

Development Consent

Section 89E of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure, I approve the development application referred to in schedule 1, subject to the conditions in schedules 2 to 5.

These conditions are required to:

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

Chris Wilson
Executive Director
Development Assessment Systems and Approvals

Sydney

2013

SCHEDULE 1

Application Number:

SSD_5109

Applicant:

Holcim (Australia) Pty Ltd

Consent Authority:

Minister for Planning and Infrastructure

Land:

Lot 1 DP 808393
Lot 110 DP 754881
Lot 111 DP 754881
Lot 103 DP 754881
Lot 104 DP 754881
Lot 124 DP 754881

Development:

Cooma Road Quarry Continued Operations Project

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DEFINITIONS

AHD	Australian Height Datum
Annual Review	The review required by condition 4 of schedule 5
Applicant	Holcim (Australia) Pty Ltd, or any other person or persons who rely on this consent to carry out the development that is subject to this consent
BCA	Building Code of Australia
CCC	Community Consultative Committee
Conditions of consent	Conditions contained in schedules 1 to 5 inclusive
Construction	The demolition of buildings or works, carrying out of works and erection of buildings covered by this consent
Council	Queanbeyan City Council
CPI	Australian Bureau of Statistics Consumer Price Index
Department	Department of Planning and Infrastructure
Development	The development described in the EIS
Development area	All land to which the development application applies, as listed under "Land" in schedule 1 and as shown in Appendix 1
Director-General	Director-General of the Department, or delegate
DRE	Division of Resources and Energy within the Department of Trade and Investment, Regional Services and Infrastructure
DPI	Department of Primary Industries within the Department of Trade and Investment, Regional Services and Infrastructure
EIS	Environmental Impact Statement of the development titled <i>Cooma Road Quarry Continued Operations Development, Environmental Impact Statement</i> , prepared by Umwelt (Australia) Pty Limited and dated October 2012; and <i>Response to Submissions Cooma Road Quarry Continued Operations Development</i> , prepared by Umwelt (Australia) Pty Limited and dated February 2013
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environment Protection Licence under the <i>POEO Act</i>
Extraction Area	The extraction area shown in Appendix 2
Feasible	Feasible relates to engineering considerations and what is practical to build
GPS	Global Positioning System
Land	As defined in the EP&A Act, except for where the term is used in the noise and air quality conditions in schedules 3 and 4 of this consent where it is defined to mean the whole of a lot, or contiguous lots, owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this consent
Minister	Minister for Planning and Infrastructure, or delegate
NOW	NSW Office of Water, within DPI
OEH	Office of Environment and Heritage within the Department of Premier and Cabinet
Privately-owned land	Land that is not owned by a public agency or the Applicant (or its subsidiary)
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Quarrying operations	Includes the removal of overburden and extraction, processing, handling, storage and transportation of extractive materials on site
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Recycled concrete	Consists of clean recycled concrete that has been validated as being free of demolition waste or other general waste materials
Rehabilitation	The restoration of land disturbed by the development to a good condition, ensuring that it is safe, stable and non-polluting and appropriately revegetated
RMS	Roads and Maritime Services
Statement of commitments	The Applicant's commitments in Appendix 8
Site	The land listed under "Land" in schedule 1.

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

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

TERMS OF CONSENT

2. The Applicant shall carry out the development generally in accordance with the:
 - (a) EIS;
 - (b) statement of commitments; and
 - (c) conditions of this consent.

Notes:

- The general layout of the development is shown in Appendix 2 and Appendix 3.
- The statement of commitments is provided in Appendix 8

3. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall 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, strategies, plans, programs, reviews, audits or correspondence that are submitted in accordance with this consent; and
 - (b) the implementation of any actions or measures contained in these documents.

LIMITS ON CONSENT

Quarrying Operations

5. The Applicant may carry out quarrying operations on the site until 31 October 2035.

Note: Under this consent, the Applicant is required to rehabilitate the site and carry out additional undertakings to the satisfaction of the Director-General. Consequently, this consent will continue to apply in all other respects other than the right to conduct quarrying operations until the rehabilitation of the site and those undertakings have been carried out to a satisfactory standard.

Production Limits

6. The Applicant shall not produce more than 1.5 million tonnes of saleable extractive materials at the site in a calendar year.
7. The Applicant shall not carry out quarrying operations below 635 m AHD.

Transportation Limits

8. Prior to the commissioning of Stage 1 of the Old Cooma Road re-alignment, the Applicant shall not transport more than 1 million tonnes of extractive materials from the site in a calendar year.
9. Following the commissioning of Stage 1 of the Old Cooma Road re-alignment, the Applicant shall not transport more than 1.5 million tonnes of quarry products from the site in a calendar year

Note: Stage 1 of the Old Cooma Road re-alignment is a 1.5km section of Old Cooma Road between Wickerslack Lane and Heights Road. Stage 2 is a 4.5km section of Old Cooma Road from Edwin Land Parkway south towards Googong Dam Road.

10. Prior to the commissioning of the Ellerton Drive Extension, the Applicant shall not exceed 50 heavy vehicle movements a day on the section of Cooma Street north of Edwin Land Parkway.
11. Following the commissioning of the Ellerton Drive Extension, the Applicant shall not use Cooma Street north of the Edwin Land Parkway as a heavy vehicle transport route to/from the site except for local deliveries to Queanbeyan.

Notes:

- Ellerton Drive Extension is shown as "Proposed Primary Haulage Route" in Appendix 6.
- Other heavy vehicle haulage routes to/from the site are also shown in Appendix 6.

12. The Applicant shall not use the section of Crawford Street from Monaro Street to Morriset Street as a heavy vehicle transport route except with the written permission of Council.
13. For the life of the development, the Applicant shall not dispatch:
 - (a) more than 30 laden trucks per hour; and
 - (b) more than an average of 24 trucks per hour on any day.

Importation of Material

14. The Applicant may receive and process up to 10,000 tonnes of recycled concrete on the site in a calendar year. No other materials classified as waste under the EPA *Waste Classification Guidelines 2009* (or its latest version) may be received and processed on the site.

Note: This condition does not apply to routine deliveries to the site.

SURRENDER OF EXISTING DEVELOPMENT CONSENT

15. By the end of June 2014 or as otherwise agreed by the Director-General, the Applicant shall surrender the development consent (DA 371/94) for existing operations on the site in accordance with Section 104A of the EP&A Act.
16. Prior to the surrender of the existing development consent, the conditions of this consent (including any notes) shall prevail to the extent of any inconsistency with the conditions of the existing development consent (DA 371/94).

Notes:

- This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under Part 4A of the EP&A Act. Surrender of a consent or approval should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.
- The conditions or other requirements of this development consent do not prevent the continued carrying out of development which may be undertaken pursuant to DA 371/94, prior to the surrender of that consent.

PRODUCTION DATA

17. The Applicant shall:
 - (a) provide annual quarry production data to DRE using the standard form for that purpose; and
 - (b) include a copy of this data in the Annual Review (see condition 4 of schedule 5).

STRUCTURAL ADEQUACY

18. The Applicant shall ensure that any new buildings and structures, and any alterations, or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.

Notes:

- Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.

DEMOLITION

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

PROTECTION OF PUBLIC INFRASTRUCTURE

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

OPERATION OF PLANT AND EQUIPMENT

21. 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 manner.

STAGED SUBMISSION OF ANY STRATEGY, PLAN OR PROGRAM

22. With the approval of the Director-General, the Applicant may submit any strategy, plan or program required by this consent on a progressive basis.

Notes:

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

IDENTIFICATION OF APPROVED LIMITS OF EXTRACTION

23. By 31 December 2013, the Applicant shall:
- (a) engage a registered surveyor to mark out the boundaries of the approved limits of extraction within the development area; and
 - (b) submit a survey plan of these boundaries with applicable GPS coordinates to the Director-General.
24. While quarrying operations are being carried out, the Applicant shall ensure that these boundaries are clearly marked at all times that allows operating staff and inspecting officers to clearly identify the approved limits of extraction.

DEVELOPER CONTRIBUTIONS

Road Upgrade & Maintenance

25. The Applicant shall pay Council \$50,400 (indexed to CPI) for road/intersection upgrade works, in accordance with Council's *Section 94 Contributions Plan* and the payment schedule in Appendix 4.
26. The Applicant shall pay Council road maintenance contributions of \$0.2911 per tonne for every tonne of quarry product or recycled concrete transported to and from the site in accordance with Council's *Section 94 Contributions Plan - No 2 Extractive Industry*. Each payment must be:
- (a) paid to Council at the end of each calendar year; and
 - (b) based on weighbridge records of the quantity of quarry products and recycled concrete transported to and from the site.

Note: If the parties are not able to agree on any aspect of the road upgrade and maintenance contributions, either party may refer the matter to the Director-General for resolution.

SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS

TRANSPORT

Monitoring of Product Transport

1. The Applicant shall keep accurate records of:
 - (a) the amount of quarry products transported from the site (monthly and annually) and publish these records on its website on a quarterly basis; and
 - (b) the quantity, destination and source of all laden truck movements to and from the site (hourly, daily, weekly, monthly and annually).

Transport Management Plan

2. The Applicant shall prepare and implement a Transport Management Plan for the development to the satisfaction of the Director-General. This plan must:
 - (a) be prepared in consultation with the RMS and Council, and submitted to the Director-General for approval within 6 months of the date of this consent;
 - (b) include a drivers code of conduct for the development;
 - (c) identify and prioritise the haul routes to be used by heavy vehicles, including those roads which are planned but not yet constructed;
 - (d) describe the measures that would be implemented to ensure drivers of development-related vehicles comply with the drivers' code of conduct; and
 - (e) include a program to monitor the effectiveness of the implementation of these measures.

Independent Traffic Audit

3. If the Ellerton Drive Extension has not been commissioned within 5 years from the date of this consent, unless the Director-General directs otherwise, the Applicant shall commission a suitably qualified person, to conduct an Independent Traffic Audit of the heavy vehicle routes associated with the development. This audit must:
 - (a) be undertaken in consultation with RMS and Council;
 - (b) assess the impact of the development on the performance and safety of the road network, including key intersections compared to the predictions made in the EIS; and
 - (c) assess whether an alternative distribution of heavy vehicles and/or additional measures to reduce or mitigate any adverse (or potentially adverse) impacts on the local and regional road network is warranted,to the satisfaction of the Director-General.

Within 2 months of receiving the audit report, or as otherwise agreed by the Director-General, the Applicant shall submit a copy of the report to the Director-General, with a detailed response to any of the recommendations contained in the audit report, including a timetable for the implementation of any reasonable and feasible measures proposed to address the recommendations in the audit report. The Applicant shall then implement the measures identified by the Director-General, to the satisfaction of the Director-General.

NOISE

Noise Criteria

4. The Applicant shall ensure that the noise generated by the development does not exceed the criteria in Table 1 at any residence on privately-owned land

Table 1: Noise criteria dB(A)

Receiver	Day Shoulder 6 – 7 am	Day 7 am – 6 pm	Evening 6 – 10 pm
	<i>L_{Aeq}(15 min)</i>	<i>L_{Aeq}(15 min)</i>	<i>L_{Aeq}(15 min)</i>
N1, N7, N8, N56, N57, N59, N63, N64, N65	40	44	39
N67	36	41	35
All other receivers between N9 and N71 inclusive	36	38	35
All other receivers	35	35	35

Notes:

- To locate the receivers referred to in Table 1 refer to Appendix 5.
- After the first review on any EPL granted for this development under Section 78 of the POEO Act, nothing in this approval prevents the EPA from imposing stricter noise limits on the quarrying operations on site under the EPL.

Appendix 9 sets out the metrological conditions under which these criteria apply and the requirements for evaluating compliance with these criteria.

However, these criteria do not apply if the Applicant has a written agreement with the relevant landowner/s to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement.

Hours of Operation

5. The Applicant shall comply with the operating hours set out in Table 2.

Table 2: Operating Hours

Activity	Operating Hours		
	Monday – Friday	Saturday	Sundays and Public Holidays
Primary Crushing, Truck Departures	6 am – 6 pm	6 am – 6 pm	None
Construction Operations	7 am – 6 pm	8 am – 1 pm	
Return Truck Movements	6 am – 8 pm	6 am – 8 pm	
Other Operations	6 am – 10 pm	6 am – 10 pm	

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

Operating Conditions

6. The Applicant shall:
- implement best management practice to minimise the construction, operational and traffic noise of the development;
 - minimise the noise impacts of the development during meteorological conditions when the noise limits in this consent do not apply; and
 - maintain the effectiveness of any noise attenuation on equipment to ensure consistency with the benchmark sound power levels presented in the EIS; and
 - regularly assess the results of noise monitoring to ensure compliance with the relevant conditions of this consent,
- to the satisfaction of the Director-General.

Noise Management Plan

7. The Applicant shall prepare and implement a Noise Management Plan for the development to the satisfaction of the Director-General. This plan must:
- be prepared in consultation with Council and the EPA, and submitted to the Director-General for approval within 6 months of this consent;
 - describe the measures that would be implemented to comply with the:
 - noise criteria in Table 1;
 - hours of operation in Table 2; and
 - operating conditions in Condition 7 above;
 - include a monitoring program that:
 - incorporates quarterly (or as otherwise agreed by the Director-General) attended noise monitoring to evaluate the performance of the development against the noise criteria in Table 1;
 - includes a protocol for determining exceedances of the noise criteria in Table 1; and
 - assesses the sound power levels of the equipment on site, compares it with the benchmark levels used in the EIS, and evaluates the effectiveness of any attenuation.

Independent Road Noise Audit

8. Within 6 months from the date of this consent, the Applicant shall commission a suitably qualified person, to conduct an Independent Road Noise Audit of the Edwin Land Parkway. This audit must:
- be undertaken in consultation with Council and the EPA;
 - assess the noise generated by heavy vehicles generated by the development on the Edwin Land Parkway against the relevant criteria under the NSW Road Noise Policy; and
 - consider whether additional mitigation measures are required to address any potential exceedances under the criteria specified in the NSW Road Noise Policy, to the satisfaction of the Director-General.

Within 2 months of receiving the audit report, or as otherwise agreed by the Director-General, the Applicant shall submit a copy of the report to the Director-General, with a detailed response to any of the recommendations contained in the audit report, including a timetable for the implementation of any reasonable and feasible measures proposed to address the recommendations in the audit report. The Applicant shall then implement the measures identified by the Director-General, to the satisfaction of the Director-General.

BLASTING

Blasting Criteria

9. The Applicant shall ensure that the blasting on the site does not cause exceedances of the criteria in Table 3.

Table 3: Blasting Criteria

Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance
Any residence on privately-owned land	120	10	0%
	115	5	5% of the total number of blasts over a period of 12 months

However, these criteria do not apply if the Applicant has a written agreement with the relevant owner or infrastructure provider/owner, and the Applicant has advised the Department in writing of the terms of this agreement.

Blasting Hours

10. The Applicant shall:
- not carry out blasting on site on weekends or public holidays; and
 - only carry out blasting on site between 9 am and 3 pm Monday to Friday.

Blasting Frequency

11. The Applicant may carry out a maximum of 1 blast a day, unless an additional blast is required following a blast misfire.

Note: For the purposes of this condition, a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the mine.

Operating Conditions

12. During blasting operations, the Applicant shall:
- (a) not cause any adverse blasting impacts on the Moses Morley Kiln Site;
 - (b) implement best management practice to:
 - protect the safety of people and livestock in the surrounding area;
 - protect public or private infrastructure/property in the surrounding area from any damage; and
 - minimise the dust and fume emissions of any blasting; and
 - (c) operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site, to the satisfaction of the Director-General.

Blast Management Plan

13. The Applicant shall prepare and implement a Blast Management Plan for the development to the satisfaction of the Director-General. This plan must:
- (d) be prepared in consultation with Council and the EPA, and submitted to the Director-General for approval within 6 months of the date of this consent;
 - (e) describe the measures that would be implemented to ensure:
 - best management practice is being employed;
 - the protection of road users and infrastructure when blasting within 500 metres of Old Cooma Road; and
 - compliance with the relevant conditions of this consent;
 - (f) include a specific blast fume management protocol to demonstrate how emissions will be minimised including risk management strategies if blast fumes are generated; and
 - (g) include a monitoring program for evaluating the performance of the development including:
 - compliance with the blasting criteria; and
 - minimising blasting fume emissions from the site.

AIR QUALITY

Air Quality Criteria

14. The Applicant shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not exceed the criteria in Tables 4 to 6 at any residence on privately-owned land.

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

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

Table 5: Short Term Impact Assessment Criteria for Particulate Matter

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

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

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

Notes to Tables 4-6:

- ^a Total impact (ie incremental increase in concentrations due to the development plus background concentrations due to all other sources);
- ^b Incremental impact (ie incremental increase in concentrations due to the development on its own);
- ^c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.
- ^d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity agreed by the Director-General in consultation with EPA.

Operating Conditions

- The Applicant shall:
 - implement best management practice to minimise the dust emissions of the development including minimising the area of surface disturbance and maximising progressive rehabilitation of the site;
 - regularly assess air quality monitoring data to ensure compliance with the relevant conditions of this consent; and
 - minimise the air quality impacts of the development during adverse meteorological conditions; to the satisfaction of the Director-General.

Air Quality Management Plan

- The Applicant shall prepare and implement an Air Quality Management Plan for the development to the satisfaction of the Director-General. This plan must:
 - be prepared in consultation with Council and the EPA, and submitted for approval to the Director-General within 6 months of the date this consent;
 - describes the measures that would be implemented to ensure compliance with the air quality criteria and operating conditions under this consent; and
 - include an air quality monitoring program to evaluate the performance of the development against the air quality criteria.

METEOROLOGICAL MONITORING

- For the life of the development, the Applicant shall ensure that there is a suitable meteorological monitoring station operating in the vicinity of the site that:
 - complies with the requirements in the *Approved Methods for Sampling of Air Pollutants in New South Wales* guideline; and
 - is capable of continuous measurement of stability class, in accordance with the *NSW Industrial Noise Policy*, or as otherwise approved by EPA.

SOIL & WATER

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

Water Supply

18. The Applicant shall ensure it has sufficient water during all stages of the development, and if necessary, adjust the scale of quarrying operations on site to match its available supply and licensed water entitlements.

Water Discharges

19. The Applicant shall comply with the discharge limits in any EPL or with Section 120 of the POEO Act.

Water Management Plan

20. The Applicant shall prepare and implement a Water Management Plan for the development to the satisfaction of the Director-General. This plan must be prepared in consultation with the EPA and NOW by suitably qualified and experienced person/s whose appointment has been approved by the Director-General, and be submitted to the Director-General for approval within 6 months of the date of this consent. This plan must include a:
- (a) Site Water Balance that includes details of:
 - sources and security of water supply, including contingency planning;
 - water use on site; and
 - measures that would be implemented to minimise use of clean water and maximise recycling of dirty water on the site;
 - (b) Surface Water Management Plan that includes:
 - baseline data on surface water flows and quality in the watercourses that could be affected by the development;
 - a detailed description of the surface water management system on site, including the design objectives and performance criteria for the:
 - clean water diversions;
 - erosion and sediment controls;
 - water storages (including Maximum Harvestable Rights requirements); and
 - control of water pollution from areas of the site that have been rehabilitated;
 - performance criteria, including trigger levels for investigating any potentially adverse surface water quality impacts;
 - a program to monitor:
 - any surface water discharges;
 - the effectiveness of the water management system;
 - surface water flows and quality in local watercourses; and
 - ecosystem health of local watercourses;
 - (c) Groundwater Monitoring Program that includes:
 - baseline data of groundwater levels surrounding the development;
 - groundwater assessment criteria based upon analysis of baseline data for groundwater, including trigger levels for investigating any potentially adverse groundwater impacts; and
 - a program to monitor and/or validate the impacts of the development on groundwater resources;
 - (d) Surface and Ground Water Response Plan that describes the measures and/or procedures that would be implemented to:
 - respond to any exceedances of the surface water and groundwater assessment criteria; and
 - mitigate and/or offset any adverse impacts on surface water and groundwater resources located within and adjacent to the site.

HERITAGE

Heritage Management Plan

21. The Applicant shall prepare and implement a Heritage Management Plan for the development to the satisfaction of the Director-General. This plan must:
- (a) be prepared in consultation with Aboriginal stakeholders for matters relating to Aboriginal heritage values and Council for matters relating to non-Aboriginal heritage;
 - (b) be submitted to the Director-General for approval within 6 months of the date of this consent;
 - (c) describe the measures that would be implemented for:
 - monitoring, maintaining and protecting the Moses Morleys Lime Kiln site.
 - managing the discovery of any human remains or previously unidentified heritage objects on site;
 - ensuring ongoing consultation with Aboriginal stakeholders in the conservation and management of any Aboriginal cultural heritage values on site; and
 - protecting sites identified adjacent to the development.

REHABILITATION

Rehabilitation Objectives

22. The Applicant shall rehabilitate the site to the satisfaction of the Director-General. This rehabilitation must be generally consistent with the proposed rehabilitation strategy in the EIS and Appendix 7, and comply with the objectives in Table 7.

Table 7: Rehabilitation Objectives

Feature	Objective
Site (as a whole)	Safe, stable and non-polluting
Surface Infrastructure	To be decommissioned and removed (unless otherwise agreed with the Director-General)
Benched Quarry Walls	Landscaped and revegetated utilising native tree and understorey species, ensuring that the tree canopy is restored and integrated with the surrounding canopy to minimise visual impacts
Quarry Pit Floors	Landscaped and revegetated utilising native flora species, above the anticipated final void water level
Other land affected by the development	Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprised of: - native endemic species: and - a landform consistent with Appendix 7 and the surrounding environment.
Community	• Ensure public safety • Minimise the adverse socio-economic effects associated with the closure of the development

Note: Revegetation of existing and proposed industrial areas is not required.

Progressive Rehabilitation

23. The Applicant shall rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Interim stabilisation measures must be implemented where reasonable and feasible to control dust emissions in disturbed areas that are not active and which are not ready for final rehabilitation.

Rehabilitation Management Plan

24. The Applicant shall prepare and implement a Rehabilitation Management Plan for the development to the satisfaction of the Director-General. This plan must:
- (a) be prepared in consultation with DRE, DPI, NOW and Council;
 - (b) be submitted to the Director-General for approval within 12 months of the date of this consent;
 - (c) describe the short, medium and long term measures that would be implemented to:
 - manage remnant vegetation and habitat on site;
 - ensure compliance with the rehabilitation objectives and progressive rehabilitation obligations in this consent;
 - (d) include detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site, including triggering remedial action (if necessary);
 - (e) include a detailed description of the measures that would be implemented over the next 3 years, including the procedures to be implemented for:
 - ensuring compliance with the rehabilitation objectives and progressive rehabilitation obligations in this consent;
 - enhancing the quality of remnant vegetation and fauna habitat;
 - establishing vegetation screening to minimise the visual impacts of the site on surrounding receivers;
 - restoring native endemic vegetation and fauna habitat within the rehabilitation area;
 - maximising the salvage of environmental resources within the approved disturbance area – including tree hollows, vegetative and soil resources – for beneficial reuse in the enhancement of the biodiversity areas or rehabilitation area;
 - collecting and propagating seed;
 - minimising the impacts on native fauna on site;
 - controlling weeds and feral pests;
 - controlling erosion;
 - controlling access; and
 - bushfire management;
 - (f) include a program to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria;
 - (g) include details of who would be responsible for monitoring, reviewing, and implementing the plan;
 - (h) provide details of the conceptual final landform and associated land uses; and
 - (i) provide details of water management requirements and details of the final void in relation to water storage.

Rehabilitation Bond

25. Within 12 months of the approval of the Rehabilitation Management Plan, the Applicant shall lodge a Rehabilitation Bond with the Department to ensure that the rehabilitation of the site is implemented in accordance with the performance and completion criteria set out in the Rehabilitation Management Plan. The sum of the bond shall be determined by:
- (a) calculating the cost of rehabilitating the site, taking into account the likely surface disturbance over the next 3 years of quarrying operations; and
 - (b) employing a suitably qualified quantity surveyor or other expert to verify the calculated costs,
- to the satisfaction of the Director-General.

Notes:

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

26. Within 3 months of each Independent Environmental Audit (see condition 9 of schedule 5), the Applicant shall review, and if necessary revise, the sum of the Rehabilitation Bond to the satisfaction of the Director-General. This review must consider the:
- (a) effects of inflation;
 - (b) likely cost of rehabilitating the site (taking into account the likely surface disturbance over the next 3 years of the development); and
 - (c) performance of the implementation of the rehabilitation of the site to date.

VISUAL

27. Within 12 months of the date of this consent, the Applicant shall establish a vegetation screen to minimise visibility of site infrastructure from outside the development area. Following establishment, the Applicant shall maintain the vegetation screen, to the satisfaction of the Director-General.
28. The Applicant shall implement all reasonable and feasible measures to minimise the off-site lighting impacts of the development.

BUSHFIRE MANAGEMENT

29. The Applicant shall:
- a) ensure that the development is suitably equipped to respond to any fires on site; and
 - b) assist the Rural Fire Service, emergency services and National Parks and Wildlife Service as much as practicable if there is a fire in the surrounding area.

WASTE

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

Note: This condition does not apply to routine deliveries to the site.

31. The Applicant shall:
- (a) minimise the waste generated by the development; and
 - (b) ensure that the waste generated by the development is appropriately stored, handled, and disposed of,
- to the satisfaction of the Director-General.

SCHEDULE 4 ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS

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

INDEPENDENT REVIEW

2. If an owner of privately-owned land considers the development to be exceeding the relevant criteria in schedule 3, then he/she may ask the Director-General 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, then within 2 months of the Director-General's decision the Applicant shall:

- (a) commission a suitably qualified, experienced and independent expert, whose appointment has been approved by the Director-General, to:
 - consult with the landowner to determine his/her concerns;
 - conduct monitoring to determine whether the development is complying with the relevant criteria in schedule 3; and
 - if the development is not complying with these criteria, then identify the measures that could be implemented to ensure compliance with the relevant criteria; and
- (b) give the Director-General and landowner a copy of the independent review.

SCHEDULE 5
ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. The Applicant shall prepare and implement an Environmental Management Strategy for the development to the satisfaction of the Director-General. This strategy must:
 - (a) be submitted to the Director-General for approval within 6 months of the date of this consent;
 - (b) provide the strategic framework for environmental management of the development;
 - (c) identify the statutory approvals that apply to the development;
 - (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (e) describe the procedures that would be implemented to:
 - keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise during the course of the development;
 - respond to any non-compliance; and
 - respond to emergencies; and
 - (f) include:
 - copies of any strategies, plans and programs approved under the conditions of this consent; and
 - a clear plan depicting all the monitoring required to be carried out under the conditions of this consent.

Adaptive Management

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

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

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

Management Plan Requirements

3. The Applicant shall ensure that the Management Plans required under this consent are prepared in accordance with any relevant guidelines, and include:
 - (a) detailed baseline data;
 - (b) a description of:
 - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - any relevant limits or performance measures/criteria; and
 - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
 - (d) a program to monitor and report on the:
 - impacts and environmental performance of the development; and
 - effectiveness of any management measures (see (c) above);
 - (e) a contingency plan to manage any unpredicted impacts and their consequences;

- (f) a program to investigate and implement ways to improve the environmental performance of the development over time;
- (g) a protocol for managing and reporting any:
 - incidents;
 - complaints;
 - non-compliances with statutory requirements; and
 - exceedances of the impact assessment criteria and/or performance criteria; and
- (h) a protocol for periodic review of the plan.

Note: The Director-General may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.

Annual Review

4. By the end of March each year, the Applicant shall review the environmental performance of the development to the satisfaction of the Director-General. This review must:
 - (a) describe the development (including rehabilitation) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year;
 - (b) include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, which includes a comparison of these results against:
 - the relevant statutory requirements, limits or performance measures/criteria;
 - the monitoring results of previous years; and
 - the relevant predictions in the EIS;
 - (c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;
 - (d) identify any trends in the monitoring data over the life of the development;
 - (e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
 - (f) describe what measures will be implemented over the current calendar year to improve the environmental performance of the development.

Revision of Strategies, Plans & Programs

5. Within 3 months of a modification to this consent or following the submission of an:
 - (a) annual review under condition 4 above;
 - (b) incident report under condition 7 below; or
 - (c) audit report under condition 9 below,
 the Applicant shall review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Director-General.

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

Community Consultative Committee

6. The Applicant shall establish and operate a Community Consultative Committee (CCC) for the development to the satisfaction of the Director-General. This CCC must be operated in general accordance with the *Guidelines for Establishing and Operating Community Consultative Committees for Mining Developments* (Department of Planning, 2007, or its latest version), and be operating within 6 months of the date of this consent.

Notes:

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

REPORTING

Incident Reporting

7. The Applicant shall notify, at the earliest opportunity, the Director-General and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the development, the Applicant shall notify the Director-General and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant shall provide the Director-General and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.

Regular Reporting

8. The Applicant shall provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.

INDEPENDENT ENVIRONMENTAL AUDIT

9. Within a year of the date of this 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 must:
 - (a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General;
 - (b) include consultation with the relevant agencies;
 - (c) assess the environmental performance of the development and whether it is complying with the relevant requirements in this consent and any relevant EPL and/or Water Licence (including any assessment, plan or program required under these approvals);
 - (d) review the adequacy of any approved strategy, plan or program required under these approvals; and
 - (e) recommend measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals.

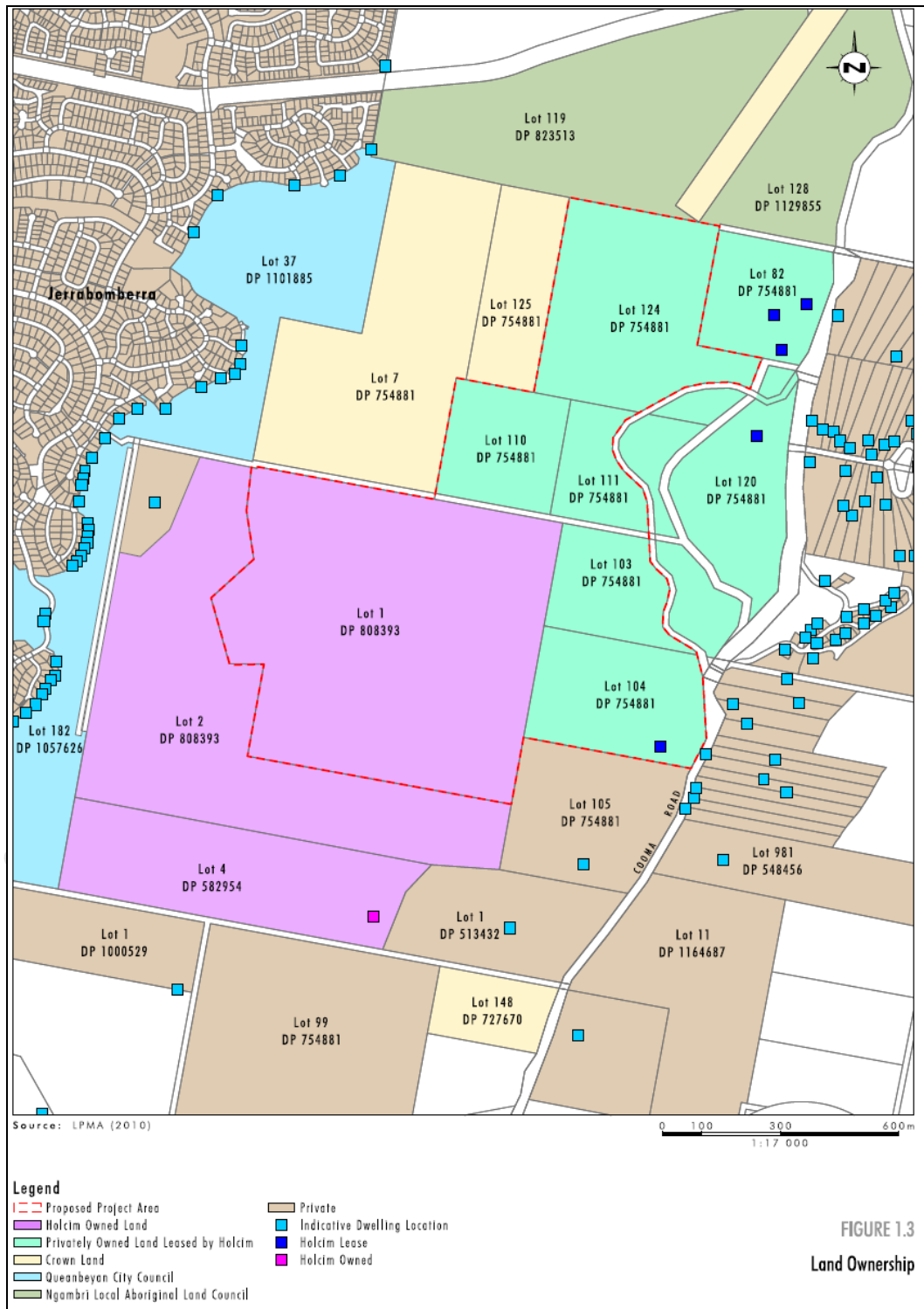
Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Director-General.

10. Within 3 months of commissioning this audit, or as otherwise agreed by the Director-General, the Applicant shall submit a copy of the audit report to the Director-General, together with its response to any recommendations contained in the audit report.

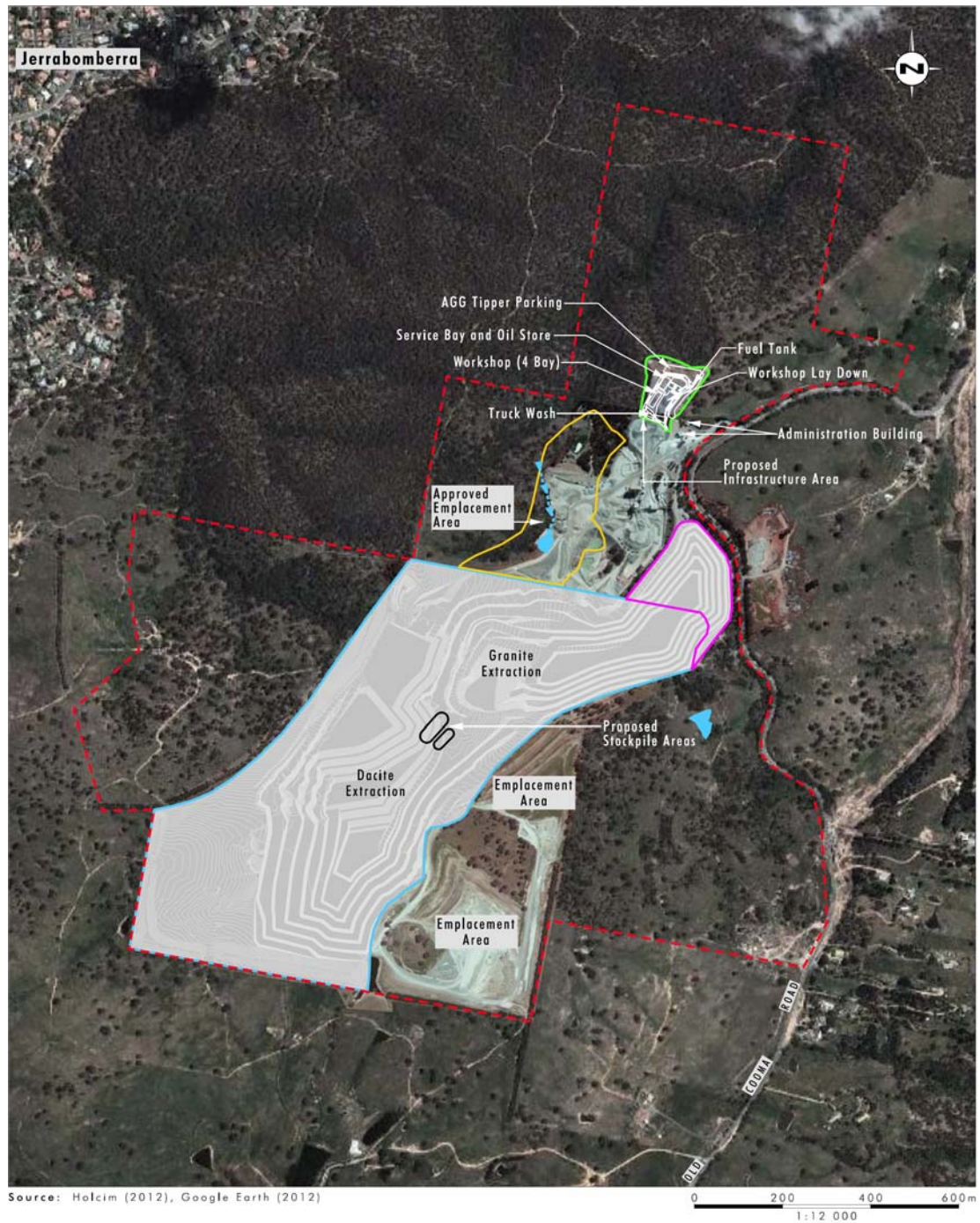
ACCESS TO INFORMATION

11. The Applicant shall:
 - (a) make the following information publicly available on its website:
 - the EIS;
 - current statutory approvals for the development;
 - approved strategies, plans or programs;
 - a summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent;
 - a complaints register, updated on a quarterly basis;
 - minutes of CCC meetings;
 - copies of any annual reviews (over the last 5 years);
 - any independent environmental audit, and the Applicant's response to the recommendations in any audit; and
 - any other matter required by the Director-General; and
 - (b) keep this information up-to-date, to the satisfaction of the Director-General.

APPENDIX 1 DEVELOPMENT AREA



APPENDIX 2 DEVELOPMENT LAYOUT



- Legend**
- Proposed Project Area
 - Approved Extraction Area
 - Proposed Additional Extraction Area
 - Proposed Disturbance Area - Workshop
 - Approved Disturbance Area - Overburden Emplacement
 - Proposed Dam
 - Proposed Clean Water Drain

FIGURE 1
Proposed Cooma Road Quarry
Continued Operations Project

APPENDIX 3 INFRASTRUCTURE AREA LAYOUT



Legend
 - - - Proposed Project Area
 Proposed Infrastructure Area

FIGURE 2.5
Conceptual Proposed
Infrastructure Area

APPENDIX 4 ROAD MAINTENANCE CONTRIBUTIONS

Payment may be made as a lump sum payment of \$50,400 prior to the commencement of quarrying operations that increase production above 1 Mtpa or on a pro rata basis in accordance with the following table.

Timing for when the contribution is payable:

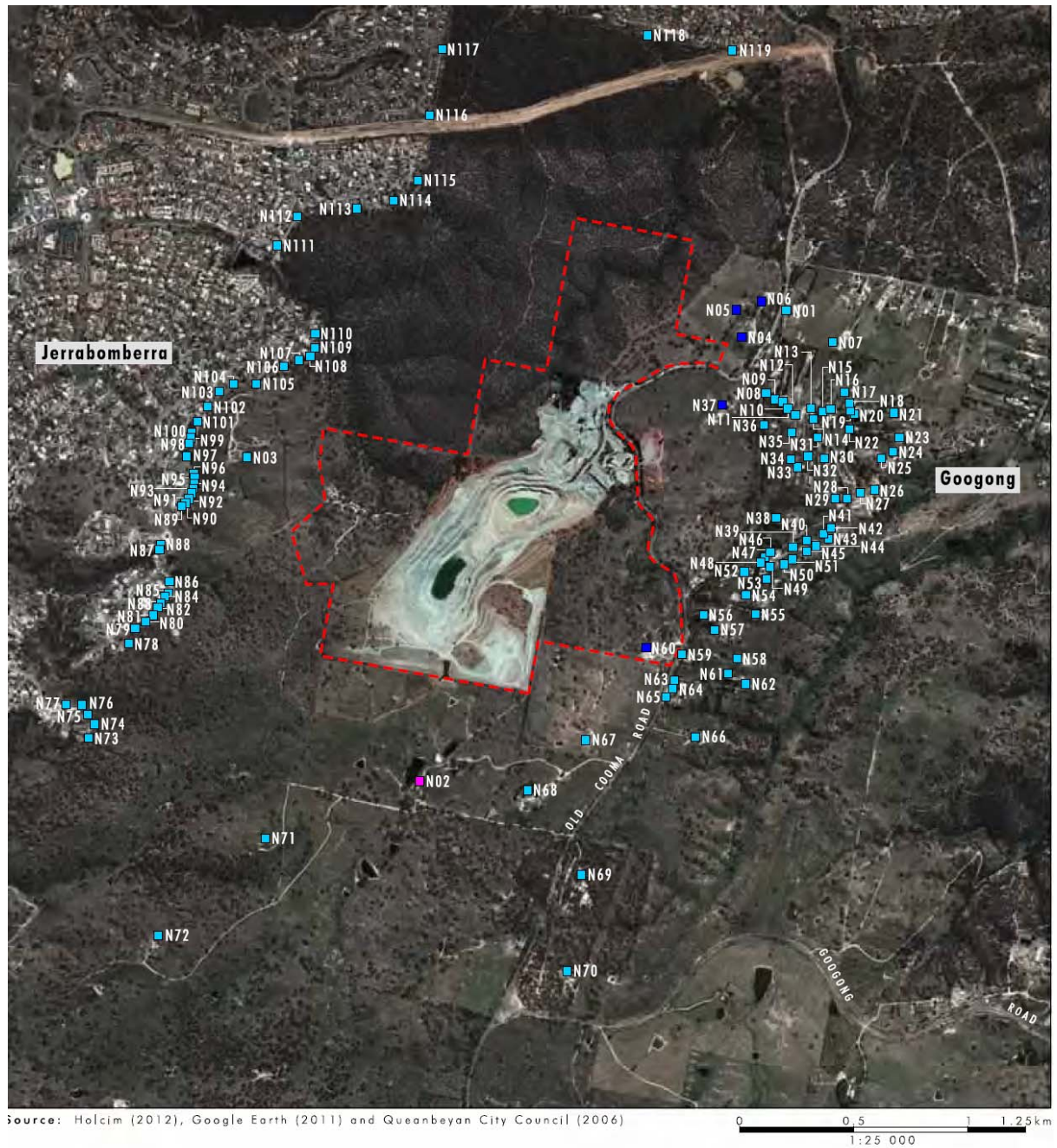
Amount payable (March 2012 dollars)

First occasion where production exceeds 1 Mtpa, but is less than 1.1 Mtpa	\$ 10,080
First occasion where production exceeds 1.1 Mtpa, but is less than 1.2 Mtpa	\$ 10,080
First occasion where production exceeds 1.2 Mtpa, but is less than 1.3 Mtpa	\$ 10,080
First occasion where production exceeds 1.3 Mtpa, but is less than 1.4 Mtpa	\$ 10,080
First occasion where production exceeds 1.4 Mtpa.	\$ 10,080

Notes

1. *The Queanbeyan Section 94 Contribution Plan 2012 may be inspected at Council's Sustainability and Better Living Division, Council Chambers Queanbeyan.*
2. *The contribution specified is that which applies at the date of issue of this consent. Rates are reviewed quarterly. The contribution will only be accepted at the rate applying at the date of payment. Council's Sustainability and Better Living Division should be contacted to receive a current contribution notice of charges prior to payment.*

APPENDIX 5 RECEIVER LOCATIONS



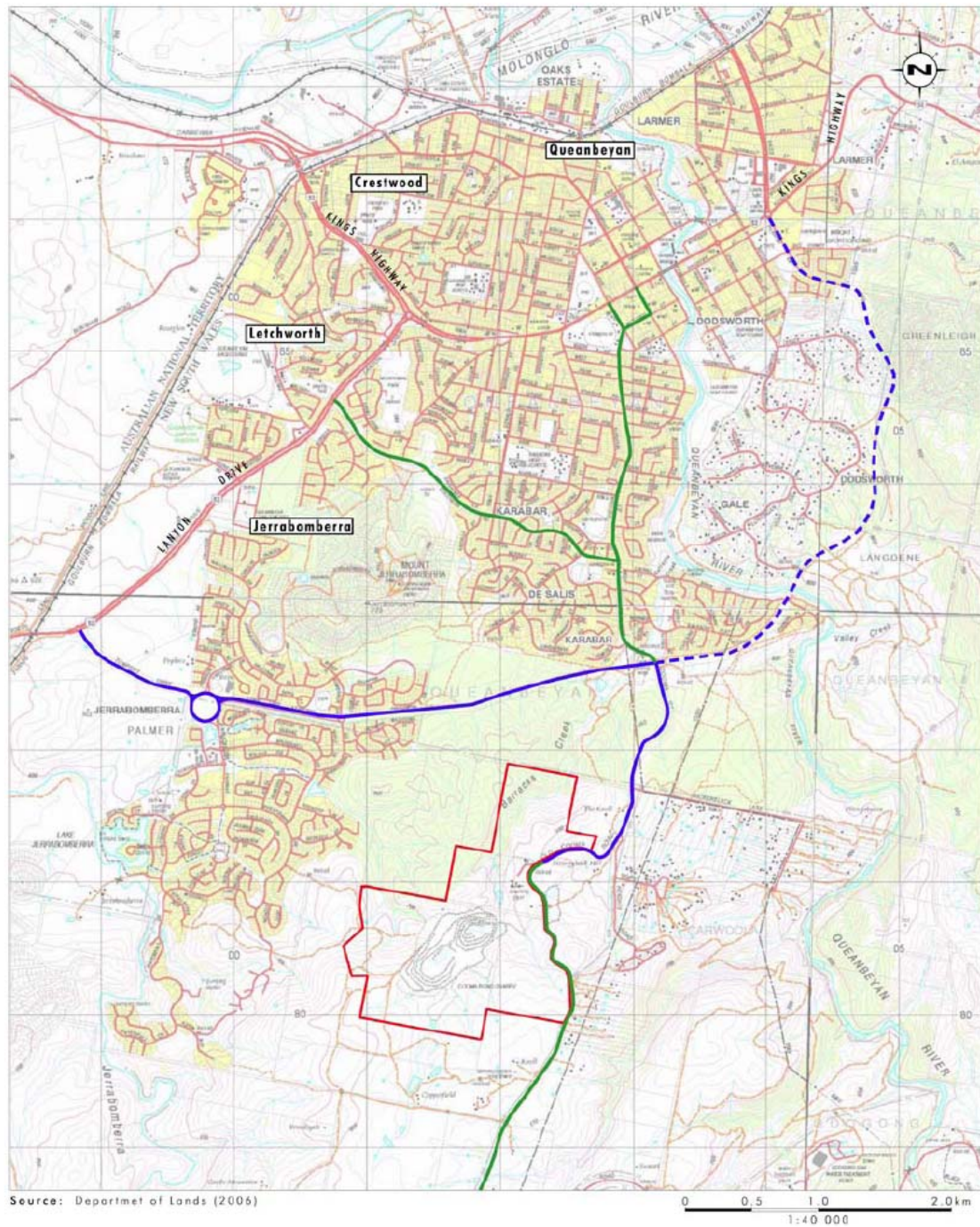
Legend

- Proposed Project Area
- Indicative Dwelling Location
- Holcim Leased
- Holcim Owned

FIGURE 3.2

Indicative Locations of the Nearest Potential
Noise Sensitive Residential Receivers (Dwellings)

APPENDIX 6 HAULAGE ROUTES



Legend

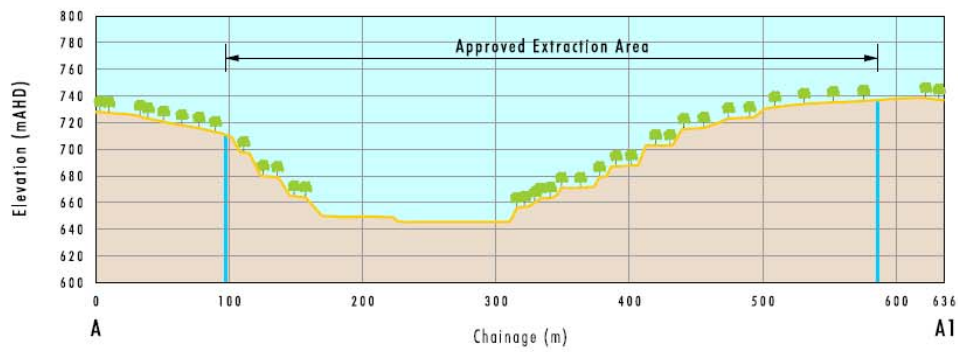
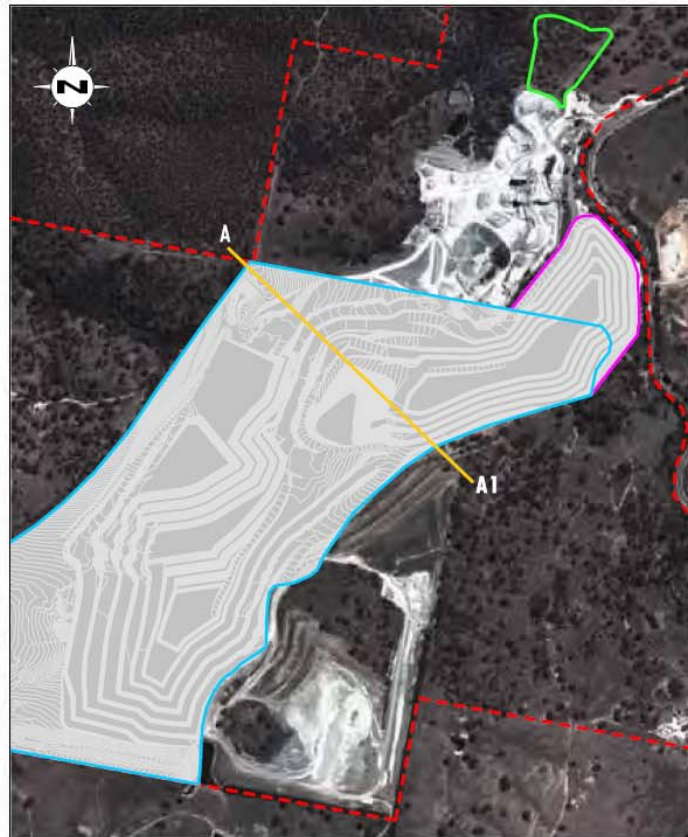
- Proposed Project Area
- Primary Transport Route
- - - Proposed Primary Transport Route
- Secondary Transport Route

FIGURE 1

Primary/Secondary Transport Routes

APPENDIX 7 REHABILITATION STRATEGY



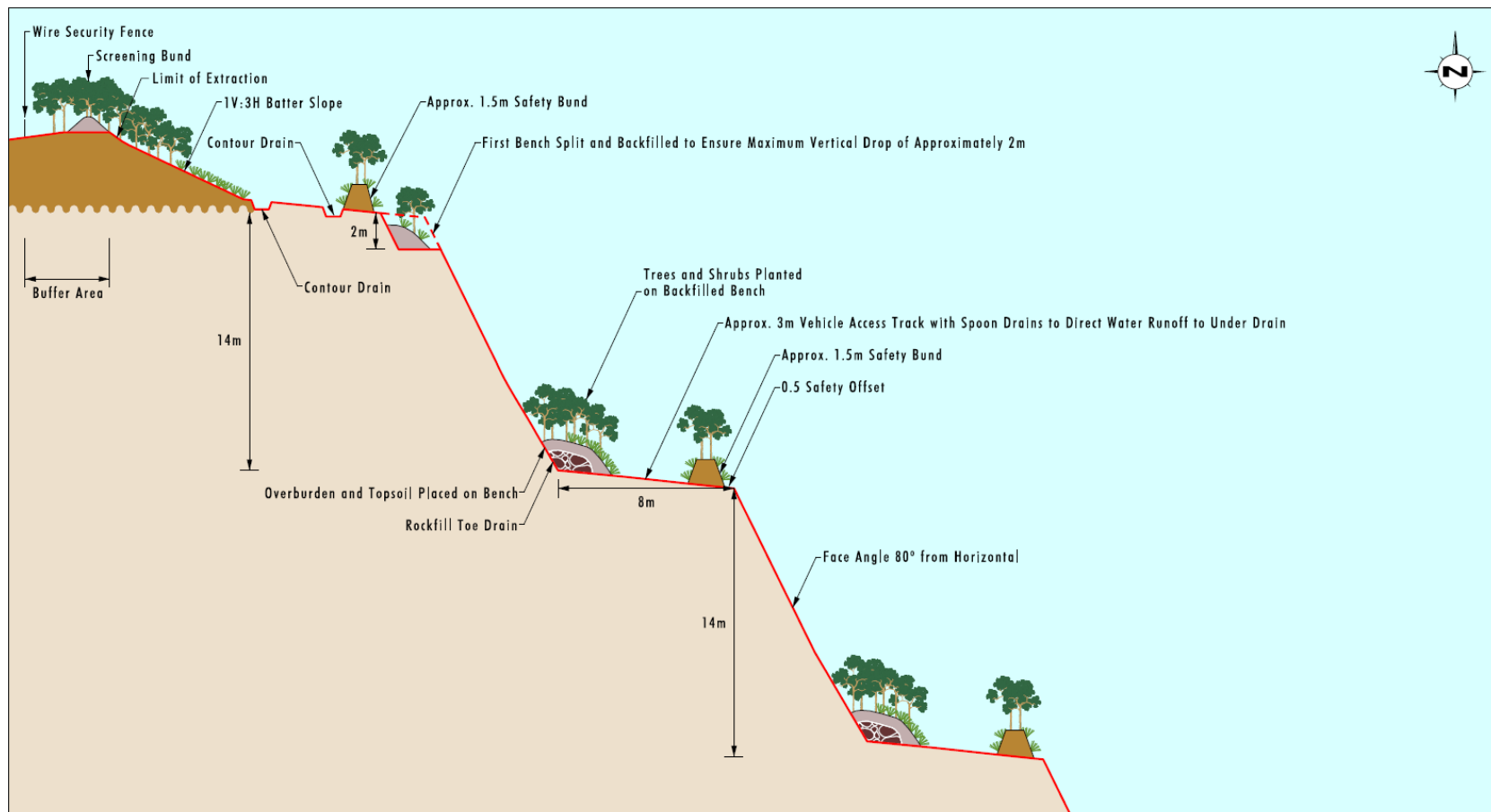


Legend

- Proposed Project Area
- Approved Extraction Area
- Proposed Additional Extraction Area
- Proposed Disturbance Area - Workshop

FIGURE 5.25

Conceptual Final Landform Cross-Section A-A1



Source: Holcim (2009)
Note: Not to Scale

Legend

- Cross-section Location
- ▲ Safety Bund
- Overburden
- Rockfill Toe Drain
- Trees
- Grass

FIGURE 5.24

Indicative Cross-section of
Rehabilitated Quarry Benches

APPENDIX 8 STATEMENT OF COMMITMENTS

The following lists the additional commitments made by the Applicant not specifically incorporated in schedules 1 to 5 of the development consent.

Concrete Recycling

1. The receipt and processing of clean excess concrete from approved suppliers for recycling as product. Proof of origin of the concrete and validation of recycled concrete material received (to confirm it is free of general waste materials, wood, paper and metals) will apply to the concrete recycling process. No demolition wastes, or similar, will be accepted.

Crown Land Road Reserve

2. Holcim Australia will visibly delineate the northern boundary of Lot 1 DP 808393 to identify the location of the adjacent Crown land road reserve.

Overburden Emplacement

3. No overburden associated with the Development will be placed within the previously approved overburden emplacement area to the west of the extraction area, identified as 'Approved Disturbance Area – Overburden Emplacement' on Figure 2.1 Cooma Road Quarry Existing Operations.

Surface Water

4. The walls of all water management dams will be inspected biennially (every two years) for their structural integrity and for any maintenance requirements. The walls of the water management dams will be grassed and kept free of any trees and shrubs.

Aboriginal Heritage

5. All Holcim Australia employees and contractors accessing Cooma Road Quarry will be made aware of the presence of archaeological sites Cooma Quarry 1 and Cooma Quarry 2, and the need to avoid impacts on these sites.
6. Cooma Quarry 2 will be fenced during the construction phase to avoid any unintended impacts to the site.
7. Consultation with local Aboriginal community representatives will be undertaken to develop a culturally appropriate ongoing management strategy to avoid unintended impacts to Cooma Quarry 1 and Cooma Quarry 2.

Historic Heritage

8. An exclusion zone of at least 20 metres will be established around the Moses Morley's Lime Kiln site and associated buildings during the construction of the Eastern Dam.
9. The existing fence around the Moses Morley's Lime Kiln site and associated buildings will be maintained and the opportunity for extending the fencing out to include the exclusion zone will be investigated.
10. Vegetation within the existing fenced area of the Moses Morley's Lime Kiln site will be managed to limit adverse impacts on the kiln site associated with vegetation growth.
11. Holcim Australia will inspect the physical condition of the Moses Morley's Lime Kiln site on a 6-monthly basis and compare the condition with the photographs contained in this report. The results of these inspections will be reported in the site's Annual Review.
12. Prior to any blasting or construction activities, photographic/archival recording of the Moses Morley's Lime Kiln site will be undertaken in accordance with Heritage Branch, OEH guidelines Photographic

Recording of Heritage Items Using Film or Digital Capture (2006). The photographic/archival record will be updated every five years until the cessation of quarrying activities.

13. Holcim Australia will make good/repair any damage to the Moses Morley Kiln site which occurs due to Cooma Road Quarry operations. Any repairs will be undertaken in a suitable manner using appropriate fabric and by an appropriately skilled heritage professional.

Air Quality

14. The existing dust control measures will continue to be implemented on site, including:
 - minimisations of the total disturbed/working areas at any one time;
 - dust collection during drilling operations;
 - enclosure of the primary and secondary crushing plants and screening transfer points;
 - watering of unsealed roads, working areas and stockpiles;
 - water sprays on the conveyors;
 - dust extraction system within the secondary crushing plant; and
 - truck wheel wash facility.

Greenhouse Gases

15. Holcim Australia will monitor diesel usage and seek opportunities for further efficiency, including consideration of fuel efficiency in equipment selection.

Noise and Blasting

16. Holcim Australia is committed to managing the noise impact of the Development and will implement the following controls:
 - the attenuation of the primary crushing plant from a sound power level of 120 dB(A) to approximately 112 dB(A);
 - the management of loaders and road haulage trucks to minimise the number of machines running in exposed locations at any one point in time;
 - the management of the layout of the stockpiles and work areas to minimise the number of machines running in exposed locations;
 - the management of stockpiles to act as barriers between working machines and potential receiver areas (applicable to potential exposed areas higher within the quarry and product area);
 - not running the secondary crushing plant during the evenings (between 6.00 pm and 10.00 pm) if potentially adverse weather conditions aid in the propagation of noise to the receiver areas; and
 - the construction of an earth-berm situated along the eastern extent of the proposed infrastructure area.

Visual

17. Built elements of the new infrastructure area will be sympathetically coloured to blend into the environment, where feasible (e.g. use of green and brown tones).

Hazards

18. Holcim Australia will store all dangerous goods in accordance with dangerous goods storage requirements and relevant Australian Standards.
19. Holcim Australia will continue to implement the appropriate measures to reduce the risk of fire ignition and the spread of bushfire across the site in consultation with the RFS.

Waste

20. All waste materials removed from the site shall only be directed to a waste management facility or premises lawfully permitted to accept the materials.

Community Engagement

21. Holcim Australia will continue to operate a Community Line for the Cooma Road Quarry for the life of the Development.

APPENDIX 9 NOISE COMPLIANCE ASSESSMENT

Applicable Meteorological Conditions

1. The noise criteria in Table 1 of the conditions are to apply under all meteorological conditions except the following:
 - (a) during periods of rain or hail;
 - (b) average wind speed at microphone height exceeds 5 m/s;
 - (c) wind speeds greater than 3 m/s measured at 10 m above ground level; or
 - (d) temperature inversion conditions greater than 3°C/100 m.

Determination of Meteorological Conditions

2. Except for wind speed at microphone height, the data to be used for determining meteorological conditions shall be that recorded by the meteorological station on or in the vicinity of the site.

Compliance Monitoring

3. Unless directed otherwise by the Director-General, quarterly attended monitoring is to be used to evaluate compliance with the relevant conditions of consent.

Note: The Director-General may direct that the frequency of attended monitoring increase or decrease at any time during the life of the development.

4. Unless otherwise agreed with the Director-General, this monitoring is to be carried out in accordance with the relevant requirements for reviewing performance set out in the *NSW Industrial Noise Policy* (as amended from time to time), in particular the requirements relating to:
 - (a) monitoring locations for the collection of representative noise data;
 - (b) meteorological conditions during which collection of noise data is not appropriate;
 - (c) equipment used to collect noise data, and conformity with Australian Standards relevant to such equipment; and
 - (d) modifications to noise data collected including for the exclusion of extraneous noise and/or penalties for modifying factors apart from adjustments for duration.