

**NOTICE OF MODIFICATION OF A DEVELOPMENT CONSENT
GRANTED UNDER SECTION 89 AND 101(8) OF THE UNAMENDED
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

I, the Minister for Urban Affairs and Planning, pursuant to section 96(2) of the *Environmental Planning and Assessment Act 1979* modify the development consent referred to in Schedule 1 in the manner set out in Schedule 2 (File:G92/00196).

Andrew Refshauge MP
Deputy Premier
Minister for Urban Affairs and Planning
Minister for Aboriginal Affairs
Minister for Housing

Sydney, 10 April 2000

SCHEDULE 1

Development consent granted by the Minister for Urban Affairs and Planning on 7 May 1999 to a development application submitted by Batson Sand & Gravel Pty Ltd (Byron Shire Council DA 97/0465) for the expansion of their existing sand and gravel quarry on the following parcels of land within the Parish of Byron, County of Rous:

Lot 1, DP 123302;
Lot 2, DP 700806;
Lots 1,2,3,4,5 and 6, DP 245836;
Lot 4, DP 802745;
Lot 1, DP 184443; and
Part Broken Head Road and Road Reserve.

SCHEDULE 2

Insert in Condition 1 after the words "Biostudies Pty Ltd," the words "and the Statement of Environmental Effects dated 1 December 1999 prepared by Mr Bruce Hammond of Batson Sand & Gravel Pty Ltd."

Add a new condition.

23. Approval for construction and occupation of weighbridge and office

Detailed plans and specifications relating to the design and construction of all structural elements associated with the weighbridge and office are to be submitted to the Minister for Urban Affairs and Planning as the Principal Certifying Authority (PCA) prior to the commencement of construction works. A construction certificate

will be issued upon determination of compliance of design and structural elements with the Building Code of Australia.

Upon completion of building works, an application for an occupation certificate must be submitted to the Minister for Urban Affairs and Planning as the PCA. Such a certificate will be issued where the following have been completed in accordance with approved plans and specifications:

- (i) footings;
- (ii) concrete structures, including ground floor and any subsequent floors, retaining walls and columns;
- (iii) framing and roof structure;
- (iv) fire protection coverings to building elements required to comply with the BCA; and
- (v) mechanical ventilation.