

Project Approval

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

The Land and Environment Court of New South Wales approves the project application referred to in Schedule 1, subject to the conditions in Schedules 2 to 5.

These conditions are required to:

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

Sydney

2012

SCHEDULE 1

Application Number:	06_0193
Proponent:	Hanson Construction Materials Pty Limited
Approval Authority:	Land and Environment Court of New South Wales
Land:	Lots 3, 4 and 5 DP854608 Lots 110 and 111 DP852503
Project:	East Guyong Quarry Project

December 2012 modification in red type

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DEFINITIONS

AEDT	Australian Eastern Daylight Time
AEST	Australian Eastern Standard Time
Annual Review	The annual review of operations as required under Condition 3 of Schedule 5
BCA	Building Code of Australia
CCC	Community Consultative Committee
Conditions of this approval	Conditions contained in schedules 2 to 5 inclusive
Construction activities	Physical activities required to be completed prior to commencement of quarrying operations, including construction of the processing plant, access road, sediment dam and work pad
Council	Cabonne Shire Council
Day	The period from 7 am to 6 pm
Department	Department of Planning and Infrastructure
Director-General	Director-General of Department of Planning and Infrastructure, or delegate
DRE	Division of Resources and Energy, within the Department of Trade and Investment, Regional Infrastructure and Services
EA	Environmental Assessment titled <i>Environmental Assessment Report September 2009: East Guyong Quarry NSW</i> (3 volumes), dated September 2009, including the Proponent's Response to Submissions and Preferred Project Report
EA (MOD 1)	Environmental Assessment titled <i>East Guyong Quarry- Section 75W Planning Assessment Report, dated November 2012</i>
EPA	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 issued by EPA under the <i>Protection of the Environment Operations Act 1997</i>
Evening	The period from 6 pm to 10 pm
Executive Director, Mineral Resources	The Executive Director, Mineral Resources, within DRE
Incident	A set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in this approval
Land	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 and Infrastructure, or delegate
NOW	NSW Office of Water, within the Department of Primary Industries
Preferred Project Report	The Proponent's Preferred Project Report titled <i>Guyong Quarry – Preferred Project Report, East Guyong Quarry NSW</i> , dated May 2010
Privately-owned land	Land that is not owned by a public agency or a quarry company (or its subsidiary)
Project	The development as described in the EA, and shown in the Figures in Appendix 1
Proponent	Hanson Construction Materials Pty Limited, or its successors in title
Public Infrastructure	Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, gas supply, drainage, sewerage, telephony, telecommunications etc
Quarrying Operations	Includes all extraction, processing, and related transportation activities carried out on site
Reasonable and Feasible	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. Feasible relates to engineering considerations and what is practical to build
Response to Submissions	The Proponent's response to issues raised in submissions titled <i>Detailed Response to Public Exhibition Submissions, East Guyong Quarry NSW</i> , dated March 2010
RMS	Roads and Maritime Services, within Transport for NSW
Site	The land referred to in schedule 1
Statement of Commitments	The Proponent's commitments in Appendix 2

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

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

Terms of Approval

2. The Proponent shall carry out the project generally in accordance with the:
 - (a) EA;
 - (b) statement of commitments;
 - (c) EA (MOD 1); and
 - (d) conditions of this approval.

Notes:

- The general layout of the project is shown on the figures in Appendix 1.
- The statement of commitments is reproduced in Appendix 2.

3. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.
4. The Proponent 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 this approval; and
 - (b) the implementation of any actions or measures contained in these reports, plans, programs or correspondence.

Limits on Approval

5. Quarrying operations may take place at the site until 31 December 2042.

Notes:

- Under this approval, the Proponent is required to rehabilitate the site to the satisfaction of the Director-General. Consequently this approval will continue to apply in all other respects other than the right to conduct quarrying operations until the site has been rehabilitated to a satisfactory standard.
- Any extension of quarrying operations after this time will be subject to further approval.

6. The Proponent shall not transport more than 400,000 tonnes of product from the site per calendar year.

Structural Adequacy

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

Notes:

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

Protection of Public Infrastructure

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

Operation of Plant and Equipment

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

Community Enhancement Fund

10. The Proponent shall establish a Community Enhancement Fund of a minimum of \$25,000 and implement expenditure from the fund to the satisfaction of the Director-General. Proposals for expenditure from the fund must be prepared by the Proponent in consultation with Council and the

CCC, and be submitted to the Director-General for approval within 6 months of the date of this approval.

Staged submission of Strategies, Plans or Programs

11. With the approval of the Director-General, the Proponent may submit any management plan, strategy or monitoring program required by this approval on a progressive basis, or for a discrete component of the project.

Note: The conditions of this approval require certain strategies, plans, and programs to be prepared for the project. They also require these documents to be reviewed and audited on a regular basis to ensure they remain effective. However, in some instances, it will not be necessary or practicable to prepare these documents for the whole project at any one time, particularly as these documents are intended to be dynamic and improved over time. Consequently, the documents may be prepared and implemented on a progressive basis, subject to the conditions of this approval. In so doing, the Proponent will need to demonstrate that it has suitable documents in place to manage the existing operations of the project.

Revision of Strategies, Plans or Programs

12. Within 3 months of any modification to this approval, the Proponent shall review and if necessary revise all management and monitoring strategies, plans and programs required under the approval which are relevant to the modification to the satisfaction of the Director-General.

SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS

NATURALLY-OCCURRING ASBESTOS

Asbestos Mapping

1. The Proponent shall undertake further investigations to map the extent of the asbestos mineralisation within the project area to the satisfaction of the Director-General. This investigation must:
 - (a) be undertaken in consultation with DRE;
 - (b) be completed by a suitably qualified geologist, whose appointment has been approved by the Director-General; and
 - (c) be submitted to the Director-General for approval prior to any earthworks occurring on site.

The Proponent shall make the results of the investigation publicly available either on its website or by another method as agreed to by the Director-General.

Fencing and Signage

2. The Proponent shall install appropriate fencing and warning signage around all surface outcrops of asbestos minerals within the project area to prevent access by persons, to the satisfaction of the Director-General.

Asbestos Impact Assessment Criteria

3. The Proponent shall ensure that any asbestos fibres generated at the site do not exceed the impact assessment criterion in Table 1.

Table 1: Asbestos impact assessment criterion

Measurement	Limit
Asbestos Fibres/ml of air	0.01

Asbestos Management Plan

4. The Proponent shall:
 - (a) implement the Asbestos Management Plan set out in Appendix 4, to the satisfaction of the Director-General; and
 - (b) review the Asbestos Management Plan in accordance with the requirements of this approval, or at the direction of the Director-General.

NOISE

Impact Assessment Criteria

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

Table 2: Noise impact assessment criteria dB(A) L_{Aeq} (15min)

Location	Day	Evening	Night
"Hartley Cottage"	35	35	35
"Cadira Vale"	35	35	35
"Lilactime"	35	35	35
"Fairview"	36	35	35
All other privately owned land	35	35	35

Notes:

- To interpret the locations referred to Table 1, see Figure 3 in Appendix 1.
- Noise generated by the project is to be measured in accordance with the relevant requirements, and exemptions (including certain meteorological conditions), of the NSW Industrial Noise Policy.
- The noise limits do not apply if the Proponent has an agreement with the relevant owner/s of these residences/land to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.

Operating Hours

6. The Proponent shall comply with the operating hours in Table 3.

Table 3: Operating hours

Activity	Day	Time
All quarrying operations. Transportation off-site	Monday – Friday during AEST (except Public Holidays)	6.00 am to 6.00 pm
	Monday – Friday during AEDT (except Public Holidays)	6.00 am to 8.00 pm
	Saturdays	7.00 am to 1.00 pm
	Sundays and Public Holidays	No activities

However, the Proponent may undertake:

- transportation activities on and off-site outside of these hours (but only between hours up to and including 5.00 am and 10.00 pm, Monday to Saturday), if the Proponent has negotiated agreements to this effect with the owners of the following residences (whilst privately-owned) “Fairview”, “Lilac Time”, “Cadira Vale”, “R1”, “Hartley Cottage”, “Quinton” and “Wheatfields”, as shown in Figure 3 of Appendix 1, and the Proponent has advised the Department in writing of the terms of these agreements; and
- maintenance activities at any time provided that the activities are not audible at any privately-owned residence.

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

Noise Management

7. The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Director-General. This plan must:
- be prepared in consultation with EPA, and be submitted to the Director-General for approval prior to the commencement of construction activities;
 - include:
 - a description of the measures that would be implemented to minimise noise emissions from the project, with particular focus on:
 - quarrying operations within 500 metres of residences on privately-owned land;
 - transportation activities; and
 - continual improvement of noise performance;
 - a noise monitoring protocol for evaluating compliance with the relevant noise limits in this approval;
 - a protocol for the investigation, notification and mitigation of identified exceedances of the relevant noise limits; and
 - a continual improvement program for investigating, implementing and reporting on reasonable and feasible measures to reduce noise generated by the project.

BLASTING AND VIBRATION

Airblast Overpressure Limits

8. The Proponent shall ensure that the airblast overpressure level from blasting at the project does not exceed the criteria in Table 4 at any residence on privately-owned land.

Table 4: Airblast overpressure impact assessment criteria

Airblast overpressure level (dB(Lin Peak))	Allowable exceedance
115	5% of the total number of blasts in a 12 month period
120	0%

Ground Vibration Impact Assessment Criteria

9. The Proponent shall ensure that the ground vibration level from blasting at the project does not exceed the levels in Table 5 at any residence on privately-owned land.

Table 5: Ground vibration impact assessment criteria

Peak particle velocity (mm/s)	Allowable exceedance
5	5% of the total number of blasts in a 12 month period
10	0%

Blasting Hours and Frequency

10. The Proponent shall carry out blasting on site only between 9.00 am and 3.00 pm Monday to Friday. No blasting is allowed on Saturdays, Sundays and Public Holidays.
11. The Proponent may carry out on the site a maximum of:
 - (a) 2 blasts a day; and
 - (b) 5 blasts a week, averaged over a calendar year.

Operating Conditions

12. During quarrying operations on site, the Proponent shall implement best blasting practice to:
 - (a) conduct blasting operations in accordance with *AS 2187.2 – Explosive Storage, Transport and Use*;
 - (b) minimise fly-rock and dust and fume emissions from blasting;
 - (c) protect travellers on the Mitchell Highway
 - (d) protect the safety of people and livestock and the serviceability of private property and public infrastructure;
 to the satisfaction of the Director-General.

Blast Management Plan

13. The Proponent shall prepare and implement a Blast Management Plan for the project to the satisfaction of the Director-General. This plan must:
 - (a) be submitted to the Director-General for approval prior to the commencement of blasting activities; and
 - (b) include:
 - a Blast Monitoring Program; and
 - measures to implement the requirements of condition 12.

Blast Monitoring Program

14. The Proponent shall prepare and implement a Blast Monitoring Program for the project to the satisfaction of the Director-General. This program must:
 - (a) be submitted to the Director General for approval prior to the commencement of blasting activities; and
 - (b) include a protocol for evaluating blasting impacts on, and demonstrating compliance with, the blasting criteria in this approval for all privately-owned residences and other structures.

Public Notice

15. The Proponent shall:
 - (a) operate a blasting hotline and advertise the hotline number in a local newspaper at least twice a year, or operate an alternate system agreed to by the Director-General, to enable the public to get up-to-date information on the blasting schedule;
 - (b) publish an up-to-date blasting schedule on its website; and
 - (c) notify the landowner/occupier of any residence within 2 kilometres of the site about the blasting schedule, blasting hotline and its website,
 to the satisfaction of the Director-General.

Property Inspections

16. At least 2 months prior to the commencement of blasting operations at the quarry, the Proponent shall advise the owners of privately-owned land within 2 kilometres of the proposed quarry, that they are entitled to a structural property inspection to establish the baseline condition of buildings and other structures on their property.

If the Proponent receives a written request for a structural property inspection from any such landowner, the Proponent shall:

- within 2 months of receiving this request, commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to inspect

- the condition of any building or structure on the land, and recommend measures to mitigate any potential blasting impacts; and
- give the landowner a copy of the property inspection report.

Property Investigations

17. If any landowner of privately-owned land within 2 kilometres of blasting operations, or any other landowner nominated by the Director-General, claims that buildings and/or other structures on his/her land have been damaged as a result of blasting at the project after the date of this approval, the Proponent shall within 2 months of receiving this claim:
- commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to investigate the claim; and
 - give the landowner a copy of the property investigation report.

If the independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Proponent shall repair the damage to the satisfaction of the Director-General.

If the Proponent or landowner disagrees with the findings of the independent property investigation, then either party 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).

AIR QUALITY

Impact Assessment Criteria

18. The Proponent shall ensure that the dust emissions generated by the project do not cause additional exceedances of the criteria listed in Tables 6, 7 and 8 at any residence on privately-owned land, or on more than 25 percent of any privately-owned land.

Table 6: Long-term criteria for particulate matter

Pollutant	Averaging period	Criterion	Basis
Total suspended particulate (TSP) matter	Annual	90 µg/m ³	Total ¹
Particulate matter < 10 µm (PM ₁₀)	Annual	30 µg/m ³	Total ¹

Table 7: Short-term criterion for particulate matter

Pollutant	Averaging period	Criterion	Basis
Particulate matter < 10 µm (PM ₁₀)	24 hour	50 µg/m ³	Total ¹

Table 8: Long-term criteria for deposited dust

Pollutant	Averaging period	Maximum increase ² in deposited dust level	Maximum total ¹ deposited dust level
Deposited dust	Annual	2 g/m ² /month	4 g/m ² /month

Notes for Tables 6-8:

- ¹Background PM₁₀ concentrations or deposited dust levels due to all other sources plus the incremental worst case in concentrations due to the project;
- ²Incremental increase in PM₁₀ concentrations or deposited dust levels due to the project on its own; and
- ³Deposited dust is 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

Operating Conditions

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

Air Quality Monitoring

20. The Proponent shall prepare and implement an Air Quality Monitoring Program for the project to the satisfaction of the Director-General. This program must:

- (a) be prepared in consultation with EPA, and be submitted to the Director-General for approval prior to the commencement of construction activities; and
- (b) include details of how the air quality performance of the project will be monitored, and include a protocol for evaluating compliance with the relevant air quality criteria in this approval.

METEOROLOGICAL MONITORING

21. During the life of the project, the Proponent shall ensure that there is a suitable meteorological station in the vicinity of the site that complies with the requirements in the *Approved Methods for Sampling of Air Pollutants in New South Wales* guideline.

SOIL AND WATER

Water Supply

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

Pollution of Waters

23. Except as may be expressly provided for by an EPL, the Proponent shall comply with section 120 of the *Protection of the Environment Operations Act 1997* during the carrying out of the project.

Wastewater Treatment

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

Soil and Water Management

25. The Proponent shall prepare and implement a Soil and Water Management Plan for the project to the satisfaction of the Director-General. This plan must:
- (c) be prepared in consultation with EPA and NOW, and be submitted to the Director-General for approval prior to the commencement of construction activities; and
 - (d) include a:
 - Site Water Balance;
 - Erosion and Sediment Control Plan;
 - Surface Water Monitoring Program; and
 - Ground Water Monitoring Program.

Note: The Department accepts that the initial Soil and Water Management Plan may not include a detailed Site Water Balance. However, the detailed Site Water Balance must be approved prior to the commencement of any processing activities.

26. The Site Water Balance must:
- (a) include details of:
 - sources and security of water supply;
 - water use on site;
 - water management on site;
 - any off-site water transfers;
 - reporting procedures; and
 - (b) investigate and describe measures to minimise water use by the project.
27. The Erosion and Sediment Control Plan must:
- (a) be consistent with the requirements of *Managing Urban Stormwater: Soils and Construction, Volume 2E Mines and Quarries*, (DECCW), or most recent version of the relevant guidelines;
 - (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 off site;
 - (d) describe the location, function, and capacity of erosion and sediment control structures; and
 - (e) describe what measures would be implemented to maintain the structures over time.
28. The Surface Water Monitoring Program must include:
- (a) baseline data on surface water quality, where available;
 - (b) surface water impact assessment criteria;
 - (c) a program to monitor surface water quality (particularly in the project's sediment dam); and
 - (d) a protocol for the investigation, notification and mitigation of identified exceedances of the surface water impact assessment criteria.

29. The Ground Water Monitoring Program must include:

- (a) baseline data on ground water levels and quality;
- (b) groundwater impact assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts;
- (c) a program to monitor groundwater levels and quality; and
- (d) a protocol for the investigation and notification of identified exceedances of the ground water impact assessment criteria.

REHABILITATION AND LANDSCAPE MANAGEMENT

Rehabilitation

30. The Proponent shall progressively rehabilitate the site in a manner that is generally consistent with the final landform depicted in the EA (as reproduced in Figure 4 of Appendix 1), to the satisfaction of the Director-General.

Landscape Management Plan

31. The Proponent shall prepare and implement a Landscape Management Plan for the project to the satisfaction of the Director-General. This plan must:
- (a) be prepared in consultation with EPA, NOW and Council, and be submitted to the Director-General prior to the commencement of quarrying operations; and
 - (b) include a:
 - Rehabilitation Management Plan; and
 - Long-Term Management Strategy.

Note: The Department accepts that the initial Landscape Management Plan may not include the detailed Long-Term Management Strategy. However, a conceptual strategy must be included in the initial plan, along with a timetable for augmentation of the strategy with each subsequent review of the plan.

32. The Rehabilitation Management Plan must include:
- (a) the objectives for the site rehabilitation and site landscaping;
 - (b) a description of the short, medium, and long-term measures that would be implemented to rehabilitate and landscape the site;
 - (c) detailed performance and completion criteria for the site rehabilitation and site landscaping;
 - (d) a detailed description of the measures that would be implemented over the next 3 years, including the procedures for:
 - progressively rehabilitating disturbed areas;
 - landscaping the site to minimise visual impacts;
 - protecting vegetation and soil outside the disturbance areas;
 - undertaking pre-clearance surveys;
 - salvaging and reusing material from the site for habitat enhancement;
 - managing impacts on fauna;
 - conserving and reusing topsoil;
 - 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;
 - (f) a description of the potential risks to successful rehabilitation, 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.
33. The Long-Term Management Strategy must:
- define the objectives and criteria for quarry closure and post-extraction management;
 - investigate and/or describe options for the future use of the site;
 - describe the measures that would be implemented to minimise or manage the ongoing environmental effects of the project; and
 - describe how the performance of these measures would be monitored over time.

Rehabilitation Bond

34. Prior to commencing quarrying operations, the Proponent shall lodge a rehabilitation bond for the project with the Director-General. The sum of the bond shall be calculated at \$2.50/m² for the area to be disturbed in the first 3 years of quarrying operations, to the satisfaction of the Director-General.

Notes:

- If the rehabilitation and revegetation works are completed to the satisfaction of the Director-General, the Director-General will release the rehabilitation bond.
- If the rehabilitation and revegetation works are not completed to the satisfaction of the Director-General, the Director-General will call in all or part of the rehabilitation bond, and arrange for the satisfactory completion of the relevant works.

35. Within 3 months of each Independent Environmental Audit (see condition 8 of schedule 5), the Proponent shall review, and if necessary revise, the sum of the rehabilitation bond to the satisfaction of the Director-General. This review must consider:
- the effects of inflation;
 - the area proposed to be disturbed in the next 3 years and any changes to the total area of disturbance; and
 - the performance of the rehabilitation to date.

HERITAGE

Aboriginal Cultural Heritage Management Plan

36. The Proponent shall prepare and implement an Aboriginal Cultural Heritage Management Plan for the project to the satisfaction of the Director-General. This plan must:
- (a) be prepared in consultation with EPA and the local Aboriginal community, and be submitted to the Director-General for approval prior to any ground disturbance; and
 - (b) include:
 - a protocol for monitoring ground disturbance associated with construction activities or quarrying operations; and
 - a description of the measures that would be implemented if any Aboriginal objects or skeletal remains are discovered during the project.

TRAFFIC AND TRANSPORT

Road Haulage

37. Prior to transporting any extractive material from the site, the Proponent shall ensure that the intersection of the site access road and the Mitchell Highway is constructed to a 'Type CHR Intersection Treatment', to the satisfaction of the RMS and the Director-General, or as otherwise accepted by the Director-General.

The road works must be constructed in accordance with the relevant RMS or AUSTROADS standards, and signposted, marked and lit in accordance with AS:1742 – Manual of Uniform Traffic Control Devices.

38. The Proponent shall ensure that:
- (a) the site access road is sealed between the Mitchell Highway and the infrastructure area;
 - (b) shaker grids are installed at the boundary of the weighbridge and stockpile area;
 - (b) all loaded vehicles entering or leaving the site are covered; and
 - (c) all loaded vehicles leaving the site are cleaned of materials that may fall on the road, before they leave the site.

Parking

39. The Proponent shall provide sufficient parking on-site for all project-related traffic, in accordance with Council's parking codes.

VISUAL

Visual Amenity

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

Lighting Emissions

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

Advertising

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

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

WASTE MANAGEMENT

Waste Minimisation

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

EMERGENCY AND HAZARDS MANAGEMENT

Dangerous Goods

44. The Proponent shall ensure that the storage, handling, and transport of fuels and dangerous goods are conducted in accordance with the relevant *Australian Standards*, particularly AS1940 and AS1596, and the *Dangerous Goods Code*.

Safety

45. The Proponent shall secure the project to ensure public safety, to the satisfaction of the Executive Director, Mineral Resources.

Bushfire Management

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

PRODUCTION DATA

47. The Proponent shall:
- (a) provide annual production data to DRE using the standard form for that purpose; and
 - (b) include a copy of this data in the Annual Review.
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SCHEDULE 4 ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS

1. Within 3 months of this approval, the Proponent shall notify, in writing, the landowners of all residences located within one kilometre of any of the project site boundaries of their right to request monitoring in accordance with condition 3 below.
2. If the results of the monitoring required in Schedule 3 identify that the impacts generated by the project on site are greater than the relevant impact assessment criteria, and there is no negotiated agreement in place to allow the impact, then within 2 weeks of obtaining the monitoring results the Proponent shall:
 - (a) notify the Director-General, the affected landowners and tenants (including tenants of quarry-owned properties) accordingly, and provide monitoring results to each of these parties until the results show that the project is complying with the relevant criteria in Schedule 3; and
 - (b) in the case of exceedances of the relevant air quality criteria, send the affected landowners and tenants (including tenants of mine-owned properties) a copy of the NSW Health fact sheet entitled *"Mine Dust and You"* (as may be updated from time to time).

INDEPENDENT REVIEW

3. If a landowner of privately-owned land considers the project to be exceeding the relevant air quality or noise impact assessment criteria in Schedule 3, then he/she may ask the Director-General in writing for an independent review of the impacts of the project on his/her land.

If the Director-General is satisfied that an independent review is warranted, the Proponent shall within 2 months of the Director-General's decision:

- (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 project is complying with the relevant impact assessment criteria in Schedule 3; and
 - if the project is not complying with these criteria then:
 - determine if more than one source, including the project, is responsible for the exceedance, and if so the relative share of each source towards the impact on the land;
 - 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.
4. If the independent review determines that the project is complying with the relevant impact assessment criteria in Schedule 3, then the Proponent may discontinue the independent review with the approval of the Director-General.

If the independent review determines that the project is not complying with the relevant impact assessment criteria in Schedule 3, and that the project is primarily responsible for this non-compliance, then the Proponent shall:

 - (a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent expert, and conduct further monitoring until the project complies with the relevant criteria; or
 - (b) secure a written agreement with the landowner to allow exceedances of the relevant impact assessment criteria, to the satisfaction of the Director-General.
 5. If the independent review determines that the relevant impact assessment criteria in Schedule 3 are being exceeded, but that more than one source, including the project, is responsible for this non-compliance, then the Proponent shall, together with the relevant sources:
 - (a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent expert, and conduct further monitoring until there is compliance with the relevant criteria; or
 - (b) secure a written agreement with the landowner and other relevant sources to allow exceedances of the relevant impact assessment criteria in schedule 3, to the satisfaction of the Director-General.

**SCHEDULE 5
ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING**

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

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

Management Plan Requirements

2. The Proponent shall ensure that the Management Plans required under this approval are prepared in accordance with any relevant guidelines, and include:
 - (a) detailed baseline data;
 - (b) a description of:
 - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - any relevant limits or performance measures/criteria; and
 - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures;
 - (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
 - (d) a program to monitor and report on the:
 - impacts and environmental performance of the project; and
 - effectiveness of any management measures (see (c) above);
 - (e) a contingency plan to manage any unpredicted impacts and their consequences;
 - (f) a program to investigate and implement ways to improve the environmental performance of the project over time;
 - (g) a protocol for managing and reporting any:
 - incidents;
 - complaints;
 - non-compliances with statutory requirements; and
 - exceedances of the impact assessment criteria and/or performance criteria; and
 - (h) a protocol for periodic review of the plan.

Note: At the discretion of the Director-General, some of these requirements may be waived where they are either not relevant or necessary.

Annual Review

3. By 31 March 2012, and annually thereafter, the Proponent shall review the environmental performance of the project to the satisfaction of the Director-General. This review must:
 - (a) describe the works (including rehabilitation) that were carried out in the previous calendar year, and the works that are proposed to be carried out over current calendar year;
 - (b) include a comprehensive review of the monitoring results and complaints records of the project over the past 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 EA;
 - (c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;

- (d) identify any trends in the monitoring data over the life of the project;
- (e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and
- (f) describe what measures will be implemented over the next year to improve the environmental performance of the project.

Revision of Strategies, Plans & Programs

4. Within 3 months of the submission of an:
 - (a) annual review under condition 3 above;
 - (b) incident report under condition 6 below;
 - (c) audit report under condition 8 below; and
 - (d) any modifications to this approval,
 the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval 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 project.

COMMUNITY CONSULTATIVE COMMITTEE

5. The Proponent shall establish a Community Consultative Committee (CCC) for the Project 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 Projects* (Department of Planning, 2007, or its latest version) to the satisfaction of the Director-General.

Note: The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Proponent complies with this approval. In accordance with the Guideline, the Committee should comprise an independent chair and appropriate representation from the Proponent, Council, recognised environmental groups and the general community in the area of the project.

REPORTING

6. The Proponent shall notify the Director-General and any other relevant agencies of any incident associated with the project as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent shall provide the Director-General and any relevant agencies with a detailed report on the incident.

Regular Reporting

7. The Proponent shall provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval, and to the satisfaction of the Director-General.

Note: The frequency of reporting may vary according to the significance of the impact, and sensitivity of the environment, to the satisfaction of the Director-General. See also condition 2(g).

INDEPENDENT ENVIRONMENTAL AUDIT

8. By 31 December 2013, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit 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 project and assess whether it is complying with the relevant requirements in this approval and any relevant EPL or other approval (including any assessment, plan or program required under these approvals);
 - (d) review the adequacy of strategies, plans or programs required under the abovementioned licences or approvals;
 - (e) recommend measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under these approvals; and
 - (f) be completed within 2 months of the approval of the audit team.

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

9. Within 6 weeks of the completing of this audit, or as otherwise agreed by the Director-General, the Proponent 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

10. Within 3 months of this approval, the Proponent shall:
- (a) make copies of the following publicly available on its website:
 - the documents referred to in condition 2 of schedule 2;
 - all relevant statutory approvals for the project;
 - all approved strategies, plans and programs required under the conditions of this approval;
 - a comprehensive summary of the monitoring results for the project;
 - a complaints register, which is to be updated on a quarterly basis;
 - minutes of CCC meetings;
 - the annual reviews required under this approval (over the last 5 years);
 - any independent environmental audit of the project, and the Proponent's response to any 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 PROJECT PLANS

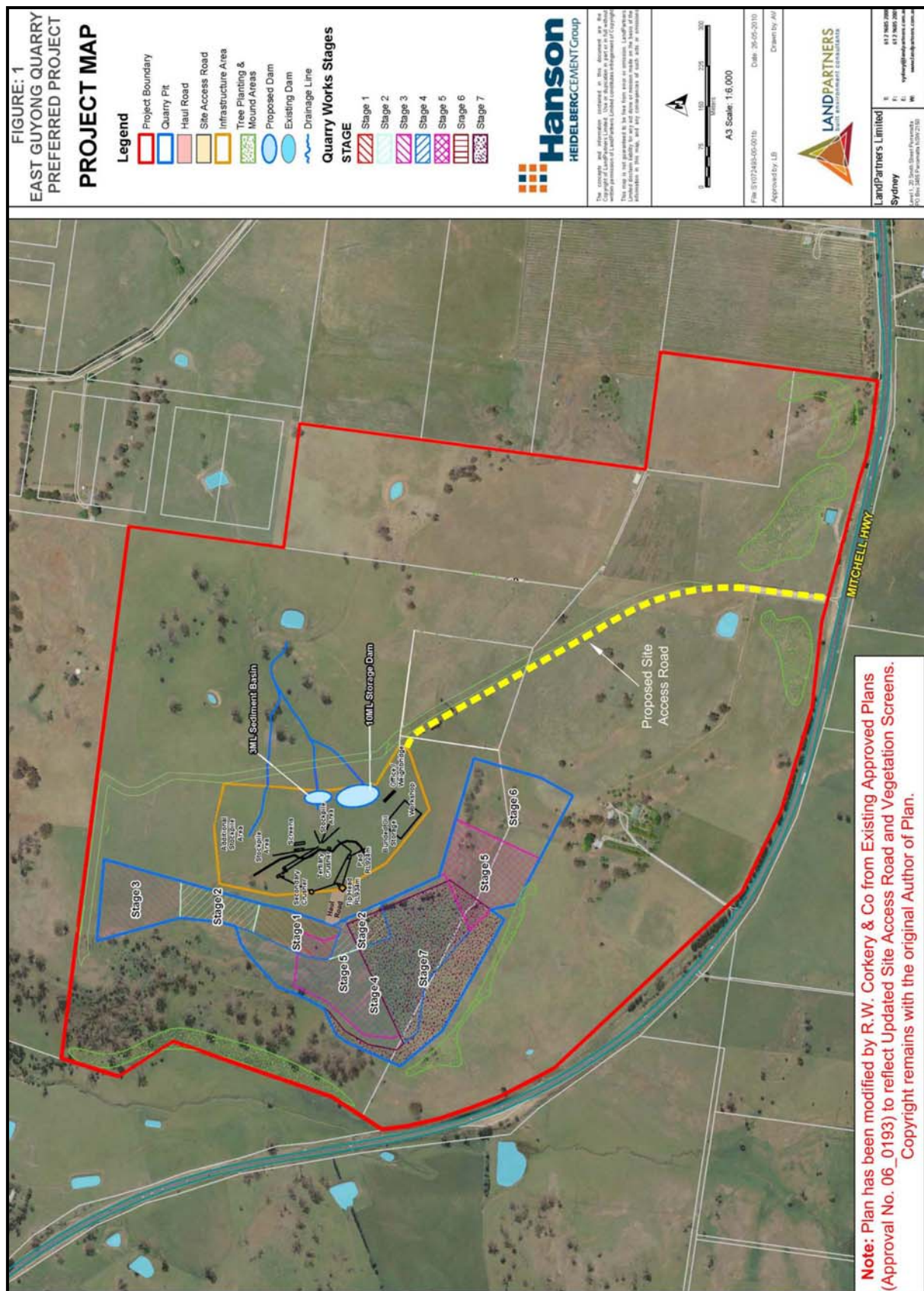


Figure 1: Project Layout

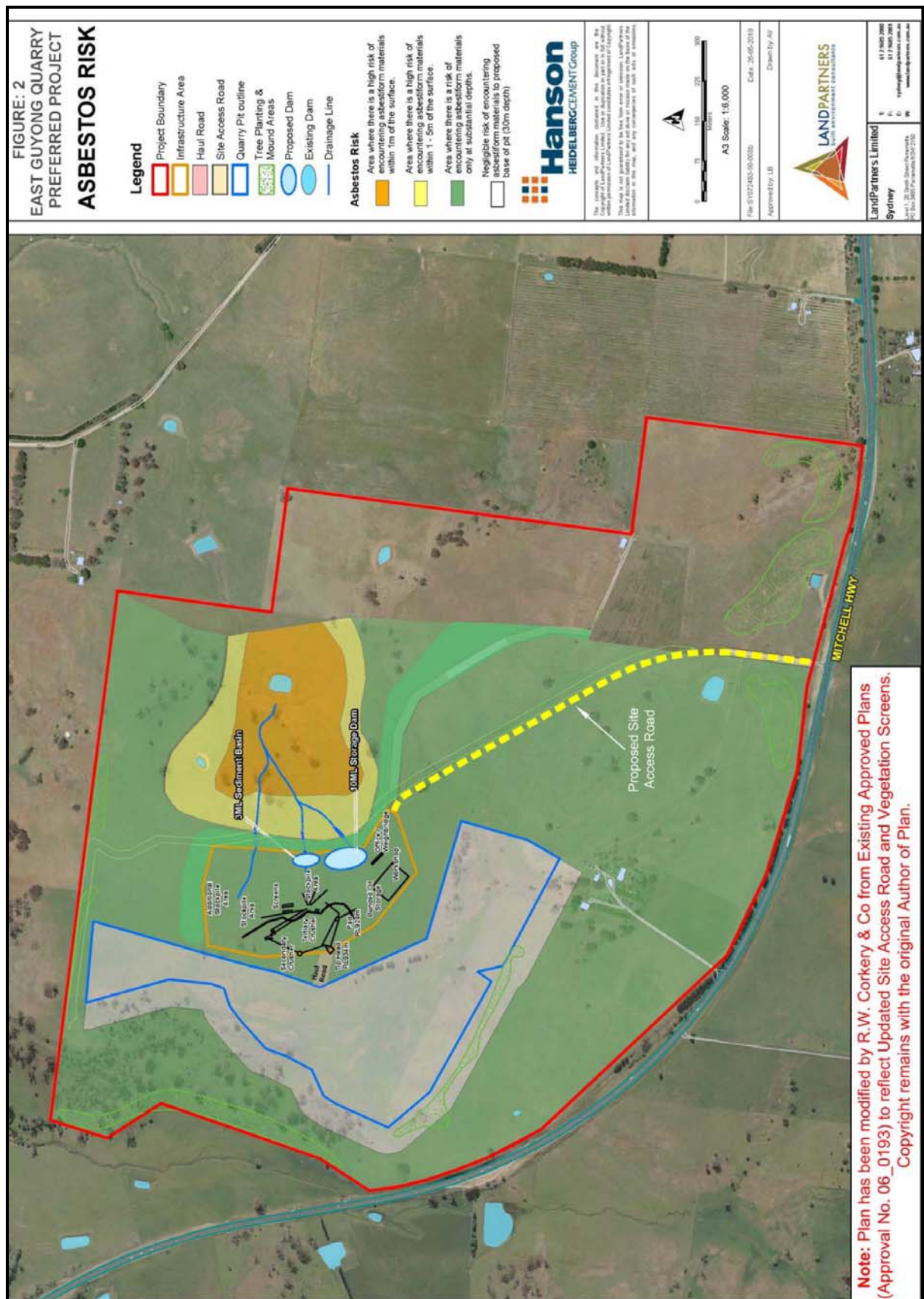
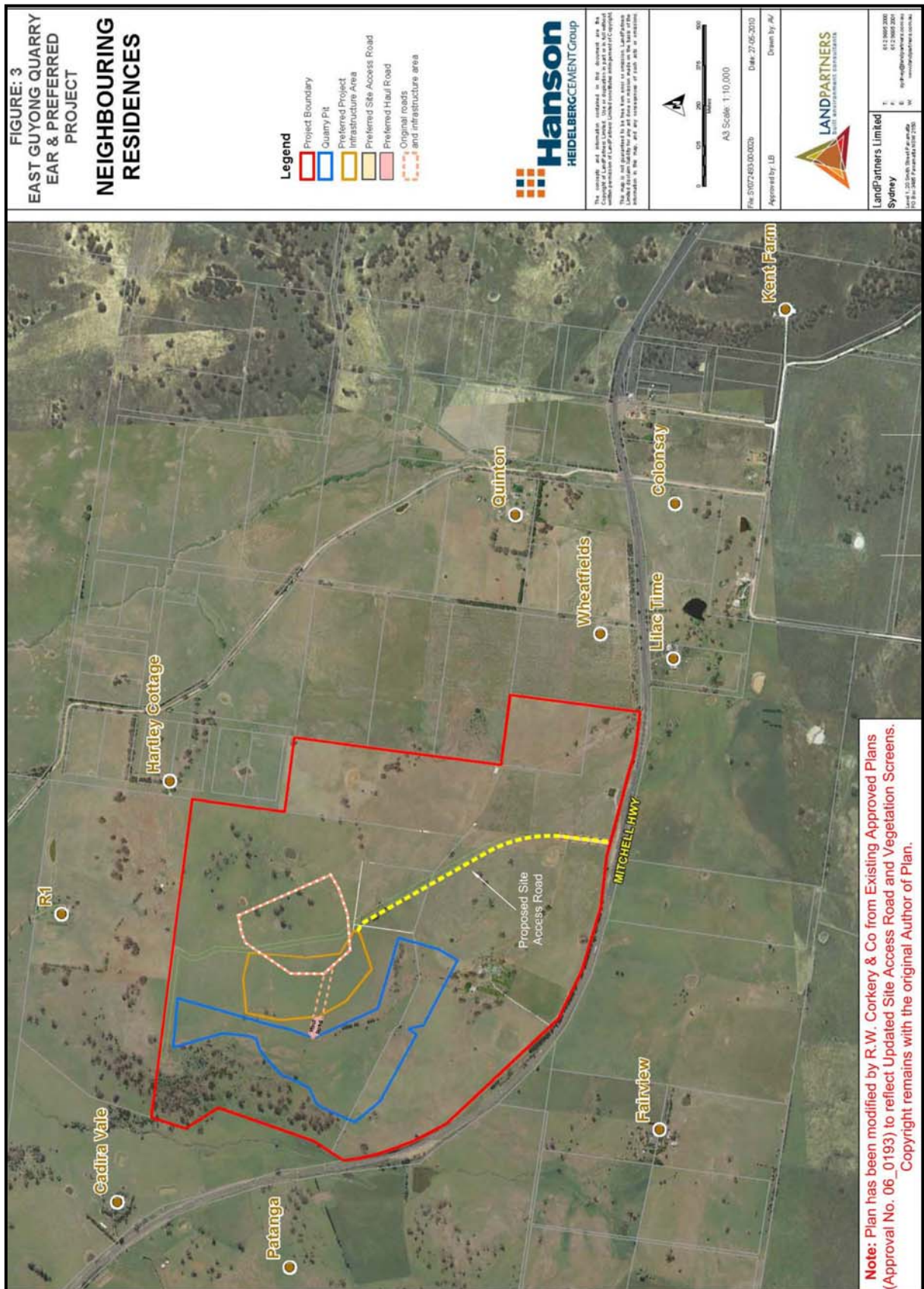
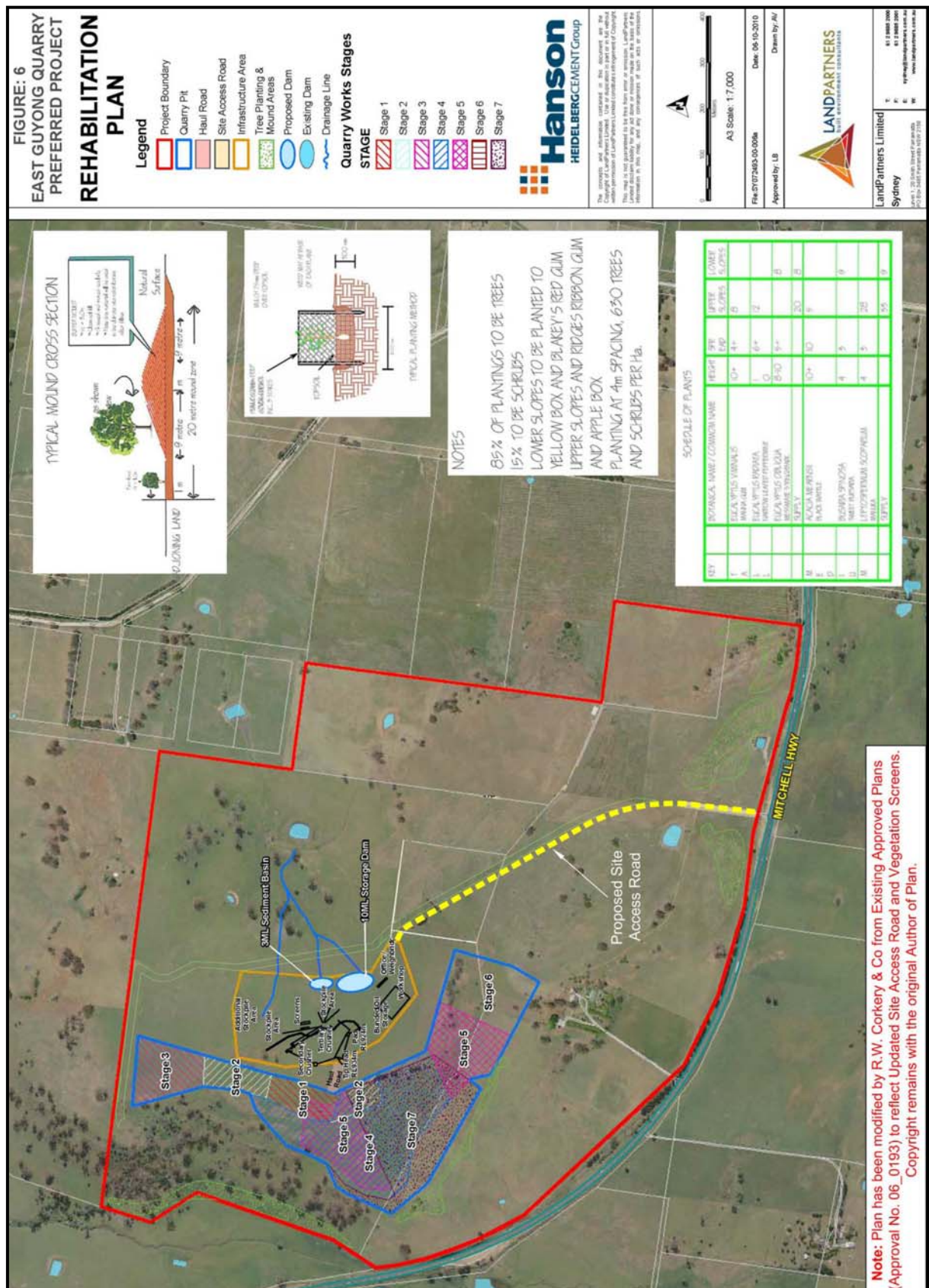


Figure 2: Asbestos risk profile





APPENDIX 2 STATEMENT OF COMMITMENTS

Operational Controls	<ul style="list-style-type: none"> • All activities will be undertaken generally in accordance with the EAR and Preferred Project Report. • Hard rock extraction and processing activities will be as follows: <ul style="list-style-type: none"> - Drill and blasting only to occur during daylight hours Monday to Saturday; - Plant processing to occur during daylight hours however this may be extended from time-to-time depending on customers needs. Notice will be provided should this be the case; and - Sales and transportation activities will occur 24 hours per day as required. • Annual production will commence at 250,000 tonnes per annum and increase to a maximum of 400,000 tonnes per annum. • The quarry will be rehabilitated and the final land form will be constructed as per Figure 5.14 of the EAR. A comprehensive Rehabilitation and Decommissioning Plan will be prepared to ensure rehabilitation objectives are achieved to a reasonable extent. The Plan will include: <ul style="list-style-type: none"> - the rehabilitation program; - native vegetation and fauna habitat management; - feral animal control; - fire management; - weed management; - minimisation of edge effects; - stormwater control; - control of public access; and - monitoring; and funding.
Flora and Fauna	<ul style="list-style-type: none"> • In order to minimise the impact of vegetation clearing the proponent will commission and commence a Vegetation Clearance Management Plan, Revegetation Plan, Feral Animal Control Management Plan, and Weed Management Plan prior to commencement of quarrying activities. These plans will be developed by a suitable qualified and experienced person and take into consideration the following: <ul style="list-style-type: none"> - Implications of meta-population dynamics; - Implications of transitional zone dynamics; - Episodic high disturbance events; - Loss of functional role of species; - Clearing of native vegetation; and removal of dead wood and dead trees; - Bush rock removal; - Invasion of exotic perennial grasses; and - Predation by European Red Fox , Feral Cats, and Rabbits.
Heritage	<ul style="list-style-type: none"> • The proponent will give the Orange LALC seven days notice of their intention to commence stripping of overburden or any disturbance of the exiting ground to allow the land council sufficient time to arrange for a Sites Officer to be present. • All Hanson employees, contractors and the employees will be bound by the provisions of the National Parks and Wildlife Act 1974 as amended, which was in part designed to mitigate impacts to the indigenous archaeological record. • All Hanson employees, contractors and the employees will be instructed that in the event of any bone or stone artefacts, or discrete distributions of shell are unearthed during quarry activities, work should cease immediately in the area of the find, and the Orange LALC, and officers of the National Parks and Wildlife Service informed.
Traffic and Access	<ul style="list-style-type: none"> • The proponent will construct the driveway junction with the Mitchell Highway being compliant with the recommended layout depicted in Annexure B of the McLaren Traffic Report (Volume 3 of the EAR) report. It should be noted that all traffic channelisation works within the Mitchell Highway to involve line marking to AS1742 standards with delineation to allow adequate visibility in fog conditions. No concrete medians to be placed within the Mitchell Highway carriageway as raised concrete medians would be hazardous in the location. • The driveway between the property boundary and the Mitchell Highway carriageway should be sealed and extended to internally installed shaker

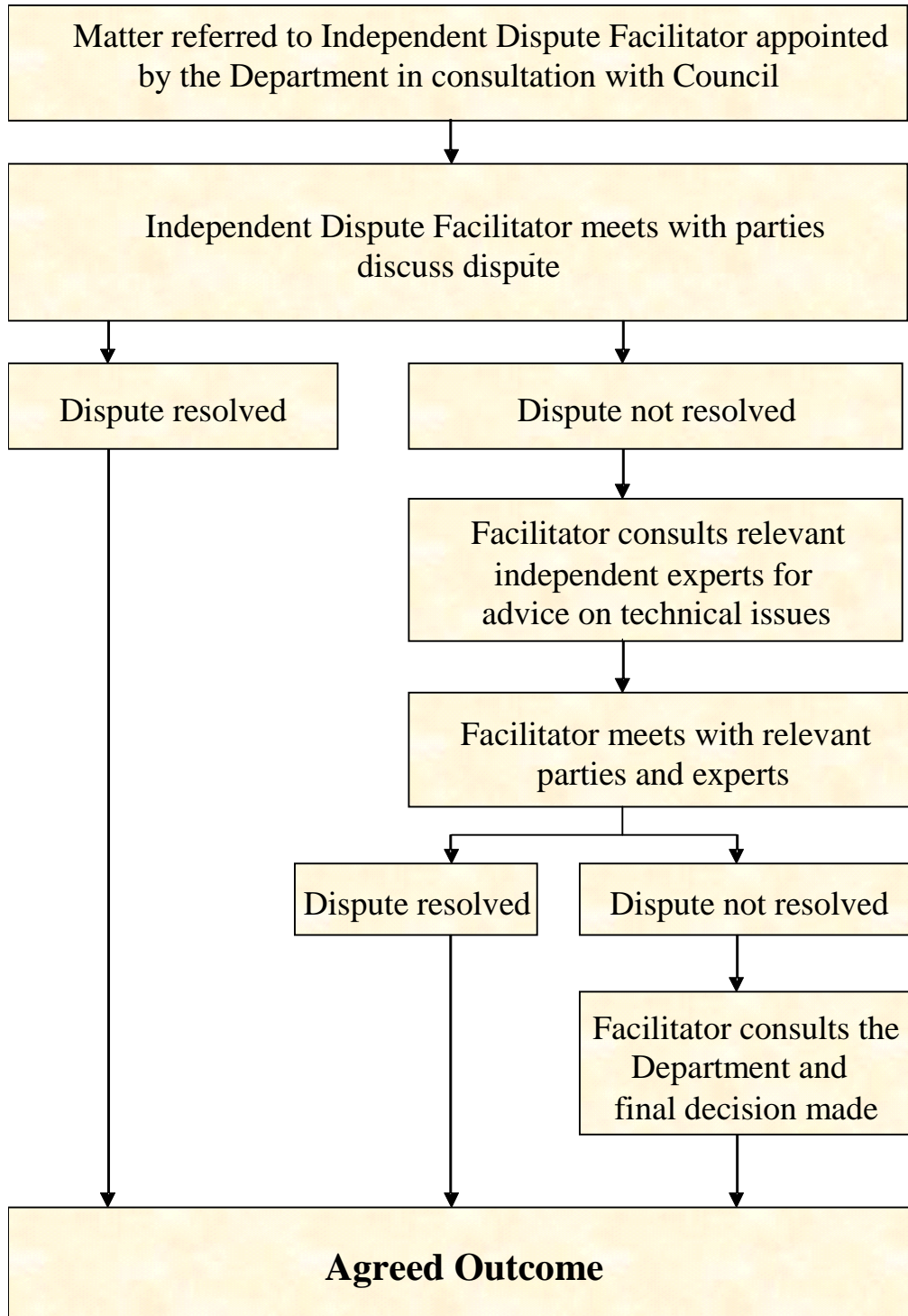
	<p>grids within the site offset by a distance of 20 metres.</p> <ul style="list-style-type: none"> On-site parking will be provided to accommodate at least 20 car spaces (16 staff, 4 visitors) and 8 trucks (up to 19m in length, to allow for semi-trailers). A further area for occasional B-Double temporary parking should also be provided. An allowance for up to 2 B-Doubles is recommended each with a bay length of 25m and a width of 3.5m. The proponent will submit a Driver Code of Practice for approval to ensure that truck drivers are made aware of the obligations of safety and environmental compliance when accessing the site and driving on the quarry property. All Hanson employee truck drivers and sub-contractors will be conditioned to adhere to the approved Driver Code of Practice. The road from the Mitchell Highway will have access and passing lanes, allowing for trucks and other vehicles to turn safely into the quarry. Where practicable, the access road will be asphalt sealed and extended to internally installed shaker grids at the boundary of the weighbridge and stockpile area. The Preferred Project site access road will adopt a route deviating away from Naturally Occurring Asbestos (NOA) affected areas following the proposed corridor as shown on Figure 1 of the Preferred Project Report. The sealed entry road will have grades of less than 15% and will be constructed with adequate erosion and drainage control measures. A minimal amount of vegetation will be cleared during the road construction and will be used as mulch or seed beds in any re-vegetation works. The recommended driveway geometric design shown in annexure B of the Traffic Impact Assessment (Vol 3 of EAR) for Proposed Hard Rock Quarry at Mitchell Highway, Guyong.
Noise	<ul style="list-style-type: none"> An Operational Noise Management Plan will be developed for the proposal and be implemented prior to extraction commencing. The plan will incorporate a noise monitoring program to monitor noise emissions and determine compliance with the project specific noise goals. The Plan will include: <ul style="list-style-type: none"> Noise monitoring on site and within the community Prompt response procedures to any community issues of concern Refinement of on-site noise mitigation measures and quarry operating procedures where practical Mechanism for discussion and negotiation with relevant property holders to assess concerns Traffic Noise Management Plan will be developed and implemented for truck movements on and accessing/exiting the site.
Air Quality	<ul style="list-style-type: none"> Dust suppression activities, such as spraying a suitable dust suppressant, will be undertaken on all unsealed quarry roads so that dust generation is minimised. A weather station monitor will be installed on-site to continuously monitor weather conditions so that quarry operations can be modified to reduce dust emitting activities and appropriate mitigations taken in response to adverse weather. An Air Quality management Plan will be developed for the proposal and be implemented prior to extraction commencing. This Plan will include air quality monitoring during construction and initial operation at the sensitive receptors as nominated in the Heggies Pty Ltd, Air Quality Impact Assessment Report of the EAR.
Groundwater	<ul style="list-style-type: none"> A Groundwater Management Plan will be developed prior to any extraction activities to the satisfaction of the Department in consultation with EPA. The Plan will include a groundwater monitoring program that includes weekly monitoring of groundwater level and quarterly monitoring of groundwater quality (electrical conductivity, pH, turbidity, arsenic, manganese and iron). The results of the monitoring are to be kept on-site and made available to the relevant authority.
Surface Water	<ul style="list-style-type: none"> Drainage controls will consist of diversion mounds, spoon drains, and shallow trenches (gutters) to divert runoff around the infrastructure area. Final details will be designed for a storm return period of one in ten years. As the first flush of runoff from disturbed areas contains the majority of suspended solids, the 3ML sediment dam controls will be designed to contain and treat these parts of the storm. To prevent clean water runoff (i.e. water from undisturbed areas) from entering the quarry and plant site (of disturbed areas) diversion mounds will be constructed around the infrastructure area. Any runoff from disturbed

	<p>areas will be diverted to a sedimentation dam as shown in Figure 1 of the Preferred Project Report. All channels will be constructed to the requirements of the Soil Conservation Service and, where necessary, channels will be protected with riprap and vegetation.</p> <ul style="list-style-type: none"> • To prevent soil erosion problems, only limited areas will be stripped ahead of the quarry pit development and heavy quarry traffic will be confined to constructed roads and quarry areas. Drainage channels will be constructed for all access roads and any crossings will be designed for the expected flows from upslope areas. All channels will be stabilised to prevent scouring. Rehabilitation will be carried out progressively following extractive operations to ensure a stable landform and to control soil erosion. • Runoff from the quarry and work areas will be collected by a system of diversion mounds and drains and directed to sedimentation dams for water clarification as shown in Figure 1 of the Preferred Project Report. There will be no dry weather discharge. Storage and settlement dams shown on Figure 1 of the Preferred Project Report will be constructed prior to quarrying. These dams will be designed to handle storms of duration equal to the time of concentration of the catchments. The design and construction of the sedimentation dams will be completed in accordance with the technical requirements of the Relevant Authority. • A licensed discharged point will be established at the junction of the eastern drainage line and the adjoining property. Prior to construction of the processing plant background monitoring of water quality will be undertaken on the eastern drainage line during periods of flow or, alternatively at existing dams located on the drainage line, for the purposes of determine whether there is an existing load of NOA contained within stormwater. • Used oils and greases will be collected and removed by a licensed contractor for disposal off site or on an approved disposal area. Diesel will be stored on site in an above ground fuel storage tank located in a bunded area. All fuel storage will be conducted in accordance with Australian Standards for storage of fuels (AS 1940- 2004 5.8.2, AS 3780-1994 5.7.2, AS 4452-1997).
Naturally Occurring Asbestos	<ul style="list-style-type: none"> • Further investigation will be undertaken to confirm the absence of NOA within the Preferred Project infrastructure area prior to commencement of construction. This investigation will be conducted under the supervision of a suitably qualified person, and the proposed methodology will be similar to that detailed in the 2009 Rangott Report. • The proponent will operate the site for the health and safety of the employees and the public by: <ul style="list-style-type: none"> - Keeping high risk areas fenced off to prevent unauthorised access, and clearly defining areas that prohibit unauthorised access; - Implementing a Naturally Occurring Asbestos monitoring plan; - Maintaining an induction system and safety management and reporting procedures; and - Maintaining plant and equipment in a safe condition.
Visual	<ul style="list-style-type: none"> • Trees will be planted to screen the plant area, as it has been previously cleared for grazing. The topsoil from this area will be stockpiled for use around the site and will be used in the rehabilitation of worked-out areas. The proposed base level for the plant site is at 924 m AHD, as shown on the plant layout plan (Figure 1 of the Preferred Project Report). • The plant site will be screened by a large continuous mound extending right around the infrastructure area and along the eastern side of the site entry road to within of 200m of the Mitchell Highway (as shown on Figure 1 of the Preferred Project Report). This large natural screen has been purposely located to avoid areas of high risk of encountering asbestiform materials at depths of less than 5m, and away from the boundaries of adjoining neighbours who will benefit from the retention of views of the valley slope.
Greenhouse Gases	<ul style="list-style-type: none"> • The proponent will continue to report annually the quarry operation's Greenhouse Gas emissions.
Environmental Management, Monitoring and Auditing	<ul style="list-style-type: none"> • The proponent will obtain an Environmental Protection Licence for the proposal in accordance with the Protection of the Environment Operations Act 1997. Three years after the commencement of the proposal, and every four years thereafter, the proponent will commission and pay the full cost of an Independent Environmental Audit of the proposal. • Within 7 days of detecting an exceedance of the limits/performance criteria in this approval or an incident causing (or threatening to cause) material

	<p>harm to the environment, the proponent shall report the exceedance/incident to EPA and any relevant agency. The report will:</p> <ul style="list-style-type: none"> - 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. <ul style="list-style-type: none"> • Prior to the commencement of any operations, proponent will implement, publicise and list with a telephone company a contact phone number, which will enable the general public to reach a person who can arrange appropriate response action to the enquiry. The proponent will maintain a register to record details of all enquiries received and actions undertaken in response. This record will be made available to the EPA as required.
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APPENDIX 3
INDEPENDENT DISPUTE RESOLUTION PROCESS

**Independent Dispute Resolution Process
(Indicative only)**



APPENDIX 4
ASBESTOS MANAGEMENT PLAN