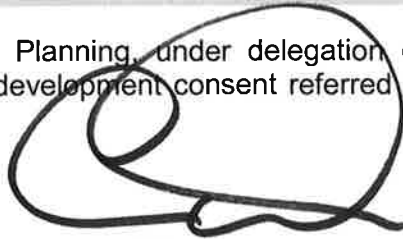


Modification of Minister's Approval

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

As delegate of the Minister for Planning, under delegation dated 16 February 2015, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Chris Wilson
Executive Director
Infrastructure and Industry Assessments

Sydney

15. 4. 15

2015

SCHEDULE 1

The Development Consent granted by the Minister for Planning and Environment for sand and gravel extraction and rehabilitation of land within the Penrith Lakes Scheme in July 1982 DA1 (DA 350/81).

SCHEDULE 2

1. Delete description of the Development Application (b) and replace it with the following:
(b) to carry out the rehabilitation of the land described in Schedules 1 and 2,
including the construction, operation and closure of a residual materials consolidation area
2. Following Condition 8 insert the following condition:

8A Rehabilitation works associated with the construction and operation of the residual materials consolidation area shall be carried out in accordance with the following requirements:
 - (a) All works are to be carried out as described in the Modification Application Environmental Assessment Report dated September 2014 and the Response to Submissions dated 21st January 2015;
 - (b) Only waste generated from on-site quarry and rehabilitation activities will be deposited into the consolidation area;
 - (c) Within one (1) month of completion of all works associated with the consolidation area, the Applicant must advise DP&E of the final quantity of residual material to be deposited in the containment cell;
 - (d) All works are to be carried out in accordance with the relevant NSW EPA contaminated land and waste management guidelines, ANZECC and NHMRC guidelines and the National Environment Protection (Assessment of Site Contamination) Amendment Measure 2013;

- (e) Prior to commencement of works the Applicant shall prepare an Environmental Management Plan for the operation and ongoing management of the consolidation area. The Applicant shall consult with DP&E and EPA on the scope of the CEMP prior to work commencing. The final CEMP shall be reviewed by an EPA accredited site auditor on the suitability of the CEMP for the purposes of the emplacement works. The site auditor should be informed of (and endorse) any deviations from the CEMP during its implementation;**
- (f) Following completion of the consolidation area works, a validation report is to be prepared by in accordance with the NSW EPA Guidelines for Consultants Reporting on Contaminated Sites. The site auditor shall review the validation report and issue a site audit statement declaring either that the emplacement area is suitable for nominated site uses or that suitability is subject to the implementation of a long term environmental management plan. All works will be completed with provision for any ongoing management requirements prior to the dedication of this portion of land to government;**
- (g) The construction of the consolidation area shall involve the placement of a geo-textile separation layer to provide a marker between the residual material and the clay seal and minimum depth of 500mm of topsoil / soil growing matrix will be placed above the clay seal.**