

Notice of Modification

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

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

Howard Reed

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Director
Resource Assessments

Sydney *29 May* 2017

SCHEDULE 1

The development application (DA 128-5-2005) for the Lynwood hard rock quarry and associated infrastructure, granted by the Minister for Planning on 21 December 2005.

SCHEDULE 2

1. In the List of Definitions, delete the term "DRE" and insert the following in alphabetical order:

DRG EA (MOD 5)	Division of Resources and Geoscience within the Department Modification Application 128-5-2005 MOD 5 and the accompanying letter titled <i>Proposed Modification to Development Consent – Lynwood Quarry</i> , dated 13 April 2017
Minister Mitigation	Minister for Planning, or delegate Activities associated with reducing the impacts of the development
2. In condition 2(a) of Schedule 2:
 - a) delete the first instance of the word "and", and replace with ","; and
 - b) after the words "EA (Mod 4)", insert the words "and EA (Mod 5)".
3. In condition 11 of Schedule 2, delete the first instance of the word "The" and replace with "Unless the Applicant and the applicable authority agree otherwise, the".
4. In condition 13 of Schedule 2, delete the reference to "DRE" and replace with "DRG".
5. After condition 13 of Schedule 2, insert the following:

COMPLIANCE

14. The Applicant must ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.
6. In condition 48A of Schedule 3, after the date "31 May 2017", insert the words ", unless otherwise agreed by the Secretary".
7. After condition 1 of Schedule 5, insert the following:

Evidence of Consultation

- 1A. Where consultation with any public authority is required by the conditions of this consent, the Applicant must:
 - (a) consult with the relevant public authority prior to submitting the required document to the Secretary for approval;

- (b) submit evidence of this consultation as part of the relevant document;
 - (c) describe how matters raised by the authority have been addressed and any matters not resolved; and
 - (d) include details of any outstanding issues raised by the authority and an explanation of disagreement between any public authority and the Applicant.
8. In condition 7 of Schedule 5, delete the words "*Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects* (Department of Planning, 2007," and replace with "*Department's Community Consultative Committee Guidelines for State Significant Projects, November 2016*".
9. In condition 11 of Schedule 5:
- a) at the end of paragraph (d), delete the word "and"; and
 - b) at the end of paragraph (e), delete the full stop and insert the following:
 - ; and
 - (f) be conducted and reported to the satisfaction of the Secretary.
10. In condition 12 of Schedule 5, delete the words "6 weeks of commissioning" and replace with "12 weeks of commencing".
11. In condition 13 of Schedule 5, after the words "unless otherwise agreed by the Secretary," insert the words "until the completion of all works, including rehabilitation and remediation,".