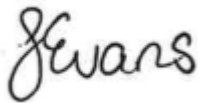


Modification of Development Consent

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

As delegate of the Minister for Planning, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Jessie Evans
Director, Resource Assessments
Planning and Assessment

Sydney

29 June 2022

SCHEDULE 1

Development consent:	Consent DA 165-7-2005 granted by the then Minister for Planning on 14 February 2006
For the following:	Haerses Road Quarry
Applicant:	Dixon Sand (Penrith) Pty Ltd.
Consent Authority:	Minister for Planning
The Land:	Lot 170 DP 664766 Lot 170 DP 664767 Lots A and B DP 407341 Lots 176 and 177 DP 752039 Haerses Road Intersection of Wisemans Ferry Road and Haerses Road
Modification:	Modification 5

SCHEDULE 2

1. In all page footers delete "Department of Planning, Industry and Environment" and insert "Department of Planning and Environment".
2. In the list of definitions, delete "Department", "DPIE Crown Lands", "DPIE Water", "Heritage NSW" and "NRAR" and associated definitions and insert the following in an alphabetical order:

Department	NSW Department of Planning and Environment
DPE	Department of Planning and Environment
DPE Water	Water Group within the Department
Heritage NSW	The Heritage Group within the Department
MR (Mod 5)	The Modification Report titled <i>Haerses Road Quarry Modification 5 Relocation of Site Office, Workshop and Weighbridge</i> prepared by Umwelt (Australia) Pty Ltd, dated 4 January 2022, Additional Information Letter Report prepared by Umwelt (Australia) Pty Ltd, dated 17 March 2022, Additional Information Letter Report prepared by Umwelt (Australia) Pty Ltd, dated 19 May 2022
Sandstone cutting	Method of sandstone extraction from the Sandstone Extraction Areas A and B (Figure 1, Appendix 1) using an excavator fitted with a hydraulic saw attachment or the processing of the extracted sandstone block using stone cutting saws
Sandstone cutting shed	A building situated in the Tertiary Sands Extraction Area Stage 2 (Figure 1, Appendix 1) within an infrastructure area envelope described in MR (Mod 5) for processing of extracted sandstone block including using stone cutting saws

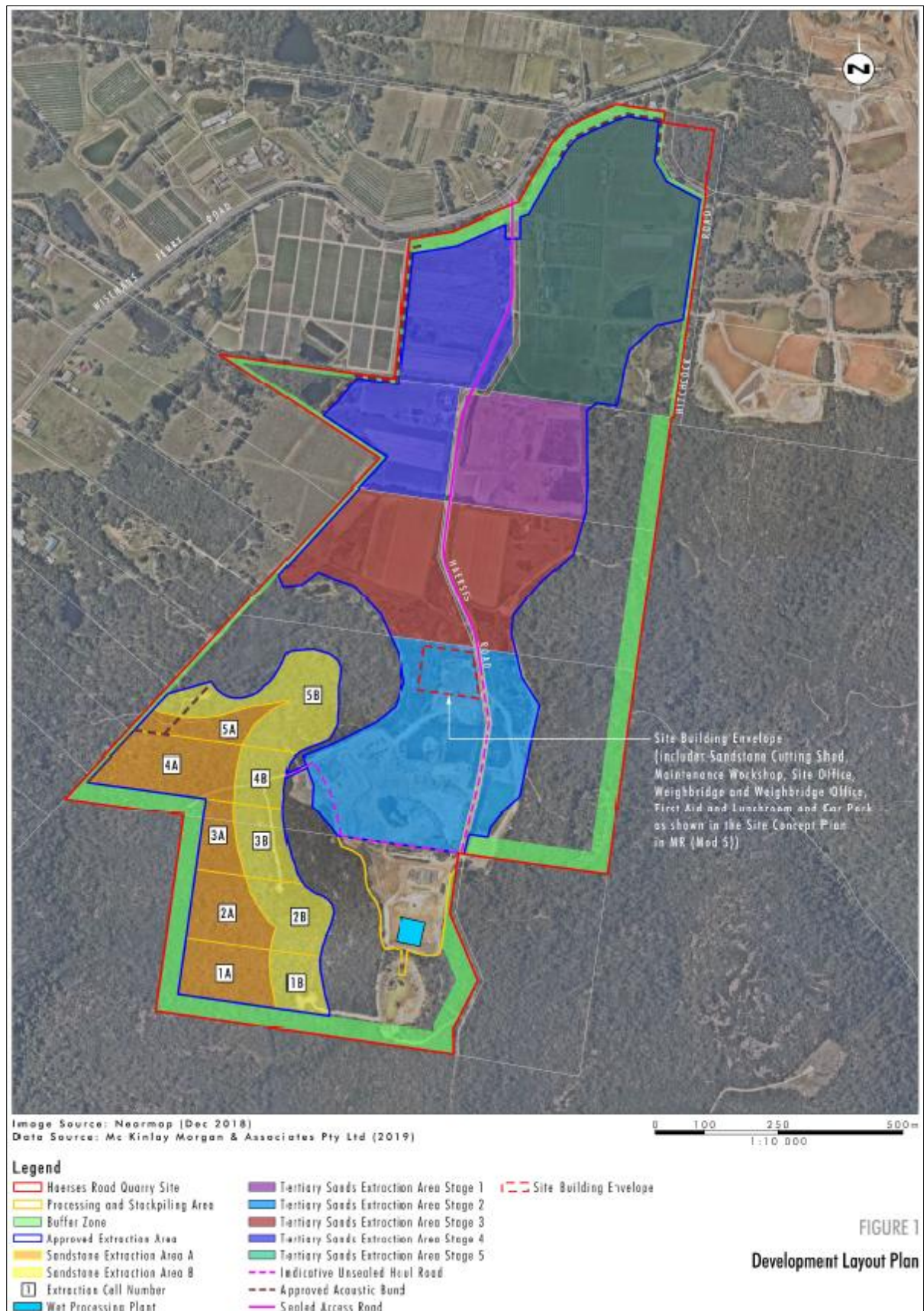
3. In the definition of "EP&A Regulation", delete "2000" and insert "2021".
4. In condition 2(a) of Schedule 2:
 - a) after "MR (Mod 4)", delete "and" and replace with ", "; and
 - b) after "MR (Mod 3)", insert "and MR (Mod 5);".
5. In condition 11 of Schedule 2, under Notes:
 - a) delete "4A" in the first dot point and insert "6"; and
 - b) delete the text in the second dot point and insert:

The Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.
6. In condition 20 of Schedule 2 and onwards wherever occurring, delete "DPIE Water and NRAR" and insert "DPE Water".
7. After condition 6 of Schedule 3, insert the following:

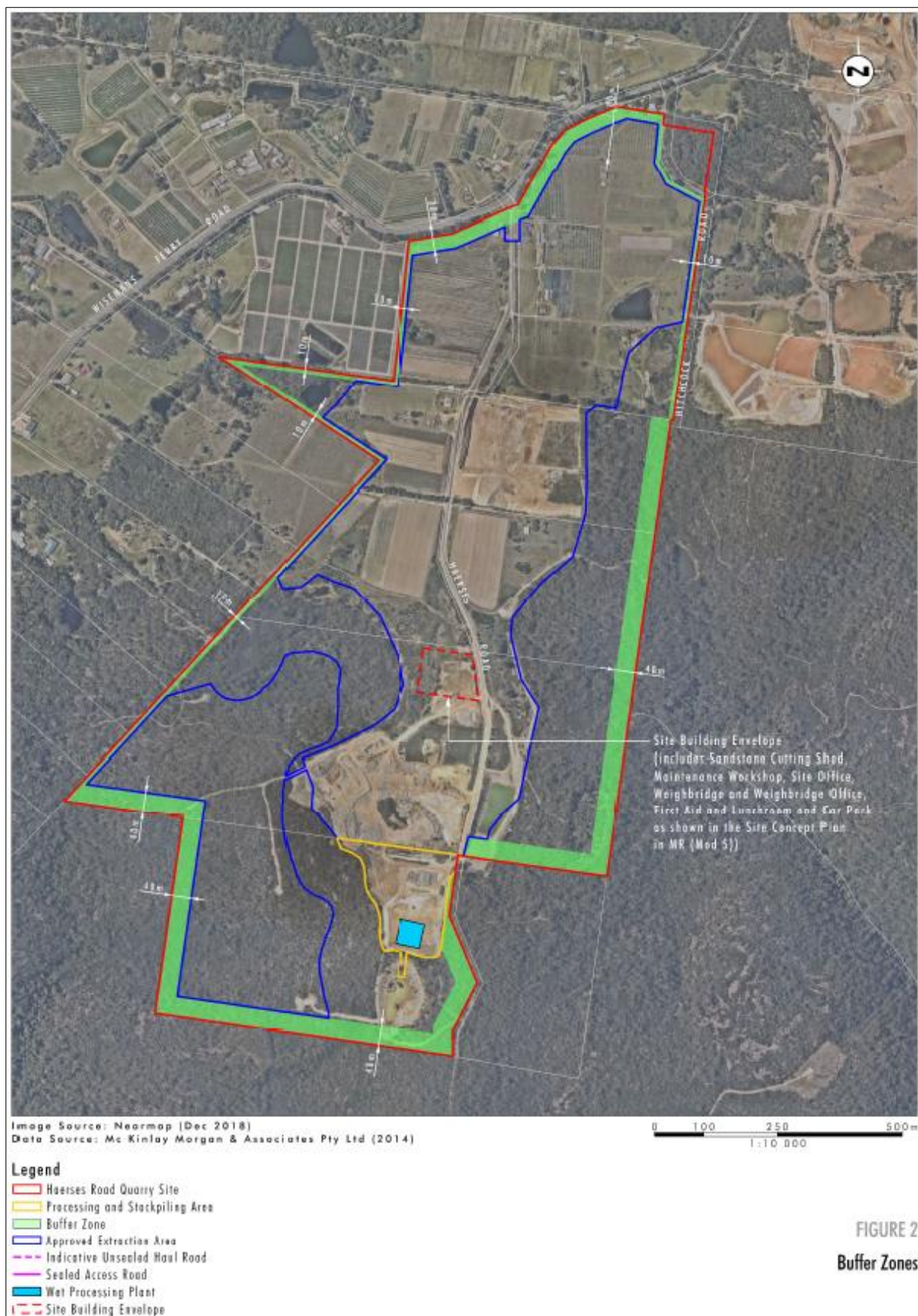
Sandstone Cutting Shed Construction

- 6A. The Applicant must design and construct the sandstone cutting shed with adequate noise attenuation measures to ensure that it will achieve compliance with the noise criteria in this consent at all times.
8. In condition 8(f) of Schedule 3, delete "." after second dot point and insert "; and" at the end of the line.
9. In condition 8(f) of Schedule 3:
 - a) delete "." and insert "; and"; and
 - b) insert the following after subparagraph (f);
 - (g) describe the noise mitigation measures that will be implemented in the operation of plant and equipment to minimise noise emissions from sandstone cutting to ensure compliance with the noise criteria in this consent at all times.
10. In condition 11(f) of Schedule 3:
 - a) delete "." after the second dot point and insert ";" at the end of the line; and
 - b) insert the following after subparagraph (f);
 - (g) describe the mitigation measures that will be implemented in the sandstone cutting shed during the processing of extracted sandstone and detail how these measures will achieve compliance with the air quality criteria in this consent at all times; and
 - (h) describe the mitigation measures that will be implemented in the operation of plant and equipment to minimise dust emissions from sandstone cutting to ensure compliance with the air quality criteria in this consent at all times.

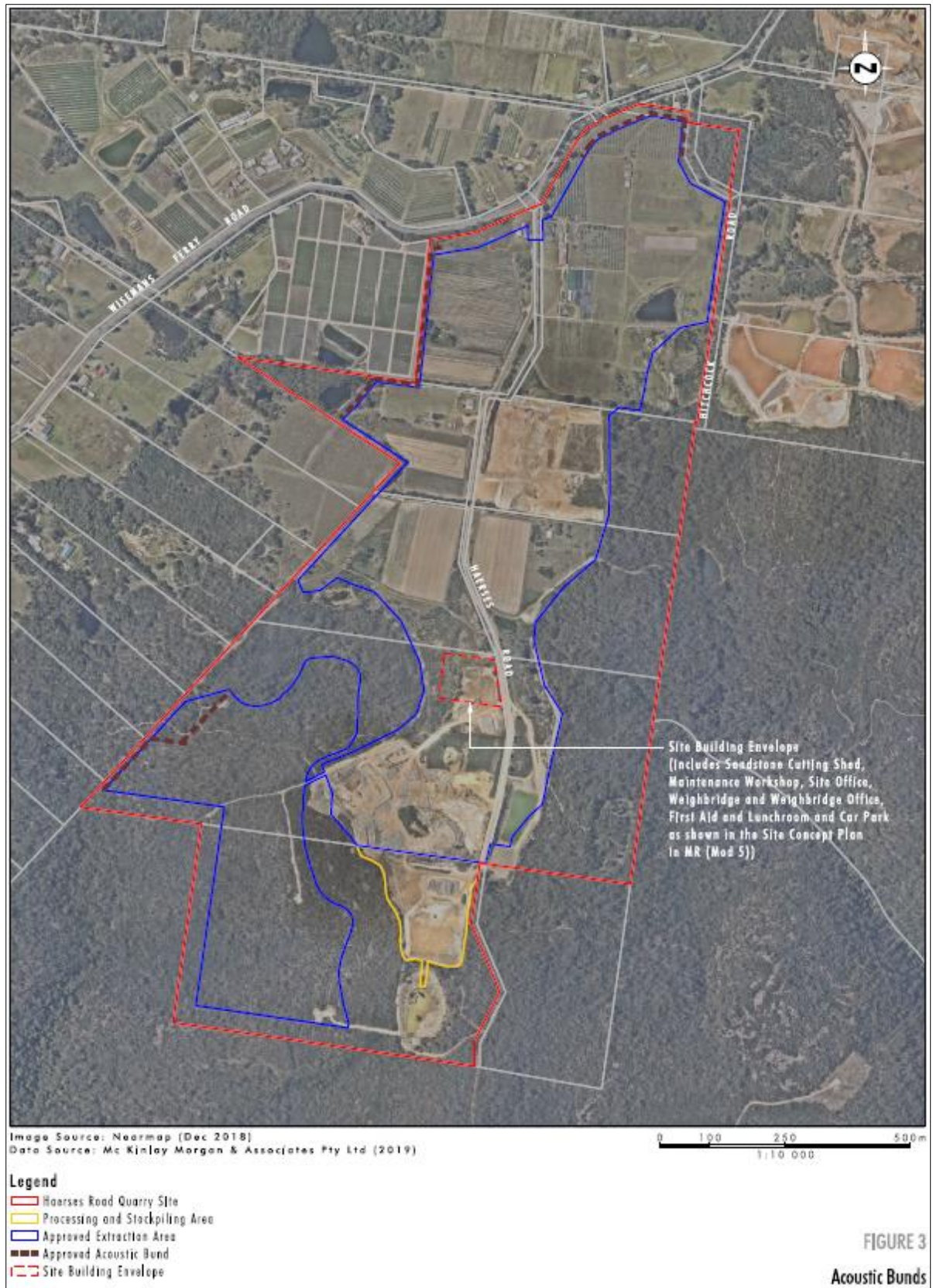
11. In Appendix 1, delete Figure 1 and insert the following figure:



12. In Appendix 2, delete the figure and insert the following figure:



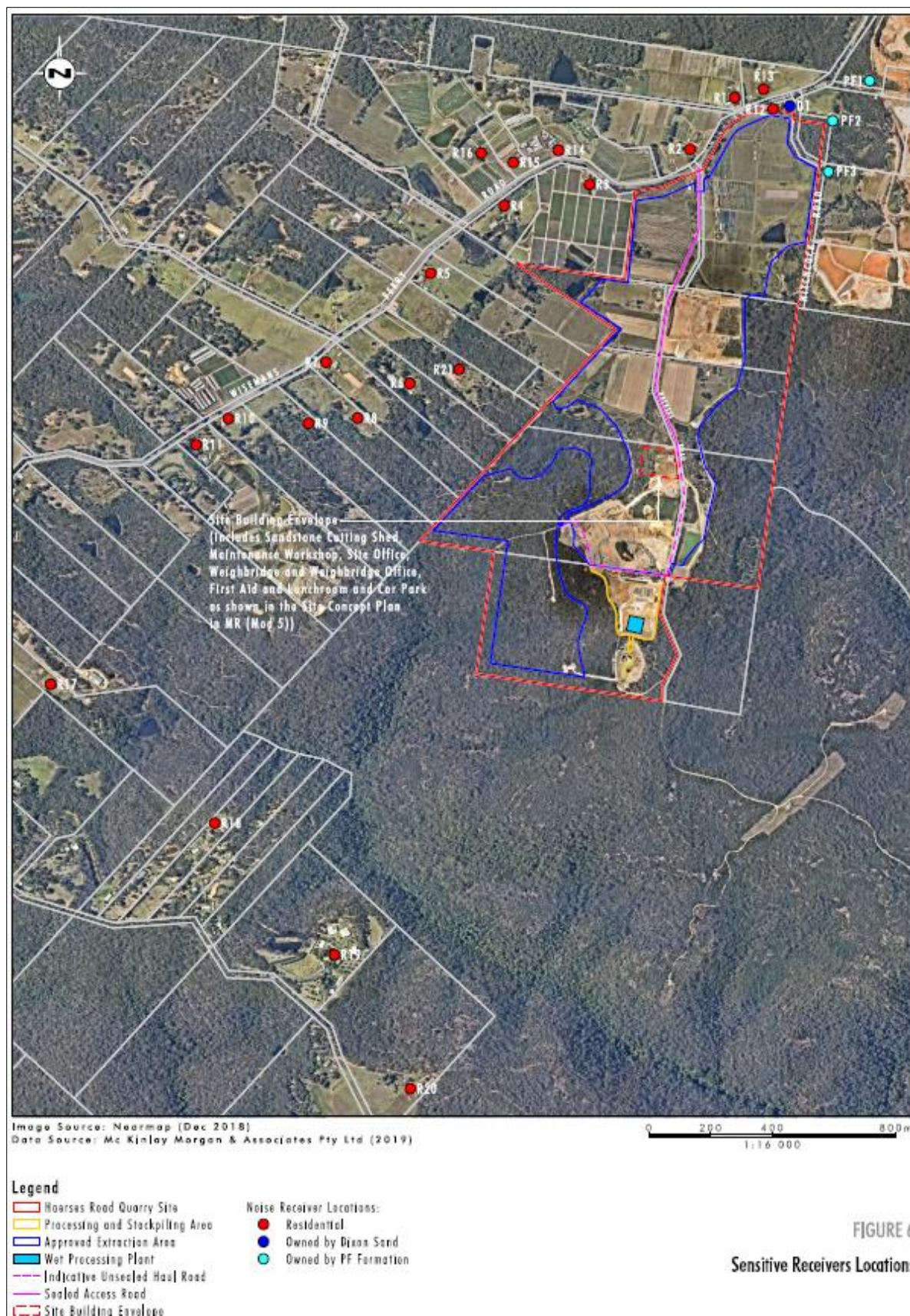
13. In Appendix 3, delete the figure and insert the following figure:



14. In Appendix 4, delete Figure 2 and insert the following figure:



15. In Appendix 5, delete Figure 1 and insert the following figure:



16. In Appendix 6, delete the figure and insert the following figure:



17. Update the Table of Contents

**End of modification
(DA 165-7-2005 MOD 5)**