

Notice of Modification

Section 96(1A) of the *Environmental Planning & 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.

David Kitto
Director – Mining & Industry

Sydney

1 MARCH

2010

SCHEDULE 1

The development consent (DA 205-08-01) assented under the Clyde Waste Transfer Terminal (Special Provisions) Act 2003 for a Waste Transfer Terminal at the Clyde Rail Marshalling Yards.

SCHEDULE 2

The development consent is modified by:

- 1) Delete the definitions of DECC, 'Department' and 'Minister' in Schedule 2 and insert in alphabetical order:

DECCW Department, the Minister, the	Department of Environment, Climate Change and Water Department of Planning Minister for Planning
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- 2) Replacing all references to DEC with DECCW.
- 3) Delete the "and" after the text "15 February 2007;" in condition 1(e) and immediately after 1(f) insert the following:

and
(g) modification application DA-205-08-01-MOD-3 and accompanying letter dated 14 December 2009
- 4) In condition 2 replace all references to 1(f) with 1(g).
- 5) After condition 2 insert the following:
 - 2A. The Proponent shall comply with any reasonable requirements of the Director-General arising from the Department's assessment of:
 - (a) any reports, plans, programs, strategies or correspondence that are submitted in accordance with the conditions of this approval; and
 - (b) the implementation of any actions or measures contained in these reports, plans, programs, strategies or correspondence.
 - 2B. The Proponent shall prepare revisions of any strategies, plans or programs required under this approval if directed to do so by the Director-General. Such revisions shall be prepared to the satisfaction of, and within a timeframe approved by, the Director-General.
- 6) In condition 49 delete the words:

"The Dust Management Plan shall incorporate an Ambient Air Quality Monitoring Plan, prepared in accordance with conditions 96 and 97, including requirements for monitoring and reporting any changes in TSP and dust deposition levels in the nearest residential areas after installation of the

odour control system subject to MOD-133-11-2006. Following review of monitoring performance results"

And replace with:

"Following the receipt of any dust related complaints"

- 7) Delete condition 97.
- 8) Delete condition 108.
- 9) Delete condition 108A.
- 10) Delete condition 109.
- 11) Delete condition 110.
- 12) Delete condition 111.