging Period	Criterion	Particulate Matter <10 µm (PM <sub>10</sub> )	Annual	<sup>a</sup> 30µ/m <sup>3</sup>	Particulate Matter <10 µm (PM <sub>10</sub> )	24 hour	<sup>b</sup> 50µ/m <sup>3</sup>	Total Suspended Particulates (TSP)	Annual	<sup>a</sup> 90µ/m <sup>3</sup>	Deposited Dust	Annual (maximum increase)	<sup>b</sup> 2 g/m <sup>2</sup> /month	Deposited Dust	Annual (maximum total)	<sup>a</sup> 4 g/m <sup>2</sup> /month	Section 4 of Annual Report	Dust Deposition Guage (DDG) results indicate May and June 2024 report dust monitoring results under criteria. PM <sub>10</sub> and TSP monitoring not undertaken.	Partially Compliant.	Recommend removing PM <sub>10</sub> and TSP annual monitoring due to significant costs of monitoring compared to DDG. Recommend conducting a risk assessment for Council and EPA to review.  Include a provision to conduct real time PM <sub>10</sub> and TSP in response to complaints or persistent DDG exceedances.
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<b>Operating Conditions</b> <b>50. The Operator must:</b>																						
a) implement best management practice to minimise the dust emissions of the development including minimising the area of surface disturbance and maximising progressive rehabilitation of the site;		4.3 of Annual Report	Managed in accordance with EMS.	Compliant																		
b) regularly assess air quality monitoring data to ensure compliance with the relevant conditions of this consent; and		4.3 of Annual Report	Monthly air monitoring for May/June provided.	Generally Compliant.																		
c) minimise the air quality impacts of the development during adverse meteorological conditions;		4.3 of Annual Report	Managed in accordance with EMS.	Compliant	N/A																	
d) monitor and report on compliance with the relevant air quality conditions in this approval; to the satisfaction of the Council.		4.3.2 of Annual Report	DDG results indicate May and June 2024 report dust monitoring results under criteria. PM <sub>10</sub> and TSP results not provided.	Partially compliant.	Recommend removing PM <sub>10</sub> and TSP annual monitoring due to significant costs of monitoring compared to DDG. Recommend conducting a risk assessment for Council and EPA to review.																	

DA Conditions	Questions/Information Request	Document Reference	Observations	Compliant	Action
					Include a provision to conduct real time PM <sub>10</sub> and TSP in response to complaints or persistent DDG exceedances.
<b>Air Quality Management Plan</b> 51. The Operator must prepare (and subsequently implement) an Air Quality Management Plan for the development in consultation with Council and the EPA, prior to commencement of construction. This plan must:		Section 10 of EMS.	Included in the EMS and annual report providing compliance. Although PM10 and TSP results not provided.	Generally Compliant	See Condition 50 above.
a) describe the measures that would be implemented to ensure compliance with the air quality criteria and operating conditions under this consent; and					
b) include an air quality monitoring program to evaluate the performance of the development against the air quality criteria.					
<b>SOIL AND WATER</b> <b>Water Supply</b> 52. The Operator must ensure it has sufficient water during all stages of the development, and if necessary, adjust the scale of quarrying operations on site to match its available supply and licensed water entitlements.			No water harvest rights. Quarry utilises water from sediment basin within the quarry. EMS includes management control SW14 'The scale of quarrying operations will be adjusted according to available supply and water entitlements.'	Compliant	
<b>Water Discharges</b> 53. The Operator must comply with the discharge limits in any EPL which regulates water discharges from the site, or with Section 120 of the POEO Act.		4.4.2 of the Annual Report	No offsite discharge during the Annual Report reporting period.	Compliant	
<b>Topsoil</b> 54. Topsoils must be stored to allow for rehabilitation of the quarry at the cessation of use. The soils are to be stored in such a manner to prevent their erosion, such as by stormwater or wind.		Section 7 of the EMS	Topsoil has been stockpiled on site or used to create the visual bunds, which will be used during rehabilitation.	Compliant.	
<b>Soil and Water Management Plan</b> 55. Prior to extractive activities taking place on the premises, the Operator must engage a qualified consultant to develop a Soil and Water Management Plan (SWMP). The SWMP must be submitted to, and approved by, the EPA prior to extractive activities taking place. The SWMP must be prepared in accordance with Managing Urban Stormwater Soils and Construction, Volume 1 and Volume 2E. Mines and Quarries.		Section 7 of the EMS	GHD advise EPA has been provided the SWMP prior to the EPL being issued. The EPL has subsequently been approved.	Compliant	
56. The Soil and Water Management Plan must be implemented for the life of the operation.		Section 7 of the EMS	Annual Report includes SWMP review and assessment.	Generally Compliant.	See notes in letter regarding erosion and sediment control recommendations near weighbridge.
<b>Groundwater</b> 57. The Operator must prepare, a Water Quality Monitoring Plan (WQMP) outlining the frequency, methods of assessment and test parameters for groundwater monitoring, to the satisfaction of Council.		Section 7 of the EMS	Included in the EMS. Council have reviewed and provided comments to the WQMP.	Compliant.	
<b>On-site Sewage Management</b> 58. Prior to the commencement of any works a Section 68 application to install a system of sewage management for the development must be submitted and be approved by Council. The requirements of the approval must be complied with.			Development Plumbing Permit Approval - LG2024/0041 provided.	Compliant.	
59. Prior to the issue of an Occupation Certificate the installation of the on-site sewage management system must be completed in accordance with the Section 68 approval and all of the requirements of the approval must be complied with.			Development Plumbing Permit Approval - LG2024/0041 and Building Certificate HB2024/0154 provided.	Compliant.	
<b>TRAFFIC AND TRANSPORTATION</b> <b>Traffic Management Plan</b>		Section 11 of EMS	Traffic Management Plan as part of Section 11 of EMS and Site Specific TMP for Blasting.	Compliant	

DA Conditions	Questions/Information Request	Document Reference	Observations	Compliant	Action
<b>60. At all times during construction and operation of the quarry, the Operator must implement a Traffic Management Plan prepared to the satisfaction of Council. The Traffic Management Plan must:</b>					
a) Describe the processes in place for the management of trucks entering and exiting the site;		Section 11 of EMS	Traffic Management Plan.	Compliant	
b) Include by a Driver Code of Conduct, including but not limited to: i. The installation of GPS tracking in all quarry operated or contracted trucks carrying quarry product and a back to base monitoring system of truck movements to ensure compliance and communication between truck drivers regarding obstacles or other issues along the haul route. ii. The restricted hours of trucks entering or exiting the quarry (for one hour at peak school pick up and one hour at peak school drop off times), as determined in consultation with the school bus service providers consistent with the Deferred Commencement condition. iii. A map of the vehicle movement plan highlighting critical locations. iv. An induction process for vehicle operators and regular toolbox meetings. v. Procedures for travel through residential areas, school zones and/or bus route/s. vi. A complaint resolution and disciplinary procedure. vii. Community consultation measures proposed for peak extraction periods. viii. Work, health and safety requirements under the Work Health and Safety Regulation 2017.		Appendix E of EMS.	Included in Drivers Code of Conduct. The Annual Review reports trucks entering the site within the restricted hours as a preferred option to parking trucks on the road, potentially causing an accident.	Partially Compliant.	Truck movements should be limited as much as practically possible during the restricted hours. If bus movement times are generally fixed (i.e. 8:00-8:15 am and 3:00-3:15pm), a smaller restricted window of 15-30 minutes may be sufficient.  Amend Code of Conduct in line with comments in consultation with the community and Council.
c) Proposed measures to minimise the transmission of dust and tracking of material onto public roads from vehicles leaving the site.		Appendix E of EMS.	Included in Drivers Code of Conduct.	Compliant.	
<b>Road Upgrades</b>			All weather access roads constructed.	Compliant.	
<b>61. Prior to operation of the quarry under this consent all internal access roads must be constructed to an all weather standard.</b>					
<b>62. The gate to the development must be set back 25m from the through traffic lane of Bentley Road to ensure heavy vehicles do not block traffic access when entering and exiting the development.</b>			Gate constructed set back from roadway.	Compliant.	
<b>63. Any works affecting Bentley Road must not take place without the prior approval of the Council.</b>	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.				
<b>64. Prior to commencement of construction, the Operator must:</b>					
a) Design the site access road intersection with Bentley Road, including a channelised right-turn and auxiliary left-turn short lane, to the satisfaction of Council. These treatments should be designed to accommodate the deceleration and storage length for relevant design vehicles.	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.				
b) Submit and obtain a Section 138 approval under the Roads Act 1993 to carry out work in, on or over a public road.	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.				
<b>65. The provision of hinged 'Trucks Turning' warning signs are to be permanently erected and displayed during the life of the quarrying operations on Bentley Road at both approaches to the quarry intersection. The signage to be installed on the western approach is to be erected on the crest 310m from the intersection, the signage to be installed on the eastern approach is to be erected a minimum of 200m from the intersection. Signage shall be installed prior to the commencement of construction.</b>			Turning signs erected.	Compliant.	
<b>66. Prior to commencement of operations, the Operator must construct the site access road intersection with Bentley Road, to the satisfaction of Council.</b>	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.				
<b>67. Works within any part of the road reserve which will impact on pedestrians or traffic flow</b>	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.				

DA Conditions	Questions/Information Request	Document Reference	Observations	Compliant	Action
<p>(including temporary site fencing which restricts pedestrian access, temporary disruption to traffic, etc) requires application under Section 138 of the Roads Act for approval to carry out any activity within the road reserve to Council. The application is to be made by the contractor proposing to carry out the activity in the road reserve prior to the commencement of the works in the road reserve.</p> <p>Works within the road reserve of Bentley Road will be forwarded to Transport for New South Wales (TfNSW) for concurrence under Section 138(2) "A consent may not be given with respect to a classified road except with the concurrence of TfNSW".</p> <p>The Section 138 Roads Act application is to be made via the NSW ePlanning Portal at &lt;<a href="https://pp.planningportal.nsw.gov.au">https://pp.planningportal.nsw.gov.au</a>&gt;.</p> <p>In association with any Section 138 Roads Act application a Traffic Guidance Scheme (TGS) shall be prepared and submitted. Any TGS shall comply with Transport for NSW technical manual "Traffic Control at Work Sites" and shall be prepared by a person who is qualified, authorised and has passed a SafeWork NSW approved training course. The TGS designer's certification number is to appear on the Traffic Guidance Scheme.</p> <p>The Operator shall maintain all warning signs, lights, barriers and fences etc in accordance with the Traffic Guidance Scheme, Australian Standards and Work Cover guidelines. Safe public access around any works shall be provided at all times unless detailed in the Traffic Control Plan.</p> <p>All contractors working within the road reserve are to have Public Liability Cover to a minimum value of \$20,000,000. A certificate of currency is to be attached to any Section 138 Roads Act application to Council prior to the commencement of works.</p> <p>Any advertising required to be undertaken by Council shall be at the developer's cost.</p> <p>The contractor shall not undertake any activity within the public road reserve until such time that a Section 138 Roads Act approval has been issued by Richmond Valley Council.</p> <p>Any and all works approved under the Section 138 Roads Act application must be completed prior to the operation of the quarry under this consent.</p>					
<p>68. A defects liability bond (in cash or Bank Guarantee) shall be lodged with Council. The date of Practical Completion shall be the date upon which all engineering works are completed and the defects liability bond has been paid. The bond shall be based on 10% of the value of the works which will become Council's assets (Council's adopted Revenue Policy (Fees and Charges)), and will be held by Council for a period of 12 months from the date of Practical Completion. The defects liability bond will be refunded at the satisfactory completion of the maintenance period (12 months). The bond shall only be released by advice from Richmond Valley Council that both the defects liability period has been completed, and that the works have been completed and are satisfactory at the end of the defects liability period.</p> <p>The bond shall be paid to Council prior to the operation of the quarry under this consent.</p>			N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.		
<p>69. A Civil Engineering assessment fee is to be paid to Council prior to the issue of a Section 138 Roads Act approval for the assessment of plans and inspection of civil works which will impact on or become Council's assets. Rates are as detailed in Council's Revenue Policy (Fees and Charges), with quantities assessed from approved plans detailing such civil works.</p>			N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.		
<p>70. All construction work by private contractors in NSW, costing \$25,000 or more, is liable for the payment of the Long Service Levy to the Long Service Levy Payments</p>			N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.		

DA Conditions	Questions/Information Request	Document Reference	Observations	Compliant	Action
Corporation. Construction work includes civil construction such as roads and bridges, pipelines, fuel gas and water storage and distribution infrastructure, sewerage drainage and treatment systems, retaining walls, electrical distribution infrastructure, etc. Confirmation of the payment to the Corporation is to be submitted to Council prior to the issue of the Section 138 Roads Act approval.					
71. Plans showing all civil engineering works which will become Council's assets, eg; roads, kerb and gutter, stormwater drainage, water, sewer, footpaths, etc, shall be submitted to Richmond Valley Council. Council approval of the plans is required prior to the issue of the Section 138 Roads Act Approval. Such works shall be designed and documented in accordance with Council's Standards.	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.				
72. Existing services/infrastructure which requires reconstruction or adjusting to suit a development (electricity, telecommunications, water, sewerage, stormwater, road works, kerb and gutter, footpaths, crossings and driveways, etc.) are to be carried out at the developer's expense. Construction is to be in accordance with Council's standards, or the affected asset owners standards, and shall be completed prior to the operation of the quarry under this consent.	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.				
73. The Operator is to prepare and implement an Erosion and Sediment Control Plan in accordance with NSW Landcom's "Managing Urban Stormwater Soils and Construction, 2004. These control measures shall be in place prior to the commencement of construction works and shall prevent soil erosion and transport of sediments from the development site into either:		Section 7 of EMS.	Soil and Water Management Plan in EMS. Annual Reports the following measures undertaken to meet the EMS: Daily weather monitoring. Daily rainfall monitoring. Weekly monitoring of erosion and sediment controls; and following rain. Dirty water and clean water bunds/drains. Stabilising/revegetating disturbed areas as soon as possible. Spill kit checks monthly and following use. Groundwater monitoring.	Generally compliant.	Refer to letter with suggestions to improve sediment controls near weighbridge.
a) adjoining land					
b) natural drainage courses					
c) constructed drainage systems, and					
d) waterways					
All control measures are to be maintained in an operational condition at all times during construction and until vegetation or permanent structures can satisfactorily control stormwater runoff. Control measures shall be regularly cleared of sediment and debris buildup, to ensure continued operation. During construction works all motor fuels, oils and other chemicals are to be stored and used on site in a manner which ensures no contamination of stormwater. No incidents of visible pollution leaving the construction site. No litter placed in a position where it may be blown or washed off site.		Section 7 of EMS.		Compliant.	
74. Upon completion of works to be vested in Council, Work as Executed drawings and plans in digital format shall be submitted to and approved by Richmond Valley Council prior to the operation of the quarry under this consent. (AutoCAD or similar - changes as a separate layer in red). All work as executed plans shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plan is accurate. The plans shall clearly identify any amendments (in red) to the original design. The applicant shall be deemed to have indemnified all persons using such drawings against any claim or action with respect to breach of copyright. All details shown in the Works as Executed drawings shall be in accordance with the Richmond Valley Council Works as Executed guidelines. The applicant is to submit a DWG file supporting the works as executed drawings for the ease of transfer of information in RVC's GIS system.	N/A. ENV is not engaged to undertake Planning or Building Compliance as part of the Independent Environmental Audit.				
75. Inspection and Testing covering all the necessary inspections and testing of the civil engineering works which will become Council's assets (e.g. roads, kerb and gutter, stormwater drainage, water, sewer, footpaths, etc, or works which will impact on other infrastructure owners or adjoining properties e.g. inter allotment drainage lines and pits) shall be undertaken in accordance with the Northern Rivers Local Government Development and Design Manual and the Northern Rivers Local Government Construction Manual. All relevant hold point inspections require Council attendance and acceptance of the work undertaken prior to the approval of the relevant hold point. If, for any reason,		Completion Certificate RDA 2023/0027 & RVC Engineering Site Inspection	Completion Certificate by RVC and Engineering Site Inspection by Safety Culture provided showing compliance.	Compliant.	

DA Conditions	Questions/Information Request	Document Reference	Observations	Compliant	Action
<b>the hold point inspection is not accepted, works cannot proceed past the relevant hold point. Relevant hold points for road works are to be carried out at the following typical stages (not all stages may be applicable):</b>					
a) Pre-construction - An initial inspection to assess proposed construction methods, trench standards, backfilling, trees to be removed, erosion and sediment controls, compulsory inspections, etc. b) Drainage works - including erosion and sedimentation controls c) CBR testing - to determine pavement depth and design d) Subgrade - includes inspection of subgrade, compaction testing, proof rolling etc e) Sub-Base layer - includes inspection of subbase, compaction testing, material test reporting, proof rolling etc f) Base layer - includes inspection of base, compaction testing, material test reporting, proof rolling etc g) Ball Peen testing h) Pre-approval of nominated mix design i) Sealing works (Primer Seal & AC) j) Line Marking k) Work as Executed plans l) Practical Completion m) End of maintenance period <b>All inspections will require a minimum of 24 hours prior notification to Council.</b> <b>A copy of the Section 138 Roads Act approval, approved design plans, details and specifications must remain on site at all times during construction.</b>		Completion Certificate RDA 2023/0027 & RVC Engineering Site Inspection	Completion Certificate by RVC and Engineering Site Inspection by Safety Culture provided showing compliance.	Compliant.	
<b>Road Haulage</b> 76. The Operator must ensure that all loaded vehicles entering or leaving the site are covered at all times, except during loading and unloading.		Section 10 of EMS and Section 4.3.1 of Annual Review.	Covering Loads included in the EMS and reported to be followed within the Annual Review.	Compliant.	
77. The Operator must ensure that all loaded vehicles leaving the site are cleaned of materials that may fall on the road before they are allowed to leave the site.		Section 15.3 of EMS.	Grid installed.	Compliant.	
<b>Monitoring of Product Transport</b> 78. The Operator must:		Section 4.8 of Annual Review.	Truck numbers prior to 30 May not available. Total truck per hour provided. Assessment against a maximum of 7 trucks per hour not provided. A new system has been installed tracking all truck movements, daily, hourly and annually.	Partially compliant.	Ensure annual, daily and hourly truck movements are recorded.
a) keep accurate records of all laden truck movements to and from the site (hourly, daily, and annually); and b) include a copy of this data in the Annual Review.					
<b>ABORIGINAL CULTURAL HERITAGE</b>					
79. The Operator must ensure that all grass and topsoil stripping works on the site are monitored at all times by a suitably qualified and experienced archaeologist or representative of the Local Aboriginal Land Council.		Section 14 of EMS.	Condition provided in EMS. Letter from Boolangle LALC showing site was inspected on the 7 <sup>th</sup> February 2024 demonstrating compliance.	Compliant.	
80. If any Aboriginal object is uncovered or identified in the carrying out of any construction work and/or operations, the Operator shall immediately cease work in the vicinity of the Aboriginal object and contact the NSW Heritage and the relevant Local Aboriginal Land Council to arrange their assessment.		Section 14 of EMS.	Condition provided in EMS. Annual Review reports no unexpected finds of historical or Aboriginal heritage items have been recorded during the reporting period.	Compliant.	
81. If any human remains are discovered during any construction work and/or operations, then all activity in the vicinity of the find must cease. As a first step the local police must be notified, followed by NSW Heritage and advice sought on appropriate next actions. No work can continue on the site until cleared with police and NSW Heritage.		Section 14 of EMS.	Condition provided in EMS. Annual Review reports no unexpected finds of historical or Aboriginal heritage items have been recorded during the reporting period.	Compliant.	
<b>VISUAL AMENITY</b>		Appendix A of EMS.	Bund constructed.	Compliant	

DA Conditions	Questions/Information Request	Document Reference	Observations	Compliant	Action
<b>Visual Amenity</b>					
82. Prior to commencement of operations, the Operator must establish and subsequently maintain a perimeter screening bund to the east and west of Stage 1.					
83. Prior to commencement of operations within Stage 2, the Operator must establish and subsequently maintain a perimeter screening bund to the south, east and west of Stage 2.		Appendix A of EMS.	Bund constructed.	Compliant	
<b>Lighting Emissions</b>		Section 3.6.6	EIS states 'Quarrying would be limited to daylight hours only, avoiding the need for lighting infrastructure and services.' No lighting was identified within the quarry.	Compliant	
84. The Operator must take all practicable measures to prevent and/or minimise any off-site lighting impacts from the development.					
85. No fixed external lighting is to be installed on the site, as part of the development.					
<b>WASTE MANAGEMENT</b>		Section 13 and Appendix F of EMS.	Plan and procedure included in EMS.	Compliant.	
86. The Operator must prepare (and subsequently implement) a Waste Management Plan for the development. The Plan must be submitted to, and approved by, the EPA prior to waste being imported to site. This Plan must detail:					
a) How compliance will be achieved with the relevant resource recovery orders/resource recovery exemptions (e.g. recovered aggregate) for both incoming and outgoing products;					
b) Interim management procedures for lawful disposal locations identified for contaminated waste (e.g. waste contaminated with asbestos);					
c) Quality control processes in place to ensure the waste products being received at the premises do not contain any hazardous or special wastes (e.g. asbestos, acid sulfate soils etc, in line with the Waste Classification Guidelines;					
d) How and where the waste material is intended to be stored, including appropriately designed storage locations and mitigation measures for stormwater, leachate, dust, odour and prevention of ground and surface water contamination; and,		Section 13 and Appendix F of EMS.	Plan and procedure included in EMS. Suspected contaminated material assessed on a concrete pad. Suspected ACM wet down. Material is laid directly onto soil. No leachate capture system or impermeable pad is constructed.	Partially compliant.	Construct impermeable pad with leachate capture system.
e) How incoming wastes will be processed (e.g. crushing, screening or sorting) and what air, noise and water quality impacts will this cause and how will these impacts be managed.		Section 8 and 10 of EMS.	Water sprays are used on crushing and screening plant, when dust is visibly leaving site. All equipment will not be operating simultaneously, i.e. using only two pieces of crushing plant simultaneously instead of three would lower the predicted noise impacts at the closest receptors by up to 2 dB.	Compliant.	
87. Prior to importing onto the site any concrete waste or any other material that may be classified as a waste under the EPA Waste Classification Guidelines 2009 (or its latest version), the Operator must obtain a 'resource recovery exemption' under the POEO Act and provide evidence of this exemption to Council.		Section 4.7 of Annual Review	Exemption has not been sought.	Non-compliant.	Seek resource recovery exemption as per council condition and EPL.
88. The Operator must:					
a) minimise the waste generated by the development; and		Section 13 of EMS.	Waste minimization management detailed in Section 13 of EMS.	Compliant.	
b) ensure that the waste generated by the development is appropriately stored, handled, and disposed of, i. All building waste must be stored in a designated waste storage area and removed from the site to an approved waste disposal facility, ii. Any waste storage area used for the storage of liquid wastes must be covered, have an impervious surface and be bunded to prevent the escape of spills and leaks.		Section 4 of Annual Report.	Annual Reports the following mitigation measures were implemented by R&S Contracting during the reporting period to manage waste on-site: Re-using excess materials. Recycling metal, waste oil and old batteries. Appropriate storage of chemicals and fuels in bunded areas with 110% capacity. Diverting clean water from the site. Routine weekly inspection to ensure the site is clean and tidy.	Compliant.	
c) maintained the site in a tidy manner on site at all times, to the satisfaction of the EPA and Council.			Annual Review reports routine weekly inspection to ensure the site is clean and tidy.	Compliant.	
89. Burning of site refuse and materials is not permitted.		Section 13 of EMS.	No on-site disposal of waste or burning of site refuse and materials is to occur.	Compliant.	
<b>EMERGENCY AND HAZARDS MANAGEMENT</b>			Advised minimal dangerous good stored onsite.	Compliant	Considered compliant, however, recommend

DA Conditions	Questions/Information Request	Document Reference	Observations	Compliant	Action
<b>Dangerous Goods</b> 90. The Operator must ensure that the storage, handling, and transport of dangerous goods are conducted in accordance with the relevant Australian Standards, particularly AS1940 and AS1596, and the Dangerous Goods Code.					amending EMS to include handling of dangerous goods.
<b>Safety</b> 91. The Operator must secure the development to ensure public safety.			Site is fenced and secured.	Compliant.	
<b>Bushfire Management</b> 92. The Operator must:					
a) ensure that the development is suitably equipped to respond to any fires on-site; and		Section 16 of EMS.	A fire extinguisher is to also be stored on site and in vehicles to respond to any fires on site, if required.	Compliant	Include fire extinguisher register to ensure all fire extinguishers are available and serviced.
b) assist the rural fire service and emergency services as much as possible if there is a fire on-site.		Section 16 of EMS.	Provision included in EMS. ENV understand there has been no fires to date.	Compliant	
<b>BIODIVERSITY AND REHABILITATION</b> <b>Vegetation and Rehabilitation Management Plan</b> 93. Prior to commencement of operations, the Operator must prepare (and subsequently implement) a Vegetation and Rehabilitation Management Plan for the site, to the satisfaction of Council. This plan must detail:					
a) The objectives, techniques and actions specific to the management of biodiversity on the site;		Section 12 of EMS.	Included in EMS.	Compliant	
b) The statutory requirements that apply to the project;					
c) Protocols for pre-clearing surveys, weed management and feral animal control;					
d) Landscaping planting and visual screening;					
e) Compensatory / offset planting of native trees species (which must be planted at a ratio of 5:1)		Section 12 of EMS & 7 of Annual Review.	Included in EMS and Commencement of rehabilitation of the offset area is due to be completed prior to next reporting period.	Compliant	
f) Installation of nest boxes (at a ratio of 2 nest boxes per hollow-bearing tree removed);		Section 12 of EMS.	Nest boxes to be installed prior to hollow bearing tree removal (HBT). Advised no HBT have been cleared to date.	Compliant	
g) Performance and completion criteria, including triggering remedial action (if necessary);		Section 12 of EMS.	Included in EMS.	Compliant	
h) Maintenance and monitoring timing, frequency and corrective actions.		Section 12 of EMS.	Included in EMS.	Compliant	
<b>Vegetation Removal</b> 94. Vegetation removal shall be limited to vegetation identified to be removed in the <i>Biodiversity Assessment Report – Bentley Quarry Expansion prepared by GeoLink, dated 2/5/2022.</i>		Section 7 of EIS.	Compliant.	Compliant	
<b>Offset Planting and Nest Box Installation</b> 95. Offset planting works and nest box installation (in accordance with the Biodiversity Assessment Report – Bentley Quarry Expansion prepared by GeoLink, dated 2/5/2022) within the offset planting and nest box area must be undertaken within two (2) years of commencement of operations.		Section 12 of EMS & 7 of Annual Review.	Included in EMS and Commencement of rehabilitation of the offset area is due to be completed prior to next reporting period. Nest boxes to be installed prior to hollow bearing tree removal (HBT). Advised by GHD no HBT have been cleared to date.	Compliant	Ensure offset planting and nest boxes are installed within 2 years of commencement.
<b>Rehabilitation</b> 96. The Operator must rehabilitate the site in a manner that is generally consistent with the conceptual final landform in Appendix 3 and comply with the objectives in Table 4, to the satisfaction of Council.		Section 12 of the EMS.	Rehabilitation requirements included in EMS.	Compliant	

DA Conditions		Questions/Information Request	Document Reference	Observations	Compliant	Action									
<table border="1"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>Site (as a whole)</td> <td> <ul style="list-style-type: none"> <li>Safe, stable and non-polluting</li> <li>Fit for the intended post-quarrying land use/s</li> <li>Integrated with surrounding natural landforms as far as is reasonable and minimizing visual impacts of the development when viewed from surrounding land</li> <li>Restored with native, endemic vegetation</li> </ul> </td> </tr> <tr> <td>Surface infrastructure</td> <td> <ul style="list-style-type: none"> <li>Decommissioned and removed (unless otherwise agreed with Council)</li> </ul> </td> </tr> <tr> <td>Quarry benches</td> <td> <ul style="list-style-type: none"> <li>Landscaped and vegetated using native, endemic tree and understorey species</li> </ul> </td> </tr> <tr> <td>Quarry pit floor</td> <td> <ul style="list-style-type: none"> <li>Landscaped and revegetated using native tree and understorey species, above the final anticipated void water level</li> </ul> </td> </tr> </tbody> </table>	Feature	Objective	Site (as a whole)	<ul style="list-style-type: none"> <li>Safe, stable and non-polluting</li> <li>Fit for the intended post-quarrying land use/s</li> <li>Integrated with surrounding natural landforms as far as is reasonable and minimizing visual impacts of the development when viewed from surrounding land</li> <li>Restored with native, endemic vegetation</li> </ul>	Surface infrastructure	<ul style="list-style-type: none"> <li>Decommissioned and removed (unless otherwise agreed with Council)</li> </ul>	Quarry benches	<ul style="list-style-type: none"> <li>Landscaped and vegetated using native, endemic tree and understorey species</li> </ul>	Quarry pit floor	<ul style="list-style-type: none"> <li>Landscaped and revegetated using native tree and understorey species, above the final anticipated void water level</li> </ul>					
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<p><b>97. The Operator 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 stabilisation measures must be implemented where reasonable and feasible to control dust emissions in disturbed areas that are not active and which are not ready for final rehabilitation.</b></p>			Section 12 of EMS.	Requirements included in EMS. Rehabilitation to occur during later stages.	Compliant										
<p><b>Rehabilitation Fund</b></p> <p><b>98. Within 6 months of the approval of the Rehabilitation Management Plan, the Operator must lodge a Rehabilitation Bond with the Council to ensure that the rehabilitation of the site is implemented in accordance with the performance and completion criteria set out in the Rehabilitation Management Plan. The sum of the bond must be determined by:</b></p> <p>(a) calculating the cost of rehabilitating the site, taking into account the likely surface disturbance over the next 3 years of quarrying operations; and</p> <p>(b) engage a suitably qualified quantity surveyor or other expert to verify the calculated costs, to the satisfaction of the Council.</p>			Section 12 of EMS.	Condition included in EMS. Advised QS calculations and bond payment have not been undertaken and paid.	Compliant										
<p><b>99. Within 3 months of each Independent Environmental Audit (see condition 102), the Operator must engage a suitably qualified quantity surveyor or other expert to review, and if necessary revise, the sum of the Rehabilitation Bond to the satisfaction of the Council. This review must consider the:</b></p> <p>(a) effects of inflation;</p> <p>(b) likely cost of rehabilitating the site (taking into account the likely surface disturbance over the next 3 years of the development); and</p> <p>(c) performance of the implementation of the rehabilitation of the site to date.</p>			Section 12 of EMS.	Condition included in EMS. QS is required after the submission of this Environmental Audit.	Compliant										
<p><b>Quarry Closure Strategy</b></p> <p><b>100. At least 5 years prior to the cessation of quarry operations, the Operator must prepare a Quarry Closure Strategy for the development, to the satisfaction of Council. This strategy must:</b></p> <p>a) define the objectives and criteria for quarry closure;</p> <p>b) investigate options for the future use of the site, including any final void/s;</p> <p>c) describe the measures that would be implemented to minimise or manage the ongoing environmental effects of the development; and</p> <p>d) describe how the performance of these measures would be monitored over time.</p>				Not required to be undertaken at this stage. However, should be included in EMS.	Compliant.	Please include requirement in EMS.									
<p><b>PART D: REPORTING</b></p> <p><b>ENVIRONMENTAL MANAGEMENT STRATEGY</b></p>			EMS	EMS includes all aspects. Annual Review assesses annual performance and recommends adaptive management as the operations progress.	Compliant.										

DA Conditions	Questions/Information Request	Document Reference	Observations	Compliant	Action
<p><b>101. Prior to commencement of operations, the Operator must prepare and implement an Environmental Management Strategy for the development taking into consideration any management and mitigation measures identified in the Environmental Impact Statement titled Bentley Quarry Environmental Impact Statement (GHD 11 November 2021) and any management plans and monitoring programs approved under the conditions of this approval. The Strategy must:</b></p> <p>a) Provide the strategic context for environmental management of the project;</p> <p>b) Identify the statutory requirements that apply to the project;</p> <p>c) Describe the role, responsibility, authority and accountability of the key personnel involved in the environmental management of the project; and;</p> <p>d) Describe the procedures that would be implemented to:</p> <p>i. Keep the local community and relevant agencies informed about the construction, operation and environmental performance of the project;</p> <p>ii. Receive, handle, respond to and record complaints;</p> <p>iii. Resolve any disputes that may arise during the life of the project;</p> <p>iv. Respond to any non-conformances;</p> <p>v. Manage cumulative impacts; and</p> <p>vi. Respond to emergencies.</p>					
<p><b>ANNUAL REVIEW</b></p> <p><b>102. Prior to the end of August each year, the Operator must prepare and submit to Council an annual review detailing the environmental performance of the development. The annual review must:</b></p> <p>a) describe the development that was carried out in the previous financial year, and the development that is proposed to be carried out over the current financial year;</p> <p>b) include a comprehensive review of the monitoring results and complaints records of the development over the previous financial year, which includes a comparison of these results against:</p> <p>i. the relevant statutory requirements, limits or performance measures/criteria;</p> <p>ii. requirements of any plan or program required under this consent; and</p> <p>iii. the monitoring results of previous years.</p> <p>c) identify any non-compliance in the previous financial year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>d) identify any trends in the monitoring data over the life of the development;</p> <p>e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p> <p>f) describe what measures will be implemented over the current financial year to improve the environmental performance of the development.</p>		2024 Annual Report	Annual Report from 12 March – 30 June 2024 provided.	Compliant.	Provide 2025 Annual Report prior to the end of August 2025.
<p><b>INDEPENDENT ENVIRONMENTAL AUDIT</b></p> <p><b>103. Within one year of the commencement of any development under this consent, and every five years after the Operator must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. The Audit must:</b></p> <p>a) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by Council;</p> <p>b) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL (including any assessment, plan or program required under these approvals);</p> <p>c) review the adequacy of any approved strategy, plan or program required under this consent;</p>		Section 17 of EMS.	Requirements included in EMS. Engagement of auditor exceeded one year.	Partially compliant.	Future audits are to be undertaken in accordance with the required timeframe.

DA Conditions	Questions/Information Request	Document Reference	Observations	Compliant	Action
d) recommend appropriate measures or actions to improve the environmental performance of the development and any assessment, strategy, plan or program required under the abovementioned consent; and e) be conducted and reported to the satisfaction of Council.					
<b>104. Within three months of commencing an Independent Environmental Audit the Operator must submit a copy of the audit report to the Council, and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.</b>		Section 17.2 of EMS.	ENV was engaged in May 2025. ENV Independent audit exceeded 3 months due to auditing staff on leave during audit. Considered compliant as Bentley Quarry provided all documentation and access to site within a reasonable time period.	Compliant	
<b>ACCESS TO INFORMATION</b> <b>105. Within 1 month of the approval of any plan/strategy/program required under this approval (or any subsequent revision of these plans/strategies/programs), or the completion of any independent environmental audit or Annual Review, the Operator must provide a copy of the relevant document/s to Council.</b>			Email 'Bentley Quarry EMS' on 22/03/2024 demonstrates council review of the EMS. Council have reviewed the EMS and provided comments and have been provided with final copy.	Compliant.	
<b>106. The Operator must keep up-to-date copies of the following information available on site, at all times:</b>			Operator had access to requested information during site inspection.	Site inspection to confirm.	
a) the documents listed in condition 2 of this consent;					
b) approved strategies, plans or programs;					
c) a complaints register, which is to be updated on a quarterly basis;					
d) Annual Reviews (over the last 5 years);					
e) any independent environmental audit.					
<b>These documents must be made publicly available on a website maintained by the Applicant, if required by Council.</b>					
<b>COMMUNITY ENGAGEMENT</b> <b>107. One month prior to commencing quarrying operations, the Operator must establish a community consultative advisory committee for the Quarry. The Committee shall consist of:</b> a) The operator (or representative); b) A member of Richmond Valley Council (if available); c) At least 3 community representatives; d) An independent chair approved by the Council.  <b>The Committee shall subsequently meet twice yearly while the Quarry remains in operation.</b> <b>The purpose of the Committee is to:</b> a) Review the operator's performance with respect to environmental management and community relations, including complaints-handling; b) Undertake inspections of quarry operations as required.  <b>The operator shall at its own expense:</b> a) Fund the independent chair's fees; b) Make meeting facilities available; c) Organise the twice-yearly meetings; d) Take minutes and make the minutes available to the public and Council.			Community Consultative Advisory Group Meeting conducted on the 26/06/2024 and 13/11/2024.	Compliant	



ENVIRONMENTAL | ASBESTOS | REMEDIATION | RESOURCE RECOVERY

**ENV Services Pty Ltd**

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**Telephone:** 1300 861 325


**Email:** [admin@envsolutions.com.au](mailto:admin@envsolutions.com.au)

**ABN:** 98 640 278 977


## Attachment 2 Photolog

<b>Client Name</b> R & S Contracting Pty Ltd	<b>Site Location</b> 1465 Bentley Road, Bentley NSW	<b>Project</b> ENV250392
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<b>Photo No.</b> 1	<b>Date</b> 26/08/2025	
<b>Description</b> Bentley Quarry Site entry.		

<b>Photo No.</b> 2	<b>Date</b> 26/08/2025	
<b>Description</b> Image showing the operational weighbridge and site office.		

<b>Client Name</b> R & S Contracting Pty Ltd	<b>Site Location</b> 1465 Bentley Road, Bentley NSW	<b>Project</b> ENV250392
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<b>Photo No.</b> 3	<b>Date</b> 26/08/2025	
<b>Description</b> Image showing perimeter earth bunds and all weather gravel roadways.		

<b>Photo No.</b> 4	<b>Date</b> 26/08/2025	
<b>Description</b> Image showing overview of quarry operations.		

<b>Client Name</b> R & S Contracting Pty Ltd	<b>Site Location</b> 1465 Bentley Road, Bentley NSW	<b>Project</b> ENV250392
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<b>Photo No.</b> 5	<b>Date</b> 26/08/2025
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**Description**  
 Image showing overview of quarry operations.



<b>Photo No.</b> 6	<b>Date</b> 26/08/2025
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**Description**  
 Image showing silt buildup in drain running parallel to weighbridge.  
**Corrective Action:** Remove silt from drain and apply fresh gravel to maintain erosion and sediment controls.




<b>Client Name</b> R & S Contracting Pty Ltd	<b>Site Location</b> 1465 Bentley Road, Bentley NSW	<b>Project</b> ENV250392
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<b>Photo No.</b> 7	<b>Date</b> 26/08/2025	
<b>Description</b> Image showing silt buildup in drain running parallel to weighbridge. <b>Corrective action:</b> Remove silt from drain and apply fresh gravel to maintain erosion and sediment controls.		

<b>Photo No.</b> 8	<b>Date</b> 26/08/2025	
<b>Description</b> Image showing stormwater outlet. <b>Corrective Action:</b> Apply fresh gravel to outlet to maintain erosion and sediment controls.		

<b>Client Name</b> R & S Contracting Pty Ltd	<b>Site Location</b> 1465 Bentley Road, Bentley NSW	<b>Project</b> ENV250392
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<b>Photo No.</b> 9	<b>Date</b> 26/08/2025	
<b>Description</b> Waste concrete sorting pad. Requires impermeable clay liner and leachate controls as per DA and EPL. <b>Corrective Action:</b> Seek resource recovery EPA exemption prior to receiving any additional material.		

<b>Photo No.</b> 10	<b>Date</b> 26/08/2025	
<b>Description</b> Waste concrete sorting pad. Requires impermeable clay liner and leachate controls as per DA and EPL. <b>Corrective Action:</b> Seek resource recovery EPA exemption prior to receiving any additional material.		

# **Attachment 2**

**Environment Protection Licence**

# Environment Protection Licence

Licence - 21833

## Licence Details

Number:	21833
Anniversary Date:	11-September

## Licensee

R &amp; S CONTRACTING PTY LTD

1465 BENTLEY ROAD

BENTLEY NSW 2480

## Premises

BENTLEY QUARRY

1465 BENTLEY ROAD

BENTLEY NSW 2480

## Scheduled Activity

Extractive activities

Resource recovery

## Fee Based Activity

## Scale

Extractive activities	> 100000-500000 T annually extracted or processed
Recovery of general waste	Any general waste recovered

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# Environment Protection Licence

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# Environment Protection Licence

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## Information about this licence

### Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

### Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

### Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

### Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

### Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

### Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).



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The EPA publication “A Guide to Licensing” contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

## Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

## Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

## This licence is issued to:

<b>R &amp; S CONTRACTING PTY LTD</b>
<b>1465 BENTLEY ROAD</b>
<b>BENTLEY NSW 2480</b>

subject to the conditions which follow.

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## 1 Administrative Conditions

### A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Extractive activities	Extractive activities	> 100000 - 500000 T annually extracted or processed
Resource recovery	Recovery of general waste	Any general waste recovered

### A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
BENTLEY QUARRY
1465 BENTLEY ROAD
BENTLEY
NSW 2480
LOT 2 DP 1196757

### A3 Other activities

A3.1 This licence applies to all other activities carried on at the premises, including:

Ancillary Activity
Waste Storage

### A4 Information supplied to the EPA

A4.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

a) the applications for any licences (including former pollution control approvals) which this licence replaces

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under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and  
b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

A4.2 Except as expressly provided by this Environmental Protection Licence, works and activities must be carried out in accordance with the proposal contained in:

- The Deferred Commencement Consent DA2022/0107 prepared by Richmond Valley Council (DOC23/664185).
- The Environmental Impact Statement titled 'Bently Quarry Environmental Impact Statement' prepared by GHD Pty Ltd dated 11 November 2021 relating to the development (DOC21/1094572-3).
- The Environmental Management Strategy - Bentley Quarry (30 June 2023) submitted to the EPA (DOC23/664196).
- The Soil and Water Management Plan - Bentley Quarry (25 August 2023) submitted to the EPA (DOC23/756260-1).

## A5 Other administrative conditions

A5.1 The licensee must, in the opinion of the EPA, be a fit and proper person to hold a licence under the Protection of Environment Operations Act 1997, having regard to the matters in s83 of that Act.

## 2 Discharges to Air and Water and Applications to Land

### P1 Location of monitoring/discharge points and areas

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

#### *Water and land*

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Discharge & Monitoring	Discharge & Monitoring	Discharge to the Western side of Sediment basin as per the Soil and Water Management Plan prepared by GHD Drawing No. 22-12547851-001 (DOC23/756260-1 Appendix A page 14).

P1.2 The following utilisation areas referred to in the table below are identified in this licence for the purposes of

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the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

EPA Identification No.	Type of Monitoring Point	Type of Discharge Point	Location Description
Monitoring/Discharge Point 1	Water	Water	Discharge point from the sediment basin

## 3 Limit Conditions

### L1 Pollution of waters

L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

### L2 Concentration limits

L2.1 For each monitoring/discharge point or utilisation area specified in the table/s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.

L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.

L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table/s.

L2.4 Water and/or Land Concentration Limits

#### POINT 1

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	Visible				Nil
pH	pH				6.5-8.5
Total suspended solids	milligrams per litre				50

L2.5 The concentration limits in the above table (at Point 1) do not apply to any discharge from the sediment basin

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solely arising from rainfall measured at the Premises exceeding 60.2 mm in total falling over any consecutive five day period.

- L2.6 If the licensee uses turbidity (NTU) in place of total suspended solids (TSS) to determine compliance with this licence, the licensee must develop a statistical correlation which identifies the relationship between NTU and TSS for water quality in the sediment basin in order to determine the NTU equivalent of 50 mg/L TSS prior to its use.
- L2.7 If the licensee uses turbidity (NTU) in place of total suspended solids (TSS) to determine compliance with this licence, the licensee must provide the EPA with a copy of the statistical correlation assessment methodology and results before using NTU in place of TSS.
- L2.8 If the licensee uses turbidity (NTU) in place of total suspended solids (TSS) to determine compliance with this licence, the licensee must develop and implement a method to enable ongoing verification of the relationship between NTU and TSS.
- L2.9 If the licensee uses turbidity (NTU) in place of total suspended solids (TSS) to determine compliance with this licence, the licensee must provide the EPA with any amendments the licensee makes to the statistical correlation as a result on the ongoing verification required by L2.6 before using the revised statistical correlation.

## L3 Waste

- L3.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.
- Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.
- Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.
- This condition does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
NA	Virgin excavated natural material	VENM	Resource recovery	Any amount
NA	General solid waste (non-putrescible)	Clean waste concrete (excluding wet concrete)	Resource recovery	<50,000 tonnes/year

- L3.2 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal at the premises except as expressly permitted by the licence.
- L3.3 The authorised amount of waste permitted on the premises must not exceed 20,000 tonnes at any one time.
- L3.4 Disposal of any waste generated at the premises is not permitted (this excludes the re-use of on site surface water for dust suppression).

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- L3.5 A designated "tip and spread" area must be established at the premises where all waste concrete loads must be thoroughly inspected on arrival to the premises to ensure each load contains only clean "spadable" concrete which has not been contaminated with other waste streams. Concrete waste mixed with other waste streams must not be accepted at the premises.

## L4 Noise limits

- L4.1 Noise from the Premises must not exceed an LAeq (15 minute) noise emission criterion of
- 40 dB(A) for the period from 7am to 6pm Monday to Friday and 7am to 1pm Saturday; and
  - 35 dB(A) during the evening (6pm to 10pm) Monday to Friday; and
  - 35 dB(A) at all other times

except as expressly provided by this licence.

- L4.2 Noise from the Premises is to be measured at the most affected point on or within the nearest affected residential property boundary or if this is more than 30 metres from the residence at the most affected point within 30 metres of the residence, to determine compliance with this condition.

Note: The noise limits set out in condition L4.1 apply under meteorological conditions except for the following:

1. Wind speeds greater than 3 metres/second at 10 metres above ground level; or
2. Temperature inversion conditions up to 3 degrees Celsius/100m and wind speeds greater than 2 metres/second at 10 metres above ground level; or
3. Temperature inversion conditions greater than 3 degrees Celsius/100m.

- L4.3 The noise limits set out in condition L4.1 do not apply if an agreement between the licensee and the occupier of the noise sensitive location has been reached. Any agreement(s) between the licensee and the affected noise sensitive receivers must be recorded in writing and a copy of the agreement(s) kept on the Premises for the duration of this licence.

Note: Noise sensitive locations means building used as a residence, hospital, school, childcare centre, places of public worship and nursing homes. A noise sensitive location includes the land within 30m of the building.

## Definition

- L4.4 LAeq (15 minute) - the value of the A-weighted sound pressure level of a continuous steady sound that, over a 15 minute time interval, has the same mean square sound pressure level as a sound under consideration with a level that varies with time (AS1055.1-1997).

## Noise Measurement

Note: For the purpose of noise measures required for this condition, the LAeq (15 minute) noise level must be measured or computed at any point identified by condition L4.2 over a period of 15 minutes used "FAST" response on the sound level meter.

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For the purpose of the noise criteria for the condition, 5dBA must be added to the measured level if the noise is substantially tonal or impulsive in character. The location or point of impact can be different for each development, for example, at the closest residential receiver or at the closest boundary of the development. Measurement locations can be:

1. 1 metre from the façade of the residence for night time assessment;
2. at the residential boundary;
3. 30 metres from the residence (rural situations) where boundary is more than 30 metres from residence.

L4.5 The noise emission limits identified in L4.1 apply for prevailing meteorological conditions (winds up to 3 metres/second), except under conditions of temperature inversions. Noise impacts that may be enhanced by temperature inversions must be addressed by:

- documenting noise complaints received to identify any higher level of impacts or patterns of temperature inversions;
- where levels of noise complaints indicate a higher level of impact than actions to quantify and ameliorate any enhanced impacts under temperature inversion conditions should be developed and implemented.

## L5 Blasting Overpressure

L5.1 The overpressure level from blasting operations on the Premises must not:

- Exceed 115dB (Lin Peak) for more than 5% of the total number of blasts over a period of 12 months; and
- Exceed 120dB (Lin Peak) at any time.

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

L5.2 All sensitive receivers are to be given at least 24 hours notice when blasting is to be undertaken.

### Ground vibration (ppv)

L5.3 Ground vibration peak particle velocity (ppv) from the blasting operations at the Premises must not:

- Exceed 5mm/s for more than 5% of the total number of blasts over a period of 12 months; and
- Exceed 10mm/s at any time,

When measured at any point within 1 metre of any affected residential boundary of other noise sensitive location such as a school or hospital.

### Time of blasting

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L5.4 Blasting operations on the Premises may only take place between 10:00 am to 3:00 pm Monday to Friday inclusive.

L5.5 The hours of operation for blasting operations specified in this condition may be varied if the EPA, having regard to the effect that the proposed variation would have on the amenity of the residents in the locality, gives written consent to the variation.

## Frequency of blasting

L5.6 Blasting at the Premises is limited to 1 blast each day on which blasting is permitted.

## L6 Hours of operation

L6.1 Activities covered by this licence must only be carried out between the hours of:

- 7:00 am and 6:00 pm Monday to Friday; and
- 8:00 am and 1:00 pm Saturday; and
- at no time on Sundays and Public Holidays.

Note: Maintenance and general pre-start activities may occur outside the hours of operation limits specified in condition L6.1 provided that they are inaudible at privately-owned residences.

L6.2 This condition does not apply to the delivery of material outside the hours of operation permitted by condition L6.1, if that delivery is required by Police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification must be provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of an emergency.

L6.3 The hours of operation specified in condition L6.1 may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.

## 4 Operating Conditions

### O1 Activities must be carried out in a competent manner

O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

### O2 Maintenance of plant and equipment

O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

- a) must be maintained in a proper and efficient condition; and

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b) must be operated in a proper and efficient manner.

## O3 Dust

- O3.1 Activities occurring in or on the premises must be carried out in a manner that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.
- O3.2 Trucks entering and leaving the Premises that are carrying loads must be covered at all times, except during loading and unloading.

## O4 Processes and management

- O4.1 The sediment basins shall be treated, if required, to reduce the Total Suspended Solids (TSS) level to the concentration limit of 50 mg/L provided by L2.4 of this licence before releasing to the environment. Treatment can be with gypsum or any other material that has been approved by the EPA.
- O4.2 The licensee must maximise the diversion of run-on waters from lands upslope and around the site whilst land disturbance activities are being undertaken.
- O4.3 The licensee must maximise the diversion of stormwater runoff containing suspended solids to sediment basins installed on the premises.
- O4.4 Where sediment basins are necessary, all sediment basins and associated drainage must be installed and commissioned prior to the commencement of any clearing or grubbing works within the catchment area of the sediment basin that may cause sediment to leave the site.
- O4.5 The licensee must ensure the design storage capacity of the sediment basins installed on the premises is reinstated within 5 days of the cessation of a rainfall event that causes runoff to occur on or from the premises.
- O4.6 The licensee must ensure that sampling point(s) for water discharged from the sediment basin(s) are provided and maintained in an appropriate condition to permit:
  - a) the clear identification of each sediment basin and discharge point;
  - b) the collection of representative samples of the water discharged from the sediment basin(s); and
  - c) access to the sampling point(s) at all times by an authorised officer of the EPA.
- O4.7 The licensee must maximise the reuse of captured stormwater on the premises.
- O4.8 Each sedimentation basin must have a marker (the “sedimentation basin marker”) that identifies the upper level of the sediment storage zone.
- O4.9 Whenever the level of liquid and other material in any sedimentation basin exceeds the level indicated by the sedimentation basin marker, the licensee must take all practical measures as soon as possible to reduce the level of liquid and other material in the sedimentation basin.
- O4.10 The sediment basins must meet the design and operational standard of Managing Urban Stormwater Soils and Construction: Volume 1 and Volume 2E. Mines and Quarries. This document requires that a minimum of 90 percentile five day rainfall event be used to determine basin sizing for quarries.

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- O4.11 All liquid chemicals, fuels and oils must be stored in tanks or containers inside suitable bund(s). Bund(s) are to be designed, constructed and maintained in accordance with AS1940-2004 Storage and Handling of Flammable and Combustible Liquids.

## 5 Monitoring and Recording Conditions

### M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
- in a legible form, or in a form that can readily be reduced to a legible form;
  - kept for at least 4 years after the monitoring or event to which they relate took place; and
  - produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
- the date(s) on which the sample was taken;
  - the time(s) at which the sample was collected;
  - the point at which the sample was taken; and
  - the name of the person who collected the sample.

### M2 Requirement to monitor concentration of pollutants discharged

- M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:
- M2.2 Water and/ or Land Monitoring Requirements

#### POINT 1

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	Visible	Special Frequency 1	Visual Inspection
pH	pH	Special Frequency 1	Grab sample
Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample

Note: Special Frequency 1 means sampling a discharge, whether controlled or otherwise, which has not occurred from rainfall exceeding 60.2 mm over any consecutive five day period.

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## M3 Testing methods - concentration limits

- M3.1 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.
- M3.2 Monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area required by M2 must be done in accordance with:
- the Approved Methods Publication; or
  - if there is no methodology required by the Approved Methods Publication in relation to the the relevant load calculation protocol, a method approved by the EPA in writing before any tests are conducted, unless otherwise expressly provided by this licence.

## M4 Environmental monitoring

- M4.1 The licensee must maintain an installed rainfall depth measuring device at the Premises.
- M4.2 Rainfall at the Premises must be measured and recorded in millimetres per 24 hour period, at the same time each day.

Note: The rainfall monitoring data collected in compliance with Condition M4.2 can be used to determine compliance with L2.4.

## M5 Recording of pollution complaints

- M5.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M5.2 The record must include details of the following:
- a) the date and time of the complaint;
  - b) the method by which the complaint was made;
  - c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
  - d) the nature of the complaint;
  - e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
  - f) if no action was taken by the licensee, the reasons why no action was taken.
- M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## M6 Telephone complaints line

- M6.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving

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any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M6.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

M6.3 The preceding two conditions do not apply until 3 months from the date of the issue of this licence.

## M7 Blasting

M7.1 For the purpose of blast monitoring, the ground vibration or the overpressure must be measured at the nearest sensitive receiver for each blast.

Note: The location or point of impact can be different for each development. Measurements should be taken within the grounds of 'noise sensitive sites' (e.g. residences, hospitals, schools, etc.).

Measurement locations can be:

At the residential boundary; or

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

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

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

## M8 Noise monitoring

M8.1 The results of any noise monitoring conducted by this licence in relation to the development or in order to comply with the load calculation protocol must be recorded and retained as set out in conditions M1.2 and M1.3.

## 6 Reporting Conditions

### R1 Annual return documents

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

1. a Statement of Compliance,
2. a Monitoring and Complaints Summary,
3. a Statement of Compliance - Licence Conditions,
4. a Statement of Compliance - Load based Fee,
5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
7. a Statement of Compliance - Environmental Management Systems and Practices.

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At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.

R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

R1.3 Where this licence is transferred from the licensee to a new licensee:

- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a) the licence holder; or
- b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

R1.8 The licensee must also include the following information with the Annual Return:

- A statement detailing the total volume of material extracted from the quarry for the reporting period; and
- The total volume of extracted material transported from the Premises for the reporting period.

## R2 Notification of environmental harm

R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.

Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the

# Environment Protection Licence

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requirements of Part 5.7 of the Act.

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident.

## R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

- a) where this licence applies to premises, an event has occurred at the premises; or
- b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

R3.3 The request may require a report which includes any or all of the following information:

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

## 7 General Conditions

### G1 Copy of licence kept at the premises or plant

G1.1 A copy of this licence must be kept at the premises to which the licence applies.

G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

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## 8 Special Conditions

### E1 Dust Monitoring

- E1.1 If the EPA or licensee receive any dust emission complaints relating to the Premises, the EPA may require the licensee to review dust controls. This will include engaging a suitably qualified and experienced air quality practitioner to conduct dust monitoring to assess compliance with the assessment criteria prescribed within the EPA's Approved Methods for the Modelling and Assessment of Air Pollutant in New South Wales (NSW EPA, August 2005).

All dust emission complaints received by the licensee must be reported to the EPA immediately.

### E2 Waste

- E2.1 Prior to any waste being allowed to be imported to the Premises the following information will be required to be submitted to, and approved in writing by, the EPA:
- How compliance will be achieved with the relevant Resource Recovery Orders/Resource Recovery Exemptions (e.g., recovered aggregate) for both incoming and out going products;
  - Interim management procedures for lawful disposal locations identified for contaminated waste (e.g., waste contaminated with asbestos);
  - Quality control processes in place to ensure the waste products being received at the Premises do not contain any hazardous or special wastes (e.g., asbestos, acid sulfate soils, etc.). This can be achieved by development of management practices in line with the Waste Classification Guidelines;
  - How and where the waste material is intended to be stored. This will need to include appropriately designed storage locations and mitigation measures for stormwater, leachate, dust, odour, and prevention of ground and surface water contamination; and,
  - How incoming wastes will be processed (e.g., crushing, screening or sorting) and what air noise and water quality impacts this will cause and how will these impacts be managed.

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## Dictionary

### General Dictionary

<b>3DGM [in relation to a concentration limit]</b>	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
<b>Act</b>	Means the Protection of the Environment Operations Act 1997
<b>activity</b>	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
<b>actual load</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>AM</b>	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>AMG</b>	Australian Map Grid
<b>anniversary date</b>	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>annual return</b>	Is defined in R1.1
<b>Approved Methods Publication</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>BOD</b>	Means biochemical oxygen demand
<b>CEM</b>	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>COD</b>	Means chemical oxygen demand
<b>composite sample</b>	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
<b>cond.</b>	Means conductivity
<b>environment</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>environment protection legislation</b>	Has the same meaning as in the Protection of the Environment Administration Act 1991
<b>EPA</b>	Means Environment Protection Authority of New South Wales.
<b>fee-based activity classification</b>	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
<b>general solid waste (non-putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

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<b>flow weighted composite sample</b>	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
<b>general solid waste (putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>grab sample</b>	Means a single sample taken at a point at a single time
<b>hazardous waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>licensee</b>	Means the licence holder described at the front of this licence
<b>load calculation protocol</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>local authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>material harm</b>	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
<b>MBAS</b>	Means methylene blue active substances
<b>Minister</b>	Means the Minister administering the Protection of the Environment Operations Act 1997
<b>mobile plant</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>motor vehicle</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>O&amp;G</b>	Means oil and grease
<b>percentile [in relation to a concentration limit of a sample]</b>	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
<b>plant</b>	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
<b>pollution of waters [or water pollution]</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>premises</b>	Means the premises described in condition A2.1
<b>public authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>regional office</b>	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
<b>reporting period</b>	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>restricted solid waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>scheduled activity</b>	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
<b>special waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>TM</b>	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .

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<b>TSP</b>	Means total suspended particles
<b>TSS</b>	Means total suspended solids
<b>Type 1 substance</b>	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
<b>Type 2 substance</b>	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
<b>utilisation area</b>	Means any area shown as a utilisation area on a map submitted with the application for this licence
<b>waste</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>waste type</b>	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non-putrescible), special waste or hazardous waste
<b>Wellhead</b>	Has the same meaning as in Schedule 1 to the Protection of the Environment Operations (General) Regulation 2021.

Mr Luke Davison

Environment Protection Authority

(By Delegation)

Date of this edition: 11-September-2023

## End Notes

2 Licence varied by notice 1637211 issued on 19-Mar-2024