

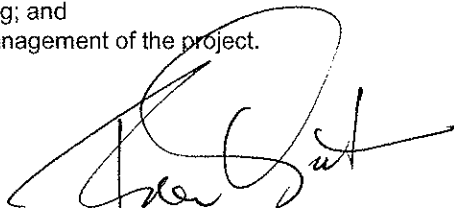
Project Approval

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

I approve the project referred to in Schedule 1, subject to the conditions set out in Schedules 2 to 5.

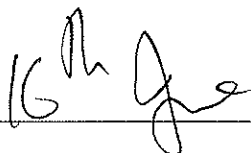
The reason for these conditions is to:

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



Frank Sartor MP
Minister for Planning

Sydney



2008

SCHEDULE 1

Project Application:	07-0078
Proponent:	Abigroup Contractors Pty Ltd
Approval Authority:	Minister for Planning
Land:	See Appendix 1
Project:	Rockley Falls quarry

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DEFINITIONS

AEMR	Annual Environmental Management Report
DECC	Department of Environment and Climate Change
Department	Department of Planning
Director-General	Director-General of the Department of Planning, or delegate
DPI	Department of Primary Industries
DWE	Department of Water and Energy
EA	Environmental Assessment for the project titled <i>Establishment of Rockley Falls Quarry Environmental Assessment Report, Appendices and Supplement</i> (3 volumes), dated February and March 2008, prepared by Blueprint Planning and Development
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environment Protection Licence issued under the <i>Protection of the Environment Operations Act 1997</i>
Land	Land means the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this approval
Landowner	Landowner means the owner(s) of the land upon which the offset areas are located
Minister	Minister for Planning, or delegate
PM ₁₀	Particulate matter of size less than 10 microns
Offset areas	The land adjoining the quarry site, being at least 243 hectares in area, identified in the EA to be conserved as compensation for the project
Privately owned land	Land not owned by a public agency or the Proponent or its related companies or owners of land listed in Appendix 1
Project	The development, operation, closure and rehabilitation of the Rockley Falls quarry as described in the EA
Proponent	Abigroup Contractors Pty Ltd, or its successors
Response to Submissions	The Proponent's response to issues raised in submissions, dated 24 April 2008, prepared by Blueprint Planning and Development Pty Ltd, and subsequent submissions dated 15 May 2008 and 21 May 2008
RTA	Roads and Traffic Authority
Site	Land to which the project application applies
Statement of Commitments	The commitments in Appendix 3
TSP	Total Suspended Particulates

SCHEDULE 2 ADMINISTRATIVE

Obligation to Minimise Harm to the Environment

1. The Proponent shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the project.

Terms of Approval

2. The Proponent shall carry out the project generally in accordance with the:
 - (a) EA;
 - (b) statement of commitments; and
 - (c) conditions of this approval.

Notes:

- The layout of the project is shown in the figure in Appendix 2; and
- The statement of commitments is included in Appendix 3.

3. If there is any inconsistency between the above, the conditions of this approval shall prevail to the extent of the inconsistency.
4. The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:
 - (a) any reports, plans, programs or correspondence that are submitted in accordance with the conditions of this approval; and
 - (b) the implementation of any actions or measures contained in these reports, plans, programs or correspondence.

Limits on Approval

5. Extraction and processing operations may take place until 31 August 2028.

Note: Under this approval, the Proponent is required to rehabilitate the site to the satisfaction of the Director-General. Consequently this approval will continue to apply in all other respects other than the right to conduct extraction and processing operations until the site has been rehabilitated to a satisfactory standard.

6. The Proponent shall ensure that the quantity of material transported from the site in any 12 month period does not exceed the quantities shown in Table 1.

<i>Period</i>	<i>Maximum Quantity over 12 Months (tonnes)</i>
Date of this approval to 31 August 2012	700,000
1 September 2012 to 31 August 2028	100,000

Table 1: Maximum Annual Transport Quantity

Demolition

7. The Applicant shall ensure that all demolition work is carried out in accordance with AS 2601-2001: *The Demolition of Structures*, or its latest version.

Note: Demolition of temporary structures such as the noise bund will occur at the termination of the project.

Surrender of Consents

8. Within 3 months of the date of this approval, the Proponent shall surrender all existing development consents associated with the Rockley Falls Materials Testing Quarry, in accordance with clause 97 of the EP&A Regulation.

Operation of Plant and Equipment

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

Crown Land

10. The Proponent shall obtain a Licence from the Department of Lands prior to commencing work on Travelling Stock Reserve 16893 and the Crown road.

SCHEDULE 3 ENVIRONMENTAL PERFORMANCE

GENERAL EXTRACTION AND PROCESSING PROVISIONS

Identification of Boundaries

1. Within 3 months of the date of this approval, or as otherwise agreed by the Director-General, the Proponent shall:
 - (a) engage an independent registered surveyor to survey the boundaries of the approved limit of extraction and the approved ancillary work areas;
 - (b) submit a survey plan of these boundaries to the Director-General; and
 - (c) ensure that these boundaries are clearly marked at all times in a permanent manner that allows operating staff and inspecting officers to clearly identify those limits.

Note: The limit of extraction and the ancillary areas is shown conceptually on the layout plan in Appendix 2.

NOISE

Construction of Acoustic Barrier

2. The Proponent shall ensure that the earthen acoustic barrier is constructed prior to commencement of any crushing or other processing operations.

Operational Noise Assessment Criteria

3. The Proponent shall ensure that the noise generated by the project does not exceed the noise impact assessment criteria in Table 2.

Location	<i>L</i>_{Aeq} (15 min) dB(A)
Cromer residence	45
Quambatook residence	35
Beenly residence	36
Tumbarook residence	35
Jerapoohl residence	35

Table 2: Noise Impact Assessment Criteria

Notes:

- To determine compliance with these noise limits, noise from the project is to be measured at the most affected point within the residential boundary, or at the most affected point within 30 metres of the dwelling where the dwelling is more than 30 metres from the boundary. Where it can be demonstrated that direct measurement of noise from the project is impractical, alternative means of determining compliance may be accepted (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise level where applicable.
- The noise limits apply under meteorological conditions of wind speed up to 3m/s at 10 metres above ground level.
- The Director-General may relax the noise limits in Table 2 for any property where the Proponent has an agreement with the relevant owner/s to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.

Hours of Construction

4. Construction work shall only be carried out:
 - (a) between 7.00am and 6.00pm Monday to Friday;
 - (b) between 8.00am and 1.00pm on Saturdays; and
 - (c) at no time on Sundays or Public Holidays.

Hours of Operation

5. The project shall only operate:
 - (a) between 7.00am and 6.00pm Monday to Saturday; and
 - (b) at no time on Sundays or Public Holidays.

Notes:

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

- The hours of operation may be varied with written consent if the Director-General is satisfied that the amenity of residents in the locality will not be adversely affected.
- Plant maintenance is restricted to the hours of operation except that maintenance work that is inaudible at any residence may occur at any time.

Noise Monitoring

- The Proponent shall prepare and implement a Noise Monitoring Program for the project to the satisfaction of the Director-General. This program shall:
 - be submitted to the Director-General within 3 months of the date of this approval;
 - be prepared in consultation with the DECC and;
 - include details of how the noise performance of the project would be monitored, and include a noise monitoring protocol for evaluating compliance with the relevant noise limits in this approval.

BLASTING AND VIBRATION

Airblast Overpressure Impact Assessment Criteria

- The Proponent shall ensure that the airblast overpressure level from blasting at the project does not exceed the criteria in Table 3 at any residence on privately owned land.

Airblast Overpressure Level (dB(Lin Peak))	Allowable Exceedence
115	5% of the total number of blasts over a period of 12 months
120	0%

Table 3: Airblast Overpressure Impact Assessment Criteria for Residences on Privately Owned Land

Notes:

- To determine compliance with these limits, airblast overpressure from the project is to be measured at the most affected point at the residential boundary, or at the most affected point within 30 metres of the dwelling where the dwelling is more than 30 metres from the boundary.
- Airblast overpressure is not to be measured within 3.5 metres of any building

Ground Vibration Impact Assessment Criteria

- The Proponent shall ensure that the ground vibration level from blasting at the project does not exceed the criteria in Table 4 at any residence or sensitive receiver on privately owned land.

Ground Vibration Level (mm/s)	Allowable Exceedence
5	5% of the total number of blasts over a period of 12 months
10	0%

Table 4: Ground Vibration Impact Assessment Criteria for Residences on Privately Owned Land

Note: To determine compliance with these limits, ground vibration from the project is to be measured at the most affected point at the residential boundary, or at 30 metres from the dwelling where the dwelling is more than 30 metres from the boundary.

Hours of and Frequency of Blasting

- Blasting shall only take place:
 - between the hours of 10 am and 3 pm Monday to Friday;
 - at no time on Saturdays, Sundays or Public Holidays;
 - at no time during a temperature inversion; and
 - at no time when the average wind speed over the preceding 30 minutes is greater than 5 km/hr from the north or north-east.
- No more than:
 - one blast may occur on any day; and
 - two blasts per week.

Operating Conditions

11. The Proponent shall implement best blasting practice to:
- (a) ensure that no flyrock leaves the site;
 - (b) protect the safety of people, property, and livestock;
 - (c) minimise the dust and fume emissions from blasting on the site; and
 - (d) co-ordinate blasting on site with the blasting at the adjoining Lubke quarry to minimise the potential cumulative blasting impacts of the two quarries;
- to the satisfaction of the Director-General.

Public Notice

12. The Proponent shall:
- (a) notify the landowner/occupier of any residence within 2 kilometres of the quarry pit who registers an interest in being notified about the blasting schedule on site;
 - (b) operate a blasting hotline, or alternative system agreed to by the Director-General, to enable the public to get up-to-date information on blasting operations at the project; and
 - (c) keep the public informed about this hotline (or any alternative system),
- to the satisfaction of the Director-General.

Monitoring

13. The Proponent shall prepare and implement a Blast Monitoring Program for the project to the satisfaction of the Director-General. This program shall:
- (a) be prepared in consultation with the DECC;
 - (b) be submitted to the Director-General for approval prior to carrying out any blasting on the site; and
 - (c) include a protocol for evaluating blasting impacts and demonstrating compliance with the blasting criteria in this approval.

AIR QUALITY

Impact Assessment Criteria

14. The Proponent shall ensure that dust generated by the project does not exceed the criteria listed in Table 5 at any residence on privately owned land.

<i>Pollutant</i>	<i>Averaging period</i>	<i>Maximum increase from this project</i>	<i>Maximum acceptable level</i>
TSP	annual	70 µg/m ³	90 µg/m ³
PM ₁₀	annual	20 µg/m ³	30 µg/m ³
PM ₁₀	24-hour	25 µg/m ³	50 µg/m ³
Deposited dust	annual	2 g/m ² /month	4 g/m ² /month

Table 5: Particulate Impact Assessment Criteria

Operating Conditions

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

Air Quality Monitoring

16. The Proponent shall prepare and implement an Air Quality Monitoring Program for the project to the satisfaction of the Director-General. This program shall:
- (a) be submitted to the Director-General for approval within 3 months of the date of this approval;
 - (b) be prepared in consultation with DECC; and
 - (c) include details of how the air quality performance of the project would be monitored, and include a protocol for evaluating compliance with the relevant air quality criteria in this approval.

METEOROLOGICAL MONITORING

17. The Proponent shall ensure the project has a suitable meteorological station in the vicinity of the site that complies with the requirements in the *Approved Methods for Sampling of Air Pollutants in New South Wales* publication.

SURFACE AND GROUNDWATER

Water Supply

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

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

Discharges

19. The Proponent shall not discharge any water from the quarry or its associated operations except in accordance with an EPL.

Stormwater Management

20. The Proponent shall ensure that the erosion and sediment control structures for the development are designed, constructed and operated to capture and treat polluted waters from storm events of less than, and including 1:20 year average recurrence interval, 24 hour duration.
21. Within 5 days of a rainfall event, the Proponent shall ensure that the required collection capacity of basins in the storm water management system is restored by removing in a lawful manner any stored water occupying the collection space.

Water Management and Monitoring

22. The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Director-General. This plan shall:
- (a) be submitted to the Director-General within 3 months of the date of this approval;
 - (b) be prepared in consultation with the DWE and DECC; and
 - (c) include a:
 - Site Water Balance;
 - Erosion and Sediment Control Plan; and
 - Groundwater Monitoring Program.
23. The Site Water Balance shall:
- (a) include details of:
 - sources and security of water supply;
 - water use on site;
 - water management on site, including the location and capacity of water storages on site and the means of access;
 - water management during sand washing, including the location and design of the water flow path and the separation of reject material from wash water;
 - off-site water transfers; and
 - reporting procedures; and
 - (b) investigate and describe measures to minimise water use by the project.
24. The Erosion and Sediment Control Plan shall:
- (a) be consistent with the requirements of *Managing Urban Stormwater: Soils and Construction, Volume 1, 4th Edition, 2004* (Landcom);
 - (b) identify activities that could cause soil erosion and generate sediment;
 - (c) describe measures to minimise soil erosion and the potential for the transport of sediment to downstream waters;
 - (d) describe the location, function, and capacity of erosion and sediment control structures;
 - (e) demonstrate that the design capacity of basins will not be compromised by storage of operational water;
 - (f) describe what measures would be implemented to maintain (and if necessary decommission) the structures over time; and
 - (g) include details of a program to monitor the effectiveness of the Erosion and Sediment Control Plan.
25. The Groundwater Monitoring Program shall include:
- (a) implementation of the plan described in Appendix G (section 11) of the EA;
 - (b) detailed baseline data on ground water levels, flows and quality, based on statistical analysis;
 - (c) groundwater impact assessment criteria for monitoring bores and quarry inflow;
 - (d) a program to monitor impacts on groundwater dependent ecosystems; and
 - (e) a protocol for further groundwater modelling and corrective action should groundwater discharge to the quarry void exceed 1 litre per second.

LANDSCAPE MANAGEMENT

Rehabilitation

26. The Proponent shall progressively rehabilitate the site to the satisfaction of the Director-General, in general accordance with the Rehabilitation and Native Vegetation Offset Plans, shown conceptually in Appendix 4.

Vegetation Offset Areas

27. The Proponent shall:
- (a) establish, conserve and maintain approximately 243 hectares of native vegetation on the site as shown in Appendix 4; and
 - (b) within 3 months of the date of this approval, or as otherwise agreed by the Director-General, the proponent shall:
 - engage an independent registered surveyor to survey and permanently mark the boundaries of the offset areas;
 - submit a survey plan of these boundaries to the Director-General;
 - ensure that these boundaries are clearly marked at all times in a permanent manner that allows operating staff, the landowner and inspecting officers to clearly identify those boundaries; and
 - cause restrictive and positive covenants under the *Conveyancing Act 1919* to be placed on the titles of the land referring to the surveyed offset areas, to ensure that the Proponent and subsequently the landowner:
 - manage the offset areas for conservation in perpetuity;
 - implement the Rehabilitation and Vegetation Offset Management Plan; and
 - permit access to the offset areas by the Department and relevant public authorities at all times for the purposes of monitoring compliance with the covenants and Rehabilitation and Vegetation Offset Management Plan;
- to the satisfaction of the Director-General and DECC.

Landscape Management Plan

28. The Proponent shall prepare and implement a detailed Landscape Management Plan for the project to the satisfaction of the Director-General. This Plan shall:
- (a) be prepared in consultation with DECC by suitably qualified expert/s whose appointment/s have been approved by the Director-General;
 - (b) be submitted to the Director-General for approval within 6 months of the date of this approval; and
 - (c) include a:
 - Rehabilitation and Vegetation Offset Management Plan; and
 - Quarry Closure Plan.

Rehabilitation and Vegetation Offset Management Plan

29. The Proponent shall prepare and implement a Rehabilitation and Vegetation Offset Management Plan for the project. This plan shall include:
- (a) the rehabilitation objectives for the site, vegetation offsets and landscaping;
 - (b) a description of the short, medium, and long term measures that would be implemented to:
 - rehabilitate the site; and
 - implement the vegetation offsets areas;
 - (c) performance and completion criteria for the rehabilitation of the site and implementation of the vegetation offsets;
 - (d) provide for partial rehabilitation of the site when the quarry output reduces from a maximum 700,000 tonnes tpa to a maximum of 100,000 tpa;
 - (e) a detailed description of the measures that would be implemented over the next 3 years including the procedures to be implemented for:
 - progressively rehabilitating disturbed areas;
 - implementing vegetation offsets;
 - protecting areas outside the disturbance areas;
 - rehabilitating creeks and drainage lines on the site (including the Billabong Creek system) to ensure no net loss of stream length and aquatic habitat;
 - undertaking pre-clearance surveys;
 - managing impacts on fauna;
 - landscaping the site to minimise visual impacts;
 - conserving and reusing topsoil;
 - collecting and propagating seed for rehabilitation works;
 - salvaging and reusing material from the site for habitat enhancement;
 - controlling weeds and feral pests;
 - controlling access; and

- bushfire management;
 - (f) a program to monitor the effectiveness of these measures, and progress against the performance and completion criteria (see (c) above);
 - (g) a description of the potential risks to successful rehabilitation and/or revegetation, and a description of the contingency measures that would be implemented to mitigate these risks; and
 - (h) details of who would be responsible for monitoring, reviewing, and implementing the plan.
30. The Proponent shall ensure that within 5 years of the date of this approval, the foliage cover of planted shrubs is 5% and the foliage cover of planted trees is 5% for any one hectare of the portion of the offset areas identified for revegetation.

Quarry Closure Plan

31. The Quarry Closure Plan shall:
- (a) include certification from a qualified geotechnical engineer that the final proposed landform is stable;
 - (b) define the objectives and criteria for closure of the quarry;
 - (c) investigate options for the future use of the site, including any final void;
 - (d) describe the measures that would be implemented to minimise or manage the ongoing environmental effects of the project; and
 - (e) describe how the performance of these measures would be monitored over time.

Note: The rehabilitation of disturbed areas is shown conceptually on the plans in Appendix 4.

Vegetation Offset Bond

32. Within 3 months of the approval of the Landscape Management Plan, the Proponent shall lodge a bond with the Department to ensure that the vegetation offsets can be implemented in accordance with the performance and completion criteria of the Landscape Management Plan. The sum of the bond shall be calculated at \$2.50/m² for the total area to be disturbed by the project, or as otherwise directed by the Director-General.

Notes:

- *If the vegetation offset is completed to the satisfaction of the Director-General, the Director-General will release the vegetation offset bond.*
- *If the vegetation offset is not completed to the satisfaction of the Director-General, the Director-General will call in all or part of the vegetation offset bond, and arrange for the satisfactory completion of the relevant works.*

ABORIGINAL HERITAGE

Aboriginal Site Conservation

33. The Proponent shall protect and conserve the two trees and artefact scatter identified in the response to submissions.

TRAFFIC AND TRANSPORT

Access Road

34. Prior to commencing haulage of quarry products from the site the Proponent shall ensure that:
- (a) the access road from the Hume Highway is sealed for its full length;
 - (b) the intersection of the access road with the Hume Highway is constructed to the satisfaction of the RTA;
 - (c) the gates located at the access to the subject property from the Hume Highway are located a minimum of 30 m into the site from the road reserve of the Hume Highway.
 - (d) the sweep path of the largest vehicle entering or exiting the subject site and manoeuvrability through the site is in accordance with current Australian Standards;
 - (e) appropriate directional signage and line marking is installed within the site to assist in directing vehicles around and through the facility; and
 - (f) appropriate truck entering signs are installed on the Hume Highway on both approaches to the intersection of the access road, to the satisfaction of the RTA.

Haulage Records

35. The Proponent is to record and maintain a log of the extraction quantities and traffic movement in and out of the subject site, available for inspection at the request of the Director-General or the RTA.

Road Haulage

36. The Proponent shall ensure that:
- (a) all loaded vehicles entering or leaving the site are covered; and
 - (b) all loaded vehicles leaving the site are cleaned of materials that may fall on the road, before they leave the site.

VISUAL

Visual Amenity

37. The Proponent shall minimise the visual impacts of the project to the satisfaction of the Director-General.

Lighting Emissions

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

Advertising

39. The Proponent shall not erect or display any advertising structure(s) or signs on the site without the written approval of the Director-General.

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

WASTE MANAGEMENT

Waste Minimisation

40. The Proponent shall minimise the amount of waste generated by the project to the satisfaction of the Director-General.

EMERGENCY AND HAZARDS MANAGEMENT

Dangerous Goods

41. The Proponent shall 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*.

Safety

42. The Proponent shall secure the project to ensure public safety to the satisfaction of the Director-General.

Bushfire Management

43. The Proponent shall:
- (a) ensure that the project is suitably equipped to respond to any fires on-site; and
 - (b) assist the Rural Fire Service and emergency services as much as possible if there is a fire on site.

PRODUCTION DATA

44. The Proponent shall:
- (a) provide annual production data to the DPI using the standard form for that purpose; and
 - (b) include a copy of this data in the AEMR.
-

SCHEDULE 4 ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS

1. If the results of monitoring required in Schedule 3 identify that impacts generated by the project are greater than the relevant impact assessment criteria, then the Proponent shall notify the Director-General and the affected landowners and/or existing or future tenants accordingly, and provide quarterly monitoring results to each of these parties until the results show that the project is complying with the relevant criteria.

INDEPENDENT REVIEW

2. If a landowner of privately owned land considers that the operations of the quarry are exceeding the impact assessment criteria in Schedule 3, then he/she may ask the Proponent in writing for an independent review of the impacts of the project on his/her land.

If the Director-General is satisfied that an independent review is warranted, the Proponent shall within 3 months of the Director-General advising that an independent review is warranted:

- (a) consult with the landowner to determine his/her concerns;
 - (b) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to conduct monitoring on the land, to determine whether the project is complying with the relevant criteria in Schedule 3, and identify the source(s) and scale of any impact on the land, and the project's contribution to this impact; and
 - (c) give the Director-General and landowner a copy of the independent review.
3. If the independent review determines that the quarrying operations are complying with the relevant criteria in Schedule 3, then the Proponent may discontinue the independent review with the approval of the Director-General.
 4. If the independent review determines that the quarrying operations are not complying with the relevant criteria in Schedule 3, and that the quarry is primarily responsible for this non-compliance, then the Proponent shall:
 - (a) implement all reasonable and feasible measures, in consultation with the landowner, to ensure that the project complies with the relevant criteria; and
 - (b) conduct further monitoring to determine whether these measures ensure compliance; or
 - (c) secure a written agreement with the landowner to allow exceedances of the relevant criteria in Schedule 3,to the satisfaction of the Director-General.

If the additional monitoring referred to above subsequently determines that the quarrying operations are complying with the relevant criteria in Schedule 3, then the Proponent may discontinue the independent review with the approval of the Director-General.

If the Proponent is unable to finalise an agreement with the landowner, then the Proponent or landowner may refer the matter to the Director-General for resolution.

If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (see Appendix 5).

5. If the landowner disputes the results of the independent review, either the Proponent or the landowner may refer the matter to the Director-General for resolution.

If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (see Appendix 5).

SCHEDULE 5

ENVIRONMENTAL MANAGEMENT, MONITORING, REPORTING & AUDITING

ENVIRONMENTAL MANAGEMENT STRATEGY

1. The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy shall be submitted to the Director-General for approval prior to the commencement of construction, and;
 - (a) provide the strategic context for environmental management of the project;
 - (b) identify the statutory requirements that apply to the project;
 - (c) describe in general how the environmental performance of the project would be monitored and managed;
 - (d) describe the procedures that would be implemented to:
 - keep the local community and relevant agencies informed about the construction, operation and environmental performance of the project;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise during the life of the project;
 - respond to any non-compliance;
 - manage cumulative impacts; and
 - respond to emergencies; and
 - (e) describe the role, responsibility, authority, and accountability of the key personnel involved in the environmental management of the project.

ENVIRONMENTAL MONITORING PROGRAM

2. The Proponent shall prepare an Environmental Monitoring Program for the project to the satisfaction of the Director-General. This program shall be submitted to the Director-General concurrently with the submission of the various monitoring programs and consolidate the various monitoring requirements in Schedule 3 of this approval into a single document.

REPORTING

Incident Reporting

3. Within 7 days of detecting an exceedance of the goals/limits/performance criteria in this approval or an incident causing (or threatening to cause) material harm to the environment, the Proponent shall report the exceedance/incident to the Department and any relevant agencies. This report shall:
 - (a) describe the date, time, and nature of the exceedance/incident;
 - (b) identify the cause (or likely cause) of the exceedance/incident;
 - (c) describe what action has been taken to date; and
 - (d) describe the proposed measures to address the exceedance/incident.

Annual Reporting

4. Within 12 months of the date of this approval, and annually thereafter, the Proponent shall submit an AEMR to the Director-General and relevant agencies. This report shall:
 - (a) identify the standards and performance measures that apply to the project;
 - (b) describe the works carried out in the last 12 months, including certification from a registered surveyor of the volume of material in the overburden stockpile;
 - (c) describe the works that will be carried out in the next 12 months;
 - (d) include a summary of the complaints received during the past year, and compare this to the complaints received in previous years;
 - (e) include a summary of the monitoring results for the project during the past year;
 - (f) include an analysis of these monitoring results against the relevant:
 - impact assessment criteria/limits;
 - monitoring results from previous years; and
 - predictions in the EA;
 - (g) identify any trends in the monitoring results over the life of the project;
 - (h) identify any non-compliance during the previous year; and
 - (i) describe what actions were, or are being, taken to ensure compliance.

INDEPENDENT ENVIRONMENTAL AUDIT

5. Within 1 year of the date of the commencement of the project, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit shall:
 - (a) be conducted by a suitably qualified, experienced, and independent person(s) whose appointment has been approved by the Director-General;
 - (b) include consultation with the relevant agencies;
 - (c) assess the environmental performance of the project, and its effects on the surrounding environment;

- (d) assess whether the project is complying with the relevant standards, performance measures and statutory requirements; and
- (e) review the adequacy of any strategy/plan/program required under this approval, and, if necessary, recommend measures or actions to improve the environmental performance of the project, and/or any strategy/plan/program required under this approval.

Note: The person(s) conducting the audit shall have expertise in flora and fauna assessment as well as quarry rehabilitation.

- 6. Within 6 weeks of completion of each Independent Environmental Audit, the Proponent shall submit a copy of the audit report to the Director-General, with a response to any of the recommendations in the audit report.
- 7. Within 3 months of submitting a copy of the audit report to the Director-General, the Proponent shall review and if necessary revise:
 - (a) each of the environmental management and monitoring strategies/plans/programs in Schedules 3 and 5; and
 - (b) the sum of the Vegetation Offset Bond (see Schedule 3). This review shall consider:
 - the effects of inflation;
 - any changes to the total area of disturbance; and
 - the performance of the vegetation offsets against the completion criteria of the Rehabilitation and Vegetation Offset Management Plan,
 to the satisfaction of the Director-General

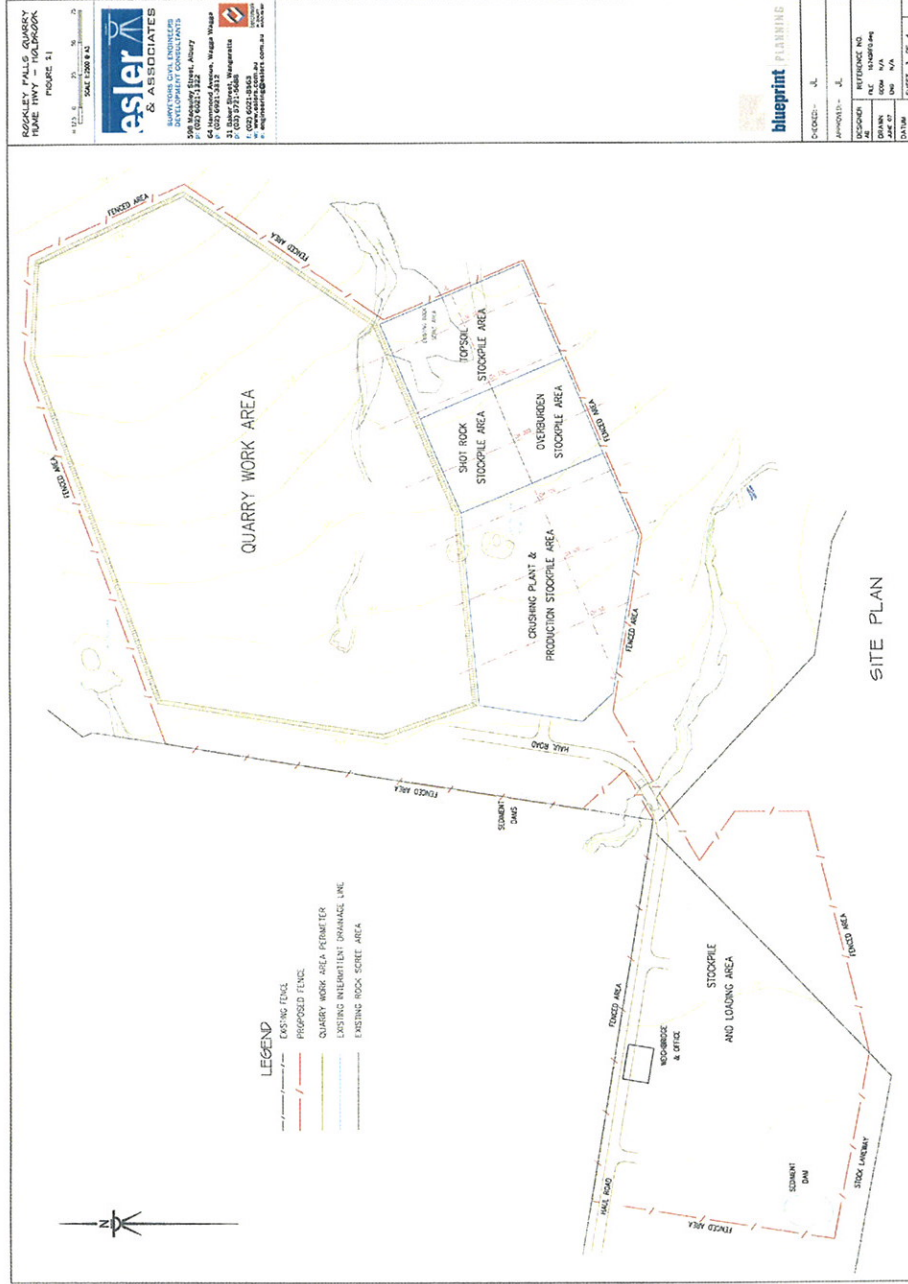
ACCESS TO INFORMATION

- 8. 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 the audits or AEMR required under this approval, the Proponent shall:
 - (a) provide a copy of the relevant document/s to the relevant agencies and to members of the general public upon request; and
 - (b) ensure that a copy of the relevant document/s is made publicly available on its website.
- 9. During the project, the Proponent shall:
 - (a) make a summary of monitoring results required under this approval publicly available on its website; and
 - (b) update these results on a regular basis (at least every 6 months).

**APPENDIX 1
SCHEDULE OF LAND**

Lot	DP
1	1116210
2	1116210
113	753340
7004	94344
1	827281
2	827281

APPENDIX 2 GENERAL LAYOUT OF PROJECT



APPENDIX 3 STATEMENT OF COMMITMENTS

1 Noise, Vibration and Overpressure

The operation of Rockley Falls Quarry has the potential to impact on the acoustic amenity of dwellings to the west and south-west of the site. The following recommendations have been made in order to minimise the potential noise impacts from blasting, extraction, processing, and haul operations during the following timeframes:

Specific to the 700,000 tpa extraction phase of the proposal

- a driver's code of conduct specifically relating to the haulage of material along Albury Street, Holbrook (Hume Hwy) will be prepared in accordance with Abigroup's existing policy;
- the existing complaints and enquiries program developed by Abigroup will include the Rockley Falls Quarry;

Specific to all operations

- quarry operations will be carried out from 7 am to 6 pm Monday to Saturday, excluding Public Holidays;
- noise goals will be adopted at the following locations:

Receiver location	Direction	Distance	Day-time Project Specific Criteria (L _{Aeq} , 15 minutes)
'Cromer'	North	1,210 m	41 dB(A)
'Beenly'	West	1,520 m	35 dB(A)
'Jerapoohl'	West	1,660 m	35 dB(A)
'Quambatook'	South	1,360 m	35 dB(A)

- an acoustic barrier (i.e. an earth mound) will be constructed and maintained within 10 m of the jaw crushing equipment, which fully prevents line-of-sight of the plant to the three closest dwellings to the west and south-west;
- blasting operations are limited from 10 am to 3 pm Monday to Friday, excluding Public Holidays;
- air-blast overpressure will not exceed 115 dB(L_{peak}) for more than 5% of the total number of blasts over a period of 12 months with a maximum level of 120 dB(L_{peak}) at any time;
- peak particle velocity from ground vibration will not exceed 5 mm/s for more than 5% of the total number of blasts over a period of 12 months, and the maximum level will not exceed 10 mm/s at any time;
- where winds are between 3 to 5 km/hr blowing downwind from the quarry in a quadrant extending west to south (270° to 180° magnetic north) the blasting charge weight will be restricted to 60 kg, or no blasting will take place;
- blasting will be avoided when winds exceed 5 km/hr blowing downwind from the quarry in the south to southwest quadrant (180° to 225° magnetic north);
- residents of dwellings within two km of the quarry will be informed a minimum of 24 hours in advance of any proposed blasting;
- all reasonable attempts will be made with the operators of Lubke Quarry to ensure that the minimum 24 hours prior notice of a blasting to residents with a two km radius is carried out in a coordinated fashion; and
- a driver's code of conduct will be prepared.

2 Air Quality

To minimise the potential impacts on air quality resulting from dust generated from operations associated with Rockley Falls Quarry the following recommendations are made:

Specific to all operations

- maintain the haul road in a sealed condition;
- install water micro-sprays using recycled water from the sediment dams to wet the various stages of materials production at crushing and processing plant;
- use a water-cart or truck for dust suppression 'as and when required';
- limit haul road truck speed to 40 km/hr by erecting speed limit signage at the Hume Hwy/Fwy ingress point, at the weigh-bridge, and at the egress of the quarry;
- cover loads on outbound haul trucks before trucks leave the stockpile loading area;
- implement dust emission control measures in the quarry work area by:
 - watering dry surfaces; seed grass long-term stockpiles; and, remove mud and dirt 'tracked' on to road surfaces;
- progressively rehabilitate disturbed areas as soon as earthworks are complete or where earthworks on disturbed areas are dormant for greater than 8 weeks;
- limit vehicle and machinery access to designated work areas;
- undertake progressive rehabilitation of the quarry work area;

develop a dust management plan which allows for the investigation and mitigation of adverse impacts which may be experienced at nearby residences possibly arising from cumulative impacts associated with Lubke Quarry and construction of the HHWD;P;

5 As referenced in the supplementary specialist report provided to the DWE.

- all construction vehicles, plant and equipment should be maintained and operated in accordance with Australian Design Rules and manufacture's specifications;
- monitor and record the effectiveness of measures implemented to control dust emission; and
- greenhouse gas emission targets for the construction of the proposal will be in line with government guidelines.

3 Water Quality and Hydrology

The proposed establishment of Rockley Falls Quarry has the potential to impact on the water quality of downstream receiving water environments. The following recommendations have been made in order to minimise the potential for water quality impact:

Specific to all operations

- a groundwater monitoring network will be established to detect any emerging impacts and assist in separating any quarry extraction impacts from background/climatic induced changes. The monitoring network should be located and implemented as shown in Appendix G⁵ (refer to Figure 8 within);
- should any dewatering or extraction of groundwater intercepted in the quarry pit be required, a licence under Part 5 of the Water Act 1912 will be sought from the DWE beforehand;
- implementation of the Concept Erosion and Sedimentation Control Plan shown at Figure 2.7.3 by carrying out works in accordance with the plan;
- regular inspection and monitoring of erosion and sediment control works and measures with maintenance works carried out as and when required;
- monitoring of water usage and overall water balance;
- seed long-term stockpiles;
- remove mud and dirt 'tracked' on to road surfaces;
- progressively rehabilitate disturbed areas as soon as earthworks are complete or where earthworks on disturbed areas are dormant for greater than 8 weeks;
- limit vehicle and machinery access to designated work areas.
- all necessary licences and/or agreements will be entered into with the DoL and/or the HRLPB in relation to establishing groundwater monitoring bores in the TSR prior to any establishment work commencing.

4 Flora and Fauna

The proposed establishment of Rockley Falls Quarry has the potential to impact on flora and fauna identified in Section 3.7 and in Appendix H. The following general and specific recommendations have been made in order to minimise the potential for related impacts:

- the native vegetation off-set areas will be recognised as covenants on the land Titles;
- the limits of clearing will be clearly marked prior to clearing;
- a pre-clearance survey of all trees to be removed will be carried out by an appropriately qualified person, and an appropriately qualified person will be onsite
- while trees are being removed so that any animals inhabiting the trees can be captured and relocated if necessary;
- the residual impacts of the proposal on biodiversity will be off-set so as to ensure an improvement in biodiversity values in the area in the long-term.
- Native vegetation off-set replanting will be carried out in accordance with the Concept Rehabilitation and Native Vegetation Off-set Replanting Plan,
- incorporating both the graphical part and the written part, with the off-set ratios indicated in the supplementary specialist Flora and Fauna report⁶ complied with;
- permanent quarry perimeter fencing and off-set replanting area fencing will be installed with access gates for maintenance vehicles (weed spraying etc); and
- immediately prior to blasting activities, a loud high-pitched 'warning' siren will be sounded in the quarry area. This will serve to flush birds from the area.

5 Visual

The visual impact of the proposed quarry expansion will depend to a large extent on mitigation strategies but also depend on whether current drought conditions cease so as to provide more colour contrast with the landscape. The following recommendations have been made in order to minimise the potential for visual impact:

- progressively rehabilitate the quarry and carry out replanting in accordance with the Concept Rehabilitation and Native Vegetation Off-Set Replanting Plan;
- install perimeter fencing before any formal operations commence; and
- minimise disturbed ground area by only carrying out operations to the minimum extent necessary to achieve production parameters.

6 Traffic and Access

The proposed establishment of Rockley Falls Quarry has the potential to impact on traffic safety at the Hume Hwy/Fwy access point. The following recommendations have been made in order to minimise the potential for

⁶ As referenced in the supplementary specialist report provided to the DECC.

traffic impact:

Specific to all operations

- all necessary licences and/or agreements will be entered into with the DoL and/or the HRLPB in relation to haul road access over the TSR prior to any haul road works commencing;

Current alignment/construction of the Hume Hwy

- an Auxiliary Right Turn (AWR) should be constructed in accordance with the RTA's Road Design Guide for the 100 km/hr speed limit prior to haul trucks transporting material from the quarry;
- existing haul road gates and fencing are to be relocated to ensure that a standard semi-trailer 19 m long is able to be clear of the nearest traffic lane and shoulder when turning into the site;
- no more than the minimum necessary trees are to be removed to ensure SISD in accordance with the RTA's *Road Design Guide* for the 100 km/hr speed limit; and
- no haul trucks are to enter or leave the access point during times of fog when clear sight-distance is not available for 225 m in either direction - to this end a marker post is to be located, with prior advice and permission from the RTA, 225 m in either direction along the Hume Hwy, and all truck drivers (permanent employees or contractors) are to be informed of this requirement.

Future construction of the Hume Fwy

- all of the above requirements subject to RTA approval (except for tree removal - no tree removal will be required to comply with SISD); and
- the access point and fencing is to be designed and constructed to comply with semi-trailer swept path requirements detailed in Design Vehicles and Turning Path Templates, Ausroads, 1995 (A P-34/95).

7 Waste and Risk Management

All operations will minimise the amount of waste generated. All liquid and non-liquid wastes resulting from activities and processes at the site will be assessed, classified and managed in accordance with the EPA's Environmental Guidelines: *Assessment, Classification and Management of Liquid and Non-liquid Wastes* (EPA 1999).

Operations will also ensure that the storage, handling, and transport of any dangerous goods are carried out in accordance with relevant standards, in particular:

- AS 2187.2 (2006): *Explosives - Storage and use - Use of explosives*;
- AS 1940 (2004): *The storage and handling of flammable and combustible liquids*;
- AS/NZS 1596 (2002): *The storage and handling of L.P Gas, the Australian Dangerous Goods Code* and
- the *Mines Inspection Act 1901*.

Risk management procedures will be provided for and documented in the EMP.

8 Environmental Reporting

An Environmental Management System (EMS) will be prepared and implemented based on AS/NZS ISO 14001 (2004): *Environmental Management Systems*. The EMS will:

- incorporate construction and operational Environmental Management Plans (EMPs);
- detail potential environmental risks due to construction and operation of the proposed quarry;
- provide measures for the prevention, minimisation and management of these impacts to within acceptable limits; and
- provide a means for the project to improve environmental performance and move towards environmental sustainability.

The EMPs should be prepared in accordance with the *Guideline for Preparation of Environmental Management Plans* (DIPNR 2004).

The EMS/EMPs should be documents designed to ensure that the commitments in the EA and conditions of approval and licence/s are fully implemented. It is a comprehensive technical document which is usually finalised during or following more detailed design of the proposal after approval of the project. It should take into consideration any existing plan of management for the whole extractive industry resource, including the cumulative effects of Lubke Quarry as identified. It should also provide a comprehensive framework for managing or mitigating environmental impacts for the duration of the quarry's operation, and also a framework for auditing the effectiveness of the proposed protection measures and procedures. The structure of the EMP should align with this EA. A key tenet of the EMP should be that it is financially viable in terms of implementation both in the short-term and the long-term. The EMP should carry over from the 700,000 tpa extraction phase of the proposal to the 100,000 tpa phase in 2012/2013 in a coordinated way.

9 Consultation

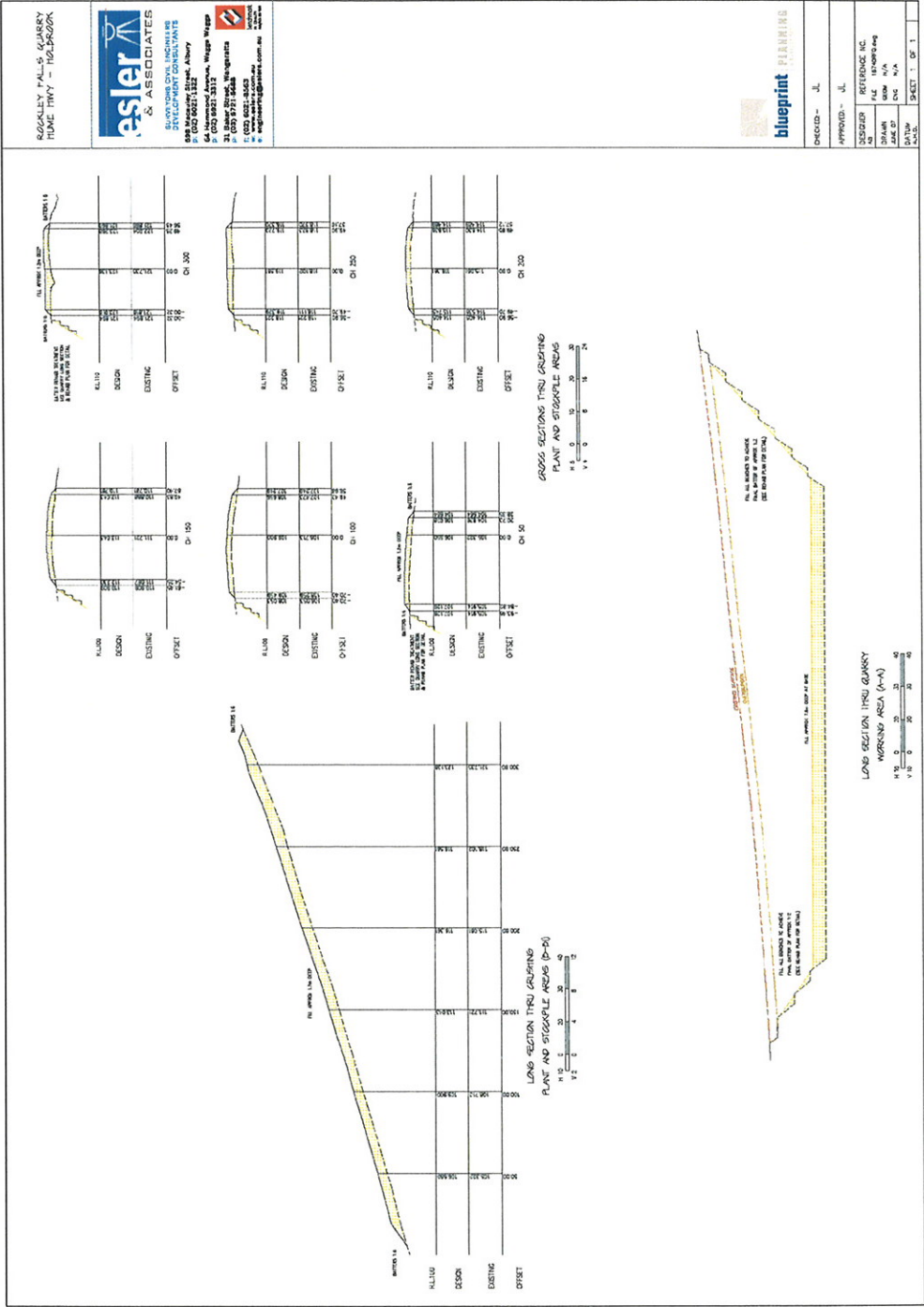
A toll-free complaints contact telephone number will be established for the proposal, as well as a system to receive, record, track and respond to complaints within a specified timeframe in accordance with AS 4269 (1995): *Complaints Handling*.

Annual production data will be supplied to the Department of Primary Industries.

10 Aboriginal cultural heritage

Should any Aboriginal heritage items be unearthed during works, all works in the vicinity of the find will cease immediately and the Quarry Manager will seek specialist advice if required. Works will not re-commence until appropriate clearance has been received.

[illegible]



**APPENDIX 5
INDEPENDENT DISPUTE RESOLUTION PROCESS**

