



**Harvest Scientific Services**  
Environmental and Earth Science Consultants

# **ENVIRONMENTAL MANAGEMENT PLAN**

## **SPRING FARM SAND AND SOIL EXTRACTION AND PROCESSING OPERATION (DA 75/256)**

### **MACARTHUR ROAD, SPRING FARM**

**Prepared for:**

**M Collins and Sons Holdings Pty Ltd**



**Project Reference: 75/256/4  
31<sup>st</sup> January 2022**

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## Environmental Management Representative (EMR)

The nominated Environmental Management Representative (EMR) is indicated in the table below. **The EMR must be familiar with this manual.** The current EMR is to be contacted in the event of any environmental related incident or suspected environmental related incident or any other environmental issues/questions associated with this site. An EMR must be available and contactable 24 hours a day, 7 days a week.

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\*Indicate whether position is permanent (p) or acting (a).

## **Issue of Environmental Management Plan**

This Environmental Management Plan (EMP) has been issued to the persons listed below. All persons to whom the EMP is issued are bound under a confidentiality requirement not to provide the EMP to any third party, except with the written permission of M Collins and Sons (Holdings) Pty Ltd (MCS) and Harvest Scientific Services (HSS).

It is the responsibility of those persons to whom this EMP is issued to safeguard and have available the EMP as and when required, and to maintain the currency of the EMP by inclusion of inserts and amendments, as and when issued. Copies of the manual may be issued to additional persons and/or organisations, on the basis of need and relevance.

# ENVIRONMENTAL MANAGEMENT PLAN

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## DEFINITIONS

AEMR	Annual Environmental Management Report
AEP	Annual Exceedance Probability
AQMP	Air Quality Monitoring Program
CAA	Controlled Activity Approval
CC	Camden Council
CMA	Catchment Management Authority
CRZ	Core riparian zone
DEHWA	Department of Environment, Heritage, Water and the Arts
Department (DPIE)	Department of Planning, Industry and Environment
Development	The operation, closure and rehabilitation of the Spring Farm Quarry as described in the documents listed in Condition 2(a) of Schedule 2.
DPI (Agriculture)	The Agriculture Branch of the Primary Industries Group within the Department
DPIE (Water)	Water Group within the Department
Heritage NSW	Heritage NSW within the Department of Premier and Cabinet.
Incident	An Occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non compliance
EECs	Endangered Ecological Communities
EMP	Environmental Management Plan
EP&BC Act	Environment Protection and Biodiversity Act 1999
EP&A Act	Environmental Planning and Assessment Act 1979
EPA	Environmental Protection Authority
ESCP	Erosion and Sediment Control Plan

HSS	Harvest Scientific Services Pty Ltd
LGA	Local government area
LMP	Landscape Management Plan
MCS	M Collins and Sons (Holdings) Pty Ltd
MEG	Mining, Exploration and Geoscience within Regional NSW
Minister	NSW Minister for Planning and Public Spaces or delegate
MR (Mod 5)	Modification Report titled Proposed Modification No. 5 Spring farm Quarry consent (DA 75/256), Lot 22 ( No. 186) DP 833317 and Part Lot 32 ( No. 172) ( DP635271) Macarthur Road Springfarm, Environmental Assessment prepared by Pascoe Planning Solutions, dated August 2020, and the associated response to submissions titled Attachment ‘A’ Springfarm Quarry (Modification 5)- Submissions Response dated 19 November 2020.
Non Compliance	An occurrence, set of circumstances or development that is a breach of this consent.
NRAR	Natural Resources Access Regulator
NES	National environmental significance
OEH	Office of Environment and Heritage
PEO Act	Protection of the Environment Operations Act 2000
PIRMP	Pollution Incident Response Management Plan
PM <sub>10</sub>	Particulate Matter less than 10µm in size
PMF	Probable Maximum Flood
Quarrying Operations	The Extraction, Processing, stockpiling and transportation of extractive materials carried out on site and the associated removal of vegetation, topsoil and overburden.
Rehabilitation	The Restoration of land disturbed by development to a good condition, to ensure it is safe, stable and non polluting.
Secretary	Planning Secretary under the EP&A Act, or nominee
SEE	Statement of Environmental Effects
TSP	Total Suspended Particles
TSC Act	Threatened Species Conservation Act 1995
VB	Vegetated buffer
WM Act	Water Management Act 2000
WMP	Water Management Plan
WM & ESCP	Water Management and Erosion and Sediment Control Plan

## **1.0 INTRODUCTION**

This Environmental Management Plan (EMP) has been compiled by Harvest Scientific Services Pty Ltd (HSS) for the benefit and use by M Collins and Sons Holdings Pty Ltd (MCS) with the objective of providing environmental protocols for the management of existing and cumulative environmental impacts and operational issues arising from the MCS Spring Farm sand and soil extraction and processing operation.

This EMP includes:

- A project overview
- Environmental and waste management policy;
- A risk assessment of the environmental aspects & impacts associated with this facility;
- An outline of development approvals and licensing;
- Environmental Control Protocols (ECPs);
- Facility Operating Procedures (FOPs);
- Environmental targets;
- Environmental Monitoring Records (EMRs);
- Environmental incident response protocols;
- Complaint response protocols; and
- Environmental reporting protocols.

The content and scope of this EMP broadly follows the guidelines outlined in “Environmental Management Systems Guidelines 3<sup>rd</sup> Edition” issued by NSW Government Procurement Department, August, 2013. These guidelines are in turn, based on the international standard ISO 14000/14001.

## **2.0 USE AND RESTRICTION OF THE EMP**

This EMP is issued under the authority of MCS which has been prepared by HSS. It is a controlled document, and is subject to a number of requirements which are set out in this document. Its use is limited to MCS and to those authorised persons listed at the beginning of this document. The EMP is subject to copyright and cannot be photocopied except with the written permission of HSS and MCS.

The purpose of the EMP is to set down the environmental performance standards of the operation and bind MCS, the employees, consultants and contractors working at Spring Farm operations.

The EMP will be reviewed annually and be updated as necessary as stated in section 14. The EMP will be stored electronically on the Collins Intranet and authorised persons will be advised of any changes. Any access can be sanctioned through the Managing Director or nominated person.

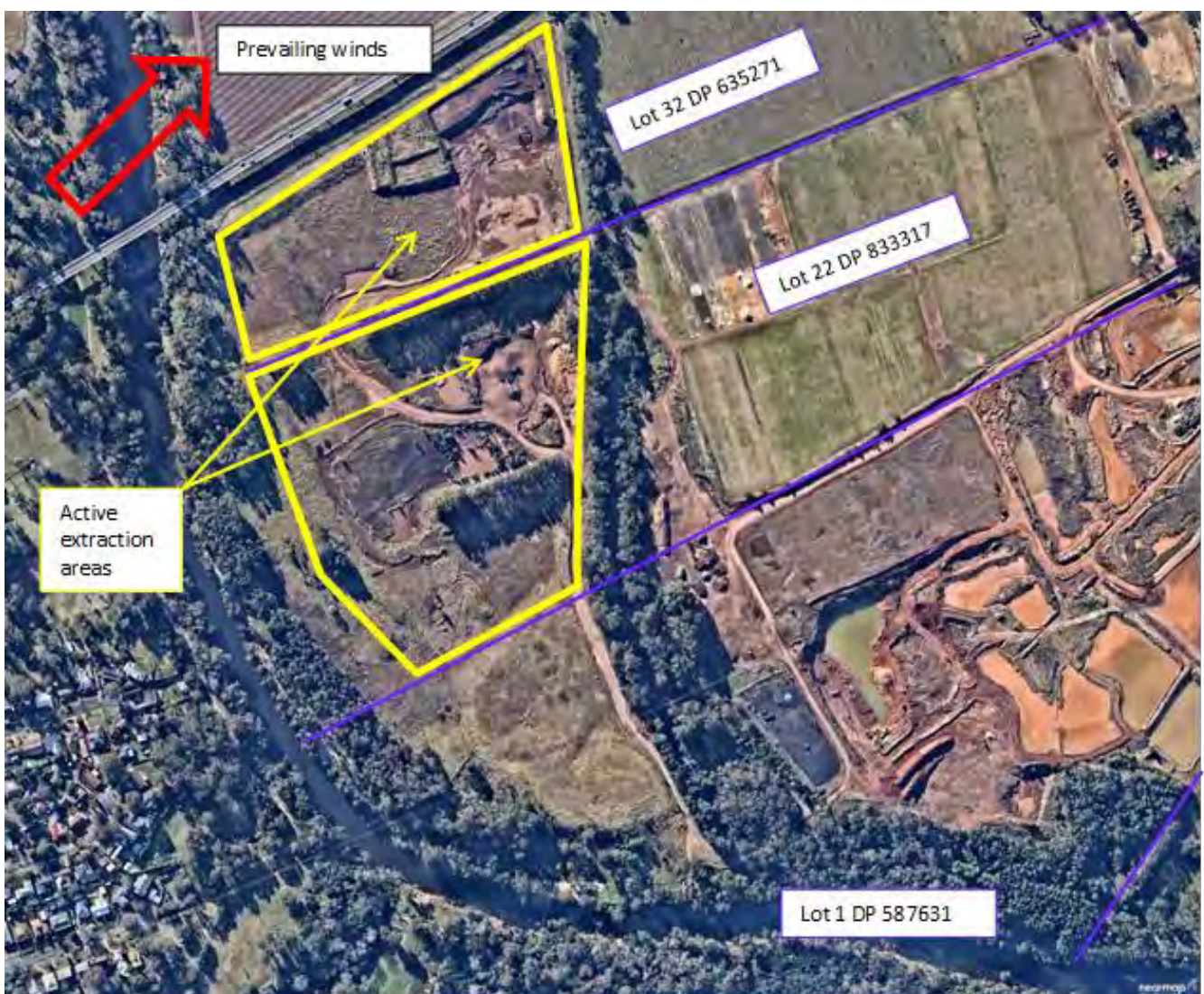
Any employee, consultant or contractor to MCS not abiding by the requirements of this document, will be subject to disciplinary action.

### 3.0 PROJECT OVERVIEW

#### 3.1 Introduction and site location

MCS owns and operates the Spring Farm sand and soil quarry located at Lot 22 (DP833317), Lot 32 (DP635271) and Lot 1 DP 587631 at Spring Farm, in the Camden Local Government Area (LGA). These operations are accessed via Macarthur Road, Spring Farm (Figure 1) and Plan 1 outlines details of the existing extraction and operational areas.

Since the original grant, there have been a number of modifications applied to the project, the most recent of which MR (Mod 5) was determined on 23<sup>rd</sup> April 2021 (Appendix 1). Under Section 75W of the Environmental Planning and Assessment Act (1979) NSW, MCS was given approval to extend the current activities under Quarry consent (DA 75/256) Lot 22 (No. 186) DP 833317 and Part Lot 32 (No. 172) DP 635271. This consent enables the extension of the current activities from 30 June 20201 to 30 June 2023.



**Figure 1.** Plan of extraction and processing locations (July 2021)

### **3.2 Description of operations**

This operation is a major source of sand and soil products for the Sydney region and comprises part of the regionally significant resource identified in the Sydney Regional Environmental Plan No 9 (Extractive Industry). The operation entails the extraction of sand and soil and its processing by way of wet screening and blending into a variety of high quality products suitable for use by a range of industries.

### **3.3 Supporting documentation**

This EMP has been prepared subject and with reference to the following supporting documentation:

- A Water Management and Erosion and Sediment Control Plan (Harvest Scientific Services, 2021);
- A Landscape Management Plan (Harvest Scientific Services, 2021); and
- An Air Quality Monitoring Program (Harvest Scientific Services, 2021).

### **3.4 Hours of operation**

As per Condition 7 (Schedule 3) of the Notice of Modification (Mod 4) and MR (Mod 5) (Appendix 1), the hours of operation are:

- Monday to Friday: 7:00am to 5:00pm
- Saturday: 8:00am to 1:00pm
- No operations at all on Sundays or Public Holidays

The above hour limits do not apply to:

- Maintenance which is inaudible at receiver locations; or
- For the delivery of material in circumstances required by Police or other relevant authorities for reasons of personnel and/or operational safety. In such circumstances, notification is to be provided to EPA and the affected residents as soon as possible, or within a reasonable period in the case of emergency.

## 4.0 ENVIRONMENTAL POLICY

### 4.1 Overview

The management of MCS is committed to carrying out all extraction and processing of sand, soil and blending activities subject to a well-defined environmental policy. This policy is specific to operations located on Lot 22 DP833317, Lot 32 DP635271 and Lot 1 DP 587631, Macarthur Road, SPRING FARM.

The environmental policy, as set out below is the basis for the standards contained in this EMP. Accordingly, MCS is committed to:

- the extraction and processing of sand and soil in an environmentally sensitive manner and to supply a variety of products to a number of consumers in the landscaping and horticultural construction industries;
- the implementation of sound environmental management at all levels, incorporating environmental considerations into investment and corporate strategy and undertaking a regular review of environmental practices, including an extensive monitoring program;
- developing a high level of environmental awareness amongst employees, along with encouraging environmental excellence amongst its suppliers and contractors;
- meeting all of the requirements of relevant statutory consents, approvals, licences, etc issued to MCS and relating to the operations on the subject site;
- complying with all general and specific requirements of NSW environmental law covering pollution control, health and safety and environmental planning generally;
- meeting the reasonable requirements of the Department of Planning, Industry & Environment (DPIE) and to work with the DPIE in the furtherance of environmental standards on the site and the development of regional planning strategies for the long-term benefit of the Spring Farm area and the citizens of the Elderslie and Spring Farm community; and
- communicating with local community groups; and to do so in an open and frank manner, in order to facilitate harmonious relationships between the parties, and achieve an environmentally responsible outcome.

All employees and contractors are bound to observe this policy and the rules and requirements promulgated under this policy.

### 4.2 Statutory and Other Requirements applicable to the Environmental Management Plan

MCS is subject to various legal and non legal requirements regarding its environmental aspects. The Register of Legal and Other Requirements details the specific requirements applicable to the organisation, and shows how the requirements apply to the organisation's environmental aspects. The register forms part of the EMP and is included as Appendix 12. The register is maintained by the EMR. The EMR is also responsible for reporting on changing legal and other requirements related to the organisation's environmental aspects in management reviews.

It is noted that the legal and other MCS requirements are taken into account in establishing, implementing and maintaining the environmental management system and the other management plans including the Landscape Management Plan, Air Quality Management Plan and Water Management Plan.

The noted legislation applicable to the Spring Farm Quarry is listed below.



### **National Level Legislation**

Environment Operations Act 1997 (POEO Act) Environmental Planning and Assessment Act 1979 (EP&A Act)  
Department of Planning & Infrastructure ([Environmental Impact Statement](#))  
Work Health and Safety Regulation 2017  
Mining Act 1992  
Environmentally Hazardous Chemicals Act 1985  
Waste Avoidance and Resource Recovery Act 2001  
The Contaminated Land Management Act 1997  
Heritage Act 1977  
Road Act 1993  
Native Title Act 1993  
Environment Protection and Biodiversity Conservation Act 1999

### **State Level Legislation**

Sydney Regional Environmental Planning Policy No.9 Extractive Industry (No. 2)  
NSW EPA Environmental Protection License,  
Approved Methods for Modelling and Assessment of Air Pollutants in NSW (EPA, 2016)  
National Environment Protection (Ambient Air Quality) Measure (AAQ NEPM) national reporting standards (National Environment Protection Council [NEPC], 1998; NEPC, 2015)  
NSW State Environmental Planning Policy 1979 (Mining, Petroleum and Extractive Industries) 2007  
NSW Environmental Planning & Assessment Act  
Fisheries Management Act (NSW) 1994  
Native Vegetation Act 2003 (NSW)  
Threatened Species Conservation Act 1995 (NSW)  
National Parks & Wildlife Act (NSW)  
Water Management Act 2000 (NSW)

### **Local Level Legislation**

Camden Local Environmental Plan 2010

## 5.0 WASTE MANAGEMENT POLICY

MCS will ensure that all waste and waste products generated by the operation and its employees and contractors as a result of the on-site activities are reused or recycled, disposed of in a safe and efficient manner without harm to employees and the public, and in compliance with relevant environmental legislation and voluntary programs to which the organisation subscribes.

Accountability for the application of this policy rests with the Managing Director of MCS and all employees sharing waste management responsibilities. All personnel on the site are responsible for the implementation of this policy and MCS will commit the resources necessary to ensure efficient and environmentally friendly waste management practices.

The goals of this policy will be achieved by environmentally responsible:

- Avoidance practices
- Re-use and recovery practices;
- Recycling and disposal practices; and
- Waste management research and training.

In implementing this policy, MCS will consider:

- The environmental impact of waste treatment and disposal options;
- The nature and quantity of the wastes produced;
- Waste streams and their disposal when specifying plant and equipment;
- Waste minimisation through purchasing and procurement; and
- Employee health and safety

MCS waste management practices will be reviewed annually to ensure compliance with the policy and the legislative and regulatory framework. Re-use, recycling and disposal options will be reviewed annually to ensure the most efficient practices are being utilised.

## 6.0 ENVIRONMENTAL RISK AND PLANNING

### 6.1 Introduction

All organizations have some impact on the environment. With respect to environmental management, however, an Environmental Management Plan (EMP) is a structured system designed to help an organization to reduce these impacts through targeted continuous improvement in its management of the environment, leading to improvements in the operations overall environmental performance. As such, to effectively implement an EMP, potential impacts associated with each aspect of an activity must be identified through an environmental risk assessment process. This process is ongoing and aims at determining past, present and potential impacts.

An environmental risk assessment rating system adapted from Environment Australia (2007), which is outlined in Table 1, has been adopted for the assessment of risks associated with the operation. The results of this assessment will be included in the operational EMP for this facility.

<b>Table 1: Environmental Risk Significance Rating Table*.</b>						
<b>Risk of Occurrence</b>						
May be as a result of a continuously operated process, activity or occurrence.	<b>Continuous</b>	1	4	4	4	4
May be a result of a frequently used process, activity or occurrence.	<b>Frequent</b>	1	2	3	4	4
May be a result of a little used process, activity or occurrence.	<b>Occasional</b>	1	2	3	4	4
May be as a result of a chain of unusual events leading to an environmental incident	<b>Remote</b>	1	2	3	3	4
May be a result of a chain of extraordinary events leading to an environmental accident/disaster.	<b>Improbable</b>	1	2	3	3	4
		<b>Positive</b>	<b>Minor</b>	<b>Critical</b>	<b>Major</b>	<b>Catastrophic</b>
	<b>Significance (Degree of Impact)</b>	Positive impact on environment thus positive impact on business	Limited and/or localised impact on the environment and/or business	Medium scale impacts, wider implications to environment and/or business	Serious long term implications for environment and/or business	Serious permanent damage to business and/or environment (e.g. loss of licence, restriction of activity)

\*From: Environment Australia, 2007. Model Environmental Management System for Commonwealth Agencies.

<b>Key to Risk Significance Rating</b>	1	Positive
	2	Low Risk
	3	Medium Risk
	4	High Risk

## 6.2 Review of potential environmental impacts and environmental risk rating

A review of potential environmental impacts at the premises was conducted by HSS. The review consisted of discussions with site management personnel about potential environmental impacts, a site walk-over (whilst the facility was in full operation), and a review of previously conducted Environmental Risk Assessments, previous EMPs, a Dust Management Plan and Conditions of Consent that were made available by site management.

A summary of the potential environmental impacts associated with this development and risk ratings based on Table 1 is presented in Table 2.

<b>Table 2. Summary of possible environmental aspects and associated risk assessment rating (in brackets).</b>			
<b>Activity Number</b>	<b>Activity</b>	<b>Potential Aspects</b>	<b>Potential environmental impacts identified in initial review and risk assessment rating (in brackets)</b>
1	Sand wash plant (including wet sand screening and settling ponds)	Dust emissions to air	Dust derived from stackers (2 – Frequent/Minor)
			Dust derived from use of loaders (2 – Frequent/Minor)
			Dust derived from sand stockpiles (2 – Frequent/Minor)
			Dust derived from bare soil in working areas (2 – Frequent/minor)
		Noise	Generation of noise impacting on amenity of surround areas (3 – Frequent/Critical)
		Odour	Generation of odour impacting on amenity of surround areas (2 – Improbable/minor)
		Emissions to water	Sediment and nutrient discharges from rain events to local water ways (2 – Remote/minor)
2	Dry sand extraction and dry sand screening area	Agricultural	Potential loss of 'Class 1' Agricultural Land. (2 – Remote/Minor)
		Contamination	Potential environmental and health risks associated with asbestos access pits. (3 – Remote/Major)
			Potential environmental and health risks associated existing soil contamination (2 – Improbably/minor)
		Dust emissions to air and surrounding properties	Dust derived from stackers (2 – Frequent/Minor)
			Dust derived from dry screening (2 – Frequent/Minor)
			Dust derived from use of loaders (2 – Frequent/ Minor)
			Dust derived from sand stockpiles (2 – Occasional/Minor)
			Dust derived from bare soil in working areas (3 – Frequent/Critical)
			Dust derived from excavation face (2 – Frequent/ Minor)
		Noise	Generation of noise impacting on amenity of surround areas (3 – Frequent/Critical)
		Odour	Generation of odour impacting on amenity of surround areas (2 – Improbable/minor)
		Emissions to water	Sediment and nutrient discharges from rain events to local water ways (2 – Remote/minor)
			Impact on groundwater (2 – Improbable/minor)
		Aboriginal heritage	Impact on aboriginal sites (2 – Remote/minor)

**Table 2. Summary of possible environmental aspects and associated risk assessment rating (in brackets).**

Activity Number	Activity	Potential Aspects	Potential environmental impacts identified in initial review and risk assessment rating (in brackets)
			Impact on artifacts (2 – Remote/minor)
		Ecological	Impact on threatened flora and vegetation communities (1 – Continuous/positive)
			Removal of Noxious weeds from the Nepean River and Dry River Anabranh riparian corridors (1 – Continuous/positive)
			Impact on habitat for native species (1 – Continuous/positive)
		Traffic	Impact on traffic volumes (2 – Remote/minor)
		Visual	Short-term visual landscape change (2 – Frequent/minor)
			Long-term visual impact. Improvement in long-term visual impact by planting local provenance vegetation along the Dry River Anabranh and rehabilitation of the Nepean River Riparian corridor. (1 – Continuous/positive)
		Social	Provision of employment (1 – Continuous/positive)
			Supply of sand and soil for local community (1 – Continuous/positive)
			Reduction of traffic impacts on local roads (and on local community) by the provision of a local source of sand and soil. The alternative is to import the sand and soil products that are required by the local community but from sources that are not locally produced and over much greater distances. (1 – Continuous/positive)
3	Exposed soil areas	Dust emissions to air and surrounding properties	Dust derived from exposed soil areas (3 – Occasional/Critical)
4	Soil extraction area (Lots 22 and 32)	Dust emissions to air and surrounding properties	Dust derived from stackers (2 – Frequent/Minor)
			Dust derived from dry screening (2 – Frequent/Minor)
			Dust derived from use of loaders (2 – Frequent/Minor)
			Dust derived from soil stockpiles (2 – Occasional/Critical)
			Dust derived from bare soil in working areas (3 – Frequent/Critical)
			Dust derived from excavation face (2 – Frequent/Minor)
		Noise	Generation of noise impacting on amenity of surround areas (3 – Frequent/Critical)
		Odour	Generation of odour impacting on amenity of surround areas (2 – Improbable/minor)
		Emissions to water	Sediment and nutrient discharges from rain events to local water ways (2 – Remote/minor)
5	Internal roadways and vehicular movements	Dust emissions to air and surrounding properties	Dust derived from internal roadways (3 – Frequent /Critical)
			Dust derived from loads (3 – Frequent/Critical)
			Dust derived from sediment on wheels and tyres (2 – Remote/Minor)
		Noise	Generation of noise impacting on amenity of surround areas (3 – Frequent/Critical)
		Odour	Generation of odour impacting on amenity of surround areas

**Table 2.** Summary of possible environmental aspects and associated risk assessment rating (in brackets).

Activity Number	Activity	Potential Aspects	Potential environmental impacts identified in initial review and risk assessment rating (in brackets)
6	Tailings emplacement		(2 – Improbable/Minor)
		Emissions to water	Sediment and nutrient discharges from rain events to local water ways (2 – Remote/Minor)
		Dust	Derived from placement activities (3 – Remove/Critical)
		Noise	Generation of noise impacting on amenity of surround areas (3 – Frequent/Critical)
		Odour	Generation of odour impacting on amenity of surround areas (2 – Improbable/Minor)
		Water	Sediment discharges from rain events to local water ways (2 – Remote/Minor)

### 6.3 Summary of Environmental Risks

Based on Table 2, activities with the greatest degree of environmental risk are listed below in an approximate order of priority:

#### High Risk Activities (4)

- Nil.

#### Medium Risk Activities (3)

- Dust derived from exposed soil areas, the use of stackers and loaders in soil blending and extraction areas.
- Dust emissions from extraction areas and vehicle movements.
- Dust emissions from tailings emplacement.
- Generation of noise from vehicle movements, machinery in sand and soil processing and extraction areas.

#### Low Risk Activities (2)

- Dust derived from exposed sand and soil excavation faces; use of stackers in sand-wash plant.
- Sediment emissions to waterways from extraction areas and internal roads.
- Potential loss of Class 1 Agricultural land.
- Odour emissions.
- Impact of groundwater.
- Impacts of indigenous heritage.
- Traffic impacts.
- Short-term visual.

**Positive impact activities (1)**

- Positive ecological impacts by:
  - re-vegetation works along the Dry River Anabranh and the riparian corridor associated with the Nepean River
  - removal of Noxious weeds in the riparian corridor of the Nepean River and the Dry River Anabranh
- Long-term visual impacts as a result of rehabilitation works along the Nepean River and the Dry River Anabranh
- Positive social impacts by:
  - the provision of employment
  - provision of sand and soil for the local market
  - a reduction of traffic impacts on local roads (and on local community) by the provision of a local source of sand and soil. The alternative is to import sand and soil products that are required by the local community but from sources that are not locally produced and over much greater distances.

## 7.0 DEVELOPMENT PROGRAM AND APPROVALS

### 7.1 Agency approvals and licensing

#### 7.1.1. Development Consent – NSW Department of Planning, Industry & Environment (DPIE)

Development consent for the extraction and processing of sand and soil was originally granted by the Minister for Planning in 1988 and the consent was modified in 1998 to extend the quarry's life.

On the 22<sup>nd</sup> of May 2009 MCS was granted a further Section 96(2) Modification for the Continuation of Operations by the Department of Planning & Environment for extraction within an 8 hectare portion of the subject site and for the continued processing of extracted materials onsite. That approval was to allow operations to continue for a further 10 year period.

On the 25<sup>th</sup> October 2012 MCS was granted a further Section 75W Northern Extension Modification for DA 75/256 Lot 22 DP 833317 and Lot 32 DP 635271.

On 2 August 2018, MCS was granted an extension to quarrying activities subject to a number of conditions. On 23<sup>rd</sup> April 2021, MCS was granted an extension of time to existing quarrying operations, MR (Mod 5) Modification 5, attached as Appendix 1.

A list of the DPIE Consent Conditions and EMP references is presented in Table 3.

<b>Table 3: Consent Conditions issued by the Department of Planning, Industry and Environment</b>		
<b>Condition</b>	<b>Relevant details</b>	<b>Comments</b>
<b>Schedule 2: Administrative</b>		
	<b>Minimise Harm to the Environment</b>	
S2.1	The Applicant must implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the establishment, operation, or rehabilitation of the development.	EMP
S2.2	The applicant must carry out the development generally in accordance with: EIS,SEE (Mod1), EA (Mod 3) and EA (Mod 4), Mod 5; and (a)Statement of Commitments (see Appendix 1)	Appendix 1 of Mod 2
S2.3	2A – the applicant must carry out the development in accordance with the conditions of this consent	
S2.4	(a) Any reports, strategies, plans, programs, reviews, audits or correspondence that are submitted in accordance with the conditions of this consent; (b) Any reviews, reports or audits undertaken or commissioned by the Department regarding compliance with the conditions of this consent; and (c) The implementation of any actions or measures contained in these documents	
	<b>Limits on Approval</b>	
S2.5	Extraction and processing operations may take place until 30 June 2023.	Appendix 4
	<b>Operation of plant equipment</b>	
S2.6	The Applicant must ensure that all plant and equipment used at the site is:  (a) Maintained in a proper and efficient condition; (b) Operated in a proper and efficient condition.	FOP 5  Appendix 7 & 8



**Table 3: Consent Conditions issued by the Department of Planning, Industry and Environment**

Condition	Relevant details	Comments
<b>Contributions</b>		
S2.7	The Applicant must pay an annual contribution of \$6,500 (adjusted annually by reference to the Consumer Price Index) to Council for the maintenance of Macarthur Road, between the main site entrance and the intersection with Springs Road.	AEMR
<b>Inspection of site</b>		
S2.8	The Applicant must permit access to the site to Council officers or any other public authority at reasonable times for the purposes of inspecting site operations and environmental monitoring.	Section 4
<b>Schedule 3: Environmental Performance</b>		
<b>Operating Conditions</b>		
S3.1	The Applicant must not excavate outside the extraction areas or the limits of extraction	Section 4
S3.2	The Applicant must not open, excavate or work an area exceeding 2 hectares at any one time without the written consent of Council.	Section 7.1.4, Appendix 13
S3.3	The Applicant must not:  (a) Stockpile extractive material on the site, with the exception of topsoil stockpiles and proposed noise and/or visual mitigation bunds; or (b) Process any extractive material on the site, with the exception of mobile screening.	LMP Section 1
S3.4	The Applicant must not import fill to the site for any purpose without written approval from Council.	Camden Council Approval dated 30 <sup>th</sup> September 2016
<b>Noise</b>		
S3.5	The Applicant must ensure that site operations, including processing and transportation, are conducted in such a way as to minimise noise emissions from the site.	Table 6, Appendix 8 ECP, ECP4
S3.6	The Applicant must ensure that noise generated by the development does not exceed the noise impact assessment criteria as specified in the EPL.	Section 3.4 Table 6, Appendix 8 ECP4
<b>Operating hours</b>		
S3.7	The Applicant must only operate the development: (a) Between the hours of 7:00am and 5:00pm Monday to Friday; (b) Between 8:00am and 1:00 pm Saturday; and (c) At no time on Sundays or Public Holidays	Section 3.4
<b>Air quality</b>		
S3.8	The Applicant must ensure that dust generated by the development does not cause exceedances of the criteria listed in Tables 1, 2 and 3 at any residence or on more than 25 percent of any privately owned land.	Section 10: Air Quality and Section 13.3.1. Refer to AQMP.
S3.9	The Applicant must ensure that any visible air pollution generated by the development is assessed regularly, and that quarrying operations are relocated, modified and/or stopped as required minimizing air quality impacts on privately-owned land.	Refer to AQMP.
S3.10	The Applicant must prepare an Air Quality Monitoring Program (AQMP) for the development to the satisfaction of the Secretary. This program must: (a) Be submitted to the Secretary for approval within 3 months of the date of this approval;	Refer to AQMP.

**Table 3: Consent Conditions issued by the Department of Planning, Industry and Environment**

Condition	Relevant details	Comments
	(b) Be prepared in consultation with the EPA; and (c) Include details of how the air quality performance of the development would be monitored, and include a protocol for evaluating compliance with the relevant air quality criteria in this approval. The applicant must implement the Air Quality Monitoring Program as approved by the Secretary.	
	<b>Water</b>	
S3.11	The Applicant must not discharge any water from the quarry or its associated operations except in accordance with an EPL.	Refer to WM & ESCP
S3.12	The Applicant must prepare a Water Management Plan for the development to the satisfaction of the Secretary. This plan must:  (a) Be submitted to the Secretary within 3 months of the date of this approval;  (b) Be prepared in consultation with Council, the EPA and DPIW; and  (c) Include a:  *Site Water Balance; *Erosion and Sediment Control Plan; *Groundwater Monitoring Program; and *Flood Emergency Procedures Plan.	Refer to WM & ESCP
S3.13	The Site Water Balance must: (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; *Any off-site water transfers; and *Reporting procedures; and  (b) Investigate and describe measures to minimise water use by the development.	Section 4.3  Section 4.4 Section 4.5 & 6.4  Section 4.5 Section 4.6 Section 4.7  Section 4.8
S3.14	The Erosion and Sediment Control Plan must:  (a) be consistent with the requirements of <i>Managing Urban Stormwater: Soils and Construction, Volume 1, 4<sup>th</sup> Edition, 2004</i> (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, including during flood events;  (d) Describe the location, function, and capacity of erosion and sediment control structures;	Section 6    Table 8, Section 6.4  Section 6.4, Figure 8

**Table 3: Consent Conditions issued by the Department of Planning, Industry and Environment**

Condition	Relevant details	Comments
	<p>(e) Demonstrate that the design capacity of basins will not be compromised by storage of operational water; and</p> <p>(f) Describe what measures would be implemented to maintain (and if necessary decommission) the structures over time.</p>	<p>ESC6</p> <p>Section 6.4.7</p>
S3.15	<p>The Groundwater Monitoring Program must include:</p> <p>(a) Baseline data on groundwater levels, flows and quality in the vicinity;</p> <p>(b) Groundwater assessment criteria, including trigger levels for investigating any potentially <i>adverse</i> groundwater impacts; and</p> <p>(c) A program to monitor any observed groundwater inflows to the quarry pit.</p>	<p>Section 5.1</p> <p>Section 5.2.5</p> <p>Section 5.2.5, Table 6</p>
S3.16	<p>The Flood Emergency Procedures Plan must be put in place for floods above the 1% AEP flood event up to the PMF and:</p> <p>(a) Address both the site and the adjacent stockpiling and blending site;</p> <p>(b) Include procedures to be carried out in advance of a major flood event to minimise damage to plant equipment, operating staff and the environment; and</p> <p>(c) Include procedures to be followed after a major flood event to repair any damage and return the site to productive operations, including reinstatement of all pollution control devices and rehabilitation to meet the maximum probable flood (MPF) condition. .</p>	<p>Section 7</p> <p>Section 7</p> <p>Section 7</p>
<b>Landscape Management</b>		
S3.17	<p>The Applicant must prepare a detailed Landscape Management Plan for the development to the satisfaction of the Secretary. This Plan must:</p> <p>(a) Be prepared in consultation with Council and DPI (Agriculture NSW) and DRG by suitably qualified expert's whose appointments have been approved by the Secretary;</p> <p>(b) Be submitted to the Secretary for approval within 6 months of the date of this approval; and</p> <p>(c) Include a Rehabilitation Management Plan.</p> <p>The Applicant must implement the Landscape Management Plan as approved by the Secretary.</p>	<p>Refer to LMP</p> <p>Appendix 4</p> <p>Appendix 4 -Approval letter by DPI</p> <p>Section 2.1</p>
S3.16A	The Applicant must ensure that, in order to limit potential scour and erosion during flood events, all topsoil stockpiles	Completed

**Table 3: Consent Conditions issued by the Department of Planning, Industry and Environment**

Condition	Relevant details	Comments
	and earthen bunds which are to be in place for any period longer than 3 months are oriented parallel to potential flood flows and are promptly and effectively spray-seed hydro-mulched with an appropriate fast-growing native grass mix, to the satisfaction of the Secretary.	
	<b>Rehabilitation Management Plan</b>	
S3.18	<p>The Applicant must prepare a Rehabilitation Plan for the development. This plan must include:</p> <p>(a) The rehabilitation objectives for the site;</p> <p>(b) A description of the short, medium, and long term measures that would be implemented to rehabilitate the site, including re-establishing high order agricultural land suitability and land use establishing healthy native vegetation and habitat for native fauna or other future land use acceptable to Council and proposed rehabilitation timeframes and timelines;</p> <p>(c) Performance and completion criteria for the rehabilitation of the site, including appropriate high order agricultural land suitability objectives with reference to the NSW Agricultural Land Suitability Classification system;</p> <p>(d) A detailed description of the measures that would be implemented including the procedures for:</p> <ul style="list-style-type: none"> <li>➤ Progressively rehabilitating disturbed areas;</li> <li>➤ Protecting areas outside the disturbance areas;</li> <li>➤ Protecting the Nepean River and drainage lines on the site to ensure no net loss of water, Quality and aquatic habitat;</li> <li>➤ Managing impacts on fauna;</li> <li>➤ Landscaping the site to minimise visual impacts;</li> <li>➤ Conserving and reusing topsoil;</li> <li>➤ Achieving a free draining final landform;</li> <li>➤ Ensuring compatibility of the final land form with surrounding land uses;</li> <li>➤ Erosion and sediment control;</li> <li>➤ Identifying any proposed types and methods of agriculture;</li> <li>➤ Collecting and propagating seed for rehabilitation works;</li> <li>➤ Salvaging and reusing material from the site for habitat enhancement;</li> <li>➤ Controlling weeds and feral pests;</li> <li>➤ Controlling access; and</li> <li>➤ Bushfire management;</li> </ul> <p>(e) A program to monitor the effectiveness of these measures, and progress against the performance and completion criteria (see (c) above);</p> <p>(f) A description of the potential risks to successful rehabilitation and/or revegetation, and a description of the</p>	<p>Section 1.1</p> <p>Figures 2-4</p> <p>Section 5.12 Section 6</p> <p>Section 1</p> <p>Section 5.5 and 5.6</p> <p>Section 5.6</p> <p>Section 5.10.1 Sections 2.1, 5.5.5</p> <p>Section 5.5.5</p> <p>Section 5.5.6</p> <p>Section 5.5.6</p> <p>Section 5.6 Appendix D</p> <p>Section 5.7.1, 5.7.2</p> <p>Section 5.10.1 Section 5.5.2, 5.10.2, 5.10.3 Section 5.5.1 Section 5.5.4</p> <p>Section 5.12</p> <p>Section 5.7.5 Section 9</p>

**Table 3: Consent Conditions issued by the Department of Planning, Industry and Environment**

Condition	Relevant details	Comments
	contingency measures that would be implemented to mitigate these risks; and  (g) Details of who would be responsible for monitoring, reviewing, and implementing the plan.  The Applicant must implement the Rehabilitation Management Plan as approved by the Secretary.	Section 5.12
	<b>Heritage</b>	
S3.19	Should the Applicant discover material suspected of being Aboriginal relics or skeletal remains, work in that area shall cease and the Applicant must advise the EPA and proceed in accordance with EPA instructions.	ECP5
	<b>Visual</b>	
S3.20	The Applicant must establish and maintain perimeter plantings in order to minimise the visual impacts of the development, to the satisfaction of Council.	Included in Landscape Management Plan for facility.
	<b>Waste Management</b>	
S3.21	The Applicant must minimise the amount of waste generated by the development to the satisfaction of Council.	FOP7
S3.22	The Applicant must store and manage waste and by-products generated by the development to the satisfaction of Council.	FOP7
S3.22A	The Applicant must prepare a Waste Management Plan for the project in consultation with Council and to the satisfaction of the Secretary. The plan must:  (a) Be prepared by a suitably qualified person/s with expertise in risk management;  (b) Be submitted to the Secretary for approval prior to commencing earthworks on Lot 32; and  (c) Include a:  ➤ Description of the measures and controls that would be implemented to manage waste risks within site;  The Applicant must implement the Waste Management Plan as approved by the Secretary	Waste Management Plan dated 711 December 2018  All asbestos on site has been removed and areas have been suitably treated. (Not applicable)
	<b>Emergency And Hazards Management</b>	
S3.23	The Applicant 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 <i>Dangerous Goods Code</i> .	Condition of Consent– Section 5
S3.24	The Applicant must secure the development to ensure public safety to the satisfaction of Council	LMP
S3.25	The Applicant must:	Section 11, Table 8

**Table 3: Consent Conditions issued by the Department of Planning, Industry and Environment**

Condition	Relevant details	Comments
	<p>(a) Ensure that the development is suitably equipped to respond to any fires on-site; and</p> <p>(b) Assist the Fire Service and emergency services as much as possible if there is a fire on site.</p>	
	<b>Production Data</b>	
S3.26	<p>The Applicant must:</p> <p>(a) Provide annual production data to the DPI using the standard form for that purpose; and</p> <p>(b) Include a copy of this data in the AEMR.</p>	Annual AEMR
<b>Schedule 4: Additional Procedures</b>		
	<b>Notification to landowners</b>	
S4.1	<p>If the results of monitoring required in Schedule 3 identify that impacts generated by the development are greater than the relevant impact assessment criteria, then the Applicant must notify the Secretary and the affected landowners and tenants accordingly, and provide quarterly monitoring results to each of these parties until the results show that the development is complying with the relevant criteria.</p>	ECP7
	<b>Independent review</b>	
S4.2	<p>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 Applicant in writing for an independent <i>review</i> of the impacts of the development on his/her land.</p> <p>If the Secretary is satisfied that an independent review is warranted, the Applicant shall within 3 months of the Secretary advising that an independent <i>review</i> is warranted:</p> <p>(a) Consult with the landowner to determine his/her concerns;</p> <p>(b) Commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to conduct monitoring on the land, to determine whether the development is complying with the relevant criteria in Schedule 3, and identify the source(s) and scale of any impact on the land. and the development's contribution to this impact; and</p> <p>(c) Give the Secretary and landowner a copy of the independent review.</p>	
S4.3	<p>If the independent review determines that the quarrying operations are complying with the relevant criteria in Schedule 3, then the Applicant may discontinue the independent review with the approval of the Secretary.</p>	Noted.
S4.4	<p>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 Applicant must:</p>	Noted.

**Table 3: Consent Conditions issued by the Department of Planning, Industry and Environment**

Condition	Relevant details	Comments
	<p>(a) Implement all reasonable and feasible measures, in consultation with the landowner, to ensure that the development complies with the relevant criteria; and</p> <p>(b) Conduct further monitoring to determine whether these measures ensure compliance; or:</p> <p>(c) Secure a written agreement with the landowner to allow exceedances of the relevant criteria in</p> <p>Schedule 3, to the satisfaction of the Secretary.</p> <p>If the additional monitoring referred to above subsequently determines that the quarrying operations are complying with the relevant criteria in Schedule 3, then the Applicant may discontinue the independent review with the approval of the Secretary.</p> <p>If the Applicant is unable to finalize an agreement with the landowner, then the Applicant or landowner may refer the matter to the Secretary for resolution. (See Appendix 3)</p>	
S4.5	If the landowner disputes the results of the independent review, either the Applicant or the landowner may refer the matter to the Secretary for resolutionSee Appendix 3.	Noted.
<b>Schedule 5: Environmental Management Plan</b>		
S5.1	<p>The Applicant must prepare an updated Environmental Management Plan for the development to the satisfaction of the Secretary.. This plan must be submitted to the Secretary for approval 3 months after the date of this consent and:</p> <p>(a) Provide the overall environmental management approach for the development;</p> <p>(b) Identify the statutory requirements that apply to the development;</p> <p>(c) Describe in general how the environmental performance of the development would be monitored and managed;</p> <p>(d) Describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"> <li>➤ keep the local community and relevant agencies informed about the construction,</li> <li>➤ operation and environmental performance of the development;</li> <li>➤ receive, handle, respond to, and record complaints;</li> <li>➤ resolve any disputes that may arise during the life of the development;</li> <li>➤ respond to any non-compliance;</li> <li>➤ manage cumulative impacts;</li> <li>➤ respond to emergencies, including flood-related emergencies; and</li> </ul>	<p>EMP</p> <p>Section 4.0</p> <p>Section 7, Table 3, Appendix 4</p> <p>Section 9.3, 10 Appendix 8, 9</p> <p>Appendix 14 (PIRMP Section 7)</p> <p>Section 10</p>

**Table 3: Consent Conditions issued by the Department of Planning, Industry and Environment**

Condition	Relevant details	Comments
	<p>(e) Describe the role, responsibility, authority, and accountability of the key personnel involved in the environmental management of the development.</p> <p>The Applicant must implement the Environmental Management Strategy as approved by the Secretary.</p>	<p>Section 12</p> <p>Section 12.2, Appendix 4</p> <p>Section 11</p> <p>Section 3.2, ESCP 6</p> <p>Section 11, Table 7</p> <p>WM&amp;SCP (Appendix 1, Section 7)</p> <p>Section 8</p>
	<b>Environmental Monitoring Program</b>	
S5.2	The Applicant must prepare an Environmental Monitoring Program for the development to the satisfaction of the Secretary. This program must be submitted to the Secretary concurrently with the submission of the various monitoring programs and consolidate the various monitoring requirements in Schedule 3 of this consent into a single document	Table 5
	<b>Incident Reporting</b>	
S5.3	<p>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 Applicant must report the exceedance/incident to the Department and any relevant agencies. This report shall:</p> <p>(a) Describe the date, time, and nature of the exceedance/incident;</p> <p>(b) Identify the cause (or likely cause) of the exceedance/incident;</p> <p>(c) Describe what action has been taken to date; and</p> <p>(d) Describe the proposed measures to address the exceedance/incident.</p>	<p>PIRMP</p> <p>Section 11</p>
	<b>Annual Review</b>	
S5.4	<p>By the end of March each year, the Applicant must review the environmental performance of the project to the satisfaction of the Secretary. This review must:</p> <p>(a) Describe the development (including rehabilitation) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year;</p> <p>(b) Include a comprehensive review of the monitoring results and complaints records of the project over the previous calendar year, which includes a comparison of these results against:</p> <ul style="list-style-type: none"> <li>➤ The relevant statutory requirements, limits or performance measures/criteria;</li> <li>➤ The monitoring results of previous years; and</li> </ul>	<p>Section 10</p> <p>Annual AEMR</p>



**Table 3: Consent Conditions issued by the Department of Planning, Industry and Environment**

Condition	Relevant details	Comments
	<p>➤ The relevant predictions in the documents listed in condition 2(a) of Schedule 2.</p> <p>(c) Identify any non-compliance over the last 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 project;</p> <p>(e) Identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and</p> <p>(f) Describe what measures will be implemented over the current calendar year to improve the environmental performance of the project.</p>	
	<b>Independent Environmental Audit</b>	
S5.5	<p>Within 12 months of the date of the consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <p>(a) Be conducted by a suitably qualified, experienced, and independent person(s) whose appointment has been approved by the Secretary;</p> <p>(b) Include consultation with the relevant agencies;</p> <p>(c) Assess the environmental performance of the development, and its effects on the surrounding environment;</p> <p>(d) Assess whether the development is complying with the relevant standards, performance measures and statutory requirements; and</p> <p>(e) Review the adequacy of any strategy/plan/program required under this approval, and, if necessary, recommends measures or actions to improve the environmental performance of the development. and/or any strategy/plan/program required under this approval.</p>	Table 6
S5.6	Within 6 weeks of completion of each Independent Environmental Audit, the Applicant must submit a copy of the audit report to the Director-General, with a response to any of the recommendations in the audit report.	IEA completed and submitted to DPE 2019
S5.7	<p>Within three months of:</p> <p>(a) The submission of an incident report under Condition 3 above;</p> <p>(b) The submission of an Annual Review under Condition 4 above;</p>	Section 10.5.3

<b>Table 3: Consent Conditions issued by the Department of Planning, Industry and Environment</b>		
<b>Condition</b>	<b>Relevant details</b>	<b>Comments</b>
	<p>(c) The submission of an audit report under Condition 5 above, or</p> <p>(d) Any modification of the conditions of this approval (unless the conditions require otherwise),</p> <p>the Applicant must review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Director-General.</p>	Section 14
	<b>Access to Information</b>	
S5.8	<p>Within 1 month of the approval of any lan/strategy/program required under this consent (or any subsequent revision of these plans/strategies/programs), or the completion of the audits or AEMR required under this approval, the Applicant must: (a) Provide a copy of the relevant document's to the relevant agencies and to members of the general public upon request; and</p> <p>(b) Ensure that a copy of the relevant documents is made publicly available on its website.</p>	Annual Environmental Management Reports are prepared and submitted every March to the NSW Department of Planning and Environment and Camden Council.
S5.9	<p>During the development, the Applicant shall:</p> <p>(a) Make a summary of monitoring results required under this approval publicly available on its website; and</p> <p>(b) Update these results on a regular basis (at least every 3 months).</p>	All monitoring data is available on the Collins and Sons website – <a href="http://www.mcollins.com.au/environmental/environmental-monitoring/">http://www.mcollins.com.au/environmental/environmental-monitoring/</a>
	<p><b>Landscape Management Plan to be amended</b></p> <p>It is noted that Modification 5 to the Consent was approved on 23 April 2021. Schedule 5, Condition 7(d) of the Consent requires M Collins to review, and if necessary, revise, the strategies, plans and programs required under this consent within three months of the approval of any modification.</p> <p>The LMP has been updated to address matters identified by DPIE by letter dated 2<sup>nd</sup> July, 2021 and itemised in their Appendix A.</p>	Refer to updated DPIE advice regarding LMP - Appendix 2.

### 7.1.2. Environmental Protection Licence (EPL)

This development is subject to EPL 4093, a copy of which is attached as Appendix 3.

### 7.1.3. Controlled Activity Approval (CAA)

This development is subject to a CAA, a copy of which is attached as Appendix 4.

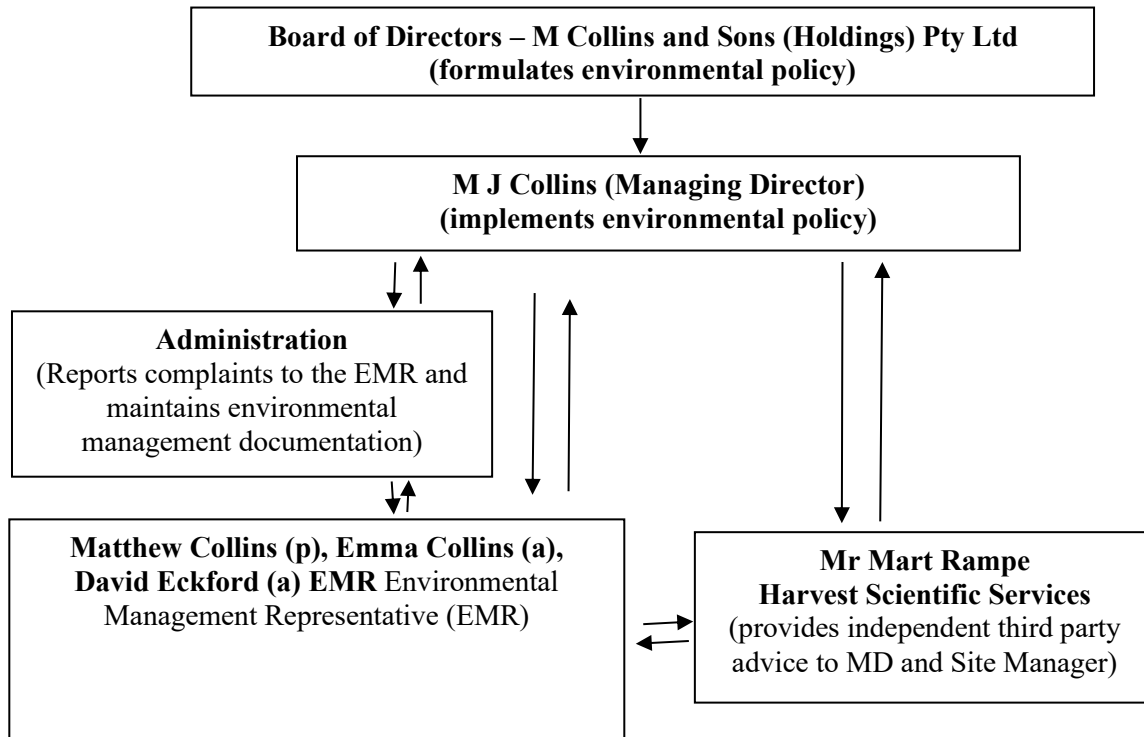
### 7.1.4. Camden Council

Development Approval to import excavated natural material in accordance with the Protection of the Environment Operations (Waste) Regulations 2005 and open and work an area of land of five hectares at any one time was granted by Camden Council 10 on September 2009.

## 8.0 STRUCTURE AND RESPONSIBILITIES

### 8.1.1. Structural hierarchy

The structural hierarchy and responsibilities are summarized below in Figure 2.



**Figure 2:** Structure and responsibility

## 8.2 Responsibilities of all employees and contractors to protect the environment

A copy of this EMP is available on the Collins Intranet directory at the site office computer. The EMP is freely available for all staff to peruse. It is the responsibility of all employees and contractors to comply with the EMP.

Responsibilities with regard to environmental management are defined, documented and communicated to all employees of MCS. Environmental responsibility applies to everybody in the organisation starting at the highest level. There is a firm commitment to facilitate effective environmental management.

### 8.2.1. Governing corporate body

The governing corporate body (i.e. the Company Directors of MSC in this case) define individual's roles and responsibilities in terms of environmental management and monitoring. The governing body ensure that:

- there are sufficient staff and company funding to allow compliance with the EMP objectives.
- staff have sufficient environmental training.
- individual's responsibilities are defined in writing.

### 8.2.2. Environmental Management Representative

The Environmental Management Representative (EMR) has been selected by the governing body and the governing body defines the EMR's responsibilities in writing. There are clear lines of communication between the individual and the governing corporate body. The representative has the authority to co-ordinate other individuals who also operate at the facility. The representative has a certain level of competence and experience to enable the implementation of this EMP, including the co-ordination &/or undertaking of maintenance tasks. The representative is aware of relevant environmental legislation and undertakes day-to-day monitoring of environmental factors on-site as described in the Monitoring and Review section (Section 10).

The EMR is the first point of contact for any concerns that employees may have with regard to impacts and controls. Any specialised environmental management such as the end-of-year evaluation and review/audit of monitoring data is undertaken by appropriately qualified personnel and/or appointed consultants.

### 8.2.3. Individuals

All individuals within the organisation who are directly associated with the Facility should have a knowledge of the Development Consent DA 75/256 Modification 4, MR (MOD 5) and this EMP.

### 8.2.4. Administration

Administration within the organisation must make the EMR and the governing body aware of all relevant correspondence and conversations derived from statutory authorities. Administration must ensure that all deadlines are met with regard to annual reporting and other like procedures.

Administration are responsible for keeping secure copies of all environmental documentation including environmental licensing. Complaints regarding any environmental nuisance will be received by the administration and passed onto the EMR.

## 8.3 Training, awareness and competence

The management is obliged to keep all of its employees and contractors aware of their environmental obligations. Those parameters that require attention are listed below in Table 4.

Table 4: Training and Awareness				
Parameter	Personnel to be trained	Action to be taken	Time-frame	Outcome
Read and familiarise employees with EMP	All personnel	Presentation	At commencement of operations and thereafter as required.	An understanding of environmental requirements for the facility

## **9.0 IMPLEMENTATION AND OPERATION**

### **9.1 Overview**

Achievement of the environmental management objectives requires commitment on behalf of MCS management and staff on a day-to-day basis and procedures and protocols to be put in place (for all employees and contractors to follow) to ensure that these objects, and thus the environmental management objectives of this operation are met.

The procedures which apply to the sand and soil extraction and processing operations are outlined as Facility Operating Procedures (FOP's) attached as Appendix 5 and the protocols put in place are to be displayed as Environmental Control Protocol's (ECP's) attached as Appendix 6.

These procedures and protocols are to be easily accessible at the site office and it is the responsibility of the EMR (see structure outline in Figure 2) to ensure that all employees and contractors are aware of them.

### **9.2 Facility Operating Procedures**

The operations at the facility are dictated by a number of Facility Operating Procedures (FOP's), which are outlined below and detailed in Appendix 5. These FOPs are summarised as follows:

- Extraction activities (FOP 1)
- Sand wash plant and wet sand-screening (FOP 2)
- Dry sand and soil screening (FOP 3)
- Management of exposed soil areas (FOP 4)
- Equipment maintenance (FOP 5)
- Refueling (FOP 6)
- Waste control (FOP 7)
- Receipt of VENM and ENM (FOP 8)
- Receipt of VENM and ENM (FOP 9)

### **9.3 Environmental Control Protocols**

A number of environmental controls (in the form of Environmental Control Protocols – ECP's) have been initiated to manage the various environmental aspects identified in this EMP and their potential impacts. These ECP's are appended as Appendix 6 of this EMP and are summarised as follows:

- Erosion and sediment control (ECP 1)
- Landscaping and rehabilitation (ECP 2)
- Air quality management (ECP 3)
- Noise management (ECP 4)
- Aboriginal heritage (ECP 5)
- Traffic and Transportation (ECP 6)
- Respond to Non-Compliance (ECP 7)
- Cumulative Impacts Procedure (ECP 8)

## 10.0 MEASUREMENT, EVALUTION (TARGETS) AND REVIEW

An environmental monitoring program is an essential part of an EMP as it allows for environmental targets to be set and the recording of various environmental performance parameters to ensure with some certainty, that environmental targets are being met. This EMP section outlines the environmental targets for the facility and the environmental monitoring program to be undertaken.

### 10.1 Environmental targets

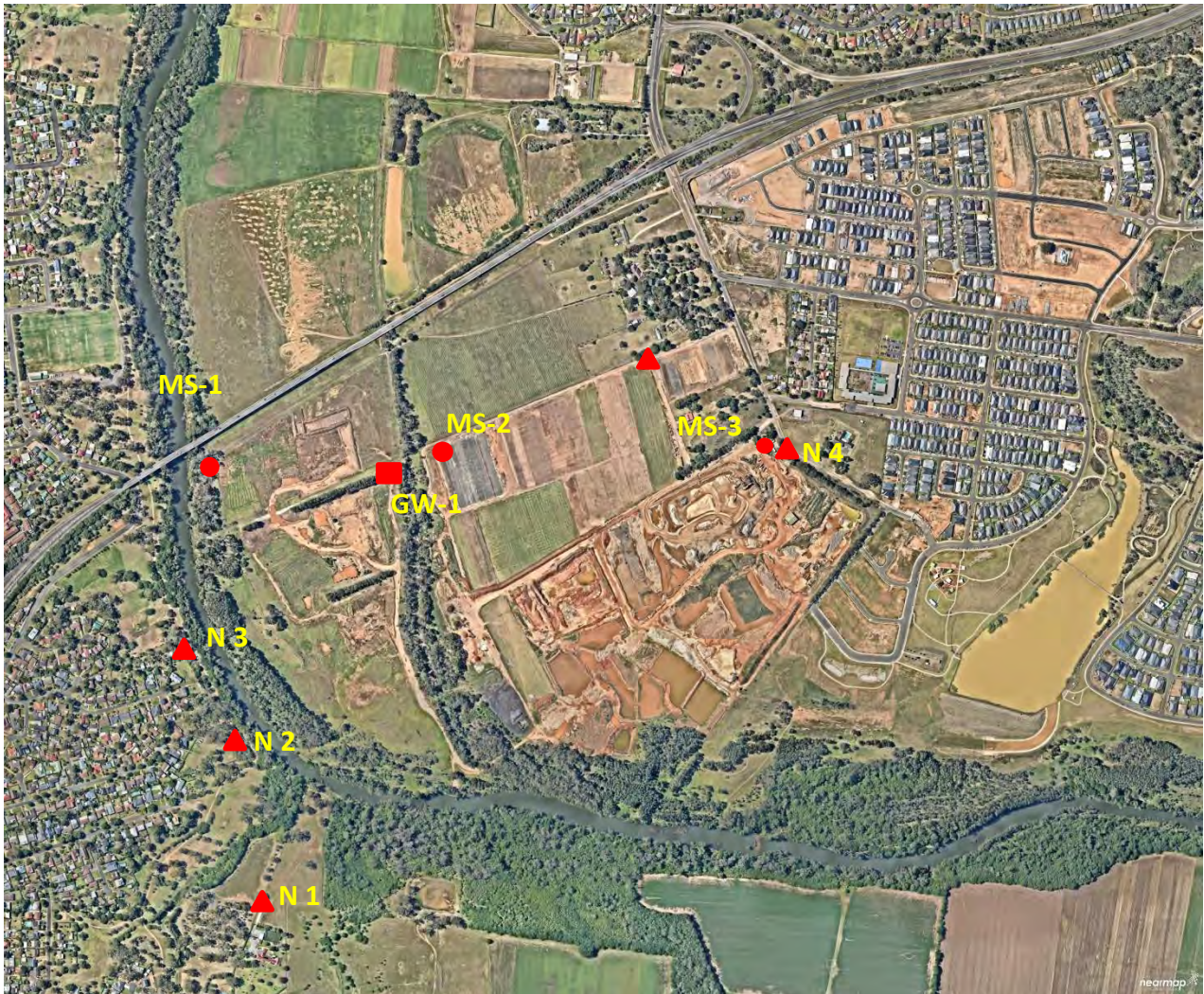
Environmental targets for this facility are outlined in Table 5.

Table 5: Environmental monitoring targets					
Environmental aspect	Component	Location	Target	Averaging period	Source
Air quality	Nuisance dust – deposited dust.	See Figure 3	< 4 g / m <sup>2</sup> / month Maximum Increase in deposited dust level 2g/m <sup>2</sup> / month	Annual	Refer to AQMP and DPIE Conditions of Consent (Mod 5) – Appendix 1.
	Long-term - Total Suspended Particles (TSP) Matter	See Figure 3	< 90 µg/m <sup>3</sup>	Following legitimate dust related complaint	
	Long-term - Particulate Matter (PM <sub>10</sub> )	See Figure 3	< 30 µg/m <sup>3</sup>	Following legitimate dust related complaint	
	Long-term - Particulate Matter (PM <sub>2.5</sub> )	See Figure 3	< 50 µg/m <sup>3</sup>	Following legitimate dust related complaint	
	Short-term - Particulate Matter (PM <sub>10</sub> )	See Figure 3	< 50 µg/m <sup>3</sup>	Following legitimate dust related complaint	
	Short-term - Particulate Matter (PM <sub>2.5</sub> )	See Figure 3	< 50 µg/m <sup>3</sup>	Following legitimate dust related complaint	
Noise	LA10 (15 minute) at each sensitive receptor outlined on Plan 4.	See Figure 3	< 55 dB(A)	15 minutes	EPL 4093 – Appendix 3.
Groundwater	pH	See Figure 3	pH 4.00- 6.50	N/A	Historical Data, ANZECC 2000 guideline
	Electrical conductivity	See Figure 3	< 800 uS/cm	N/A	
	Depth to water table (m)	See Figure 3	Depth 5.83-15.93	N/A	Refer to WM&ESCP – Appendix 1.

### 10.2 Environmental monitoring locations

The position of all environmental monitoring stations are outlined on Figure 3.





**Figure 3:** Recent aerial photograph (July 2021) of the Spring Farm operations indicating the position of all environmental monitoring points, viz: Dust ( MS1, MS2 and MS3), Groundwater (GW-1) and Noise (N1, N2, N3 and N4)

### 10.3 Monitoring parameters and frequency

Environmental parameters monitored and the frequency of recording are outlined in Table 6.

<b>Table 6: Environmental monitoring parameters</b>			
<b>Monitoring parameter</b>	<b>Frequency</b>	<b>Parameters to be measured</b>	<b>Equipment needed</b>
<b>Water Quality</b>			
Groundwater	Monthly	pH, EC, depth to groundwater (m)	Field pH and EC meters, water sampling device, tape measure.
<b>Noise</b>			
Ambient audible noise	Daily	Awareness of noise sources and controls. No routine parameters to be measured	EMR
After an investigated noise related complaint warrants monitoring.	If directed by DPE, EPA and/or Camden Council	LA10 (15 minute)	Appropriately qualified consultant.
<b>Air quality</b>			
Dust deposition	Monthly	Dust deposition. (g/m <sup>2</sup> /month)	Dust monitoring station.
Particulate Matter	Twice per year and following legitimate dust related complaint thereafter.	TSP and PM <sub>10</sub>	Hi Vol sampler with TSP and PM <sub>10</sub> head.
<b>Sediment controls</b>			
All sediment controls, including, bunds, straw bale filters and sedimentation basin/s	After each rain event	Visual inspection of sediment control devices by EMR.	EMR.
	Monthly monitoring	Visual inspection of sediment controls.	EMR
<b>Rehabilitation Works</b>			
Rehabilitation progress	Monthly monitoring	Visual inspection of re-vegetation progress. Notes on maintenance requirements, including spraying for weeds and replacement of trees / shrubs, as required.	Ecologist.
Weed management	Monthly	Visual inspection of weed infestations and control requirements	EMR / Ecologist
	When herbicides are used.	The following is to be recorded in EMM 2. <ul style="list-style-type: none"> <li>• Date of chemical control;</li> <li>• Herbicide applied; Time applied; and</li> <li>• Wind direction (if any).</li> </ul>	EMR/Ecologist
<b>Environmental Management Reporting</b>			
Annual Environmental Management Report (AEMR)	Within 12 months of date of DPE approval of Modification 4 2/8/2018 and annually thereafter. Submitted to DPE, EPA and Camden Council and website by 31 <sup>st</sup> March every year.	As per advice from DPIE dated 30 <sup>th</sup> September, 2016.	Environmental consultant
Independent Environmental Audit	Before 30 <sup>th</sup> June 2019 and every three years thereafter.	As per advice from DPIE dated 30 <sup>th</sup> September, 2016.	Environmental consultant
Report to DPI for annual production data.	Annually by 15 December.	Complete form.	Industry and Investment (DPI) form
EPA License	Annually, by 26 October.	Complete form	EPL licence annual form.



#### **10.4 Environmental Monitoring Records**

It is the responsibility of the EMR to undertake and/or co-ordinate individuals and/or specialised consultants so that the relevant Environmental Monitoring Records (EMRs - attached as Appendix 7) are completed. All completed EMRs must be kept for at least 4 years.

The Records are designed to be self-assessing, with the view to being available for audit if necessary. If environmental targets are not being met then corrective actions and procedures will need to be undertaken. Observations recorded in the EMRs will form the basis of the annual environmental evaluation and review.

#### **10.5 Evaluation and review of monitoring data**

To ensure that the development is progressing in an environmentally sustainable manner and in conformance with the EMP, an evaluation process is required. This is a continual process, in line with daily, weekly and monthly monitoring of the environmental management of the facility.

##### **10.5.1. Daily environmental review**

A daily visual environmental review is conducted by the EMR. This review considers, in particular, the condition of sediment management devices as well as all practices and controls outlined in the FOPs and ECPs.

Particular attention is given to the condition of sediment management devices after a storm event.

##### **10.5.2. Monthly environmental audit**

Inspection of operations are undertaken by the EMR on a monthly basis and a summary areas requiring action will be prepared as per EMM 1 (see Appendix 9).

##### **10.5.3. Annual Environmental Management Report (AEMR)**

All monitoring data will be communicated to the DPIE and Camden Council annually in the form of an Annual Environmental Management Report (AEMR). The AEMR is to be submitted annually for the period ending 31<sup>st</sup> December and submitted by 31<sup>st</sup> March the following calendar year.

##### **10.5.4. Independent Environmental Audit**

An Independent Environmental Audit (IEA) was undertaken for the period ending June 2019 and is required subsequently every 3 years thereafter.

Within 3 months of submitting a copy of the environmental audit report to the Secretary, MCS shall review and if necessary revise each of the environmental management and monitoring strategies, plans or programs as set out in the Development Consent conditions.

## 11.0 EMERGENCY PREPAREDNESS AND RESPONSE

This EMP enables MCS to implement a comprehensive range of contingency plans which enable rapid response to environmental emergencies or incidents such as accidental discharges/spillage or fires. Response procedures involve definition of key personnel (chain of command), details of emergency services, clean-up procedures, and reporting followed by corrective and preventative actions as outlined in the site PIRMP attached as Appendix 14.

### 11.1 Environmental incident preventative actions and responses

Table 7 outlines the potential environmental incidents identified during the environmental review process to-date, the proposed preventative actions, the response actions to be under-taken and the person/s responsible for implementation of appropriate actions. Other potential environmental incidents which may be identified after the operation commences should be documented by the EMR and Table 7 should then be updated accordingly.

<b>Table 7. Summary of potential environmental incidents, preventative actions and proposed response actions.</b>			
<b>Potential environmental incident/Non Compliance</b>	<b>Preventative actions</b>	<b>Responses actions to incident/Non Compliance</b>	<b>Responsible persons</b>
Consent Conditions Non Compliance	<ul style="list-style-type: none"> <li>Implement ECP7</li> </ul>	<ul style="list-style-type: none"> <li>Contact EMR</li> <li>Review historical data and investigate</li> <li>Notify applicable regulatory authority if required</li> <li>Document on Environmental Non Compliance form following Non Compliance Procedure</li> <li>Identify cause</li> <li>Implement Controls using Risk Assessment approach</li> <li>Conduct additional monitoring if and as required</li> <li>Monitor controls effectiveness</li> </ul>	EMR
Excessive dust	<ul style="list-style-type: none"> <li>Implement ECP 4.</li> </ul>	<ul style="list-style-type: none"> <li>Contact EMR;</li> <li>Water down areas identified as the source of dust immediately; and</li> <li>Cease works if weather conditions are adverse.</li> </ul>	All personnel and EMR
Fuel / Chemical spill	<ul style="list-style-type: none"> <li>No storage of chemicals onsite;</li> <li>Ensure adequate bunding if stored on site.</li> <li>Always take utmost care; and</li> <li>Refuel in bunded areas only.</li> </ul>	<ul style="list-style-type: none"> <li>Contact EMR</li> <li>Follow MP22 PIRMP.</li> <li>Contain spill if safe to do so.</li> <li>All re-fuelling vehicles are to contain a spill kit</li> <li>Use spill kit to contain the spill</li> <li>Dispose of contaminated materials appropriately; and</li> <li>If discharge enters waterway and criteria outlined in <b>Section 11.5</b> of this EMP is met ring EPA Pollution line 131 555.</li> </ul>	All personnel and EMR
Sediment losses to waterways	<ul style="list-style-type: none"> <li>Implement ESCP</li> </ul>	<ul style="list-style-type: none"> <li>Contact EMR</li> <li>Where relevant, repair sediment controls; and</li> <li>Cease works if weather conditions are adverse.</li> </ul>	All personnel and EMR
Flood Emergency	<ul style="list-style-type: none"> <li>Implement Flood Emergency Plan (Appendix 1 WM&amp;ESCP Section 7)</li> </ul>	<ul style="list-style-type: none"> <li>Cease all extraction and processing operations;</li> <li>Re-locate all portable machinery (including heavy and light equipment) to above the PMF level ; and</li> <li>Providing that there is sufficient time to do so and it is safe, manually drain all oils and fuels from any non-mobile equipment remaining within portions of the site affected by flood.</li> </ul>	EMR and all personnel

		<p>After a flood event the following procedures will occur:</p> <ul style="list-style-type: none"> <li>• EMR is to check the integrity of all erosion and sediment control devices and ensure that any repairs are undertaken as soon as practical;</li> <li>• As soon as practical drain water from any permanent equipment affected by flood waters and then service equipment, as appropriate; and</li> <li>• Before commencement of operations; <ul style="list-style-type: none"> <li>○ Wait for flood waters to seep away from the extraction pits and processing areas; and</li> <li>○ Remove sediment from sediment basins to ensure that the minimum required storage capacity is available.</li> </ul> </li> </ul>	
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## 11.2 Emergency contact details

Table 8 outlines emergency contact details and is to be maintained by the EMR.

Table 8. Emergency contact details			
Service required	Company	Contact name	Phone number
EMR (a)	MCS	Dave Eckford	0419 497 106
EMR (p)	MCS	Matthew Collins	0412 265 017
EMR (a)	MCS	Emma Collins	0409 869 094
Police			000
Fire Brigade			000
Ambulance			000
Report Environmental Incident	EPA Pollution Line		131 555
DOI Incident or Injury	NSW Department of Industry	Hotline	1300 814 609
Environmental Consultant	Harvest Scientific Services Pty Ltd	Mr Mart Rampe	02 4647 6177 0408 677709
WIRES			1800 641 188
Waste services	Thiess		02 46 771910
Sydney Water Service Centre			132 090
Energy Australia			131 388
AGL			131 003
Endeavour Energy			131 081
Telstra			132 203

## 11.3 Emergency equipment requirements and storage locations

Table 9 outlines the locations of emergency response equipment.

Table 9: Emergency equipment requirements		
Name of equipment	Storage location	Comment
Spill kit	On each refuelling unit.	Instructions for use must be provided with kit.
Fire extinguisher/s	On each piece of onsite equipment.	To be maintained in satisfactory working order to AS2444.
Eye Wash	At the mixing and storage site	Maintain in satisfactory working order to AS4775.
First Aid (Kits and personnel)	Mobile Plant, weighbridge and Maintenance Shed on site	First Aider on site with valid HLTAID003 qualification. Access to First Aid Supplies. Kits to be maintained to First Aid in the Workplace COP

## 11.4 Environmental incidents and response

A pollution incident is defined as:

*‘an incident or set of circumstances during or as a consequence of which there is or is likely to be a leak, spill or other escape or deposit of a substance, as a result of which pollution has occurred, is occurring or is likely to occur....’* (POEO Act).

The above definition has been adopted for the purposes of this EMP. The proposed response to an environmental incident is as outlined below:

- Follow on site Pollution Incident Response Management Plan (MP22 PIRMP) Appendix 14;
- EMR to ensure site safety, move people from immediate areas where safety is a concern;
- EMR to take any practical steps to contain the hazard and prevent it from spreading;
- EMR to notify the Production Manager, the Director of MCS and if necessary, the relevant authority;
- If necessary, the EMR is to decide in consultation with the Director of MCS and the relevant authority how to clean up and remediate the site; and
- The EMR is to complete and environmental incident report form (Appendix 11).

Once completed, if the environmental incident is deemed (by the EMR) to be a threat to the environment, then a copy of the incident report form must be forwarded to Camden Council and DPIE.

## 11.5 Criteria for notifying EPA

The criteria to notify the EPA Regional Manager (or the EPA Pollution Line on telephone 131 555 outside normal business hours) of pollution incidents on or around the site are triggered when:

- The actual or potential harm to the health or safety of human beings or ecosystems is not trivial; and
- Actual or potential loss of property or property damage (including clean-up costs) associated with a pollution incident exceeds \$10,000.

The above criteria is based on s147 of the *Protection of the Environment Operations Act 1997* (NSW).

## 11.6 Incident reporting

As required by the conditions of consent outlined in Appendix 1, within 7 days of detecting an exceedance of goals/limits/performance criteria of this EMP or an environmental incident (as defined in Section 11.4), MCS shall report the exceedance to the DPIE and Camden Council. The report shall:

- describe the date, time and nature of the exceedance/incident;
- identify the cause (or likely cause) of the exceedance/incident;
- describe what action has been taken to date; and
- describe the proposed measures to address the exceedance/incident.

## 12.0 COMPLAINTS

### 12.1 Complaints register

A telephone complaints line has been established to receive any complaints from members of the public in relation to this site. Details of the complaints line are detailed as follows:

**COMPLAINTS TELEPHONE LINE:**  
**Environmental Management Representative**  
**Mr David Eckford**  
**4658-1666 or 0419 497 106**

### 12.2 Complaints response protocol

If a complaint is received the following procedures are to be followed:

- Details of the complaint are to be recorded by the EMR in the complaints register (Appendix 10) and the complainant is to be advised verbally that the matter will be investigated by MCS in accordance with the Environmental Management Plan for the operation;
- The EMR is investigate the complaint and to liaise with the complainant to attempt to resolve the complaint. Where necessary, the EMR will make appropriate changes to onsite management practices/procedures to resolve the complaint;
- If, through a subsequent investigation, the EMR becomes aware of an environmental incident (as defined in Section 11.4 of this EMP), then Camden Council and DPIE are to be notified in writing at the first available opportunity;
- If the criterion outlined in Section 11.5 of this EMP is met, then the EPA is to be notified at the first available opportunity;
- If the dispute is resolved, the agreed outcome is to be documented (in writing) and forwarded to the complainant, Camden Council, the EPA and the DPIE;
- If the dispute is not resolved, the DPIE, EPA and Camden Council are to be advised in writing and the complaints resolution process as outlined in Appendices 3 and 4 of this EMP are to be implemented;
- If directed by the DPIE, EPA or Camden Council, MCS will contract the services of an independent consultant to review the specific details of the complaint and make appropriate commitments to resolve the matter; and
- At closure of the complaint resolution process, the following information will have been recorded:
  - a. Date of complaint;
  - b. Name of complainant;
  - c. Contact details of complaint (if supplied);
  - d. A record of notification of Camden Council, EPA and DPIE;
  - e. A summary actions taken to address the subject matter of the complaint;
  - f. Investigation outcomes; and
  - g. A record of notification of the complainant of the investigation outcomes.

Records will be kept for at least 4 years after the complaint was registered.

### 13.0 REVIEW

This EMP is to be reviewed annually in conjunction with the AEMR and if necessary, the strategies, plans, and programs required under the consent approval are to be amended to the satisfaction of the Director General (DPIE) or additionally within three months of:

- (a) The submission of an incident report under Condition 3 (Schedule 5);
- (b) The submission of an Audit Report under Condition 5 (Schedule 5);
- (c) Any modification of the conditions of this approval

or on an as needed basis under the approval process. Updates of this EMP will be supplied to all persons listed in the document register at the beginning of this EMP.

### 14.0 LIMITATIONS OF THIS EMP

In preparing this EMP, HSS has relied upon certain verbal information and documentation provided by the client and/or third parties. HSS did not attempt to independently verify the accuracy or completeness of that information. To the extent that the conclusions and commitments in this report are based in whole or in part on such information, they are contingent on its validity. HSS assume no responsibility for any consequences arising from any information or condition that was concealed, withheld, misrepresented, or otherwise not fully disclosed or available to HSS.

The application of conditions of approval or impacts of unanticipated future events could modify the outcomes described in this document. The client agrees that such events are possible but nevertheless accepts the risk that they pose.

This EMP is limited on the basis that it has been prepared on behalf of MCS on a best endeavours basis. On acceptance of this EMP, MCS agrees to maintain and update this document on a continual basis and at the same time correct it for any deficiencies, whether they are related to technical, legislative or regulatory issues.

This report has been prepared by:



Mart Rampe BSc(Applied Geology)  
Principal Environmental Consultant  
27 October 2021

## REFERENCES

- Environment Australia, 2007. Model Environmental Management System for Commonwealth Agencies. <http://www.environment.gov.au/settlements/publications/government/ems/model.html>
- Harvest Scientific Services, 1998. Environmental Impact Statement - Greenwaste Composting and Material Blending.
- Harvest Scientific Services, 1998. Addendum to DA 294/98 – Proposed Greenwaste Composting Facility.
- Harvest Scientific Services, 2003. Woodgrand Greenwaste Facility. Environmental Management Plan. Report Reference: 200397. Report dated: 01/10/2003.
- Harvest Scientific Services, 2007. Woodgrand Greenwaste Facility. Environmental Management Plan. Report Reference: 200896. Report dated: 05/09/2007.
- Harvest Scientific Services, 2007. Woodgrand and Spring Farm Quarries, sand and soil processing operation. Dust Management Plan. Report Reference: 200898. Report dated: 06/11/2007.
- Harvest Scientific Services, 2021. Water Management and Erosion Control Plan (WM & ESCP)
- Harvest Scientific Services, 2021. Landscape Management Plan
- Harvest Scientific Services, 2021. Air Quality Management Plan
- NSW Procurement Department “Environmental Management Systems Guidelines Edition 3” dated August 2013.
- Parliamentary Counsel’s Office, 2008. Protection of the Environment Operations Act, 1997. <http://www.legislation.nsw.gov.au>
- Standards Australia, 2007. AS/NZ ISO 14000, 2004, AS/NZS ISO14001. Environmental Management
- Standards Australia 2001, AS 2444-2001 Portable Fire Extinguishers and fire blankets

## DISCLAIMER

This report was prepared in accordance with the scope of services set out in the contract between HSS and the client, or where no contract has been finalised, the proposal agreed to by the client. To the best of our knowledge the report presented herein accurately reflects the client’s intentions when it was printed. However, the application of conditions of approval or impacts of unanticipated future events could modify the outcomes described in this document.

The findings contained in this report are the result of discrete/specific methodologies used in accordance with normal practices and standards. To the best of our knowledge, they represent a reasonable interpretation of the general condition of the site in question. Under no circumstances, however, can it be considered that these findings represent the actual state of the site/sites at all points.

In preparing this report, HSS has relied upon certain verbal information and documentation provided by the client and/or third parties. HSS did not attempt to independently verify the accuracy or completeness of that information. To the extent that the conclusions and recommendations in this report are based in whole or in part on such information, they are contingent on its validity. HSS assume no responsibility for any consequences arising from any information or condition that was concealed, withheld, misrepresented, or otherwise not fully disclosed or available to HSS.

This report remains the property of HSS and is not to be distributed copied or replicated without prior written permission from HSS.

**APPENDIX 1 – NOTICE OF MODIFICATION (MOD 5)**



# Notice of Modification

## Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I modify the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Lauren Evans  
**A/Director**  
**Resource Assessments**

Sydney

23 April 2021

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### SCHEDULE 1

Development consent granted by the Minister for Planning on 13 October 1988 for the Spring Farm Quarry at 186 Macarthur Road, Lot 22 DP 833317 (formerly Lot 2 DP 625278 Vol 14788 Folio 34).

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### SCHEDULE 2

- In the list of definitions delete the terms "Department", "Development", "DoI", "DPI", "DRG", "Minister", "RMS" and "Secretary", and their definitions, and insert the following in alphabetical order:

Department	Department of Planning, Industry and Environment
Development	The operation, closure and rehabilitation of the Spring Farm Quarry as described in the documents listed in condition 2(a) of Schedule 2
DPI (Agriculture NSW)	The Agriculture Branch of the Primary Industries Group within the Department
DPIE Water	Water Group within the Department
Heritage NSW	Heritage NSW within the Department of Premier and Cabinet
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance
MEG	Mining, Exploration and Geoscience within Regional NSW
Minister	NSW Minister for Planning and Public Spaces, or delegate
MR (Mod 5)	Modification Report titled <i>Proposed Modification No. 5 Spring Farm Quarry Consent (DA 75/256), Lot 22 (No.186) DP 833317 and Part Lot 32 (No. 172) (DP 635271) Macarthur Road, Spring Farm, Environmental Assessment</i> prepared by Pascoe Planning Solutions, dated August 2020, and the associated Response to Submissions titled <i>Attachment "A" Spring Farm Quarry (Modification 5) – Submissions Response</i> dated 19 November 2020
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
Quarrying Operations	The extraction, processing, stockpiling and transportation of extractive materials carried out on the site and the associated removal of vegetation, topsoil and overburden
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Secretary	Planning Secretary under the EP&A Act, or nominee
- Delete all references to "DRG" and replace with "MEG".
- Delete all references to "DoI Lands and Water" and replace with "DPIE Water".

4. In condition 2(a) of Schedule 2:
  - (a) after “(Mod 3)”, delete the word “and” and replace with a comma; and
  - (b) after “(Mod 4)”, insert “and MR (Mod 5)”.
5. In condition 5 of Schedule 2, delete “2021” and replace with “2023”.
6. Delete condition 8 of Schedule 3 and insert the following:
  8. The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria in Tables 1, 2 and 3 at any residence on privately-owned land.

*Table 1: Long term impact assessment criteria for particulate matter*

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

*Table 2: Short term impact assessment criterion for particulate matter*

Pollutant	Averaging period	Criterion
Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	<sup>b</sup> 50 µg/m <sup>3</sup>
Particulate matter < 2.5 µm (PM <sub>2.5</sub> )	24 hour	<sup>b</sup> 25 µg/m <sup>3</sup>

*Table 3: Long term impact assessment criteria for deposited dust*

Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level
<sup>d</sup> Deposited dust	Annual	<sup>b</sup> 2 g/m <sup>2</sup> /month	<sup>a</sup> 4 g/m <sup>2</sup> /month

**Notes:**

- <sup>a</sup> Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources).
- <sup>b</sup> Incremental impact (i.e. incremental increase in concentrations due to the development on its own).
- <sup>c</sup> Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Planning Secretary.
- <sup>d</sup> Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.

- 8A. The air quality criteria in Tables 1, 2 and 3 do not apply if the Applicant has an agreement with the owner/s of the relevant residence to exceed the air quality criteria, and the Applicant has advised the Department in writing of the terms of this agreement.
7. In condition 19 of Schedule 3, delete all references to “EPA” and replace with “Heritage NSW”.
8. Delete condition 3 of Schedule 5 and the preceding headings titled “REPORTING” and “Incident Reporting” and insert the following:

## REPORTING AND AUDITING

### Incident Notification

3. The Applicant must immediately notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing via the Major Projects Website and identify the development (including the development application number and name) and set out the location and nature of the incident.

### Non-Compliance Notification

4. Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing via the Major Projects Website and identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

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

9. Update the Table of Contents to reflect changes made by this instrument.

**APPENDIX 2 – DPIE ADVICE DATED 2/7/2021**

M Collins and Sons Holdings Pty Ltd  
ACN: 000 521 871  
1/49 Smeaton Grange Road  
SMEATON NSW 2567

Contact: Alfarid Hussain  
Phone: (02) 9274 6456  
Email: [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

2 July 2021

**Attn:** Emma Collins

Email: [ecollins@mcollins.com.au](mailto:ecollins@mcollins.com.au)

Dear Ms Collins

**Spring Farm Quarry (DA 75/256, as modified)  
Site Inspection follow-up and**

I refer to the Department's site inspection of Spring Farm Quarry approved under DA 75/256, as modified (**Consent**) on Thursday, 3 June 2021 and meeting on Thursday, 30 June 2021.

As discussed during the meeting on 30 June 2021, the Department identified several issues during the site inspection and considers that further actions are required by M Collins and Sons Holdings Pty Ltd (**M Collins**) to address the issues. The actions required were discussed and agreed upon during the meeting and are outlined in **Appendix A** of this letter to be addressed by the specified date or as otherwise agreed in writing by the Department.

**Landscape Management Plan to be amended**

It is noted that Modification 5 to the Consent was approved on 23 April 2021

Schedule 5, Condition 7(d) of the Consent requires M Collins to review, and if necessary, revise, the strategies, plans and programs required under this consent within three months of the approval of any modification (Modification 5 was approved on 23 April 2021).

To date the Department has no record of being notified of such review or revision.

It is noted that M Collins has until **COB 22 July 2021** to address this, or such other date agreed to in writing by the Planning Secretary.

As a part of this review/revision, M Collins is required to amend the Landscape Management Plan (**LMP**) to address matters identified by the Department itemised in **Appendix A**.

The revision of the LMP is to be submitted to the Department incorporating the matters listed in **Appendix A** via email to Carl Dumbleton, Team Leader Energy Resource Assessments [Carl.Dumbleton@planning.nsw.gov.au](mailto:Carl.Dumbleton@planning.nsw.gov.au) and [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au).

Photographs taken by the Department on the day of inspection are provided at **Appendix B** for reference.

### **Stockpiles- east of anabranh**

As discussed during the meeting on 30 June 2021, the Department is concerned about stockpiles at the east of the anabranh in Lot 22 DP 833317 less than 50 m, east of the anabranh. Nearmaps satellite imageries indicate that these stockpiles were in place since approximately June 2019 and have been recently removed.

During the inspection, M Collins confirmed the following-

- the stockpiles contained organic waste - straw and livestock manure from the livestock yards from the Sydney Royal Easter Show and that it is imported each year.
- M Collins mixes the organic waste with their topsoil (VENM) to create an organic topsoil and sell it.

The Department's officers observed several light and dark brown stockpiles near the screening area in lot 22 (DP 833317)- see **Appendix B, photos 9-12**. Satellite imageries indicate that several stockpiles of material resembling the soil profile of the extraction areas were located in Lot 22 (DP 833317), east of the anabranh since June 2019. The Department is not aware of any approvals that are in place for these stockpiles.

During the meeting M Collins confirmed that the following:

1. the light-coloured stockpiles are material that comprises of decomposed saw dust and straw that was imported from the Royal Easter Show.
2. the stockpiles that appear black in colour are extracted material from Lot 32 (DP 635271) and are stockpiled in the Council lot (Lot 1).

Satellite imageries indicate that the black stockpiles were stored in Lot 22 (833317), approximately 50 m east of the anabranh on several occasions.

M Collins has stated that there are sediment fences along the anabranh and a depression in Lot 22 that captures run-off, however, this depression was not a sediment basin designed or constructed for the purposes of capturing stormwater run-off.

Schedule 3, Condition 3(a) of the Consent states-

*"The Applicant must not... stockpile extractive material on the site, with the exception of topsoil stockpiles and proposed noise and/or visual mitigation bunds..."*

In order to ensure that there has been no contravention of Schedule 3, Condition 3(a) of the Consent, the Department requests M Collins to provide the following information and records via email to **compliance@planning.nsw.gov.au** by **COB Wednesday, 21 July 2021**:

#### **Information**

- A. Provide a list of names of all materials in the stockpiles observed in photos 9-12 of Appendix B. In your response, specify where these materials were imported from.
- B. Provide details of when and where were extractive material from the extraction cells of Spring Farm Quarry stockpiled.
- C. How does M Collins classify material stockpiled in lot 22 (DP 833317), east of the anabranh?


D. Details of any development approval or permission from a state or local government agency to stockpile material in lot 22 (DP 833317), east of the anabranch including the following-

- a. dates when permits or approvals, if any, were obtained;
- b. name(s) of the state or local government agencies who granted the permits or approvals, if any;
- c. marked locations in an aerial image, including lot numbers where these approvals applied, if any;
- d. details of the nature of works approved under these permits or approvals, if any.

## Records

- E. Copies of development approvals, permits, licences and correspondence from any state and local government agency allowing the stockpiling of material in lot 22 (DP 833317) east of the anabranch.
- F. Copies of dockets, sale receipts or any other correspondence showing the type of material that is imported and sold by M Collins from Spring Farm Quarry.

Yours sincerely,



**Alfarid Hussain**  
**Compliance Officer**

## Appendix A

Item Number	Inspection Findings	Reference	Actions Required
1	<p><b>Progressive Rehabilitation (Zone 3)</b></p> <p>During the inspection, the Department's officers observed that no rehabilitation has occurred in the open paddock area in Zone 3 of the Site and little work has been done to create the Zone 4 Riparian Link. Rehabilitation was also behind commitments in the northern and southern bunds in lots 32 and 22 respectively. Officers observed several pockets and hole in this area.</p> <p>The Department considers that since extraction activities are nearing completion, rehabilitation activities such as landform shaping should have commenced to progressively achieve the final landform design available in <b>Appendix 2 Proposed final landform for extraction areas on Lots 22 (DP 833317) and 32 (635271)</b> of the Consent.</p> <p>Schedule 3, Condition 18(d) of the Consent states-</p> <p style="padding-left: 40px;"><i>"The Applicant must prepare a Rehabilitation Management Plan for the development. The plan must include ... a detailed description of the measures that would be implemented including the procedures for ...progressively rehabilitating disturbed areas... achieving a free draining final landform... ensuring compatibility of the final landform with surrounding land uses..."</i></p> <p>Section 5.5.5 of the Landscape Management Plan (<b>LMP</b>) states that M Collins is required to undertake 'progressive rehabilitation of extracted areas, with concurrent rehabilitation/extraction', however, it does not provide enough details on how progressive rehabilitation in Zone 3 will be carried out. Further, it does not outline the goals and performance measures of what rehabilitated landform and vegetation should look like over time.</p>	Photos 1-4	<p>I. Short term-</p> <p>A) Commence land-forming the open paddock area in Zone 3 from August 2021.</p> <p>B) Engage a qualified and experienced landscape surveyor to undertake current and progressive surveying of the current landform in Zone 3.</p> <p>B) Based on the findings by the landscape surveyor, revise the LMP required under Schedule 3, Condition 17 of the Consent to outline the progressive and final surveyor levels. The revised LMP must also outline the following:</p> <ul style="list-style-type: none"> <li>• what landform rehabilitation and revegetation works will be undertaken in Zone 3 setting out monthly goals for compliance purposes</li> <li>• performance measures setting out monthly goals until the final landform design in Appendix 2 of the Consent is achieved</li> <li>• include a monitoring and a 6 monthly-reporting program consistent with Schedule 3, Condition 18(e) of the Consent.</li> </ul>



Item Number	Inspection Findings	Reference	Actions Required
	<p>Given that extraction activities are nearing completion, the Department's position is that progressive rehabilitation in Zone 3 in all cells where extraction is complete and construction of the Zone 4 Riparian Link biodiversity corridor must commence immediately.</p> <p>During the meeting on 30 June 2021, Matt Collins stated that extreme weather conditions and recurring flood events in 2021 prevented M Collins from commencing rehabilitation. M Collins stated that the land in Zone 3 is still recovering from the floods and not suitable for sowing immediately and that autumn 2022 is more conducive because the likelihood of survival of the plantings is higher.</p> <p>While the Department accepts that sowing new plantings could be a challenge during Spring/Summer, M Collins could start with the landforming by progressively filling up the land with a view to achieve the final landform design in Appendix 2 of the Consent. M Collins also confirmed that it has already engaged a landscape surveyor.</p>		
2	<p><b>Weed Control (Zone 3)</b></p> <p>During the inspection, officers observed that weed dominated the open paddock area and was well above the 15% trigger levels stated in the LMP. The Department considers that the lack of weed management is an ongoing requirement and M Collins was in breach of the VMP during the day of inspection.</p> <p>Section 6.2 of the <i>Bush Regeneration and Ecological Restoration Report prepared by Bowantz Bushfire &amp; Environmental Pty Ltd (Bowantz Report)</i> which is incorporated into the LMP provides a few weed control measures, however, it is not clear when, how and in what frequencies is monitoring and weed eradication are required to be undertaken.</p> <p>During the meeting, M Collins stated that weed eradication occurs seasonally and every 6 months and the 2021 floods have caused</p>	<b>Photos 3-5</b>	<p>A) Engage a qualified and experienced person to undertake a weed survey for all areas of the Site and prepare a weed survey report.</p> <p>B) Immediate action on eradication of weed must be taken to ensure weed regrowth is below 15% trigger level. These works must occur no later than COB 26 July 2021. Following the weed eradication works, M Collins must notify the Department within 3 business days via email to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a>.</p> <p>Note that the 15% trigger levels for weed control must be maintained at all times</p> <p>C) A weed survey report must be submitted to the Department by COB 30 September 2021 via email to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> and include the following:</p>

Item Number	Inspection Findings	Reference	Actions Required
	delays, however, a qualified person has already been engaged recently to eradicate weed species. M Collins agreed to the		<p>a) identify the weed species dominant in all zones under the Consent</p> <p>b) a program for weed monitoring and eradication with clear timeframes and triggers.</p> <p>D) Following the weed survey, the LMP must be revised to include the monitoring and weed eradication program.</p>
3	<p><b>Pest Control</b></p> <p>During the inspection, officers observed a fox running through the southern rehabilitation area in Zone 3. Kangaroos were also observed in the southern side of Zone 3. During the inspection, personnel from M Collins stated that revegetation was slowed because of kangaroos, rabbits and other animals corrupting the plantings. An M Collins representative also stated that no pest control is being undertaken on the site.</p> <p>Section 6 of the <i>Bowantz Report</i> indicates that M Collins would develop a targeted pest-control program to aim to reduce grazing pressures on the restoration zones in order to allow revegetation. A qualified and experienced vertebrate pest controller was meant to design and implement the most effective control methods. However, these control methods are not included in the LMP.</p> <p>While section 5.5.2 of the LMP states that “In the event that the revegetation is suppressed through herbivore activities, the following methods will be utilised ....</p> <p>Tree guards... Reducing populations prior to planting and employing deterrents such as D-Ter”.</p> <p>Litter removal is also one of the management measures stated in section 5.5.3 of the LMP.</p> <p>During the meeting, M Collins stated that they have appointed a new vertebrate pest controller from Aptical Bushfire Planning Pty Ltd who is working on a plan to implement further controls.</p>	N/A	<p>A) Implement the existing requirements under section 5.5.2 <i>Native feral animal protection</i> of the LMP and section 2.2 and 2.3 of <i>Bowantz Report</i>.</p> <p>B) Implement section 5.5.3 <i>Litter Removal</i> of the LMP.</p> <p>C) Revise the LMP to include the control methods recommended by the vertebrate pest controller referred to in the <i>Bowantz Report</i>.</p>

Item Number	Inspection Findings	Reference	Actions Required
4	<p><b>Waste (Anabranh area)</b></p> <p>Officers observed waste present in anabranh area. More particularly, officers observed steel drums, grape vine trellising/posts, fencing posts, farming equipment, discarded wooden fencing.</p> <p>During the inspection, M Collins stated that it does not have authority to remove the waste as it belongs to the landowners of Lot 22 and Lot 32.</p>	<b>Photos 6-8</b>	<p>Remove all waste and detritus from the anabranh area by <b>COB 2 August 2021</b> and provide written notification to the Department within 7 days of removal of all waste via email to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a>. As discussed during the meeting, the Department will write to M Collins under separate cover.</p>

## Appendix B



**Photo 1-** Photo showing the southern lot (Zone 3) looking northward towards the Camden Bypass. Minimal rehabilitation was observed on the southern lot. No landform remediation of the existing geo form post-extraction areas has occurred. Significant number of weeds were observed this area.



**Photo 2-** Photo showing southern lot looking east. Minimal rehabilitation has occurred in this area. Weeds were also seen to be present in most parts.





**Photo 3-** Photo showing the southern lot in Zone 3, west of the anabranch. Lack rehabilitation along the majority of Zone 3. Area dominant by weed.



**Photo 4-** Photo showing southern lot facing west in Zone 3. Very sharp and irregular land shaping observed in the landscape in this area.





**Photo 5-** Photo showing the vision screen where substantial weed infestation was observed on the northern side.



**Photo 6-** Photo near the anabranh looking south. Officers observed detritus/waste.





**Photo 7-** Photo showing the ridge next to the anabranh. Discarded equipment was observed next to the anabranh.



**Photo 8-** Photo showing fence posts stored on the ridge next to the anabranh.





**Photo 9-** Photo showing stockpiles present on the eastern side of the anabranch. M Collins stated that this is waste material/manure imported to the Site from the Royal Easter Show. No controls were observed around stockpiles in this area during the inspection.



**Photo 10-** Photo taken on the east of the anabranch near southern boundary of Lot 22 (DP 833317). Part of these stockpiles were observed in Lot 22. Note the steam from the manure stockpile.





**Photo 11-** Satellite image from 8 November 2019 showing stockpiles of different materials stored less than 50 m east of the anabranch in Lot 22 (DP 833317)



**Photo 12-** Satellite image from 28 May 2020 showing stockpiles of different materials stored less than 50 m east of the anabranch in Lot 22 (DP 833317)

**APPENDIX 3 - EPL 4093**

# Licence Variation

Licence - 4093



M COLLINS & SONS HOLDINGS PTY LTD  
ABN 28 000 521 871 ACN 000 521 871  
PO BOX 378  
NARELLAN NSW 2567

Attention: Emma Collins

Notice Number      1603645  
File Number        EF13/3244  
Date                 09-Dec-2020

## NOTICE OF VARIATION OF LICENCE NO. 4093

### BACKGROUND

- A. M COLLINS & SONS HOLDINGS PTY LTD ("the licensee") is the holder of Environment Protection Licence No. 4093 ("the licence") issued under the *Protection of the Environment Operations Act 1997* ("the Act"). The licence authorises the carrying out of activities at 214 MACARTHUR ROAD, SPRING FARM, NSW, 2570 ("the premises").
- B. The Environment Protection Authority (EPA) wrote to the licensee on 18.10.2020 a '*Notice of Review of Environment Protection Licence No. 4093.*'
- C. The EPA requested comment from the licensee by 29.11.2020
- D. On 27.11.2020 the licensee responded to EPA (DOC20/981015)
- E. The Licensee requested that LDP 2 Dust Monitoring location, described as MS2, be relocated.
- F. The licensee stated the reason for this change is that current extraction will likely cease on 30.06.2021.
- G. The timing for when the relocation of MS2 will occur is described in a note under condition P1.1.
- H. M Collins & Sons Holdings Pty Ltd, the licensee, currently have Consent Modification 5 before the Department of Planning, Industry and Environment.
- I. Modification 5 seeks to extend operations until 30.06.2023.
- J. If modification 5 is approved activities at the site would continue until 30.06.2023 and not the currently approved date of 30.06.2021.
- K. To achieve rehabilitation requirements outlined in the Planning Approval Landscape Management Plan 2018, works will be undertaken very close to MS2.
- L. Dust readings taken at MS2 will be distorted by activities being undertaken in very close proximity to the monitor.

## Licence Variation

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- M. The new location is within Lot 22 DP 833317 on the eastern side of Spring Farm. The new location will be closer to two neighbouring properties.
- N. It is considered the new location will fit for purpose to determine dust emissions from the site.
- O. The table in condition 'L2 Waste' referred to the 'Protection of the Environment Operations (Waste) Regulation 2005'.
- P. The 2005 Waste Regulation was updated in 2014.
- Q. The table has been updated to reflect the new 'Protection of the Environment Operations (Waste) Regulation 2014'.
- R. Condition 'O3 Dust' includes O3.1 and O3.2. O3.2 is duplicative of the requirements in O3.1 and has been deleted.
- S. Condition 'L5.1 Potentially offensive odour' is read in conjunction with the Note below. L5.1 has been amended to reflect the requirements of S129 of the POEO Act (1997).
- T. A draft copy of this notice was provided to the licensee for review and comment. The EPA has considered the comments made as we have determined this notice.

### VARIATION OF LICENCE NO. 4093

1. By this notice the EPA varies licence No. 4093. The attached licence document contains all variations that are made to the licence by this notice.
2. The following variations have been made to the licence:
  - LDP 2 Dust Monitoring Point 'MS2' location description has been changed.
  - Waste table under condition L2 updated
  - Condition O3.2 deleted
  - L5.1 has been amended.
  - A note has been added under table P1.1

*William Dove*

*09.12.2020*

**William Dove**  
**Unit Head Regulation**  
**Metropolitan South Branch**  
(by Delegation)



# Licence Variation

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## INFORMATION ABOUT THIS NOTICE

- This notice is issued under section 58(5) of the Act.
- Details provided in this notice, along with an updated version of the licence, will be available on the EPA's Public Register (<http://www.epa.nsw.gov.au/prpoeo/index.htm>) in accordance with section 308 of the Act.

## Appeals against this decision

- You can appeal to the Land and Environment Court against this decision. The deadline for lodging the appeal is 21 days after you were given notice of this decision.

## When this notice begins to operate

- The variations to the licence specified in this notice begin to operate immediately from the date of this notice, unless another date is specified in this notice.
- If an appeal is made against this decision to vary the licence and the Land and Environment Court directs that the decision is stayed the decision does not operate until the stay ceases to have effect or the Land and Environment Court confirms the decision or the appeal is withdrawn (whichever occurs first).

# Environment Protection Licence

Licence - 4093

## Licence Details

Number:	4093
Anniversary Date:	26-August

## Licensee

M COLLINS &amp; SONS HOLDINGS PTY LTD

PO BOX 378

NARELLAN NSW 2567

## Premises

SPRING FARM

214 MACARTHUR ROAD

SPRING FARM NSW 2570

## Scheduled Activity

Crushing, grinding or separating

Extractive activities

## Fee Based Activity

Crushing, grinding or separating

Land-based extractive activity

## Scale

&gt; 100000-500000 T annual processing capacity

&gt; 100000-500000 T annual capacity to extract, process or store

## Region

Metropolitan South Branch

4 Parramatta Square, 12 Darcy Street

PARRAMATTA NSW 2150

Phone: (02) 9995 5000

Fax: (02) 9995 6900

Locked Bag 5022

PARRAMATTA NSW 2124



# Environment Protection Licence

Licence - 4093



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# Environment Protection Licence

Licence - 4093



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# Environment Protection Licence

Licence - 4093



## 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).

# Environment Protection Licence

Licence - 4093



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:

M COLLINS & SONS HOLDINGS PTY LTD

PO BOX 378

NARELLAN NSW 2567

subject to the conditions which follow.



# Environment Protection Licence

Licence - 4093



## 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
Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity
Extractive activities	Land-based extractive activity	> 100000 - 500000 T annual capacity to extract, process or store

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

- A2.1 The licence applies to the following premises:

Premises Details
SPRING FARM
214 MACARTHUR ROAD
SPRING FARM
NSW 2570
LOT 1 DP 587631, LOT 32 DP 635271, LOT 22 DP 833317

### A3 Information supplied to the EPA

- A3.1 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:

- the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

# Environment Protection Licence

Licence - 4093



## 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 below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

<i>Air</i>			
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Dust Monitoring		Dust deposition gauge labelled as MS1 as labelled Environmental Monitoring Locations Plan - Spring Farm Water and Dust Monitoring Stations 9 August 2013 [Trim DOC13/42029].
2	Dust Monitoring		Dust deposition gauge labelled as MS2 on plan 'M Collins & Sons Holdings Pty Ltd Licence 4093 Map Review Proposal' provided to EPA by email 27.11.2020 (DOC20/981015)
3	Dust Monitoring		Dust deposition gauge labelled as MS3 as labelled Environmental Monitoring Locations Plan - Spring Farm Water and Dust Monitoring Stations 9 August 2013 [Trim DOC13/42029].

P1.2 NOTE: Due to Christmas and New Year Public holidays, and the logistics of relocating MS2, it is proposed to relocate MS2 to the new location described in this notice at the end of January 2021 Monthly Monitoring Period, or such other time as agreed to in writing by the EPA.

## 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 Waste

L2.1 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



# Environment Protection Licence

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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	General or Specific exempted waste	Waste that meets all the conditions of a resource recovery exemption under 'Part 9 Exemptions from provisions of Act and Regulation' of the Protection of the Environment Operations (Waste) Regulation 2014.	As specified in each particular resource recovery exemption	NA
NA	Waste	Any waste received on site that is below licensing thresholds in Schedule 1 of the POEO Act, as in force from time to time	-	NA

## L3 Noise limits

- L3.1 Noise from the premises must not exceed an LA10 (15 minute) noise emission criterion of 55 dB(A), except as expressly provided by this licence.
- L3.2 Noise from the premises is to be measured or computed at any point within one metre of the boundary of any residential premises or other noise sensitive areas (such as schools, hospitals) in the vicinity of the premises to determine compliance with condition L3.1 5dB(A) must be added if the noise is tonal or impulsive in character

## L4 Hours of operation

- L4.1 Activities covered by this licence on Lot 1 DP587631 must only be carried out between the hours of 0700 and 1700 Monday to Friday, and 0700 and 1300 Saturday, and at no time on Sundays and Public holidays.
- L4.2 Activities covered by this licence on Lot 22 DP833317 and Lot 32 DP635271 must only be carried out between the hours of 0700 and 1700 Monday to Friday, and 0800 and 1300 Saturday, and at no time on Sundays and Public holidays.
- L4.3 This condition does not apply to the delivery of material outside the hours of operation permitted by condition L4.1 and L4.2, 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 emergency.

# Environment Protection Licence

Licence - 4093



## **L5 Potentially offensive odour**

L5.1 The licensee must not cause or permit the emission of offensive odour beyond the premises boundary

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

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

### **O3 Dust**

O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

## **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:

- a) in a legible form, or in a form that can readily be reduced to a legible form;
- b) kept for at least 4 years after the monitoring or event to which they relate took place; and



# Environment Protection Licence

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c) 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:

- a) the date(s) on which the sample was taken;
- b) the time(s) at which the sample was collected;
- c) the point at which the sample was taken; and
- d) the name of the person who collected the sample.

## M2 Requirement to monitor concentration of pollutants discharged

### M2.1 Air Monitoring Requirements

POINT 1,2,3

Pollutant	Units of measure	Frequency	Sampling Method
Insoluble solids	grams per square metre per month	Monthly	AM-19

M2.2 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:

## M3 Testing methods - concentration limits

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2010* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

- M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:
- a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
  - b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
  - c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

# Environment Protection Licence

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## M4 Recording of pollution complaints

- M4.1 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.
- M4.2 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.
- M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## M5 Telephone complaints line

- M5.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving 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.
- M5.2 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.
- M5.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

## 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.

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



# Environment Protection Licence

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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.

## R2 Notification of environmental harm

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

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

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 requirements of Part 5.7 of the Act.

# Environment Protection Licence

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## 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.

### G2 Other general conditions

#### G2.1 Completed Programs



# Environment Protection Licence

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Program	Description	Completed Date
PRP 1 - Noise Mitigation Measures	Noise mitigation measures installation. To reduce noise emissions from the sand washery at the premises.	15-March-2008
PRP 2 - Control of Dust Emissions	Control of dust emissions. Dust management plan for the premises.	15-March-2008
PRP 3 - Air Monitoring Program	Undertake Total Suspended Particles and PM10 Monitoring Investigation Program for operations at Spring Farm.	14-May-2014

# Environment Protection Licence

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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



# Environment Protection Licence

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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> .

# Environment Protection Licence

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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

Mr Bernie Weir

Environment Protection Authority

(By Delegation)

Date of this edition: 08-January-2001



# Environment Protection Licence

Licence - 4093



## End Notes

- 1 Licence varied by notice 1016200, issued on 09-May-2003, which came into effect on 03-Jun-2003.
- 2 Licence varied by notice 1047682, issued on 12-Jul-2005, which came into effect on 06-Aug-2005.
- 3 Licence varied by notice 1058707, issued on 18-Apr-2006, which came into effect on 18-Apr-2006.
- 4 Licence varied by notice 1067861, issued on 20-Dec-2006, which came into effect on 20-Dec-2006.
- 5 Licence varied by notice 1081325, issued on 07-Jan-2008, which came into effect on 07-Jan-2008.
- 6 Licence varied by Change to schedule 1, issued on 08-May-2008, which came into effect on 08-May-2008.
- 7 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 8 Licence varied by notice 1096062, issued on 20-Jan-2009, which came into effect on 20-Jan-2009.
- 9 Licence varied by notice 1103855, issued on 28-Jul-2009, which came into effect on 28-Jul-2009.
- 10 Licence varied by change to DECCW region, issued on 20-Aug-2009, which came into effect on 20-Aug-2009.
- 11 Licence varied by notice 1107936, issued on 20-Oct-2009, which came into effect on 20-Oct-2009.
- 12 Licence varied by correction to premise st name and number, issued on 13-Dec-2010, which came into effect on 13-Dec-2010.
- 13 Licence varied by notice 1124885, issued on 05-Apr-2011, which came into effect on 05-Apr-2011.
- 14 Licence varied by notice 1504257 issued on 20-Feb-2012
- 15 Licence varied by notice 1506975 issued on 08-Aug-2012
- 16 Licence varied by notice 1511248 issued on 13-Aug-2013
- 17 Licence varied by notice 1516264 issued on 20-Aug-2013
- 18 Licence varied by notice 1517225 issued on 19-Sep-2013
- 19 Licence varied by notice 1522816 issued on 18-Jun-2014





**APPENDIX 4 - CONTROLLED ACTIVITY APPROVAL**



## Natural Resources Access Regulator

Collins and Sons Holdings Pty Ltd  
SPO Box 378,  
NARELLAN NSW-2567

email: matt@mcollins.com.au

Contact: Mohammed Ismail  
Phone: 02 8838 7535  
Fax: 02 8838 7554  
Email: mohammed.ismail@nrar.nsw.gov.au

Our ref: **10CX122891** (old Ref: ERM2013/830)  
DA 75/256

7 December 2018

### Re: Controlled activity approval - EXTENSION

<b>For activity described as</b>	<b>Building/construction (Non-Residential)</b>
<b>To be carried out at</b>	<b>Spring Farm and Nesbitt Site, 186 Macarthur</b>
<b>Road, SPRING FARM 2570</b>	
<b>Date of Issue: 27/12/2018 - Date of Expiry: 7 December 2018.</b>	

I refer to your application for extension of controlled activity approval under the *Water Management Act 2000* which was received by this office. Receipt of your application fee of \$722 is also acknowledged.

#### 1. Controlled activity approval

The Natural Resources Access Regulator (NRAR) has determined to grant you an extension to a controlled activity approval. Please find enclosed the **Notice of Determination** together with your **Statement of Approval**.

Please read carefully the conditions of the approval and seek clarification from NRAR for any condition not fully understood.

A **copy** of this approval and any annotated documentation should be **provided to the council**, your **certifier** and to **all contractors** engaged in the implementation of this controlled activity to ensure they are also aware of the conditions.

The controlled activity approval must be kept **current until** the controlled activity has been **completed**. Applications for **extending the approval** should be made to NRAR, in writing, prior to the expiry date on the approval.

#### 2. Inspections and fees

As the approval holder, you are required to notify NRAR on completion of the controlled activity. A site inspection may be needed to confirm that all of your obligations under the controlled activity approval have been carried out.

Costs associated with a single inspection may be covered by the application fee. However, if extra inspections or significant reassessment is required, then additional fees will be incurred.

Fees will also apply to any amendments requested or any extension of this approval. The current fee schedule is available at <https://www.industry.nsw.gov.au/water/licensing-trade/approvals/controlled-activities>

### **3. Other approvals may be required**

Subject to the conditions of the attached Statement of Approval, the approval holder is only authorised to carry out the controlled activity described in the location specified.

The attached Statement of Approval does not relieve the approval holder of any obligation which may exist to also obtain permission/approval/consent from any other agency who may have some form of control over the site or the proposed development.

Any questions regarding this correspondence should be directed to by email to [mohammed.ismail@nrar.nsw.gov.au](mailto:mohammed.ismail@nrar.nsw.gov.au).

Yours sincerely



**Mohammed Ismail  
Water Regulation Officer  
Natural Resources Access Regulator  
Dol Crown Lands & Water, NRAR**

Enc:  
Notice of Decision  
Statement of Approval



## Notice of Decision

*Water Management Act 2000*

	Application details
Reference number	10CX122891
Application type	Controlled activity approval under section 92 of the <i>Water Management Act 2000</i>
Description of activity	Controlled Activities
Applicant/s	Collins and Sons Holdings Pty Ltd SPO Box 378, NARELLAN NSW-2567
	Decision
Decision	Granted, subject to conditions  This decision was made under section 95 of the <i>Water Management Act 2000</i> .
Date of decision	7 December 2018
Determining officer	Mohammed Ismail  by a delegation from the Minister administering the <i>Water Management Act 2000</i> under the <i>Instrument of Delegation (Water Management Act) 2011</i>
	Reason/s for decision
	<p>This controlled activity approval was granted on the basis DPI Water is satisfied adequate arrangements are in place to ensure that no more than minimal harm will be done to waterfront land as a consequence of the carrying out of the controlled activity.</p> <p>Conditions were applied for the purpose of protecting the environment from the impacts associated with the approval, to give effect to any agreement between the applicant and a person who objected to the application, or to require security for the cost of performing the approval holder's obligations under the approval in case the approval holder fails to fulfil those obligations.</p>

## Right of appeal

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Section 368 of the *Water Management Act 2000* provides a right of appeal to the Land and Environment Court in certain circumstances:

- The applicant/s may appeal against a decision **imposing certain conditions** on an approval or **fixing the term** of an approval. This right of appeal also applies to conditions which are amended or added after an approval is granted.
- A person who objected to the granting of the approval under section 93 of the *Water Management Act 2000* may appeal against a decision **granting** the approval.

If you wish to make an appeal you must do so **within 28 days** after the date of the decision.

**END OF STATEMENT**

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## Approval details

Approval number	10CX122891
Status	CURRENT*
Approval kind	Controlled Activity
Water sharing plan	Greater Metropolitan Region Unregulated River Water Sources 2011
Date of effect	27/11/2018 Should an appeal be made against the granting of this approval, this approval will not take effect until the appeal is finally disposed of.
Expiry date	21/11/2021
Approval holder(s)	Schedule 1
Activities	Schedule 2
Conditions	Schedule 3

## Contact for service of documents

Name	Collins and Sons Holdings Pty Ltd
Address	PO Box 378 NARELLAN NSW-2567

\* Note: An approval has effect for such period as is specified in the approval, or if the period is extended under section 105, that extended period. If an application for extension of an approval is lodged before the approval expires, the term of the expiring approval is extended until either the date of the final decision on the application, or a date fixed by the Minister for the approval, whichever is the later date. An approval which has expired can be the subject of an application to extend it but it needs to be accompanied by a statutory declaration of the reasons for the delay in making the application. If the Minister accepts these reasons the term of the approval is taken to have been extended, and the application may be dealt with, as if the application had been made before the approval expired.

It is an offence under the Water Management Act 2000 to breach a term or condition of the approval or to construct and use works to which the approval does not relate. It is also an offence to use works the subject of an approval if the approval has expired, been surrendered or cancelled.



## Schedule 1 - Approval holders

The holders of this approval are:

Approval holder(s)	ACN (if applicable)
Collins and Sons Holdings Pty Ltd	000 521 871

### Important notice - change of landholder or contact

Please advise the Office in the event of any of the following, as soon as practicable:

- If there is a change in the ownership or occupation of the land benefited by this approval (see Schedule 2). Under the Water Management Act 2000, an approval is typically held by the owner or lawful occupier of the benefited land. Consequently, a change in occupation may cause a change in your legal obligations as an approval holder.\*
- If there is a change to the contact person. You will be required to lodge a written statement signed by all the holders.\*
- If there is a change to the mailing address for the nominated contact person. This should be done by the contact person in writing.

*\* An updated Statement of Approval will be issued free of charge*

Schedule 2 - Activities

Part A: Authorised activities

Subject to the conditions of this approval, in relation to each numbered activity in the table, the holders of this approval are authorised to undertake the activity of the type shown at the location specified:

Activity 1

Specified Activity

Extractive Industry

Specified location

1//587631	Whole Lot
32//635271	Whole Lot
22//833317	Whole Lot

Water source

Hawkesbury And Lower Nepean Rivers Water Source

Water sharing plan

Greater Metropolitan Region Unregulated River Water Sources 2011

### Schedule 3 - Conditions

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The approval is subject to the following conditions:

#### Conditions

##### Water management works

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**DK6301-00001**

All excavated material associated with the carrying out of the controlled activity must be removed from waterfront land and disposed of or used in a way that prevents the material from re-entering the water source.

**DS4875-00001**

A. Before commencing the controlled activity authorised by this approval, the boundary of the area where the activity is to be carried out must be clearly marked on the ground.  
B. The markings must remain in place until the controlled activity has been completed.

**DS4860-00001**

The approval holder must employ a suitably qualified person to directly supervise the controlled activity authorised by this approval to be carried out.

**DS4862-00001**

The controlled activity authorised by this approval must be maintained for a period of 2 years after completion of the controlled activity.

##### Activities

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**DS6039-00001**

The bed of the watercourse must not be excavated..

**DS5035-00284**

The controlled activity authorised by this approval must be carried out in accordance with the following plan(s)/document(s) held by Natural Resources Access Regulator, Parramatta Office:  
A. Plan No. 77310.01.P08, Original Surface Contours (1983) by SMEC Urban  
B. Plan No. 77310.01.P09, Current Surface Contours (2008) by SMEC Urban  
C. Plan no. 77310.01.P16, Design Final Surface Contours by SMEC Urban.  
D. Plans Nos. 77310.01.P04, 77310.01.P05, 77310.01.P06, 77310.01.P11, 77310.01.P12 & 77310.01.P13, Sand Mining Cross Sections by SMEC Urban.  
E. Plans No JET0328 drawing Nos 11 (issue 3) and 12 to 16 (inclusive all issue 2) by Johnstone Environmental Technology as indorsed by Department Land & Water (now office of Water) and department of Planning.  
F. Plans No JET0989 drawing 2 to 4 inclusive and 7 to 10 inclusive.  
.

**DS5035-00285**

The controlled activity authorised by this approval must be carried out in accordance with the following plan(s)/document(s) held by Natural Resources Access Regulator, Parramatta Office:

- A. Landscape Management Plan dated 24 April 2013 by Harvest Scientific Services Pty Ltd
- B. Figure 3 Final Landform and Rehabilitation Management Plan No 201279 dated 4 September 2012 by Harvest Scientific Services
- C. Attachment 1 to this CAA, Site drainage and erosion control measures.
- D. Attachment 2 to this CAA, Site Rehabilitation
- E. Vegetation Management Plan (VMP), The Knoll, Spring Farm, Elderslie NSW date February 2002
- .

**Environmental matters**

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**DK4951-00001**

A. Before commencing any work authorised by this approval, erosion and sediment control measures must be established and implemented in accordance with the requirements of the Managing Urban Stormwater Manual, Volume 1, Soils and Construction (2004) as amended or replaced from time to time.

B. These control measures must be maintained until work is completed.

**DS4861-00001**

All erosion and sediment control works must be decommissioned using a suitably qualified person on completion of the controlled activity once the site has stabilised.

**DS4865-00001**

A. All materials must be stored away from the water source so that materials do not:

- i. obstruct water flow, or
- ii. wash into the water source, or
- iii. cause damage to river banks.

B. When the controlled activity authorised by this approval has been completed, surplus materials must be removed from waterfront land.

**DS4866-00001**

Machinery used for the controlled activity authorised by this approval must not enter the water source at any time.

**DS4945-00001**

Vegetation may only be cleared to the minimum extent required for the carrying out of the controlled activity, which means that the minimum area is cleared to allow:

- A. carrying out of the controlled activity and
- B. access for appropriate equipment and personnel.

**Monitoring and recording**

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**DS4852-00001**

A copy of this approval must be kept at the site where the controlled activity is taking place. A copy of the approval must be provided to all personnel working on the controlled activity.

**DS6278-00001**

The approval holder must provide a progress report detailing extraction operations, site conditions and materials replenishment to the Natural Resources Access Regulator every twelve (12) months from the date of the granted approval. This progress report must be submitted to Natural Resources Access Regulator, Parramatta Office, and the report is to include photos of the entire site and the photo points must be identified by survey or other methods.

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**Reporting**

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**DS4864-00014**

When the controlled activity authorised by this approval has been completed:

- A. a certificate of completion must be provided by a suitably qualified person, and
- B. the approval holder must send the certificate to Natural Resources Access Regulator, Parramatta Office within 60 days of the controlled activity being completed.

**DS4863-00022**

At completion of the maintenance period for the controlled activity authorised by this approval, the approval holder must report in writing to Natural Resources Access Regulator, Parramatta Office, that:

- A. the controlled activity has been completed, and
- B. the water source and waterfront land have been restored and rehabilitated in accordance with plans held by Natural Resources Access Regulator.

**DS4857-00026**

The approval holder must notify Natural Resources Access Regulator, Parramatta Office, in writing within 30 days of the controlled activity being completed.

**DS4899-00003**

The approval holder must notify Natural Resources Access Regulator, in writing to [nrar.enquiries@nrar.nsw.gov.au](mailto:nrar.enquiries@nrar.nsw.gov.au) , within 14 days of any change in site management, land ownership or land occupation.

**DS4892-00031**

- A. The approval holder must provide a report to Natural Resources Access Regulator, Parramatta Office, on the implementation of each of the following plan(s):
  - Vegetation Management plan; Works schedule every twelve (12) months up to the end of the maintenance period, and at the completion of the controlled activity authorised by this approval.
- B. Each report must:
  - i. address the requirements set out in each plan, and
  - ii. be prepared by a suitably qualified person.

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**Additional conditions**

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**DK6311-00001**

- The approval holder must not excavate:
- A. beyond the depth shown on plans No. 77310.01.P04, 77310.01.P05, 77310.01.P06, 77310.01.P11, 77310.01.P12 & 77310.01.P13, Sand Mining Cross Sections by SMEC Urban approved by the NSW Office of Water and stamped on 8 October 2013,
  - B. below the depth shown on plans JET0328 Drawing 12, 13, 14, & 15 (all issue 2) prepared by Johnstone Environmental Technology stamped on 30 April 1996,
  - C. below the depth shown on plans JET0.989 drawings 8 issues 1, drawing 9 issues 0 and drawing 10 issues 0.

**DK6312-00001**

The approval holder must not excavate beyond a depth of 3 metres above the normal flow water level (taken as R55.63).

**DS4924-00049**

A. Before commencing carrying out the controlled activity authorised by this approval, a security deposit of \$ 45,200 must be provided to Natural Resources Access Regulator, Parramatta Office, in the form of an SGI document or equivalent (e.g. bank guarantee) attached to this approval.

B. The security deposit will be held by Natural Resources Access Regulator until:

i. the controlled activity has been satisfactorily completed and the water source and waterfront land have been rehabilitated in accordance with plans held by Natural Resources Access Regulator, and

ii. a certificate of compliance/statement of completion has been completed by a suitably qualified person and provided to Natural Resources Access Regulator, Parramatta Office.

**DS4924-00050**

A. Before commencing carrying out the controlled activity authorised by this approval, a security deposit of \$ 43,850 must be provided to Natural Resources Access Regulator, Parramatta Office, in the form of an SGI document or equivalent (e.g. bank guarantee) attached to this approval.

B. The security deposit will be held by Natural Resources Access Regulator until:

i. the controlled activity has been satisfactorily completed and the water source and waterfront land have been rehabilitated in accordance with plans held by Natural Resources Access Regulator, and

ii. a certificate of compliance/statement of completion has been completed by a suitably qualified person and provided to Natural Resources Access Regulator, Parramatta Office.

**Glossary**

**licensor** - WaterNSW or DPI Water, depending on which organisation administers your licences and/or approvals

**waterfront land** - Land and material in or within 40 m of the top of the bank or shore of a river, lake, estuary or coastal waters.

**General Notes**

All conditions on an approval require compliance. An appeal to the Land and Environment Court against a decision to impose certain conditions on an approval can be made within 28 days after the date the decision is made. Conditions identified with the first letter "D" are those that can be appealed during the appeal period.

The words in this approval have the same meaning as in the *Water Management Act 2000*

**Note: The words in this approval have the same meaning as in the WMA**

**END OF STATEMENT**



**APPENDIX 5 - FACILITY OPERATING PROCEDURES (FOPs)**

# **FACILITY OPERATING PROCEDURE NO: 1**

**TITLE:       EXTRACTION ACTIVITIES**

## **Short description and purpose of FOP**

Sand and soil extraction areas are depicted on Plan 1.

This FOP outlines environmental management measures to be implemented minimise environmental risk from extraction areas.

## **Detailed Requirements**

Extraction activities are to be carried out in accordance with the following documents:

- DA 75/256 DPE Consent Modification 2 (2009)Environmental Assessment prepared by Pascoe Planning (April 2012)
- Modification of Spring Farm Quarry Consent (DA 75/256) prepared by Pascoe Planning (August 2012)
- DPE Modification 3 Consent (25<sup>th</sup> October 2012)
- Water Management and Erosion and Sediment Control Plan (WM & ESCP) prepared by Harvest Scientific Services Pty Ltd (Appendix 1).
- Landscape Management Plan (LMP) prepared by Harvest Scientific Services Pty Ltd as (Appendix 2).
- Air Quality Monitoring Program (AQMP) prepared by Harvest Scientific Services Pty Ltd as (Appendix 3).

## **FACILITY OPERATING PROCEDURE NO: 2**

**TITLE: SAND WASH PLANT AND WET-SAND SCREENING**

### **Short description and purpose of FOP**

The sand wash plant and wet-sand screening area (Plan 1) is utilised for washing (to remove fines) and screening (to remove coarser material) of excavated sand material.

This FOP outlines environmental management measures to be implemented to minimise environmental risks from this area.

### **Detailed requirements**

- Unwashed sand stockpiles are to be kept to a minimum in the wash plant area.
- Bare soil in working areas and stockpiles are to be monitored daily and wet down with a water cart and/or sprinklers as required.
- All screening and stockpiling operations shall cease in adverse weather conditions.

## **FACILITY OPERATING PROCEDURE NO: 3**

**TITLE: DRY SAND AND SOIL SCREENING AND EXTRACTION**

### **Short Description and Purpose of FOP**

Sand and soil are to be excavated on the area depicted on Plan 1. Dry and soil screening is a procedure that is undertaken to remove coarser material from the excavated material. The main environmental hazard from implementation of this FOP is generation of excessive amounts of dust.

This FOP outlines environmental management measures to be implemented to minimise environmental risks associated with this procedure.

### **Detailed requirements**

- All screening, blending and extraction operations shall cease in adverse environmental conditions.
- Bare soil within working areas is to be monitored daily and wet down as required.
- Sand and soil stockpiles are to be monitored and wet down as required.
- Any bare soil areas where extraction is complete are to be re-vegetated as soon as practical after extraction.
- The area stripped of topsoil prior to extraction is to be kept to a minimum. Stripped topsoil material is to be re-used for revegetation and rehabilitation, as soon as practical after extraction.

# **FACILITY OPERATING PROCEDURE NO: 4**

**TITLE:   MANAGEMENT OF EXPOSED SOIL AREAS**

**Short description and purpose of FOP**

Bare soil areas are associated with this development in the form of access tracks, operational and stockpiling areas and areas subject to active extraction (Plan 1). These areas have the potential to generate excessive dust if not appropriately managed.

This FOP outlines environmental management measures to be implemented to minimise environmental risks from these areas.

**Detailed Requirements**

- Bare soil areas are to be monitored daily and wet down with a water cart as required.
- With the exception of watering activities, all activities are to cease if weather conditions are adverse.
- In extraction areas, bare soil areas are to be re-vegetated as soon as practical after completion of extraction.

## **FACILITY OPERATING PROCEDURE NO: 5**

**TITLE: EQUIPMENT MAINTENANCE**

### **Short description and purpose of FOP**

Equipment maintenance activities are to be supervised and controlled in a manner that will minimise the risk of oil and fuel spills, which potentially may result in pollution to surface and groundwater and/or contamination of product stockpiles.

This FOP outlines environmental management measures to be implemented to minimise environmental risks from this procedure.

### **Detailed requirements**

Equipment maintenance activities will be subject to the following controls:

- Separate waste containers will be made available for oil and waste fuels, used oil and grease containers as well as filters.
- Waste materials will be removed from site to an appropriate facility on a weekly basis.
- All oils and fuels are to be stored within a sealed bunded area with a storage volume of 1.5 times the total volume of fuel and/or oil stored within the bunded area.
- A spill kit is to be located within close proximity to where any servicing activities take place.



**FACILITY OPERATING PROCEDURE NO: 6**

**TITLE: REFUELING ACTIVITIES**

**Short description and purpose of FOP**

Refueling activities are to be supervised and controlled in a manner to reduce the risk of fuel spills which may result in pollution to surface and ground waters and/or contamination of product stockpiles.

**Detailed requirements**

Refuelling activities will be subject to the following controls:

- All refuellers will carry a spill kit.
- Refuelling activities are to occur in bunded areas only.

## **FACILITY OPERATING PROCEDURE NO: 7**

**TITLE: WASTE CONTROL**

### **Short description and purpose of FOP**

All waste generated on the facility will be either recycled or disposed of to Jack's Gully Land fill.

The purpose of this procedure is to limit any contamination of out-going product as well as ensuring that all waste is properly dealt with on site and disposed of offsite.

### **Detailed requirements**

- All waste generated from this facility is to be segregated into putrescible waste, organic waste, paper/cardboard, oils and grease and plastic/glass.
- All waste is to be disposed of offsite at Jack's Gully Waste management facility on a weekly basis or as and when required.
- Where practical, all recyclable materials are to be recycled.

## FACILITY OPERATING PROCEDURE NO: 8

**TITLE: RECEIPT OF EXCAVATED NATURAL MATERIAL (ENM)**

### Short description and purpose of FOP

This facility may receive Excavated Natural Material (ENM) as authorised by the development consent issued by Council (Appendix 13) and EPA licence 4093 (Appendix 5) for the following purposes:

- Site land-filling and re-vegetation activities ('Consumer'); or
- Onsite processing and subsequent re-sale ('Processor').

In the ENM exemption, made under the Protection of the Environment Operations (Waste) Regulation (2005), the following definitions are provided:

***'Consumer'**, means a person who applies, causes, or permits the application to land of excavated natural material within the definitions of 'application to land' in accordance with the Act. The consumer may be the landholder responsible for the land to which excavated natural material is applied'*

*and*

***'Processor'**, means a person who generates, processes, mixes, blends, or otherwise incorporates excavated natural material into a material for supply to a consumer'.*

Attached to this FOP is a copy of the ENM 2008 Exemption, which outlines the 'consumer' and 'processor' responsibilities. This FOP has in turn been prepared to outline the procedures to be undertaken by MCS to fulfill its responsibilities under the ENM 2008 exemption.

### Detailed requirements

All imported ENM material will be subject to the following procedures:

- **Advice to processor.** All processors (suppliers) of ENM are to be provided with a copy of this FOP prior delivery of ENM material.
- **Visual inspections.** All truck loads are to be visually inspected at the weighbridge by the site Manager/Supervisor as well as by the operator during unloading.
  - Any load containing suspicious material (as deemed by the visual inspector/s) is to be rejected.
  - Any material that is deemed to contain suspicious material after unloading is to be reloaded and rejected.
- **Documentation.** For all incoming ENM the following documentation must be provided by the producer:
  - A material classification report (or equivalent) for the subject material. The report must include a statement that the subject material has been tested in accordance with relevant conditions of the ENM (2008) exemption and that the material complies with the exemption. The report must also include analytical results, laboratory quality control reports and chain-of-custody documentation.
  - A written statement of compliance (or equivalent) from the processor that the subject material complies with the ENM (2008) exemption.

- All supporting documentation is to be visually checked for suspect or fraudulent reports. If any reports are suspected to be suspect the subject material is to be rejected.
- **Records.** For all incoming loads the following information is to be recorded:
  - Name and address of the supplier
  - Vehicle registration
  - Driver name and licence number
  - Mass (kgs or tonnes) of material
  - Street or Lot and DP address of the source material
  - Material classification report
  - Statement of compliance

If the above information cannot be supplied, the subject material is to be rejected.

- **Purpose of material. Resale or Landfill (reclamation) ENM material received on site is authorised by the development consent issued by Council (Appendix 13) and EPA licence 4093 Appendix 5)**
  - The intended purpose of the subject material is to be recorded (i.e. resale or landfill).
  - If the material is to be used for resale, storage and processing occurs on Lot 1 in the processing area.
  - If the material is to be used for landfill (reclamation) the location of the land-filling is to be recorded (for example a grid reference on a plan/map or equivalent).
  - All records are to be kept for a period of three years.

## FACILITY OPERATING PROCEDURE NO: 9

**TITLE: RECEIPT OF VIRGIN EXCAVATED NATURAL MATERIAL (VENM)**

### Short description and purpose of FOP

This facility may receive Virgin Excavated Natural Material (VENM) as authorised by the development consent issued by Council (Appendix 13) and EPA licence 4093 (Appendix 5) for the following purposes:

- Site land-filling and re-vegetation activities ('Consumer'); or
- Onsite processing and subsequent re-sale ('Processor').

The Protection of the Environment Operations Act (1997) defines *virgin excavated natural material* 'as natural material (such as clay, gravel, sand, soil or rock fines):

(a) *that has been excavated or quarried from areas that are not contaminated with manufactured chemicals, or with process residues, as a result of industrial, commercial, mining or agricultural activities, and*

(b) *that does not contain any sulfidic ores or soils or any other waste, and includes excavated natural material that meets such criteria for virgin excavated natural material as may be approved for the time being pursuant to an EPA Gazettal notice'.*

This FOP has in turn been prepared to outline the procedures to be undertaken by MCS in relation to receipt of VEMN material.

### Detailed requirements

All imported VENM material will be subject to the following procedures:

- **Advice to suppliers.** All suppliers of VENM are to be provided with a copy of this FOP prior delivery of ENM material.
- **Visual inspections.** All truck loads are to be visually inspected at the weighbridge by the site Manager/Supervisor as well as by the operator during unloading.
  - Any load containing any foreign material (as deemed by the visual inspector/s) is to be rejected.
  - If any load is found to contain any foreign material (anything other than clay, gravel, sand, soil or rock fines) after unloading is to be reloaded and rejected.
- **Documentation.** For all incoming VENM the following documentation must be provided by the producer:
  - Complete EPA Certification Virgin Excavated Natural Material Form.
  - A material classification report (or equivalent) for the subject material. The report must include a statement that the subject material is classified as 'VEMN' under the Protection of the Environment Operations Act (1997) (or equivalent wording).
  - A written statement from the supplier that the subject material is classified as



VENM under the Protection of the Environment Operations Act (1997).

- All supporting documentation is to be visually checked for suspect or fraudulent reports. If any reports are suspected to be suspect the subject material is to be rejected.
- **Records.** For all incoming loads the following information is to be recorded:
  - Name and address of the supplier
  - Vehicle registration
  - Driver name and licence number
  - Mass (kgs or tonnes) of material
  - Street or Lot and DP address of the source material
  - Material classification report
  - Statement of compliance

If the above information cannot be supplied the subject material is to be rejected.

- **Purpose of material. Resale or Landfill (reclamation) VENM material received on site is authorised by the development consent issued by Council (Appendix 13) and EPA licence 4093 Appendix 5)**
- The intended purpose of the subject material is to be recorded (i.e. resale or landfill).
- If the material is to be used for resale, storage and processing occurs on Lot 1 in the processing area.
- If the material is to be used for landfill (reclamation) the location of the land-filling is to be recorded (for example a grid reference on a plan/map or equivalent).
- **Records.** All records are to be kept for a period of three years.

**APPENDIX 6 - ENVIRONMENTAL CONTROL PROTOCOLS (ECPs)**

# **ENVIRONMENTAL CONTROL PROTOCOL NO: 1**

**TITLE:        EROSION AND SEDIMENT CONTROL**

## **Short description and purpose of ECP**

Sediment may enter the natural drainage system if sediment management is not appropriate. Sources of sediments include:

- In run-off waters from working and stockpile areas;
- Sediments from access roads; and
- Sediments from areas undergoing rehabilitation.

The purpose of this ECP is to outline Environmental Control Protocols for the management of erosion and sediment control.

## **Detailed requirements**

All controls outlined in the Water Management and Erosion and Sediment Control Plan prepared by Harvest Scientific Services Pty Ltd dated 30<sup>th</sup> October 2016 (Appendix 1) are to be implemented.

## **ENVIRONMENTAL CONTROL PROTOCOL NO: 2**

**TITLE:       LANDSCAPING AND REHABILITATION**

### **Short description and purpose of ECP**

The purpose of this ECP is to outline control protocols to:

- minimise the spread of weeds (noxious or otherwise).
- enhance the controlled growth of native vegetation; and
- ensure that the site is rehabilitated in accordance with an approved plan.

### **Detailed requirements**

All controls outlined in the Landscape Management Plan prepared by Harvest Scientific Services Pty Ltd dated 30<sup>th</sup> October 2016 (Appendix 2) are to be implemented.

## ENVIRONMENTAL CONTROL PROTOCOL NO: 3

**TITLE:       AIR QUALITY MANAGEMENT**

### **Short description and purpose of ECP**

Roadways, turning areas, material handling areas, transport vehicles and stockpiles areas are sources of dust from this facility.

Excessive dust represents a health and amenity hazard and its generation from internal roadways and bare soil areas should therefore be suppressed as much as practical.

### **Detailed requirements**

Control measures to be used in minimising dust generation are as follows: -

- Follow the site Air Quality Management Plan dated 40<sup>th</sup> October 2016 (Appendix 3)
- All working areas and recently rehabilitated areas are to be inspected on a daily basis by the EMR. During hours of operation, dust is to be suppressed by wetting down dusty surfaces and stockpiles, as deemed appropriate by the EMR;
- Extraction, loading and processing operations are to cease if weather conditions are adverse;
- All vehicles exiting this site must exit via the wheel wash that is located adjacent to the weigh-bridge;
- Loaders should not be operated if weather conditions are adverse;
- The fall distance from the end loader bucket should be reduced to as small a distance as practical; and
- The payload of all trucks (including trucks carrying no load) entering, leaving and on the site is to be covered at all times, except when loading or unloading.



## ENVIRONMENTAL CONTROL PROTOCOL NO: 4

**TITLE: NOISE MANAGEMENT**

### Short Description and Purpose of ECP

Processing equipment, loaders and trucks are sources of noise from this facility.

Noise is considered to be an environmental pollutant and its generation should therefore be suppressed as much as practical. The purpose of these measures is to maintain the amenity of the surroundings.

### Detailed Requirements

The following measures are to be adopted:

- All equipment used at the Facility will be maintained in good order;
- Trucks entering and leaving the site will travel at slow speeds (<25km/hr);
- Shielding of shredding and screening facilities by strategically located earthen bunds;
- The use of product stockpiles and built infrastructure to shield the noisiest part of the operations from neighbouring properties;
- Ensure exhaust mufflers on all trucks and equipment are maintained to limit tonal noise emissions;
- Access roads are to be designed and graded to prevent unnecessary noise from empty trucks;
- These instructions are to be relayed to all employees and contractors operating at the Facility; and
- **Hours of operation.** In accordance with the Department of Planning & Environment's Conditions of Consent, the following hours of operation apply:
  - 7:00am to 5pm Monday to Friday;
  - 8:00am to 1:00pm Saturday; and
  - No operations are to occur on Sundays and Public Holidays

Noise levels at the boundary of the premise (in which the facility is located) are not to exceed allowable noise limits (LA10 [15 minute] noise emission criterion of 55Db(A)). Exceedance of these levels will lead to a breach of the EPA conditions of consent.

## ENVIRONMENTAL CONTROL PROTOCOL NO: 5

**TITLE: ABORIGINAL HERITAGE**

### Short description and purpose of ECP

It is an offence under the NSW NPWS Act – Section 90, to knowingly damage or destroy relics without the prior consent of the Director General, Office of Environment and Heritage (OEH). This ECP describes procedures for the protection of Aboriginal Heritage. The purpose of these measures is to limit loss of aboriginal heritage by either preservation or recoding of occurrences.

### Detailed requirements

All personnel associated with the site should be made aware of the potential for aboriginal relics to be located within close proximity to the facility;

- During the course of activities in and around the facility, all activities on a disturbed site should cease in the event that relics are uncovered; and
- The NSW EPA should be contacted and advice sought with respect to further action.

## **ENVIRONMENTAL CONTROL PROTOCOL NO: 6**

**TITLE:       TRAFFIC AND TRANSPORTATION**

### **Short description and purpose of ECP**

Implementing traffic management controls to address DPE Modification 3 Consent Conditions 25<sup>th</sup> October 2012 and Statement of Commitments dated 9<sup>th</sup> October 2012 to reduce significant impact on the local and regional road network with laden truck movement limits and monitoring procedures.

### **Detailed requirements**

#### **Overview**

- Limit the impact of development-related traffic with maximum truck movements.
- Laden truck movements from the Spring Farm Quarry to public roads will not exceed 36 per day (when averaged over any working week) or 80 or any working day.
- Set annual and monthly budgets to consider annual dispatches of extractive material products from the Spring Farm Quarry (300,000 tonnes) and laden truck movements comply with consent conditions and statement of commitments.

#### **Monitoring traffic movements**

- Comprehensive logs of truck movements of extractive materials dispatched from the Spring Farm Quarry will be recorded and maintained.
- Conduct and review weighbridge laden load reports when truck movement is considerable (increased activity/truck movement visibly noticeable)
- Conduct weighbridge laden load reports to check compliance with truck limits stated above.
- Document all split-loads (one truck movement with two products) to obtain accurate records.
- Report all exceedance to the site Manager;
- Report truck movement logs annually on the AEMR and submit to DPE and Council
- Make logs available for inspection on request by the Director General or the Council.

#### **Limit the impact of quarry trucks on local roads**

- Except, where permitted by Council, trucks travelling to and from the Spring Farm Quarry will not travel via local roads in the vicinity of the development other than Macarthur Road, Springs Road and Richardson Road.

#### **Limiting the tracking of material onto public roads to minimise dust, particular matter and debris emissions**

- All laden trucks carrying material from the Spring Farm Quarry on public roads will be covered
- All trucks leaving the Spring Farm Quarry and travelling on public roads will be cleaned of material that may fall on the road, before leaving the gate via the wheel wash.

# ENVIRONMENTAL CONTROL PROTOCOL NO: 7

**TITLE:       RESPOND TO NON COMPLIANCE**

**Short description and purpose of ECP**

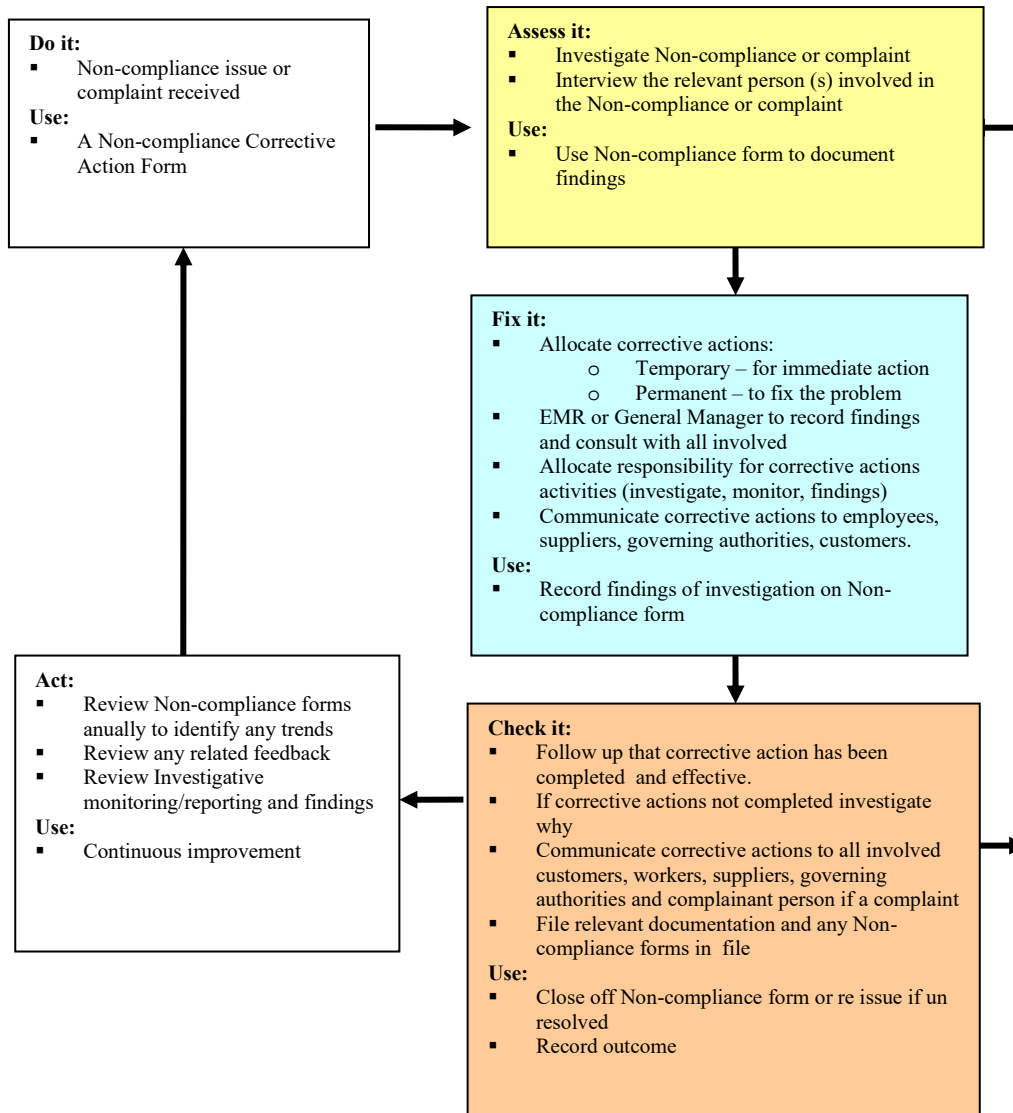
All non-compliance items and/or complaints are subject to review and rectification by the nominated personnel. The type and extent of the non-conformity is documented in order to establish trends and identify possible areas of improvement.

The corrective action required to prevent recurrence is evaluated, documented and its effectiveness implementation is monitored. All rectification is subsequently re-inspected to ensure complete customer, governing authority satisfaction.

**Detailed requirements**

Non compliances can be identified through the following activities:

- |  |   |
|--|---|
| <input type="checkbox"/> Internal audit findings           | <input type="checkbox"/> Incidents                |
| <input type="checkbox"/> Third party audit findings        | <input type="checkbox"/> Housekeeping/Inspections |
| <input type="checkbox"/> Complaints (internal or external) | <input type="checkbox"/> Checklist findings       |
| <input type="checkbox"/> Observation                       | <input type="checkbox"/> Near-misses              |
| Annual performance Review                                  | Exceed performance criteria                       |





## ENVIRONMENTAL CONTROL PROTOCOL NO: 8

**TITLE: CUMULATIVE IMPACT MANAGEMENT**

### **Short description and purpose of ECP**

To comply with Modification 3 Consent, Condition 1 Schedule 5 (d). To ensure an effective review process is conducted to address cumulative impacts addressed in the Environmental Assessment and Environmental Risk Reports and identified ongoing.

### **Detailed requirements**

Cumulative impact assessment was conducted at project initiation and during DPE Consent Modification approval process. The EA primarily addressed approaches to manage cumulative impacts and are addressed through implementation of site Management Plans (EMP, AQMP, WM&ESCP, LMP)

The site Manager and EMR manage cumulative impacts by;

- Conducting AEMR annual environmental review reporting;
- Monitoring compliance to consent conditions;
- Review of the environmental risk register and identified cumulative impacts,
- Review of the Environmental Assessment and identified cumulative impacts;
- Ongoing site monitoring results to performance criteria;
- Compliance review to site management plans (Air Quality, Water Management, Sediment Control, EMP)
- Identify potential cumulative impacts adapted to suit specific circumstances arising;
- Identify cumulative trends to predict forecasts for proactive measures/actions that address the potential for non compliance with site management plans

**APPENDIX 7 - ENVIRONMENTAL MONITORING RECORDS (EMRs)**

# ENVIRONMENTAL MONITORNG RECORD 1

## Monthly environmental management summary

Month:

Date of summary:

Author:

<b>Environmental Aspect</b>	<b>Component</b>	<b>Actions required</b>	<b>Date undertaken</b>
<b>Soil and water management</b>	<b>Sediment basins</b>		
	<b>Sediment fences</b>		
	<b>Straw bale filters</b>		
	<b>Wheel wash</b>		
	<b>Rattle bar</b>		
	<b>Bunding integrity</b>		
<b>Re-vegetation</b>	<b>Weed management</b>		
	<b>Watering</b>		
	<b>Planting</b>		
<b>Dust management</b>	<b>Stockpiles</b>		
	<b>Access tracks</b>		
	<b>Bare soil areas</b>		
	<b>Speed limits and training</b>		
<b>Noise management</b>	<b>Location of operations</b>		
	<b>Equipment maintenance required</b>		
	<b>Maintenance of access tracks/grading</b>		
<b>Other</b>			
<b>EMP revisions</b>			

## ENVIRONMENTAL MONITORNG RECORD 2

### HERBICIDE/PESTICIDE USE REGISTER

All herbicide and pesticide use is to be recorded in this register.

Herbicide/pesticide use register

Date	Time	Location of application	Wind direction (if any)	Chemical applied	Name of employee applying chemical

## **ENVIRONMENTAL MONITORING RECORD 3**

### **TRAFFIC MOVEMENTS**

**Traffic movements are to be recorded in the vehicle log at the weighbridge.**

## **ENVIRONMENTAL MONITORING RECORD 4**

### **NOISE MONITORING**

**Any instrumental noise monitoring reports are to be recorded in this EMM**



## **ENVIRONMENTAL MONITORING RECORD 5**

### **AIR QUALITY MONITORING**

**All air quality monitoring reports are to be stored in this EMM.**

## **ENVIRONMENTAL MONITORING RECORD 6**

### **GROUNDWATER QUALITY MONITORING**

**All groundwater quality monitoring reports are to be stored in this EMM**

## **ENVIRONMENTAL MONITORING RECORD 7**

### **METEOROLOGICAL DATA**

**Relevant meteorological reports are to be stored in this EMM**

## **ENVIRONMENTAL MONITORING RECORD 8**

### **ENM REGISTER**

**All relevant ENM documentation is to be stored in this EMM Register**

## Excavated Natural Material (ENM) record sheet

### Supply details

Date	
Time	
Vehicle registration	
Driver's name	
Drivers licence number	
Name of supplier	
Address of supplier	
Mass (kgs or tonnes) of material	
Street address or Lot and DP of source material	

### Documentation

Document	Supplied (Y/N)
Material classification report	
Statement of compliance	

### Visual inspections

Location	Inspected (Y/N)	Was material accepted (Y/N)	Signature
Weighbridge			
Field inspection			

### Intended purpose of ENM

Purpose	Intended purpose (Y/N). If land-filling state grid reference for filling location.
Land-filling / rehabilitation works	
Resale	

### Notes:

1. All boxes on this sheet must be filled out otherwise ENM will be rejected.
2. If visual contaminants are observed subject load must be rejected.

## ENVIRONMENTAL MONITORING RECORD 9

### VENM REGISTER

All relevant VENM documentation is to be stored in this EMM

Virgin Excavated Natural Material (VENM) record sheet

#### Supply details

Date	
Time	
Vehicle registration	
Driver's name	
Drivers licence number	
Name of supplier	
Address of supplier	
Mass (kgs or tonnes) of material	
Street address or Lot and DP of source material	

#### Documentation

Document	Supplied (Y/N) – attach documents to this record sheet
Material classification report	
Statement of compliance	

#### Visual inspections

Location	Inspected (Y/N)	Was material accepted (Y/N)	Signature
Weighbridge			
Field inspection			

#### Intended purpose of ENM

Purpose	Intended purpose (Y/N). If land-filling state grid reference for filling location.
Land-filling / rehabilitation works	
Resale	

#### Notes:

1. All boxes on this sheet must be filled out otherwise ENM will be rejected.
2. If visual contaminants are observed subject load must be rejected.



## APPENDIX 8 - COMPLAINTS REGISTER AND RECORD SHEET

### Environmental Complaints Form

Applicable Site / Address	
Name of person making the complaint	
Any personal details of the person making the complaint	
The date and time of the complaint	
(Complaint method) How was the complaint made, in person, phone, in writing etc.	
What is the nature of the complaint, noise, dust, smell or other	
What response was given to the complainant	
What immediate action was taken, detail below dates	
If no action was taken detail why no action was taken	
In what area was the incident noticed from	
When was the incident noticed	
Date and time of an investigation, record initial findings, (map, photo, etc).	
Was an authority called? And which one?	

Additional comments and notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### INTERNAL USE

Person filling out this form, Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
Date: \_\_\_\_\_ What manager was it reported to: \_\_\_\_\_  
Company and Division: \_\_\_\_\_  
How was it reported: \_\_\_\_\_  
Date and time the division manager received it: \_\_\_\_\_

Records to be kept for 4 years

### Complaint response ongoing notes

**Complaint number:**

[illegible]

## APPENDIX 9 - ENVIRONMENTAL INCIDENT REGISTER AND RECORD SHEET

**Environmental incident record number:**

**Date:**

**Time:**

**Recorded by:**

**Signature:**

### Details of incident

### Response/s undertaken and investigation outcomes

### Response summary

Component	Y/N	Date	Comment
EPA notified			
DPE Notified			
Camden Council notified			

## Environmental incident response ongoing notes

**Environmental incident number:**[illegible]

## **APPENDIX 10 - ENVIRONMENTAL SUMMARY AND ENVIRONMENTAL RISK ASSESSMENT**



**Harvest Scientific Services Pty Ltd**  
Geotechnical Environmental & Resource Consultants  
ABN 43 132 363 289

## **ENVIRONMENTAL SUMMARY (Inc. WASTE) AND ENVIRONMENTAL RISK ASSESSMENT**

**Lot 32 DP 635271 Macarthur Road, Spring Farm**

**Prepared for:**

**M Collins and Sons (Contractors) Pty Ltd**

**Job reference: 201279  
24 April 2013**

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## Revisions register

Version	Date	Details
1	14/07/2011	Draft document.
2	15/07/2011	Draft document
3	14/12/2011	Various Added comment that groundwater monitoring is to be at location GW 1 until bore pump is installed and then moved to location GW 3.
4	16/02/2012	Various typographic revisions. Environmental monitoring plan updated. Assessment of tailings emplacement area.
5	16/02/2012	Assessed loss of agricultural land
6	20/04/2012	Minor typographical revisions. Updated Figure 2.
7	24/04/2013	Updated Figure 3 as per EA (mod 3)

## Executive summary

### Introduction

M Collins and Sons (Contractors) Pty Ltd (MCS Pty Ltd) owns and operates the Spring Farm Quarry located at Lot 22 DP833317 at Spring Farm, in the Camden Local Government Area (LGA). Development consent (DA 75/256) for the extraction and processing of sand and soil was originally granted by the Minister for Planning in 1988 and the consent was modified in 1998 to extend the quarry's life. The site is a major source of products for the Sydney region and comprises part of the regionally significant resource identified in the Sydney Regional Environmental Plan No 9 (Extractive Industry).

On the 22 May 2009 MCS Pty Ltd was granted a further Section 96(2) Modification for the Continuation of Operations by the Department of Planning for extraction within an 8 hectare portion of the subject site and for the continued processing of extracted materials onsite. That approval was to allow operations to continue for a further 10 year period until 2019.

MCS Pty Ltd is currently seeking a further modification under Section 75W of the Environmental Planning and Assessment Act (1979) (NSW) to extend sand and soil extraction activities onto an adjacent portion of land located within Lot 32 DP 635271. The extension of extraction activities is proposed to consist of the following features:

- Extraction of sand and soil within a 6.8 hectare (approximate) portion of land within Lot 32 DP 635271.
- Dry screening of sand and soil within the quarry floor;
- Active extraction within a 1 hectare portion of land at a time and concurrent rehabilitation works within an additional 1 hectare portion of land;
- Extraction and rehabilitation works are proposed to occur in concert over an 8 year period (completion in 2019); and
- Rehabilitation maintenance activities are proposed to occur over an additional 2 year period.

Director General Requirements (DG) for the proposed modification were issued on 23 December 2010 and included the following requirements relating to environmental management.

- *'a summary of the existing and approved operations, including and relevant statutory approvals, and the existing environmental management and monitoring regime at the quarry';*
- *A risk assessment of the potential environmental impacts of the modification, identifying key issues for further assessment;*
- *A statement of commitments, outlining the proposed environmental management and monitoring measures'*

The DG requirements also highlighted 'Waste' as a key issue.

This report has been prepared to address the above DG requirements relating to environmental and waste management.

## Conclusion

### ***(a) Environmental risk assessment***

An environmental risk assessment (**Table 2**) was undertaken for the proposed extension of extraction activities. Based on the findings of that assessment, potential environmental impacts from the project may be summarised as follows:

#### **High risk activities (4)**

- Nil.

#### **Medium risk activities (3)**

- Dust emissions from extraction areas and vehicle movements
- Dust emissions from tailings emplacement
- Noise from vehicle movements and machinery in extraction areas
- Potential impacts from asbestos access pits

#### **Low risk activities (2)**

- Dust derived from exposed sand and soil excavation faces
- Sediment emissions to waterways from extraction areas and internal roads
- Odour emissions
- Impacts on groundwater
- Impacts on indigenous heritage
- Traffic impacts
- Short-term visual
- Potential loss of Class 1 Agricultural Land

#### **Positive impact activities (1)**

- Positive ecological impacts by:
  - re-vegetation works along the Dry River Anabranh and the riparian corridor associated with the Nepean River
  - removal of Noxious weeds in the riparian corridor of the Nepean River and the Dry River Anabranh
- Long-term visual impacts as a result of rehabilitation works along the Nepean River and the Dry River Anabranh
- Positive social impacts by:
  - the provision of employment
  - provision of sand and soil for the local market
  - a reduction of traffic impacts on local roads (and on local community) by the provision of a local source of sand and soil. The alternative is to import sand and soil products that are required by the local community but from sources that are not locally produced and over much greater distances.

### ***(b) Waste management***

The potential for generation of waste from the proposed extension activities is low. Nonetheless, a number of waste management protocols were recommended to provide for the effective waste management for the project.

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Table 1	Environmental risk significance rating table
Table 2	Summary of environmental aspects and associated risk assessment rating (in brackets)
Table 3	Environmental targets
Table 4	Environmental monitoring parameters

**APPENDICES**

APPENDIX 1	Development Consent Conditions issued by the Department of Planning (DoP)
APPENDIX 2	Environment Protection Licence (EPL)
APPENDIX 3	Controlled Activity Approval (CAA)

**ABBREVIATIONS**

DA	Development Application
DGRs	Director General Requirements
ECP	Erosion Control Protocol
WM & ESCP	Water Management (inc. groundwater) and Erosion and Sediment Control Plan

## 1. INTRODUCTION

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The DG requirements also highlighted 'Waste' as a key issue.

This report has been prepared to address the above DG requirements relating to environmental and waste management.

## 2. PROJECT OVERVIEW (EXISTING OPERATIONS)

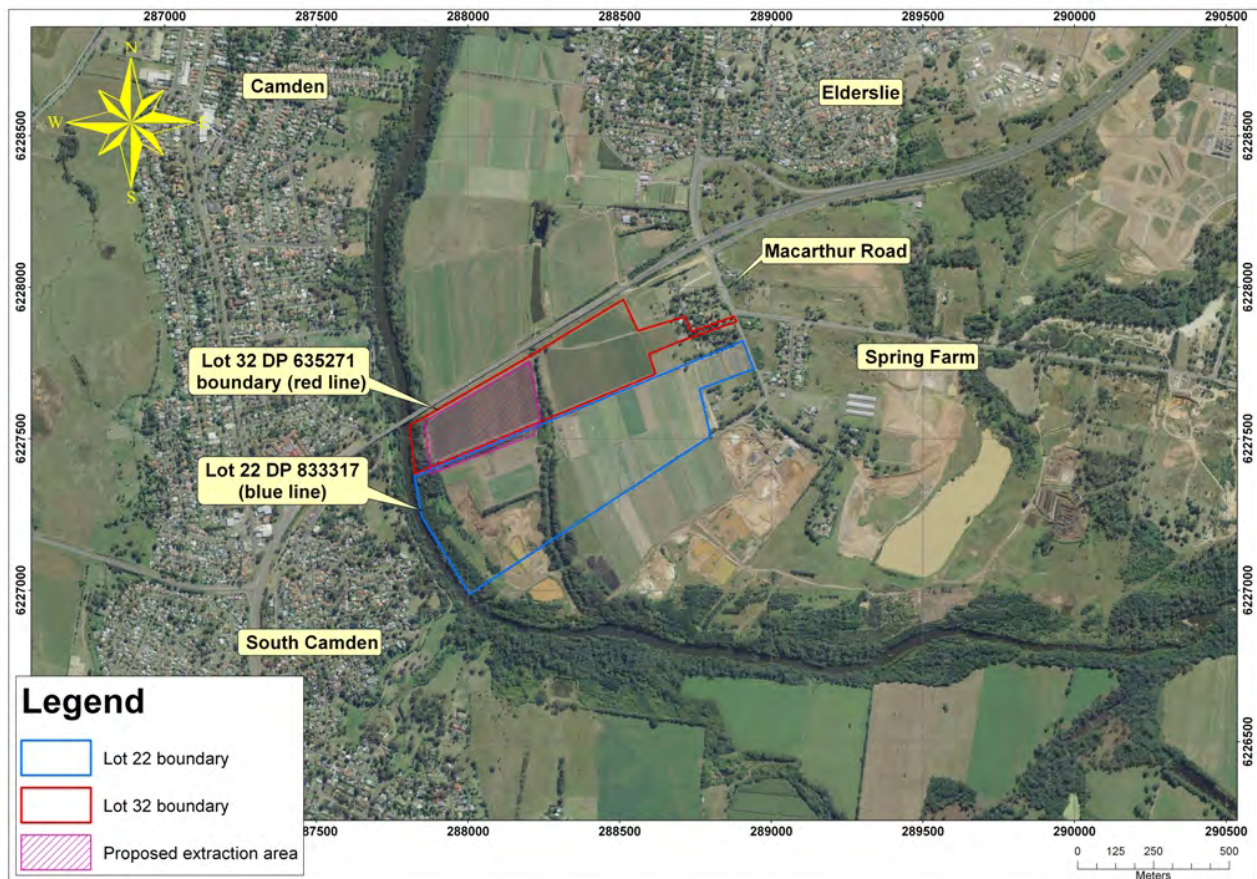
### 2.1. Introduction and site location

MCS Pty Ltd own and operate the Spring Farm sand and soil quarry located at Lot 22 DP833317 at Spring Farm, in the Camden Local Government Area (LGA). These operations are accessed via Macarthur Road, Spring Farm (**Figure 1**). A site plan for the facility, indicating the existing extraction areas is presented on **Figure 2**.

This site is a major source of products for the Sydney region and comprises part of the regionally significant resource identified in the Sydney Regional Environmental Plan No 9 (Extractive Industry).



**Figure 1.** Site location. Source of aerial photo: Department of Lands circa 2008.



## 2.2. Description of operations - Statement of Environmental Effects (SEE)

A description of the existing operations is presented in the SEE prepared by **McCotter Consulting Services Pty Ltd (2008)**.

## 2.3. Hours of operation

As per Condition 7 (Schedule 3) of the **DoP (2009)** Notice of Modification (**Appendix 1**), the hours of operation are:

- Monday to Friday: 7:00am to 5:00pm
- Saturday: 8:00am to 1:00pm
- No time on Sundays or Public Holidays

The above hour limits do not apply to:

- Maintenance which is inaudible at receiver locations; or
- For the 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 DECCW and the affected residents as soon as possible, or within a reasonable period in the case of emergency.

## 2.4. MCS Pty Ltd Environmental policy

The management of MCS Pty Ltd is committed to carrying out all extraction and processing of sand and soil and composting and blending activities subject to a well defined environmental policy. This policy is specific to operations located on Lot 22 DP833317, Macarthur Road, SPRING FARM.

The environmental policy, as set out below is the basis for the standards contained in this EMP. Accordingly, MCS Pty Ltd is committed to:

- the extraction and processing of sand and soil in an environmentally sensitive manner and to supply a variety of products to a number of consumers in the landscaping and horticultural construction industries;
- the implementation of sound environmental management at all levels, incorporating environmental considerations into investment and corporate strategy and undertaking a regular review of environmental practices, including an extensive monitoring program;
- developing a high level of environmental awareness amongst employees, along with encouraging environmental excellence amongst its suppliers and contractors;
- meeting all of the requirements of relevant statutory consents, approvals, licences, etc issued to MCS Pty Ltd and relating to the operations on the subject site;
- complying with all general and specific requirements of NSW environmental law covering pollution control, health and safety and environmental planning generally;
- meeting the reasonable requirements of the Department of Planning (DoP) and to work with the DoP in the furtherance of environmental standards on the site and the development of regional planning strategies for the long-term benefit of the Spring Farm area and the citizens of the Elderslie and Spring Farm community; and
- communicating with local community groups and to do so in an open and frank manner, in order to facilitate harmonious relationships between the parties, and achieve an environmentally responsible outcome.

All employees and contractors are bound to observe this policy and the rules and requirements promulgated under this policy.

## 3. DEVELOPMENT PROGRAM AND APPROVALS (EXISTING OPERATIONS)

### 3.1. Agency approvals and licensing

#### 3.1.1. Development Consent – NSW Department of Planning

M Collins and Sons (Contractors) Pty Ltd (MCS Pty Ltd) owns and operates the Spring Farm Quarry located at Lot 22 DP833317 at Spring Farm, in the Camden Local Government Area (LGA). Development consent (DA 75/256) for the extraction and processing of sand and soil was originally granted by the Minister for Planning in 1988 and the consent was modified in 1998 to extend the quarry's life. The site is a major source of products for the Sydney region and comprises part of the regionally significant resource identified in the Sydney Regional Environmental Plan No 9 (Extractive Industry).

On the 22 May 2009 MCS Pty Ltd was granted a further Section 96(2) Modification for the Continuation of Operations by the Department of Planning for extraction within an 8 hectare portion of the subject site and for the continued processing of extracted materials onsite. That approval was to allow operations to continue for a further 10 year period until 2019.

A copy of the DoP development consent is presented in **Appendix 1**.

### 3.1.2. Environmental Protection Licence (EPL)

This development is subject to EPL 4093 (**Appendix 2**).

### 3.1.3. Controlled Activity Approval (CAA)

This development is subject to a CAA (**Appendix 3**).

## 4. ENVIRONMENTAL RISK AND PLANNING

### 4.1. Introduction and environmental risk assessment framework

All organizations have some impact on the environment. For environmental management, however, an Environmental Management Plan (EMP) is a structured system designed to help an organization to reduce these impacts through targeted continuous improvement in its management of the environment, leading to improvements in the operations overall environmental performance. As such, to effectively implement an EMP, potential impacts associated with each aspect of an activity must be identified through an environmental risk assessment. This risk assessment process should be ongoing and aim at determining past, present and potential impacts.

An environmental risk assessment rating system adapted from **Environment Australia (2007)**, which is outlined in **Table 1**, has been adopted for the assessment of risks associated with the proposed operation. The results of this assessment will be included in the operational EMP for this facility.

**Table 1. Environmental risk significance rating table<sup>\*</sup>**

<b>Risk of Occurrence</b>						
May be as a result of a continuously operated process, activity or occurrence.	<b>Continuous</b>	1	4	4	4	4
May be a result of a frequently used process, activity or occurrence.	<b>Frequent</b>	1	2	3	4	4
May be a result of a little used process, activity or occurrence.	<b>Occasional</b>	1	2	3	4	4
May be as a result of a chain of unusual events leading to an environmental incident	<b>Remote</b>	1	2	3	3	4
May be a result of a chain of extraordinary events leading to an environmental accident/disaster.	<b>Improbable</b>	1	2	3	3	4
	<b>Significance (Degree of Impact)</b>	<b>Positive</b>	<b>Minor</b>	<b>Critical</b>	<b>Major</b>	<b>Catastrophic</b>
		Positive impact on environment thus positive impact on business	Limited and/or localised impact on the environment and/or business	Medium scale impacts, wider implications to environment and/or business	Serious long term implications for environment and/or business	Serious permanent damage to business and/or environment (e.g. loss of licence, restriction of activity)

<b>Key to Risk Significance Rating</b>	<b>1</b>	<b>Positive</b>
	<b>2</b>	<b>Low Risk</b>
	<b>3</b>	<b>Medium Risk</b>
	<b>4</b>	<b>High Risk</b>

#### 4.2. Environmental risk rating for the proposed operation

A review of potential environmental impacts associated with the proposed extension of extraction operations was conducted by HSS Pty Ltd. The review consisted of discussions with site management personnel about potential environmental impacts, a site walk-over (whilst the existing facility was in full operation), and a review of previous EMPs, a Dust Management Plan and Conditions of Consent that were made available by site management.

A summary of the potential environmental impacts associated with the proposed development and risk ratings based on **Table 1** is presented in **Table 2**.

**Table 2. Summary of environmental aspects and associated risk assessment rating (in brackets)**

Activity Number	Activity	Potential Aspects	Potential environmental impacts identified in initial review and risk assessment rating (in brackets)
1	Dry sand extraction and dry sand screening area	Agricultural	Potential loss of 'Class 1' Agricultural Land. (2 – Remote/Minor)
		Contamination	Potential environmental and health risks associated with asbestos access pits. (3 – Remote/Major)
			Potential environmental and health risks associated existing soil contamination (2 – Improbably/minor)
		Dust	Derived from bare soil in working areas and extraction and processing (3 – Frequent/Critical)
			Derived from dry screening (2 – Frequent/Minor)
			Derived from use of loaders (2 – Frequent/ Minor)
			Derived from stockpiles (2 – Occasional/Minor)
			Derived from stackers (2 – Frequent/Minor)
			Derived from excavation face (2 – Frequent/ Minor)
		Noise	Generation of noise from quarry pit (3 – Frequent/Critical)
		Odour	Generation of odour impacting on amenity of surround areas (2 – Improbable/minor)
		Water	Sediment discharges from rain events to local water ways (2 – Remote/minor)
			Impact on groundwater (2 – Improbable/minor)
		Aboriginal heritage	Impact on aboriginal sites (2 – Remote/minor)
			Impact on artefacts (2 – Remote/minor)
		Ecological	Impact on threatened flora and vegetation communities (1 – Continuous/positive)
			Removal of Noxious weeds from the Nepean River and Dry River Anabranh riparian corridors (1 – Continuous/positive)
			Impact on habitat for native species (1 – Continuous/positive)
		Traffic	Impact on traffic volumes (2 – Remote/minor)
		Visual	Short-term visual landscape change (2 – Frequent/minor)
			Long-term visual impact. Improvement in long-term visual impact by planting local provenance vegetation along the Dry River Anabranh and rehabilitation of the Nepean River Riparian corridor.

Activity Number	Activity	Potential Aspects	Potential environmental impacts identified in initial review and risk assessment rating (in brackets)
			(1 – Continuous/positive)
		Social	Provision of employment (1 – Continuous/positive)
			Supply of sand and soil for local community (1 – Continuous/positive)
			Reduction of traffic impacts on local roads (and on local community) by the provision of a local source of sand and soil. The alternative is to import the sand and soil products that are required by the local community but from sources that are not locally produced and over much greater distances. (1 – Continuous/positive)
2	Internal roadways and vehicular movements	Dust	Derived from internal roadways (3 – Frequent /Critical)
			Derived from loads (3 – Frequent/Critical)
			Derived from sediment on wheels and tyres (2 – Remote/Minor)
		Noise	Generation of noise impacting on amenity of surround areas (3 – Frequent/Critical)
		Odour	Generation of odour impacting on amenity of surround areas (2 – Improbable/Minor)
		Water	Sediment discharges from rain events to local water ways (2 – Remote/Minor)
3	Tailings emplacement	Dust	Derived from placement activities (3 – Remove/Critical)
		Noise	Generation of noise impacting on amenity of surround areas (3 – Frequent/Critical)
		Odour	Generation of odour impacting on amenity of surround areas (2 – Improbable/Minor)
		Water	Sediment discharges from rain events to local water ways (2 – Remote/Minor)

#### 4.3. Summary of Environmental Risks

Based on **Table 2**, activities with the greatest degree of environmental risk are listed below in an approximate order of priority:

##### High risk activities (4)

- Nil.

##### Medium risk activities (3)

- Dust emissions from extraction areas and vehicle movements
- Dust emissions from tailings emplacement
- Noise from vehicle movements and machinery in extraction areas
- Potential impacts from asbestos access pits

##### Low risk activities (2)

- Potential loss of Class 1 Agricultural land
- Dust derived from exposed sand and soil excavation faces
- Sediment emissions to waterways from extraction areas and internal roads
- Odour emissions
- Impacts on groundwater
- Impacts on indigenous heritage
- Traffic impacts

- Short-term visual

**Positive impact activities (1)**

- Positive ecological impacts by:
  - re-vegetation works along the Dry River Anabranh and the riparian corridor associated with the Nepean River
  - removal of Noxious weeds in the riparian corridor of the Nepean River and the Dry River Anabranh
- Long-term visual impacts as a result of rehabilitation works along the Nepean River and the Dry River Anabranh
- Positive social impacts by:
  - the provision of employment
  - provision of sand and soil for the local market
  - a reduction of traffic impacts on local roads (and on local community) by the provision of a local source of sand and soil. The alternative is to import sand and soil products that are required by the local community but from sources that are not locally produced and over much greater distances.

**5. ENVIRONMENTAL MONITORING, TARGETS AND COMMITMENTS****5.1. Introduction**

The management of MCS Pty Ltd have committed to undertaking environmental monitoring in accordance with the requirements outlined in this report section.

**5.2. Environmental monitoring locations**

Environmental monitoring locations are outlined on **Figure 3**.



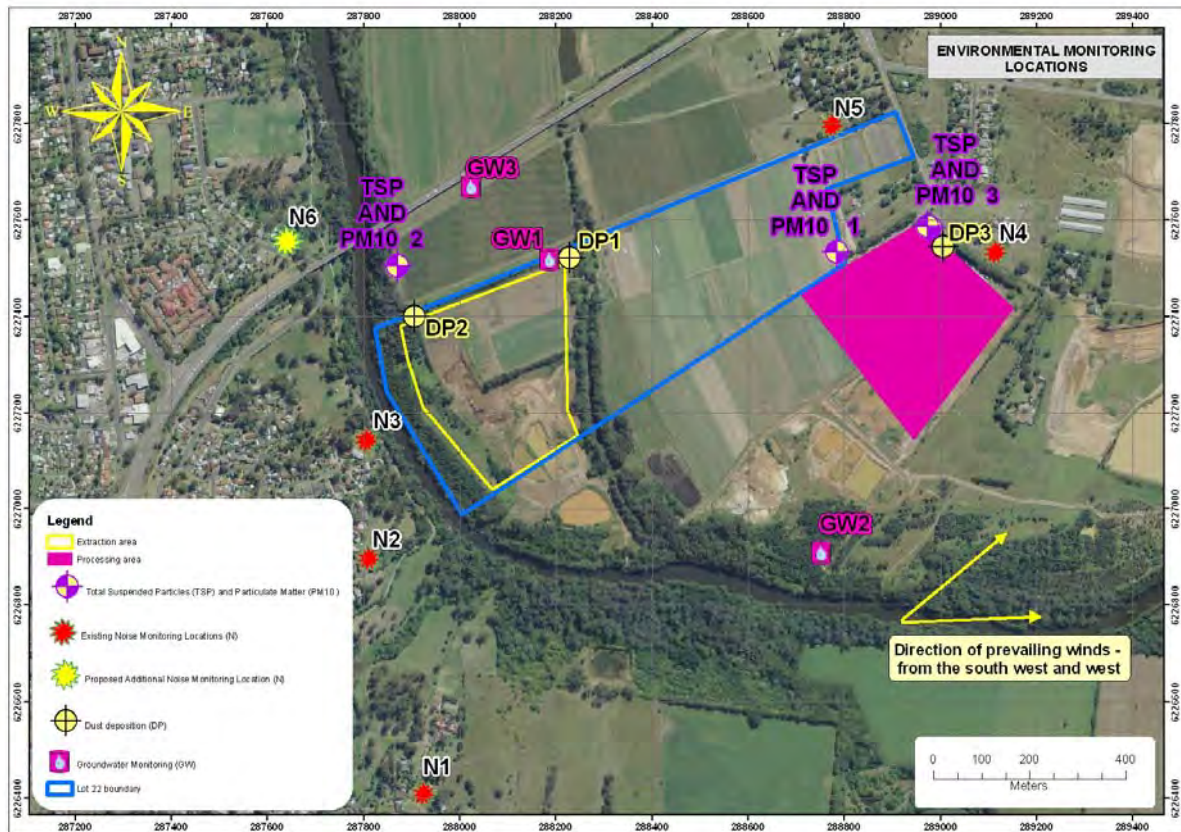


Figure 3. Environmental monitoring locations

### 5.3. Environmental targets

Environmental targets for this facility are outlined in **Table 3**.

**Table 3: Environmental monitoring targets**

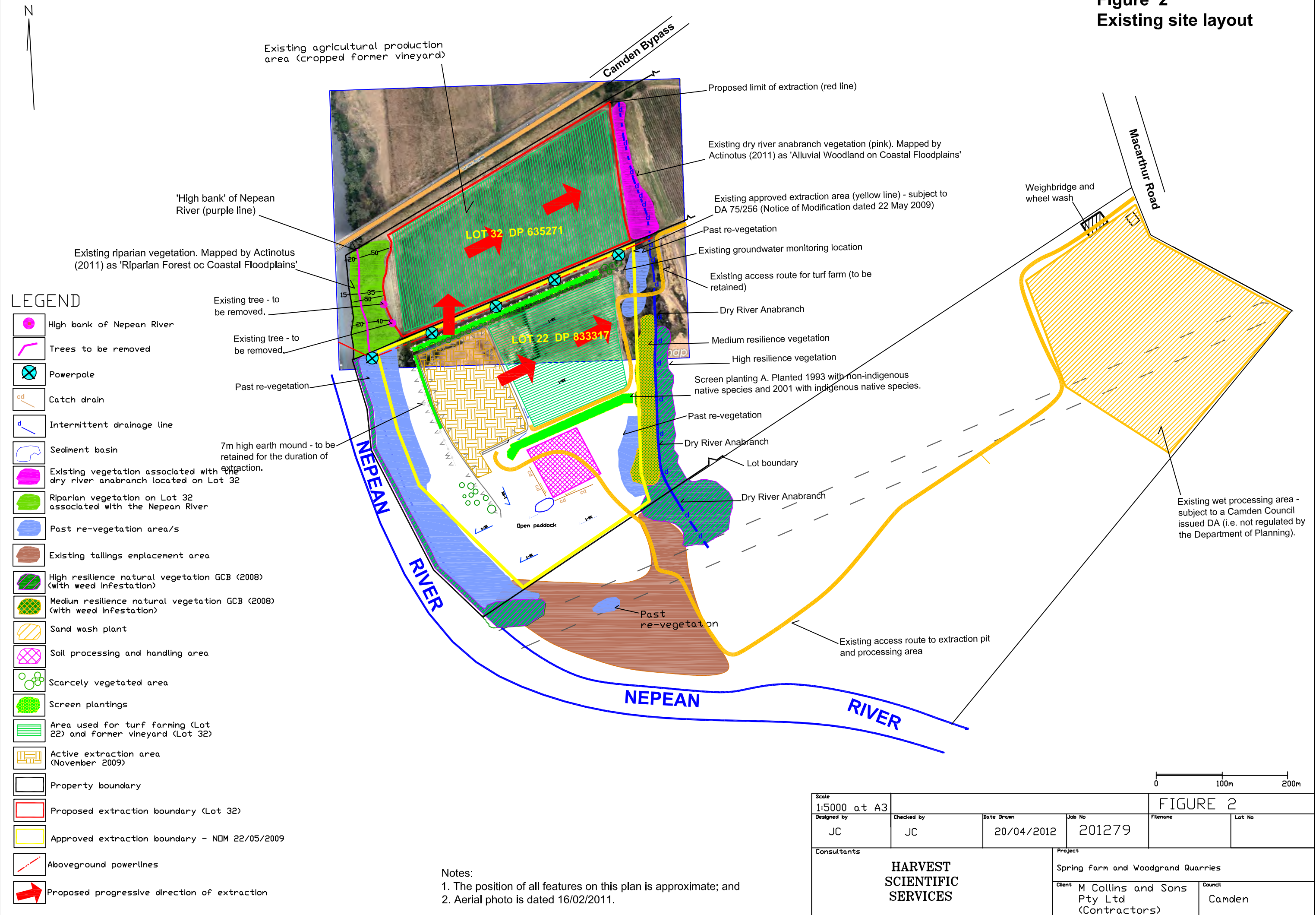
Environmental aspect	Component	Location	Target	Averaging period	Source
Air quality	Nuisance dust – deposited dust.	DP1, 2 and 3 - Figure 3	< 4 g / m <sup>2</sup> / month	Annual	Existing consent. <b>DoP (2009)</b>
	Long-term - Total Suspended Particles (TSP) Matter	TSP 1, 2 and 3 - Figure 3	< 90 µg/m <sup>3</sup>	Annual	
	Long-term - Particulate Matter (PM <sub>10</sub> )	TSP 1, 2 and 3 - Figure 3	< 30 µg/m <sup>3</sup>	Annual	
	Short-term - Particulate Matter (PM <sub>10</sub> )	TSP 1, 2 and 3 - Figure 3	< 50 µg/m <sup>3</sup>	24 hour	
Noise	LA10 (15 minute) at each sensitive receptor outlined on Figure 3.	N1, N2, N3, N4, N5, N6 – Figure 3	< 55 dB(A)	15 minutes	EPL 4093
Groundwater	Electrical conductivity	GW 1, GW 3 - Figure 23	< 800 uS/cm	N/A	

Notes:

1. In the event that a pump is installed on GW1 for irrigation and/or process water, GW 3 is to become the dominant groundwater monitoring location. A licence is to be sought from the NSW Office of Water to monitor groundwater at location GW3.



Figure 2  
Existing site layout



#### 5.4. Monitoring parameters and frequency

Environmental parameters to be monitored and the frequency of monitoring are outlined in **Table 4**.

**Table 4: Environmental monitoring parameters**

Monitoring parameter	Frequency	Parameters to be measured	Equipment required
<b>Water Quality</b>			
Groundwater	Monthly	pH, EC, depth to groundwater (m)	Field pH and EC meters, water sampling device, tape measure.
<b>Noise</b>			
Ambient audible noise	Daily	Awareness of noise sources and controls. No routine parameters to be measured	EMR
After a noise related complaint	If directed by DoP, DECCW and/or Camden Council	LA10 (15 minute)	Appropriately qualified consultant.
<b>Air quality</b>			
Dust deposition	Monthly	Dust deposition. (g/m <sup>2</sup> /month)	Dust monitoring station.
Particulate Matter	For a period of six (6) months and until compliance with targets is achieved.	TSP and PM <sub>10</sub>	Hi Vol sampler with TSP and PM <sub>10</sub> head.
<b>Sediment controls</b>			
All sediment controls, including, bunds, straw bale filters and sedimentation basin/s	After each rain event	Visual inspection of sediment control devices by EMR.	EMR.
	Monthly monitoring	Visual inspection of sediment controls.	EMR
<b>Rehabilitation Works</b>			
Rehabilitation progress	Monthly monitoring	Visual inspection of re-vegetation progress. Notes on maintenance requirements, including spraying for weeds and replacement of trees / shrubs, as required.	Ecologist.
Weed management	Monthly	Visual inspection of weed infestations and control requirements	EMR / Ecologist
	When herbicides are used.	<ul style="list-style-type: none"> <li>• Date of chemical control;</li> <li>• Herbicide applied;</li> <li>• Time applied; and</li> <li>• Wind direction (if any).</li> </ul>	EMR/Ecologist
<b>Environmental Management Reporting</b>			
Annual Environmental Management Report (AEMR)	Within 12 months of date of DoP approval (22/05/2009) and annually thereafter.	As per s4 of Schedule 5 of <b>Appendix 1</b> .	Environmental consultant
Independent Environmental Audit	Within 12 months of date of DoP approval (22/05/2009) and every three years thereafter.	As per s5 of Schedule 5 of <b>Appendix 1</b> .	Environmental consultant
Report to DPI for annual production data.	Annually by 15 December.	Complete form.	Industry and Investment (DPI) form
EPA License	Annually, by 26 October.	Complete form	EPL licence annual form.

## 6. WASTE MANAGEMENT

### 6.1. MCS Pty Ltd waste management policy

MCS Pty Ltd will ensure that all waste and waste products generated by the operation and its employees and contractors as a result of the on-site activities are reused or recycled, disposed of in a safe and efficient manner without harm to employees and the public, and in compliance with relevant environmental legislation and voluntary programs to which the organisation subscribes.

Accountability for the application of this policy rests with the Managing Director of MCS Pty Ltd and all employees sharing waste management responsibilities. All personnel on the site are responsible for the

implementation of this policy and MCS Pty Ltd will commit the resources necessary to ensure efficient and environmentally friendly waste management practices.

The goals of this policy will be achieved by environmentally responsible:

- Avoidance practices
- Re-use and recovery practices;
- Recycling and disposal practices; and
- Waste management research and training

In implementing this policy, MCS Pty Ltd will consider:

- The environmental impact of waste treatment and disposal options;
- The nature and quantity of the wastes produced;
- Waste streams and their disposal when specifying plant and equipment;
- Waste minimisation through purchasing and procurement; and
- Employee health and safety

MCS Pty Ltd waste management practices will be reviewed on a regular basis to ensure compliance with the policy and the legislative and regulatory framework. Re-use, recycling and disposal options will be periodically reviewed to ensure the most efficient practices are being utilised.

## 6.2. MCS Pty waste management protocols

Waste generated from this facility shall be managed subject to the following controls:

- All waste generated from this facility is to be segregated into putrescible waste, organic waste, paper/cardboard, oils and grease and plastic/glass. Bins for each waste stream shall be provided at the site office.
- All putrescible waste and non-organic recyclable waste (including engine oils) are to be disposed of offsite at Jack's Gully Waste management facility on a weekly basis.
- Organic waste that is free of weed seeds and pathogens shall be mulched and re-used for onsite revegetation works;
- Screening reject shall be re-used for rehabilitation works; and
- Tailings material will be utilised for land-forming for site rehabilitation works.

## 7. CONCLUSIONS

### 7.1. Environmental risk

An environmental risk assessment (**Table 2**) was undertaken for the proposed extension of extraction activities. Based on the findings of that assessment, potential environmental impacts from the project may be summarised as follows:

#### High risk activities (4)

- Nil.

#### Medium risk activities (3)

- Dust emissions from extraction areas and vehicle movements
- Dust emissions from tailings emplacement
- Noise from vehicle movements and machinery in extraction areas

- Potential impacts from asbestos access pits

**Low risk activities (2)**

- Potential loss of Class 1 Agricultural land Dust derived from exposed sand and soil excavation faces
- Sediment emissions to waterways from extraction areas and internal roads
- Odour emissions
- Impacts on groundwater
- Impacts on indigenous heritage
- Traffic impacts
- Short-term visual

**Positive impact activities (1)**

- Positive ecological impacts by:
  - re-vegetation works along the Dry River Anabranh and the riparian corridor associated with the Nepean River
  - removal of Noxious weeds in the riparian corridor of the Nepean River and the Dry River Anabranh
- Long-term visual impacts as a result of rehabilitation works along the Nepean River and the Dry River Anabranh
- Positive social impacts by:
  - the provision of employment
  - provision of sand and soil for the local market
  - a reduction of traffic impacts on local roads (and on local community) by the provision of a local source of sand and soil. The alternative is to import sand and soil products that are required by the local community but from sources that are not locally produced and over much greater distances.

**7.2. Waste management**

The potential for generation of waste from the proposed extension activities is low. Nonetheless, a number of waste management protocols were recommended to provide for the effective waste management for the project.

Prepared by:



Jim Cupitt BScAgr  
Senior Environmental Scientist

## REFERENCES

- Environment Australia, 2007. Model Environmental Management System for Commonwealth Agencies.  
<http://www.environment.gov.au/settlements/publications/government/ems/model.html>  
(accessed 13/02/2007).
- NSW Department of Public Works and Services. 1998. Environmental Management Systems, guidelines.  
NSW Department of Public Works and Services.
- Parliamentary Counsel's Office, 2008. Protection of the Environment Operations Act, 1997.  
<http://www.legislation.nsw.gov.au>
- Standards Australia, 2007. AS/NZ ISO 14000. Environmental Management

## **APPENDIX 1**

Development Consent Conditions issued by the Department of Planning (DoP)

# Notice of Modification

## Section 96(2) of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, I modify the development consent referred to in Schedule 1, as set out in Schedule 2.



Chris Wilson  
Executive Director  
Major DA Assessment

Sydney

22 May

2009

### SCHEDULE 1

Development consent granted by the Minister for Planning on 13 October 1988 for the Spring Farm Quarry at 186 Macarthur Road, Lot 22 DP 833317 (formerly Lot 2 DP 625278 Vol 14788 Folio 34).

### SCHEDULE 2

Delete all words including and following the words "The Application" and insert the following conditions of consent:

### SCHEDULE 1

<b>Development Application:</b>	DA 75/256
<b>Applicant:</b>	M Collins and Sons (Contractors) Pty Ltd
<b>Approval Authority:</b>	Minister for Planning
<b>Land:</b>	Lot 22 DP 833317
<b>Development:</b>	Spring Farm Quarry



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## DEFINITIONS

AEMR	Annual Environmental Management Report
Applicant	M Collins & Sons (Contractors) Pty Ltd, or its successors
Council	Camden Council
DECC	Department of Environment and Climate Change
Department	Department of Planning
Development	The operation, closure and rehabilitation of the Spring Farm Quarry as described in the SEE
Director-General	Director-General of the Department of Planning, or delegate
DPI	Department of Primary Industries
DWE	Department of Water and Energy
EIS	Environmental Impact Statement prepared by Longworth & McKenzie Pty Ltd dated October 1985 that accompanied the original development application in 1988
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
Minister	Minister for Planning, or delegate
Privately owned land	Land not owned by a public agency or the Applicant or its related companies
RTA	Roads and Traffic Authority
SEE	Statement of Environmental Effects for the development dated September 2008, prepared by McCotter Consulting Services.
Site	Land to which the development application applies
Statement of Commitments	Statement of Commitments provided by the Applicant, dated 17 April 2009 (see Appendix 1)
Stockpile and blending site	Land adjacent to the site, located at Lot 1 DP587631

## **SCHEDULE 2 ADMINISTRATIVE**

### **Obligation to Minimise Harm to the Environment**

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

### **Terms of Approval**

2. The Applicant shall carry out the development generally in accordance with the:
  - (a) EIS;
  - (b) SEE;
  - (c) Statement of Commitments (see Appendix 1); and
  - (d) conditions of this approval.
3. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.
4. The Applicant 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 30 June 2019.

*Note: Under this approval, the Applicant 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.*

### **Operation of Plant and Equipment**

6. The Applicant 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.

### **Contributions**

7. The Applicant shall pay an annual contribution of \$6,500 (adjusted annually by reference to the Consumer Price Index) to Council for the maintenance of Macarthur Road, between the main site entrance and the intersection with Springs Road.

### **Inspection of Site**

8. The Applicant shall permit access to the site to Council officers or any other public authority at reasonable times for the purposes of inspecting site operations and environmental monitoring.

## SCHEDULE 3 ENVIRONMENTAL PERFORMANCE

### GENERAL EXTRACTION AND PROCESSING PROVISIONS

#### Operating Conditions

1. The Applicant shall not excavate outside the extraction areas or the limits of extraction shown in Appendix 2.
2. The Applicant shall not open, excavate or work an area exceeding 2 hectares at any one time without the written consent of Council.
3. The Applicant shall not stockpile or process any extractive material on the site with the exception of:
  - (a) a 7m high earthen bund to be maintained to the west of the working extraction cell until completion of extraction activities within that cell; and
  - (b) mobile screening.
4. The Applicant shall not import fill to the site for any purpose without written approval from Council.

### NOISE

#### Operational Noise

5. The Applicant shall ensure that site operations, including processing and transportation, are conducted in such a way as to minimise noise emissions from the site.
6. The Applicant shall ensure that noise generated by the development does not exceed the noise impact assessment criteria as specified in the EPL.

#### Operating Hours

7. The Applicant shall only operate the development:
  - (a) between the hours of 7:00am and 5:00pm Monday to Friday;
  - (b) between 8:00am and 1:00pm Saturday; and
  - (c) at no time on Sundays or Public Holidays

*Notes: This condition does not apply to:*

- maintenance which is inaudible at receiver locations or
- for 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.

### AIR QUALITY

#### Impact Assessment Criteria

8. The Applicant shall ensure that dust generated by the development does not cause exceedances of the criteria listed in Tables 1, 2 and 3 at any residence or on more than 25 percent of any privately owned land.

*Table 1: Long Term Impact Assessment Criteria for Particulate Matter*

Pollutant	Averaging period	Criterion
Total suspended particulate (TSP) matter	Annual	90 µg/m <sup>3</sup>
Particulate matter < 10 µm (PM <sub>10</sub> )	Annual	30 µg/m <sup>3</sup>

*Table 2: Short Term Impact Assessment Criteria for Particulate Matter*

Pollutant	Averaging period	Criterion
Particulate matter < 10 µm (PM <sub>10</sub> )	24 hour	50 µg/m <sup>3</sup>

Table 3: Long Term Impact Assessment Criteria for Deposited Dust

Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level
Deposited dust	Annual	2 g/m <sup>2</sup> /month	4 g/m <sup>2</sup> /month

Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 1991, AS 3580.10.1-1991: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.

### Operating Conditions

9. The Applicant shall ensure that any visible air pollution generated by the development 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

10. The Applicant shall prepare and implement an Air Quality Monitoring Program for the development to the satisfaction of the Director-General. This program must:
  - (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 development would be monitored, and include a protocol for evaluating compliance with the relevant air quality criteria in this approval.

## WATER

### Discharges

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

### Water Management and Monitoring

12. The Applicant shall prepare and implement a Water Management Plan for the development to the satisfaction of the Director-General. This plan must:
  - (a) be submitted to the Director-General within 3 months of the date of this approval;
  - (b) be prepared in consultation with Council and DECC; and
  - (c) include a:
    - Site Water Balance;
    - Erosion and Sediment Control Plan;
    - Groundwater Monitoring Program; and
    - Flood Emergency Procedures Plan.
13. The Site Water Balance must:
  - (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;
    - any off-site water transfers; and
    - reporting procedures; and
  - (b) investigate and describe measures to minimise water use by the development.
14. The Erosion and Sediment Control Plan must:
  - (a) be consistent with the requirements of *Managing Urban Stormwater: Soils and Construction, Volume 1, 4<sup>th</sup> 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, including during flood events;
  - (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; and
  - (f) describe what measures would be implemented to maintain (and if necessary decommission) the structures over time.
15. The Groundwater Monitoring Program must include:
  - (a) baseline data on groundwater levels, flows and quality in the vicinity;
  - (b) groundwater assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts; and

- (c) a program to monitor any observed groundwater inflows to the quarry pit.
16. The Flood Emergency Procedures Plan must:
- (a) address both the site and the adjacent stockpiling and blending site;
  - (b) include procedures to be carried out in advance of a major flood event to minimise damage to plant equipment, operating staff and the environment; and
  - (c) include procedures to be followed after a major flood event to repair any damage and return the site to productive operations, including reinstatement of all pollution control devices and rehabilitation.

## **LANDSCAPE MANAGEMENT**

### **Landscape Management Plan**

17. The Applicant shall prepare and implement a detailed Landscape Management Plan for the development to the satisfaction of the Director-General. This Plan must:
- (a) be prepared in consultation with Council and 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 Management Plan.

### **Rehabilitation Management Plan**

18. The Applicant shall prepare and implement a Rehabilitation Plan for the development. This plan must include:
- (a) the rehabilitation objectives for the site;
  - (b) a description of the short, medium, and long term measures that would be implemented to rehabilitate the site, including establishing healthy native vegetation and habitat for native fauna or other future land use acceptable to Council;
  - (c) performance and completion criteria for the rehabilitation of the site;
  - (d) a detailed description of the measures that would be implemented including the procedures for:
    - progressively rehabilitating disturbed areas;
    - protecting areas outside the disturbance areas;
    - protecting the Nepean River and drainage lines on the site to ensure no net loss of water quality and aquatic habitat;
    - managing impacts on fauna;
    - landscaping the site to minimise visual impacts;
    - conserving and reusing topsoil;
    - achieving a free draining final landform;
    - 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;
  - (e) a program to monitor the effectiveness of these measures, and progress against the performance and completion criteria (see (c) above);
  - (f) 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
  - (g) details of who would be responsible for monitoring, reviewing, and implementing the plan.

## **HERITAGE**

### **Archaeology**

19. Should the Applicant discover material suspected of being Aboriginal relics or skeletal remains, work in that area shall cease and the Applicant shall advise DECC and proceed in accordance with DECC instructions.

## **VISUAL**

### **Visual Amenity**

20. The Applicant shall establish and maintain perimeter plantings in order to minimise the visual impacts of the development, to the satisfaction of Council.

## **WASTE MANAGEMENT**

### **Waste Minimisation**

21. The Applicant shall minimise the amount of waste generated by the development to the satisfaction of Council.

### **Waste Disposal**

22. The Applicant shall store and manage waste and by-products generated by the development to the satisfaction of Council.

## **EMERGENCY AND HAZARDS MANAGEMENT**

### **Dangerous Goods**

23. The Applicant 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**

24. The Applicant shall secure the development to ensure public safety to the satisfaction of Council.

### **Bushfire Management**

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

## **PRODUCTION DATA**

26. The Applicant 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 development are greater than the relevant impact assessment criteria, then the Applicant shall notify the Director-General and the affected landowners and tenants accordingly, and provide quarterly monitoring results to each of these parties until the results show that the development 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 Applicant in writing for an independent review of the impacts of the development on his/her land.

If the Director-General is satisfied that an independent review is warranted, the Applicant 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 development is complying with the relevant criteria in Schedule 3, and identify the source(s) and scale of any impact on the land, and the development'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 Applicant 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 Applicant shall:
    - (a) implement all reasonable and feasible measures, in consultation with the landowner, to ensure that the development 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 Applicant may discontinue the independent review with the approval of the Director-General.

If the Applicant is unable to finalise an agreement with the landowner, then the Applicant 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 3).

5. If the landowner disputes the results of the independent review, either the Applicant 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 3).

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## **SCHEDULE 5**

### **ENVIRONMENTAL MANAGEMENT, MONITORING, REPORTING & AUDITING**

#### **ENVIRONMENTAL MANAGEMENT PLAN**

1. The Applicant shall prepare and implement an updated Environmental Management Plan for the development to the satisfaction of the Director-General. This plan shall be submitted to the Director-General for approval 3 months after the date of this consent and:
  - (a) provide the overall environmental management approach for the development;
  - (b) identify the statutory requirements that apply to the development;
  - (c) describe in general how the environmental performance of the development 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 development;
    - receive, handle, respond to, and record complaints;
    - resolve any disputes that may arise during the life of the development;
    - respond to any non-compliance;
    - manage cumulative impacts; and
    - respond to emergencies, including flood-related emergencies; and
  - (e) describe the role, responsibility, authority, and accountability of the key personnel involved in the environmental management of the development.

#### **ENVIRONMENTAL MONITORING PROGRAM**

2. The Applicant shall prepare an Environmental Monitoring Program for the development 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 Applicant 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 Applicant shall submit an AEMR to the Director-General, relevant agencies and Council. This report shall:
  - (a) identify the standards and performance measures that apply to the development;
  - (b) describe the works that will be carried out in the next 12 months;
  - (c) include a summary of the complaints received during the past year, and compare this to the complaints received in previous years;
  - (d) include a summary of the monitoring results for the development during the past year;
  - (e) include an analysis of these monitoring results against the relevant:
    - impact assessment criteria/limits;
    - monitoring results from previous years; and
    - predictions in the EA;
  - (f) identify any trends in the monitoring results over the life of the development;
  - (g) identify any non-compliance during the previous year; and
  - (h) describe what actions were, or are being, taken to ensure compliance.

#### **INDEPENDENT ENVIRONMENTAL AUDIT**

5. Within 12 months of the date of the consent, and every 3 years thereafter, unless the Director-General directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. 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 development, and its effects on the surrounding environment;
  - (d) assess whether the development 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 development, and/or any strategy/plan/program required under this approval.
- 6. Within 6 weeks of completion of each Independent Environmental Audit, the Applicant 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 Applicant shall review and if necessary revise each of the environmental management and monitoring strategies/plans/programs in Schedules 3 and 5 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 Applicant 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 development, the Applicant 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 3 months).
-

**APPENDIX 1  
STATEMENT OF COMMITMENTS**



**M. COLLINS & SONS (CONTRACTORS) PTY. LIMITED**

**Statement of Commitments for Spring Farm Quarry**

M Collins and Sons (Contractors) Pty Ltd undertakes to implement the commitments listed below, in respect of the Spring Farm Quarry and the adjacent extractive materials stockpile, processing and dispatch site operated by the company.

Desired Outcome	Commitments
<b>Traffic and Transportation</b>	
Limit the impact of development-related traffic	1. Laden truck movements to public roads from the Spring Farm Quarry and the adjacent Collins processing site, together, will not exceed 36 per day (when averaged over any working week) or a maximum of 80 on any working day.
Monitor traffic movements in and out of the site	2. Comprehensive logs of truck movements and extractive materials received and dispatched from the Spring Farm Quarry and the adjacent Collins processing site will be recorded and maintained. 3. These logs will be made available promptly for inspection on request by either the Director-General or the Council. 4. Comprehensive reports on truck movements and extractive materials received and dispatched will be included in each Annual Environmental Management Report for the development.
Limit the impact of quarry trucks on local roads	5. Except where permitted by Council, trucks travelling to and from the Spring Farm Quarry or the adjacent Collins processing site will not travel via local roads in the vicinity of the development other than Macarthur Road, Springs Road and Richardson Road.
Limit the tracking of material onto public roads to minimise dust, particulate matter and debris emissions	6. All laden trucks travelling on public roads and carrying material from the Spring Farm Quarry or the adjacent Collins processing site will be covered.
	7. All trucks leaving the Spring Farm Quarry or the adjacent Collins processing site and travelling on public roads will be cleaned of materials that may fall on the road, before they leave the site.

Signed by M Collins & Sons (Contractors) Pty Limited

Name Matthew J Collins

Position Director

Date 17 April 2009

17 Fitzpatrick Street, Revesby NSW 2212

Phone: (02) 9774 1544 Fax: (02) 9792 1532

PO Box 55, MILPERRA NSW 2214

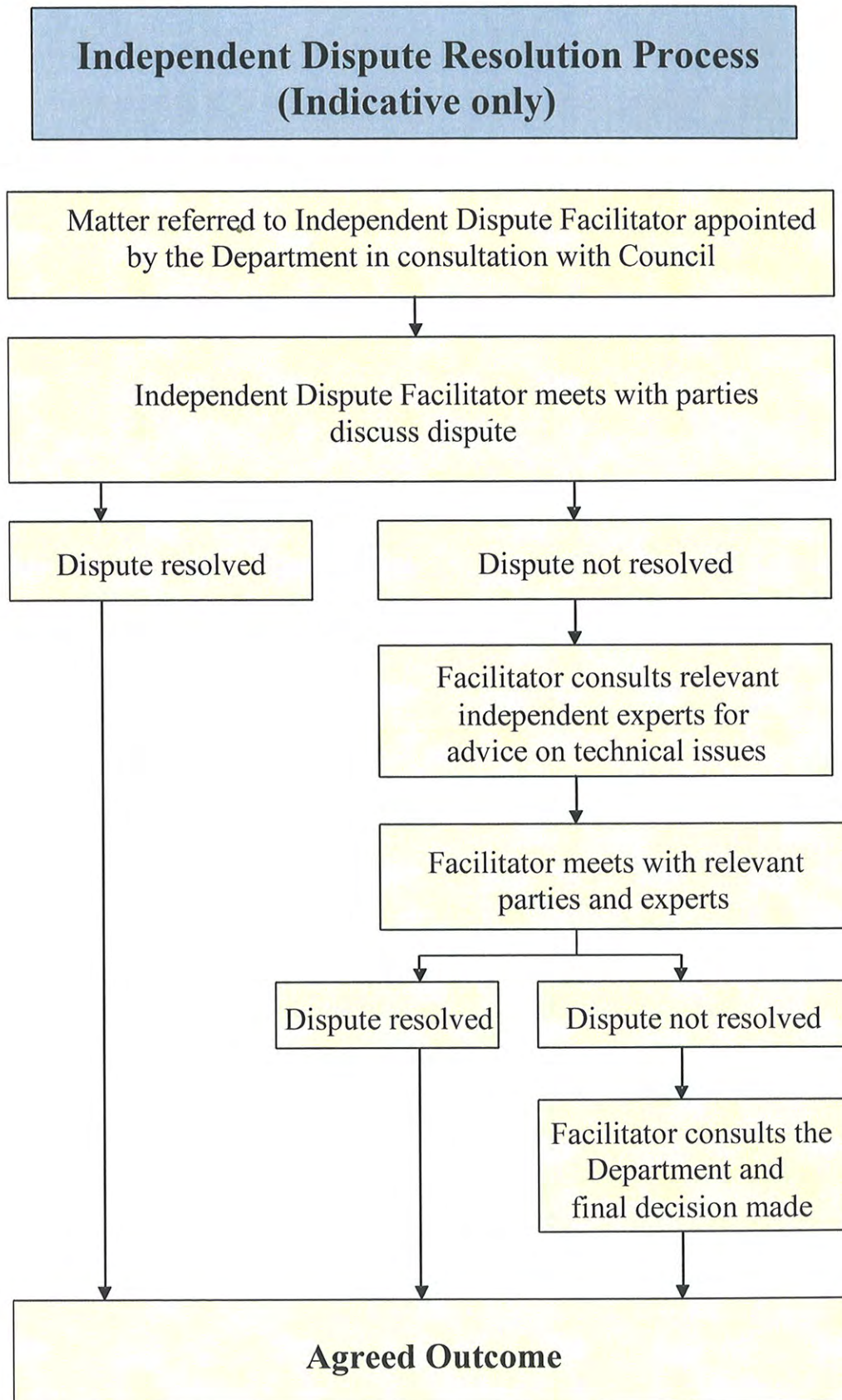
ABN 28 000 521 871

\*\*\* www.mcollins.com.au \*\*\*



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**APPENDIX 3  
INDEPENDENT DISPUTE RESOLUTION PROCESS**



## **APPENDIX 2**

Environment Protection Licence (EPL)





# Environment Protection Licence

Licence - 4093

Licence Details	
Number:	4093
Anniversary Date:	26-August

Licensee
M COLLINS & SONS HOLDINGS PTY LTD
PO BOX 378
NARELLAN NSW 2567

Premises
SPRING FARM
214 MACARTHUR ROAD
SPRING FARM NSW 2570

Scheduled Activity
Crushing, grinding or separating
Extractive activities

Fee Based Activity	Scale
Crushing, grinding or separating	> 100000-500000 T annual processing capacity
Land-based extractive activity	> 100000-500000 T annual capacity to extract, process or store

Contact Us
NSW EPA
4 Parramatta Square
12 Darcy Street
PARRAMATTA NSW 2150
Phone: 131 555
Email: <a href="mailto:info@epa.nsw.gov.au">info@epa.nsw.gov.au</a>
Locked Bag 5022
PARRAMATTA NSW 2124



# Environment Protection Licence

Licence - 4093

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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:

M COLLINS & SONS HOLDINGS PTY LTD
PO BOX 378
NARELLAN NSW 2567

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
Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity
Extractive activities	Land-based extractive activity	> 100000 - 500000 T annual capacity to extract, process or store

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

A2.1 The licence applies to the following premises:

Premises Details
SPRING FARM
214 MACARTHUR ROAD
SPRING FARM
NSW 2570
LOT 1 DP 587631, LOT 32 DP 635271, LOT 22 DP 833317

### A3 Information supplied to the EPA

A3.1 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 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.

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## 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 below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

<i>Air</i>			
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Dust Monitoring		Dust deposition gauge labelled as MS1 as labelled Environmental Monitoring Locations Plan - Spring Farm Water and Dust Monitoring Stations 9 August 2013 [Trim DOC13/42029].
2	Dust Monitoring		Dust deposition gauge labelled as MS2 on plan 'M Collins & Sons Holdings Pty Ltd Licence 4093 Map Review Proposal' provided to EPA by email 27.11.2020 (DOC20/981015)
3	Dust Monitoring		Dust deposition gauge labelled as MS3 as labelled Environmental Monitoring Locations Plan - Spring Farm Water and Dust Monitoring Stations 9 August 2013 [Trim DOC13/42029].

## 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 Waste

L2.1 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
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NA	Manure	As defined in Schedule 1 of the POEO Act, as in force from time to time	Resource recovery	
NA	Sawdust	Sawdust generated from pre-consumer timber that is not contaminated with waste or chemical residue.	Resource recovery	
NA	Mature compost	As defined in Schedule 1 of the POEO Act, as in force from time to time	Resource recovery	
NA	Excavated natural material	Waste that meets all the conditions of a Resource Recovery Order under Part 9, Clause 93 of the Protection of the Environment Operations (Waste) Regulation 2014	Resource recovery	The combined quantity of VENM and ENM stockpiled at the premises at any time must not exceed 75,000 tonnes.
NA	Virgin excavated natural material	As defined in Schedule 1 of the POEO Act, as in force from time to time.	Resource recovery	The combined quantity of VENM and ENM stockpiled at the premises at any time must not exceed 75,000 tonnes.

## L3 Noise limits

- L3.1 Noise from the premises must not exceed an LA10 (15 minute) noise emission criterion of 55 dB(A), except as expressly provided by this licence.
- L3.2 Noise from the premises is to be measured or computed at any point within one metre of the boundary of any residential premises or other noise sensitive areas (such as schools, hospitals) in the vicinity of the premises to determine compliance with condition L3.1 5dB(A) must be added if the noise is tonal or impulsive in character

## L4 Hours of operation

- L4.1 Activities covered by this licence on Lot 1 DP587631 must only be carried out between the hours of 0700 and 1700 Monday to Friday, and 0700 and 1300 Saturday, and at no time on Sundays and Public holidays.
- L4.2 Activities covered by this licence on Lot 22 DP833317 and Lot 32 DP635271 must only be carried out between the hours of 0700 and 1700 Monday to Friday, and 0800 and 1300 Saturday, and at no time on Sundays and Public holidays.

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- L4.3** This condition does not apply to the delivery of material outside the hours of operation permitted by condition L4.1 and L4.2, 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 emergency.

## **L5 Potentially offensive odour**

- L5.1** The licensee must not cause or permit the emission of offensive odour beyond the premises boundary

**Note:** Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

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

### **O3 Dust**

- O3.1** The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

## **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:

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- a) in a legible form, or in a form that can readily be reduced to a legible form;
- b) kept for at least 4 years after the monitoring or event to which they relate took place; and
- c) 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:

- a) the date(s) on which the sample was taken;
- b) the time(s) at which the sample was collected;
- c) the point at which the sample was taken; and
- d) the name of the person who collected the sample.

## M2 Requirement to monitor concentration of pollutants discharged

M2.1 Air Monitoring Requirements

POINT 1,2,3

Pollutant	Units of measure	Frequency	Sampling Method
Insoluble solids	grams per square metre per month	Monthly	AM-19

M2.2 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:

## M3 Testing methods - concentration limits

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2021* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:

- a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
- b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
- c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

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## **M4 Recording of pollution complaints**

- M4.1 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.
- M4.2 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.
- M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## **M5 Telephone complaints line**

- M5.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving 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.
- M5.2 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.
- M5.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

## **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.

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

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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.

## R2 Notification of environmental harm

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

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.

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 requirements of Part 5.7 of the Act.

## R3 Written report



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- 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.

### G2 Other general conditions

#### G2.1 Completed Programs

Program	Description	Completed Date
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PRP 1 - Noise Mitigation Measures	Noise mitigation measures installation. To reduce noise emissions from the sand washery at the premises.	15-March-2008
PRP 2 - Control of Dust Emissions	Control of dust emissions. Dust management plan for the premises.	15-March-2008
PRP 3 - Air Monitoring Program	Undertake Total Suspended Particles and PM10 Monitoring Investigation Program for operations at Spring Farm.	14-May-2014



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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

Mr Bernie Weir

Environment Protection Authority

(By Delegation)

Date of this edition: 08-January-2001

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## End Notes

- 1 Licence varied by notice 1016200, issued on 09-May-2003, which came into effect on 03-Jun-2003.
- 2 Licence varied by notice 1047682, issued on 12-Jul-2005, which came into effect on 06-Aug-2005.
- 3 Licence varied by notice 1058707, issued on 18-Apr-2006, which came into effect on 18-Apr-2006.
- 4 Licence varied by notice 1067861, issued on 20-Dec-2006, which came into effect on 20-Dec-2006.
- 5 Licence varied by notice 1081325, issued on 07-Jan-2008, which came into effect on 07-Jan-2008.
- 6 Licence varied by Change to schedule 1, issued on 08-May-2008, which came into effect on 08-May-2008.
- 7 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 8 Licence varied by notice 1096062, issued on 20-Jan-2009, which came into effect on 20-Jan-2009.
- 9 Licence varied by notice 1103855, issued on 28-Jul-2009, which came into effect on 28-Jul-2009.
- 10 Licence varied by change to DECCW region, issued on 20-Aug-2009, which came into effect on 20-Aug-2009.
- 11 Licence varied by notice 1107936, issued on 20-Oct-2009, which came into effect on 20-Oct-2009.
- 12 Licence varied by correction to premise st name and number, issued on 13-Dec-2010, which came into effect on 13-Dec-2010.
- 13 Licence varied by notice 1124885, issued on 05-Apr-2011, which came into effect on 05-Apr-2011.
- 14 Licence varied by notice 1504257 issued on 20-Feb-2012
- 15 Licence varied by notice 1506975 issued on 08-Aug-2012
- 16 Licence varied by notice 1511248 issued on 13-Aug-2013
- 17 Licence varied by notice 1516264 issued on 20-Aug-2013
- 18 Licence varied by notice 1517225 issued on 19-Sep-2013
- 19 Licence varied by notice 1522816 issued on 18-Jun-2014
- 20 Licence varied by notice 1603645 issued on 09-Dec-2020
- 21 Licence varied by notice 1612367 issued on 16-Sep-2021

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## **APPENDIX 3**

Controlled Activity Approval (CAA)



NSW Government  
DEPARTMENT OF NATURAL RESOURCES

Contact: Gina Potter  
Phone: 9895 7259  
Fax: 9895 7501  
Email: gina.potter@dnr.nsw.gov.au  
Our ref: File: 0151208  
ERM 04/4722

M. Collins & Sons (Contractors) Pty Limited  
PO Box 55  
MILPERRA NSW 2214  
Attention: Matt Collins

21 July 2008

Dear Mr Collins,

**SUBJECT: Part 3A Permit Renewal/Controlled Activity Approval (CAA) – to undertake sand and soil extraction – Nepean River - Lot 22 DP 833317 and part of Lot 1 DP 587631, Elderslie – Nesbitt site.**

I refer to your letter dated 5 March 2008 including payment of **\$4,040.00** for renewal of your permit under Part 3A of the Rivers and Foreshores Improvement Act to undertake excavations at the subject site.

Please note that the RFI Act has been repealed and the controlled activity provisions under Part 3 of the Water Management Act 2000 (WMA) have commenced. This came into force on the 4 February 2008. The existing Part 3A Permit was converted to a controlled activity approval on this day.

The provisions relating to controlled activities will replace the RFI Act. This means that those activities prescribed by the WMA occurring within 40 meters of a watercourse will now require a controlled activity approval (CAA) instead of a permit under the RFI Act.

The Part 3A permit will operate as a controlled activity approval under s91 of the WMA and the approval provisions of the WMA (Chapter 3) will apply. The controlled activity approval will be subject to the same conditions that applied to your Part 3A permit.

Receipt is acknowledged of the sum of **\$4,040.00**, being payment for the Part 3A Permit renewal/new CAA.

The attached CAA has been issued for a period of **two years**, subject to conditions, and expires on **8 April 2010**. It is important that you carefully read the CAA conditions and request clarification from the Department of Water and Energy (the Department) of any condition that is not fully understood.

The CAA needs to be kept current till all conditions have been met. It is the CAA holder's responsibility to renew the CAA by submitting an application in writing to the Department, together with payment of the renewal fee, which will be **\$4,040.00** at current rates. You will be advised in the event of a change in this rate.

Please contact me if you would like to go over any of the above requirements.



Yours sincerely,

A handwritten signature in black ink, appearing to be 'Gina Potter', written over the printed name.

Gina Potter  
Natural Resource Project Officer  
Licensing, South

Encls.  
Part 3A Permit Renewal/New CAA



## Controlled Activity Approval

### Water Management Act 2000

DA5075.960-2

File: PAR0151208

ERM04/4722

To: M. Collins & Sons (Contractors) Pty Limited  
PO Box 55  
MILPERRA NSW 2214

**To Excavate or Remove:**

A Maximum of 901,200m<sup>3</sup> of Sand and Soil

**From Protected Land in or near the Rivers known as:**  
Nepean River and the Anabranh

**At the Site Described as:**

The "Nesbitt Property", Lot 22 DP 833317, Parish of Narellan, County of Camden (the Site).

**Permit Expires: 8 April 2010**

This Controlled Activities Approval (CAA) is granted under the Water Management Act 2000 as amended and is subject to the following conditions:

***Area and Extent of Operation***

1. The location and nature of the operation as shown on the endorsed plan number JET0328 drawing numbers 11 (issue 3) and 12 to 16 (inclusive and all issue 2) shall not be altered. One copy of the plans has been issued to you, and to Council, and a copy is retained in the office of the Department of Natural Resources (DNR).
2. No operations shall be undertaken outside the area shown in red on the endorsed plans.
3. Operations shall be undertaken in such a manner that no excavation takes place below the limit lines shown in red on the endorsed plans, with the exception of the construction of temporary runoff traps as defined in Schedule 1.
4. Operations shall not take place on the river bank at a level of less than 3 metres above normal low flow water level. Low flow water level shall be defined as the broad crest height of Camden Weir, being RL 55.63 m AHD.

5. The surface of the excavated area shall be progressively graded to a smooth and even slope free from holes or ridges. The slope shall drain towards the river at grades consistent with those shown on the endorsed plans. No slopes shall be flatter than a grade of **1V:50H** within 50 m of the top of the river bank, or steeper than a grade of **1V:3H**.
6. This CAA is only valid for operations on freehold land. The CAA is null and void for any operation on Crown Land.

### ***Survey Information***

7. A permanent bench mark is to be established on the Site and outside the area of operations.
8. The cross sections shown on the endorsed plans shall be marked permanently on Site and outside the area of operations. Markers shall consist of steel star pickets painted white and set firmly in the ground in concrete.
9. Work as executed survey plans of a satisfactory standard shall be provided to DNR on request.

### ***Site Water & Sediment Runoff Management***

10. Site drainage and erosion control measures in accordance with **Schedule 1** of this CAA shall be implemented prior to commencement of, and during the course of, operations, and shall be maintained in good working order.

### ***Method of Operation***

11. Operations shall commence at the downstream end of the Site and progress in an upstream direction for Areas 1 and 2, and thereafter follow the sequence of extraction as indicated by Areas, on drawing number 11. Separate and concurrent extraction from elsewhere on the Site is not permitted without written approval from DNR.
12. Operations shall be undertaken in successive stages, with no more than 100 metres of the river bank or Anabranche being excavated at any one time.
13. Operations shall not damage or interfere in any way with:
  - vegetation and habitat on the river bank up to a level of 3 metres above low flow water level
  - vegetation and habitat outside the area of operation
  - the stability of adjacent or nearby river banks or bed
  - the flow of water in the river
  - the quality of water in the river
  - any pumps or structures in the vicinity

14. Excavated material shall be transported from the area of operation or shall be stored on the adjacent floodplain. Where material is stored, the stockpile shall be no larger than 14 days supply. All stockpiled material shall be removed if the operation ceases.
15. All scrub, undergrowth and timber removed from the area of operation shall be mulched and stored above flood height, or otherwise disposed of, so that the debris cannot be swept back into the stream during a flood. Burning shall not be carried out unless a permit is obtained from the relevant authority.
16. If any work is detrimentally affecting the river, the Anabranche or their environment, DNR may direct all operations to cease immediately.

#### ***Site Rehabilitation***

17. Rehabilitation of the Site shall be undertaken progressively in accordance with **Schedule 2** of this CAA. Rehabilitation is to be completed prior to the operation ceasing. Maintenance of the rehabilitation works shall continue until a standard that is satisfactory to DNR has been achieved.
18. Rehabilitation of the area is the responsibility of the CAA holder *and the owner or occupier of the land*.

#### ***Monitoring and Maintenance Report***

19. A brief and concise monitoring and maintenance report shall be forwarded to DNR every twelve months for the length of the maintenance period. The report shall include the results of monitoring of the implementation of **Schedule 2** of this CAA as required by these conditions. The report shall also describe any problems implementing **Schedule 2** of this CAA and means to overcome these.

#### ***Bonds***

20. The bond provided, for the amount of **\$43,850.00**, equal to the cost of decommissioning any temporary sediment and erosion controls, completing earthworks in accordance with the endorsed plans, and the rehabilitation and maintenance of the Site as required by these conditions, will be held until such time as the rehabilitation works and any specified maintenance period are completed to the satisfaction of DNR.
21. The sum held may be reduced on application to DNR, subject to the satisfactory completion of "stages" of the extraction and rehabilitation works.
22. A sum of money, being not less than 25% of the total amount of the bond, will be held by DNR for a minimum period of 24 months after completion of all works. The money will be released upon satisfactory performance of the works

and completion of vegetation establishment and maintenance over the area affected by the works.

23. DNR may at any time, and more than once and without notice to the Part 3A CAA holder, draw on all or part of the moneys available under the bond, if in its opinion, the CAA holder has failed at any time to satisfactorily complete the extraction, decommission any temporary sediment and erosion controls or to rehabilitate and maintain the Site in accordance with these conditions, as determined by DNR.

#### ***Controlled Activity Approval Breaches***

24. If any CAA condition is breached, the CAA holder shall follow DNR directions to address the breach and shall rehabilitate the Site as directed by, and to the satisfaction of, DNR. If any breach of the CAA conditions requires a special site inspection by DNR, then the CAA holder shall pay a supplementary CAAfee for this inspection and for each and every subsequent inspection until the breach has been rectified.

#### ***Other Approvals***

25. This CAA does not allow an extractive industry at the Site unless a current development consent or an existing use determination has been obtained from Council.
26. This CAA does not relieve you of any obligation which may exist to also obtain permission from other authorities who may have some form of control over the Site and or the operation that you propose to undertake.
27. A licence is required from this Department if you intend to:
  - install a pump
  - construct a dam
  - construct a levee
  - divert the river

#### ***Resolution of Inconsistencies***

28. In the event that there is an inconsistency between the drawings, other documentation and the conditions herein, the interpretation that will result in the best outcome for the stabilisation of the Site and the subsequent rehabilitation and maintenance of the Site and protected land and any river, is to prevail. Such interpretation is to be applied in consultation with, and with the approval of, DNR.

#### ***CAA to be kept Current***

**D.** All sediment and erosion control structures shall be inspected following any local storm event and any necessary maintenance shall be undertaken to ensure the continued proper operation of the structures.

## SCHEDULE 2

### Site Rehabilitation

#### **Preamble**

The aim of rehabilitation of the area of operations is to produce a healthy area of local native vegetation and habitat along the river. Revegetation is to aim at structural diversity using a mix of native tree, shrub, groundcover and grass species local to the area.

Rehabilitation of the Site is to be undertaken progressively in accordance with **this schedule** and is to be completed prior to the operation ceasing. Follow-up maintenance will be required.

Rehabilitation of that part of the Site located on Lot 1 DP 587631 "Spring Farm" shall be in accordance with the requirements of the consent for the Site made on 1 May 1995, as amended, and the *Landscape Plan of Management*, but shall not be of a lesser standard than that described below.

#### **Topsoil**

A. A quantity of the original excavated topsoil sufficient to cover all areas of operation to a depth of 100 mm must be retained on Site. The topsoil is to be stored in low heaps to allow survival of soil organisms.

B. The topsoil shall be progressively spread over the area where operations have been completed.

C. Prior to spreading the topsoil, the subsoil shall be prepared by roughening.

D. The area covered in topsoil shall be contour ploughed, re-grassed and maintained to prevent erosion.

#### **Grass Cover**

E. Grassing is to comprise of a cover crop of the following species:

<i>Type</i>	<i>Spring/Summer Sowing</i>	<i>Autumn/Winter Sowing</i>
Japanese Millet	20 kg/ha	---
Ryecorn/Barley	---	30 kg/ha
Red Clover	4 kg/ha	4 kg/ha
White Clover	4 kg/ha	4 kg/ha



Wimmera Rye	10 kg/ha	---	
Perennial Rye	---	10 kg/ha	
Couch	8/8 kg/ha (hulled/unhulled)	8/8	kg/ha
(hulled/unhulled)			

Note: Kikuyu is not to be used as it is a vigorous choking perennial that will out-compete native species.

F. Supplementary planting of local *native* grass and groundcover species shall be undertaken using locally collected seed consisting of species selected from the list below:

<i>Aristida</i> spp.	Three-awned Spear Grass
<i>Cymbopogon refractus</i>	Barbed-wire Grass
<i>Danthonia pilosa</i> var. <i>pilosa</i>	Wallaby Grass
<i>Dichelachne micrantha</i>	Plume Grass
<i>Echinopogon</i> spp.	Hedgehog Grass
<i>Ghania</i> spp.	Saw Sedge
<i>Imperata cylindrica</i>	Blady Grass
<i>Kennedia rubicunda</i>	Dusky Coral Pea
<i>Lomandra longifolia</i>	Spiny-headed Mat-rush
<i>Microlaena stipoides</i>	Weeping Meadow Grass
<i>Oplismenus aemulus</i>	Basket Grass
<i>Pteridium esculentum</i>	Bracken Fern
<i>Stipa ramosissima</i>	Stout Bamboo Grass
<i>Themeda australis</i>	Kangaroo Grass

Appropriate for planting on the bank and along the toe of the bank:

<i>Baumea</i> spp.	Twig-rushes
<i>Carex</i> spp.	Sedges
<i>Eleocharis</i> spp.	Spike rushes
<i>Juncus</i> spp.	Rushes
<i>Lepidosperma</i> spp.	Sword-sedges
<i>Restio</i> spp.	Cord-rushes
<i>Schoenoplectus</i> spp.	Club-rushes
<i>Schoenus</i> spp.	Bog-rushes

### **Trees and Shrubs**

G. The following species shall be propagated from locally collected seed:

#### **Trees**

<i>Angophora subvelutina</i>	Broad-leaved Apple
<i>Casuarina cunninghamiana</i>	River Oak

*Eucalyptus amplifolia*  
*Eucalyptus bauerana*  
*Eucalyptus elata*  
*Eucalyptus eugenioides*  
*Eucalyptus viminalis*  
 Gum

Cabbage Gum  
 Blue Box  
 River Pepperment  
 Thin-leaved Stringybark  
 Ribbon Gum, Manna

### Shrubs

*Acacia binervia* (prev. *A. glaucescens*)  
*Acacia decurrens*  
*Acacia floribunda*  
*Acacia parramattensis*  
*Commersonia fraseri*  
*Hymenanthera dentata*  
*Callistemon viminalis*  
*Leptospermum polygalifolium* (prev. *L. flavescens*)  
*Tristaniopsis laurina*

Coast Myall  
 Green Wattle  
 Sally Wattle  
 Sydney Green Wattle  
 Black-fellow's Hemp  
 Tree Violet, Scrub Box  
 Bottle Brush  
 Yellow Tea-tree  
 Water Gum

H. Native tree and shrub species are to be established on the banks of the Nepean River as follows:

- no more than 2 m apart
- in at least 16 staggered rows no more than 2 m apart
- to cover a strip 30 m wide from the top the river bank
- plant only *Casuarina*, *Leptospermum* and *Tristaniopsis* species in the three rows closest to the river
- with an even mix of all other shrub and tree species in remaining rows
- existing small native plants and seedlings growing on the area to be excavated are to be transplanted to the area being restored
- existing native trees and shrubs, when felled, are to have seeding branches collected and spread over the area under restoration

I. Native tree and shrub species are to be established on the western bank of the Anabranck, and across it near the access track at the northern boundary, to supplement existing native vegetation, as follows:

- no more than 2 m apart
- in staggered rows no more than 2 m apart
- to form a strip on the "Nesbitt" property at least 20 m wide, and on the "Spring Farm" property at least 50 m wide, from the top of the bank
- plant tree and shrub species listed except for the last three shrub species
- plant grass species as listed

**General**

- J.** The use of fertilizers shall be minimised in order to reduce the influx of nutrients to the river system. If used at all, fertilizers are to be low P types, and slow release, such as Agriform Tablets, Kokei Pellets, Osmocote, etc.. Pellets, if used, are to be placed at least 100 mm beneath the root tip of seedlings being planted.
- K.** The vegetation shall be regularly watered and protected against predators such as hares and rabbits).
- L.** The rehabilitated area shall be regularly weeded of exotic plant species.
- M.** A stock proof fence shall be constructed and maintained around the replanted site.

## **APPENDIX 11    POLLUTION INCIDENT RESPONSE MANAGEMENT PLAN (PIRMP)**



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# **POLLUTION INCIDENT RESPONSE MANAGEMENT PLAN**

**PIRMP  
SPRING FARM QUARRY**

**EPA Licence No. 4093**



## Table of Contents

1. Introduction
2. Protocol for Industry Notification of Pollution Incidents
3. Definition of Environmental Incident, Pollution Incident Notification Criteria and Response.
4. Emergency Contact Details
5. Environmental Incident Preventative Action, Responses and Emergency Responses
6. Emergency equipment requirements and storage locations
7. Incident Reporting
8. Complaints
9. Testing of PIRMP
10. Pollution Incident Notification Protocol



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## Issue of Pollution Incident Response Management Plan (PIRMP)

This Pollution Incident Response Management Plan (PIRMP) has been issued to the persons listed below. All persons to whom the PIRMP is issued are bound under a confidentiality requirement not to provide the PIRMP to any third party, except with the written permission of M Collins and Sons Holdings Pty Ltd and Harvest Scientific Services Pty Ltd (HSS).

It is the responsibility of those persons to whom this PIRMP is issued to safeguard and have available the PIRMP as and when required, and to maintain the currency of the PIRMP by inclusion of inserts and amendments, as and when issued. Copies of the manual may be issued to additional persons/ organisations, on the basis of need and relevance.

### PIRMP Document Register

Controlled document No.	Issued to	Company/ organisation	Address	Date Issued	Authorising signature
6	Matthew Collins	Collins Construction Materials Pty Limited	214 Macarthur Road, Springfarm	1/7/2021	
6.	Dave Eckford	Collins Construction Materials Pty Limited	214 Macarthur Road, Springfarm	1/7/2021	





## POLLUTION INCIDENT RESPONSE MANAGEMENT PLAN (PIRMP)

### 1. Introduction – Pollution incident notification requirements

Licensees under the POEO Act and anyone carrying on an activity or occupying a premises who becomes aware of a pollution incident are required to report pollution incidents **immediately** instead of 'as soon as practicable' under section 148 of the POEO Act.

The protocols for contact in the event of a pollution incident are outlined in **Section 2** of this PIRMP, relevant contact details are presented in **Section 4** and the adopted criteria for a pollution incident is outlined in **Section 3**.

**Sections 5 to 7** outline the preventative actions and general operational response protocols to a pollution incident.

### 2. Protocol for industry notification of pollution incidents

The NSW EPA describe the protocol for notification of pollution incidents on the webpage <https://www.epa.nsw.gov.au/reporting-and-incidents/report-pollution/contacts-chemical-radiation-pollution/notification-protocol>

*The protocol is described below on the EPA website;*

*The changes take effect from 6 February 2012 and require the occupier of premises, the employer or any person carrying on the activity which causes a pollution incident to immediately notify each relevant authority (identified below) when material harm to the environment is caused or threatened. The following information and procedures may assist those responsible for reporting a pollution incident.*

*Firstly, call 000 if the incident presents an immediate threat to human health or property. Fire and Rescue NSW, the NSW Police and the NSW Ambulance Service are the first responders, as they are responsible for controlling and containing incidents.*

*If the incident does not require an initial combat agency, or once the 000 call has been made, notify the relevant authorities in the following order. The 24-hour hotline for each authority is given when available:*

- *the appropriate regulatory authority (ARA) for the activity under the POEO Act (usually the EPA or local authority) – the local authority is a local council of an area under the Local Government Act 1993), the Lord Howe Island Board for Lord Howe Island, or the Western Lands Commissioner for the Western Division (except any part of the Western Division within the area of a local council)*
- *the EPA, if it is not the ARA – phone Environment Line on 131 555*
- *the Ministry of Health via the local Public Health Unit – see [www.health.nsw.gov.au/publichealth/infectious/phus.aspx](http://www.health.nsw.gov.au/publichealth/infectious/phus.aspx)*
- *SafeWork NSW (formerly WorkCover) – phone 13 10 50*
- *the local authority if this is not the ARA*

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- Fire and Rescue NSW – phone 1300 729 579  
Note: If the situation warranted calling 000 as a first point of notification, you do not need to ring Fire and Rescue NSW again.

*The appropriate contact for the relevant local authority and Public Health Unit will vary. All necessary contact numbers should be found in advance and stored for immediate access should a pollution incident need to be notified. These contact numbers should also be identified in the Pollution Incident Response Management Plan prepared for the premises.*

### 3. Environmental incident definition, pollution incident notification criteria and response

A pollution incident is defined as:

*'an incident or set of circumstances during or as a consequence of which there is or is likely to be a leak, spill or other escape or deposit of a substance, as a result of which pollution has occurred, is occurring or is likely to occur....' (POEO Act).*

Pollution incidents on or around the site are considered to have occurred in the course of the Contractor's activities in the following circumstances:

- *'If the actual or potential harm to the health or safety of human beings or ecosystems is not trivial; and*
- *If actual or potential loss or property damage (including clean-up costs) associated with a pollution incident exceeds \$10,000.'*

Above criteria is based on **s147** of the *Protection of the Environment Operations Act 1997* (NSW) and has been adopted in this PIRMP as the threshold for notification purposes.

The above definition has been adopted for the purposes of an environmental incident in this PIRMP. The proposed response to an environmental incident is as outlined below and in Table 1:

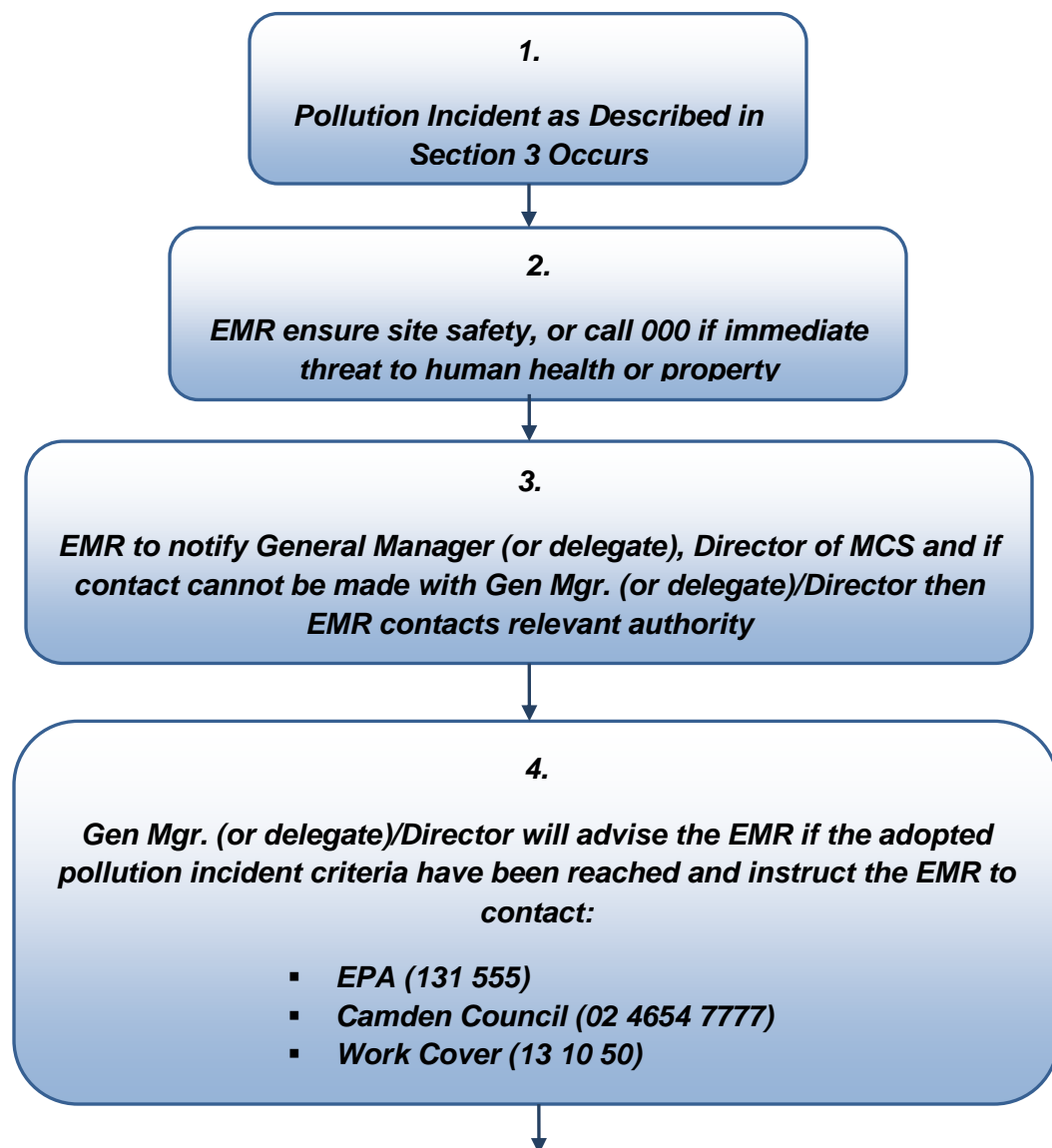
- EMR to ensure site safety, move people from immediate areas where safety is a concern;
- EMR to take any practical steps to contain the hazard and prevent it from spreading;
- EMR to notify the General Manager (or delegate), the Director and if necessary, the relevant authority, if the General Manager (or delegate) and Director cannot be contacted EMR must notify each relevant authority.
- The General Manager (or delegate) is to decide with the Director if the adopted pollution incident criteria threshold has been reached. If the adopted pollution incident threshold has been reached, the EMR is to contact immediately contact the EPA and Camden Council; and the relevant information about a pollution incident required consists of the following:
  - The time, date, nature, duration and location of the incident,
  - The location of the place where pollution is occurring or is likely to occur,
  - The nature, the estimated quantity or volume and the concentration of any pollutants involved, if known,
  - The circumstances in which the incident occurred (including the cause of the incident, if known),

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- The action taken or proposed to be taken to deal with the incident and any resulting pollution or threatened pollution, if known,
  - Other information prescribed by the regulations.
- The EMR is to complete and environmental incident report form.  
Once completed, a copy of the incident report form must be forwarded to Camden Council and the EPA.

## TABLE 1

### Flow Chart for PIRMP





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5.

***EMR to complete environmental incident response and forward to:***

- ***EPA***
- ***Camden Council***

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## 4. Emergency contact details

**Table 2** outlines emergency contact details and is to be maintained by the EMR.

**Table 2. Emergency contact details**

Service required	Company	Contact name	Phone number
EMR (a)	CCM	Mr. David Eckford	0419 497 106
EMR (a)	CCM	Matthew Collins	0412 265 017
EMR (a)	MCS	Emma Collins	0409 869 094
Police			000
Fire Brigade			000
Ambulance			000
Report Environmental Incident	EPA Pollution Line		131 555
	Camden Council		(02) 4654 7777
	DPIE Water	Incident Hotline	1300 814 609
	WorkCover NSW		13 10 50
	Ministry of Health		9391 9000
Environmental Consultant	Harvest Scientific Services Pty Ltd	Mr. Mart Rampe	02 4647 6177
WIRES			1800 641 188
Waste services	Thiess		02 46 771910
Sydney Water Service Centre			132 090
Energy Australia			131 388
AGL			131 003
Integral Energy			131 909
Telstra			132 203

## 5. Environmental incident preventative actions and responses

**Table 3** outlines the potential environmental incidents identified and Risk Assessed during the environmental review process to-date, the proposed preventative actions, the response actions to be under-taken and the person/s responsible for implementation of appropriate actions. Other potential environmental incidents may be identified after the operation commences, these should be documented by the EMR and **Table 3** should be updated as they are identified.



**Table 3.** Summary of potential environmental incidents, preventative actions and proposed response actions.

Potential environmental incident	Potential Risk	Preventative actions	Responses actions to incident	Responsible persons
Excessive dust	2 – Frequent / Minor	<ul style="list-style-type: none"> <li>• Operate water trucks/irrigators</li> <li>• Cease or limit operations based on risk assessment</li> </ul>	<ul style="list-style-type: none"> <li>• Contact EMR;</li> <li>• Water down areas identified as the source of dust immediately; and</li> <li>• Cease works if weather conditions are adverse.</li> </ul>	All personnel and EMR
Spills Fuel / Chemical spill / Fire	3 – Remote / Critical	<ul style="list-style-type: none"> <li>• All chemicals to be stored in accordance with the Code of Practice for safe use and storage in Agricultural.</li> <li>• All diesel storage tanks to be bunded to contain spills and disposed of by qualified contractors.</li> <li>• HS&amp;DG Audits and Register with quantities and SDS for each.</li> </ul>	<ul style="list-style-type: none"> <li>• Contact EMR</li> <li>• All re-fuelling vehicles are to contain a spill kit</li> <li>• Use spill kit to contain the spill at the mixing and storage sites.</li> <li>• Dispose of contaminated materials appropriately; and clean and decontaminate this site.</li> <li>• If discharge enters waterway and criteria outlined in <b>Section 3</b> of this PIRMP is met ring EPA Pollution line 131 555.</li> <li>• Emergency Evacuation plan implemented, contain fire if safe to do so, follow first aid plan and account for all on site at EEA.</li> </ul>	All personnel and EMR
Stored Pollutants spill, escape, unknown quantities	3 – Remote / Critical	<ul style="list-style-type: none"> <li>• All bunded as per COP</li> <li>• Maximum Storage Quantities; Fuel 52,000L, Oils 5000L, Grease 600kg, Coolant 500L, Fertiliser 1t, Gas combined 100,000/L</li> <li>• Conduct Audits and update SDS register and SDS's.</li> </ul>	<ul style="list-style-type: none"> <li>• All re-fuelling vehicles are to contain a spill kit</li> <li>• Use spill kit to contain the spill at the mixing and storage sites.</li> <li>• Dispose of contaminated materials appropriately; and clean and decontaminate this site.</li> <li>• If discharge enters waterway and criteria outlined in <b>Section 3</b></li> </ul>	All personnel and EMR
Diesel Fuel leaks & spills at the storage tank/bunded area	2 – Improbable / Minor	<ul style="list-style-type: none"> <li>• Avoid rainwater being contaminated with diesel</li> <li>• Maintain bunded free from soil and dirt</li> </ul>	<ul style="list-style-type: none"> <li>• Contact the EMR</li> <li>• Pump into a waste fuel tank</li> <li>• Dispose in a lawful manner</li> <li>• If discharge enters waterway and criteria outlined in <b>Section 3</b> of this PIRMP is met ring EPA Pollution line 131 555</li> </ul>	All personnel and EMR
Sediment losses to waterways	2 – Remote / Minor	<ul style="list-style-type: none"> <li>• Maintain Erosion &amp; Sediment Controls on site</li> </ul>	<ul style="list-style-type: none"> <li>• Contact EMR</li> <li>• Where relevant, repair sediment controls; and</li> <li>• Cease works if weather conditions are adverse.</li> </ul>	All personnel and EMR





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- If discharge enters waterway and criteria outlined in Section 3 of this PIRMP ring EPA Pollution Line 131 555.

An environmental risk assessment rating system adapted from **Environment Australia (2007)**, which is outlined in **Table 4**, has been adopted for the assessment of risks associated with potential environmental risks listed in **Table 3**. The results of this assessment will be included in the operational EMP for this facility.

**Table 4. Environmental risk significance rating table\*.**

Risk of Occurrence						
May be as a result of a continuously operated process, activity or occurrence	Continuous	1	4	4	4	4
May be a result of a frequently used process, activity or occurrence.	Frequent	1	2	3	4	4
May be a result of a little used process, activity or occurrence.	Occasional	1	2	3	4	4
May be as a result of a chain of unusual events leading to an environmental incident	Remote	1	2	3	3	4
May be a result of a chain of extraordinary events leading to an environmental accident/disaster.	Improbable	1	2	3	3	4
		Positive	Minor	Critical	Major	Catastrophic
	Significance (Degree of Impact)	Positive impact on environment thus positive impact on business	Limited and/or localised impact on the environment and/or business	Medium scale impacts, wider implications to environment and/or business	Serious long term implications for environment and/or business	Serious permanent damage to business and/or environment (e.g. loss of licence, restriction of activity)

\*From: Environment Australia, 2007. Model Environmental Management System for Commonwealth Agencies.

Key to Risk Significance Rating	1	Positive
	2	Low Risk
	3	Medium Risk
	4	High Risk





## 6. Emergency equipment requirements and storage locations (see Map 1 below)

**Table 5** outlines the locations of emergency response equipment.

**Table 5:** Emergency equipment requirements

Name of equipment	Storage location	Comment
Spill kit	On each re-fuelling unit, workshop and fuel bowser.	Instructions for use must be provided with kit. Notify of use and replace items within. Locations of site map through induction process.
Fire extinguisher/s	On each piece of onsite equipment, office and maintenance shed as per signage.	To be maintained in satisfactory working order and checked by qualified external contractor 6 monthly. Only use when two people involved and safe to do so, never take on large or uncontrolled fires. Ensure staff trained in different types of extinguishers and safe use of extinguishers. Locations on site map through induction process.
Eyewash	At the mixing and storage site, maintenance area and weighbridge toilet facility	Maintain in satisfactory working order and test to ensure working correctly. Locations on site map through induction process.

## 7. Incident reporting

As per conditions of consent within 7 days of detecting an exceedance of goals/limits/performance criteria of this PIMPR or an environmental incident (as defined in **Section 3**), MCS Pty Ltd shall report the exceedance to the Camden Council. All Incidents are to be reported on an Incident report Form 20.

The report shall:

- describe the date, time and nature of the exceedance/incident;
- identify the cause (or likely cause) of the exceedance/incident;
- describe what action has been taken to date; and
- describe the proposed measures to address the exceedance/incident.



## 7.1 Community Notification Strategy

### Who Will Be Notified?

All community stakeholders that may be affected by an incident will be notified. Appropriate to the incident circumstance, these include:

- Neighbouring residential property owners
- Neighbouring commercial properties
- General public within the vicinity of the site:
  - Pedestrians
  - Motorists
  - Users of nearby recreational facilities (sporting facilities, parks etc)
  - Nearby water courses (rivers, streams, dams etc.) used for recreational and/or commercial purposes
- Farmers located downstream from water courses affected by a spill
- Schools
- Churches
- Nursing homes

### When Will the Community be Notified?

If an incident presents a significant risk of causing material harm to persons, property, and/or the environment to an area that is not trivial, any community stakeholders within these areas will be notified at the earliest convenience.

### How Will the Community be Notified?

When it has been established that a community stakeholder is at risk from an incident that has the potential to cause material harm the following process will be implemented:

- 1) Community stakeholders will be contacted immediately after the relevant authorities have been contacted by telephone (or face to face if this is not possible).
- 2) Stakeholders will be advised of recommended actions that can be taken to prevent or minimise material harm e.g. evacuate area, shut all doors and windows, cease drawing water for irrigation purposes.
- 3) After the incident has been contained and managed by key personnel and authorities subsequent communication will be undertaken by the NSW Planning & Environment Coordinators. Appropriate to the circumstance, these may include:
  - Follow up telephone calls and/or face to face contact (door knocking)

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- Meetings with stakeholders
- Written correspondence containing updates in regards to safety and environmental concerns associated with the pollution incident
- Letterbox drops
- Website notification
- Social media notification

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## Map 1 – Site Map and Evacuation Plan



Key	
	Main Haul Road down from Weighbridge and into SP1 Main Sales Area.
	Haul Road 2 – To Vehicle Wash Out Bay.
	Haul Road 3 – To Soil Sales Area.
	Haul Road into Area 5 for Soil Sales.
	Vehicle Call Up Point.
	Emergency Evacuation Point.

General Information	
Site Address	214 Macarthur Road, Spring Farm NSW
Site UHF Channel	<b>UHF 26</b>
Monday – Friday Trading Hours	07:00 AM to 04:30 PM
Saturday Trading Hours	07:00 AM to 12:30 PM
Site Contact	(02) 4658-1666 or (Luke) 0412 461 322
Emergency Evacuation Area	<b>Front Main Gate / Weighbridge</b>

## 8. COMPLAINTS

### 8.1 Complaints register

A telephone complaints line has been established to receive any complaints from members of the public in relation to this site. Details of the complaints line are below:

<p align="center"><b>COMPLAINTS TELEPHONE LINE:</b></p> <p align="center"><b>Environmental Management Representative</b></p> <p align="center"><b>Mr. David Eckford 0419 497 106</b></p> <p align="center"><b>02 4658 1666</b></p>
--

### 8.2 Complaints response protocol

If a complaint is received the following procedures are to be followed:

- Details of the complaint are to be recorded by the EMR in the complaints register) and the complainant is to be advised verbally that the matter will be investigated by MCS Pty Ltd in accordance with the Environmental Management Plan for the operation.
- The EMR is investigate the complaint and to liaise with the complainant to attempt to resolve the complaint. Where necessary, the EMR will make appropriate changes to onsite management practices / procedures to resolve the complaint.
- If, through a subsequent investigation, the EMR becomes aware of an environmental incident (as defined in **Section 3** of this PIRMP), then Camden Council is to be notified in writing at the first available opportunity.
- If the criterion outlined in **Section 5** of this PIRMP is met then EPA is to be notified and at the first available opportunity.
- If the dispute is resolved, the agreed outcome is to be documented (in writing) and forwarded to the complainant, Camden Council and the EPA.
- If the dispute is not resolved, the EPA and Camden Council are to be advised in writing.
- If directed by the EPA or Camden Council, MCS Pty Ltd will contract the services of an independent consultant to review the specific details of the complaint and make appropriate recommendations to resolve the matter.
- At closure of the complaint the following information will have been recorded:

a. Date of complaint;

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- b. Name of complainant;
- c. Contact details of complaint (if supplied);
- d. A record of notification of Camden Council, DPIE Water, Department of Planning, Industry and Environment ( DPIE)
- e. A summary actions taken to address the subject matter of the complaint;
- f. Investigation outcomes; and
- g. A record of notification of the complainant of the investigation outcomes.

Records will be kept for at least 4 years after the complaint was registered.

## 9. REVIEW

This PIRMP is to be reviewed annually as part of the AEMR or on as needed basis. Updates of this PIRMP will be supplied to all persons listed in the document register at the beginning of this PIRMP.

## 10. Testing of PIRMP

This PIRMP will be tested at least once a year and within one calendar month of any pollution incident occurring where the plan has been activated.

A record of the testing of PIRMP along with attendance record of workers involved and any reviews to the plan made accordingly.

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## POLLUTION INCIDENT NOTIFICATION PROTOCOL

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### **Step one:**      **What is a Pollution Incident?**

A Pollution Incident occurs when material harm to the Environment is caused or threatened.

### **Step Two:**      **What is material harm to the Environment?**

(i)      It involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial,

OR

(ii)      It results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 and loss includes the reasonable costs or losses to prevent mitigate or make good harm to the environment.

### **Step Three:**      **Who must notify?**

- a)      the person carrying on the activity
- b)      an employee or agent carrying on the activity
- c)      an employee carrying on the activity
- d)      the occupier of the premises where the incident occurs.

### **Step Four:**      **Who do I notify?**

A person engaged as an employee in carrying on an activity must immediately after becoming aware of the incident, notify the employer of the incident and all relevant information about it.

### **Step Five:**

#### **Who must be notified about a Pollution Incident?**

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1. Call 000 if the incident presents an immediate threat to human health or property.

**Ask for:** > Fire and Rescue NSW  
> NSW Police  
> NSW Ambulance

Service

**AND/OR**

2. EPA 131 555

- Local Council – Camden Council Phone: (02) 4654 7777

- Ministry of Health  
Phone: (02) 9391 9000

• <http://www.health.nsw.gov.au/Infectious/Pages/notification.aspx>

- Work Cover 131 050

## **Examples of Potential Environmental Incidents**

### **Excessive Dust**

- Cease work, and
- Contact Environmental Management Representative
- Water Areas identified as source of dust

### **Fuel/Oil/Chemical Spills**

- Always refuel in a bunded area
- Use spill kits in the field
- If discharge enters a waterway and may cause \$10,000 damage and/or clean up costs notify employer immediately.

### **Sediment Loss to a Waterway**

- Cease work and contact Environmental Management Representative
- Repair Sediment controls
- If discharge enters a waterway and may cause \$10,000 damage and/or clean up costs notify employer immediately.

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## Excluded Pollution Incidents

### **Odour**

A pollution Incident does **NOT** include an Odour. Odour incidents **DO NOT** have to be notified.

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**APPENDIX 12    LEGAL AND OTHER REQUIREMENTS**

## Appendix 12: Register of Legal and Other Requirements

Aspect	Environmental aspect description	Regulator	Legal or Other Requirement
1.	Air Quality and Dust Emission	EPA  NSW Department of Planning, Industry and Environment	Site EPL 4093 EP&A Act 1979 Protection of the Environment Operations Act 1997 (POEO Act) Environmental Planning and Assessment Regulation 2000 EP&A Act National Environment Protection Council (New South Wales) Act 1995 Conditions of Consent MR Mod 5 and prior consent
2.	Erosion and Sedimentation	EPA  NSW Department of Industries (DPIE Water)  NSW Department of Planning, Industry and Environment	EP&A Act 1979 Protection of the Environment Operations Act 1997 (POEO Act) Environmental Planning and Assessment Regulation 2000 EP&A Act Water Management Act 2000 Water Act 2007 Fisheries Management Act NSW 1994 Conditions of Consent MR Mod 5 and prior consent
3.	Odour	EPA	EP&A Act 1979 Protection of the Environment Operations Act 1997 (POEO Act) Environmental Planning and Assessment Regulation 2000 EP&A Act
4.	Noise	EPA  NSW Department of Planning, Industry and Environment	Protection of the Environment Operations Act 1997 (POEO Act) Environmental Planning and Assessment Regulation 2000 EP&A Act Protection of the Environment Operations (Noise Control) Regulation 2000 Conditions of Consent MR Mod 5 and prior consent
5.	Salinity	EPA	EP&A Act 1979 Protection of the Environment Operations Act 1997 (POEO Act) Environmental Planning and Assessment Regulation 2000 EP&A Act

		NSW Department of Industries (DPIE Water).	Water Management Act 2000 Water Act 2007 Fisheries Management Act NSW 1994
6.	Water and Groundwater	EPA  NSW Department of Industries (DPIW).	Site EPL 4093 EP&A Act 1979 Protection of the Environment Operations Act 1997 (POEO Act) Water Management Act 2000 Water Act 2007 Fisheries Management Act NSW 1994
7.	Trees and Vegetation Disruption Rehabilitation of land	EPA  NSW Office of Environment & Heritage NSW Department of Planning, Industry and Environment	EP&A Act 1979 Protection of the Environment Operations Act 1997 (POEO Act) Environmental Planning and Assessment Regulation 2000 EP&A Act Heritage Act 1977  Conditions of Consent MR Mod 5 and prior consent conditions
8.	Riparian Corridors	NSW Department of Industries (DPIE Water).  NSW Department of Planning, Industry and Environment	Water Management Act 2000 Water Act 2007 Fisheries Management Act NSW 1994 Conditions of Consent MR Mod 5 and prior consent conditions
9.	Weed Management	EPA  Camden Council NSW Department of Planning, Industry and Environment	EP&A Act 1979 Protection of the Environment Operations Act 1997 (POEO Act) Environmental Planning and Assessment Regulation 2000 EP&A Act Consent conditions Conditions of Consent MR Mod 5 and prior consent conditions
10.	Waste Management and minimisation	EPA	Protection of the Environment Operations Act 1997 (POEO Act) Protection of the Environment Operations (General) Regulation 2009 Waste Avoidance and Resource Recovery Act 2001

		Other NSW Government Agencies	Contaminated Land Management Act 1997
11.	Traffic and heavy machinery	EPA  Resource Regulator NSW Roads and Maritime Services ( Service NSW)	Protection of the Environment Operations Act 1997 (POEO Act) Protection of the Environment Operations (General) Regulation 2009 Protection of the Environment Operations (Noise Control) Regulation 2000 Mining Act 1992 Roads Act 1993
12.	Pest Control	EPA  Other NSW Government Agencies Camden Council NSW Department of Planning, Industry and Environment	EP&A Act 1979 Protection of the Environment Operations Act 1997 (POEO Act) Environmental Planning and Assessment Regulation 2000 EP&A Act Pesticides Act 1999  Consent conditions Consent Conditions MR Mod 5 and conditions of prior consent
13	Native Flora, Fauna and Soil Disturbance	EPA  Other NSW Government Agencies DPI Agriculture	EP&A Act 1979 Protection of the Environment Operations Act 1997 (POEO Act) Environmental Planning and Assessment Regulation 2000 EP&A Act Biodiversity Conservation Act 2016. Soil Conservation Act 1938 National Parks and Wildlife Act 1974 Threatened Species Conservation Act 1995
14.	Flooding	EPA  NSW Department of Industries (DPIW).	EP&A Act 1979 Protection of the Environment Operations Act 1997 (POEO Act) Environmental Planning and Assessment Regulation 2000 EP&A Act Water Management Act 2000 Water Act 2007 Fisheries Management Act NSW 1994

