

# Notice of Modification

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

As delegate for the Minister for Planning, the Director, Resource Assessments modifies the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.

*Howard Reed*

Director Resource Assessments

Sydney

*18th August*

2015

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### SCHEDULE 1

The Development Consent (DA 267-11-99) for the Roberts Road Quarry, granted by the Minister for Urban Affairs and Planning on 31 May 2000, and modified on 29 November 2000.

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### SCHEDULE 2

1. Delete the sub-heading 'Abbreviations and Interpretation' and replace with 'DEFINITIONS'.
2. Delete the definitions for 'Council', 'The Department', 'Director-General', 'DLWC' and 'EPA Licence', and insert the following in alphabetical order:

|                            |                                                                                                                                                                                                                                                                                             |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Conditions of this consent | The conditions set out in this Schedule                                                                                                                                                                                                                                                     |
| Council                    | The Hills Shire Council                                                                                                                                                                                                                                                                     |
| Department                 | Department of Planning and Environment                                                                                                                                                                                                                                                      |
| DPI-Water                  | Department of Primary Industries - Water                                                                                                                                                                                                                                                    |
| Modification 1             | Modification application 07-00M1 to DA 267-11-99 and supporting SEE titled <i>Amendment to Method of Extraction and Related Acoustic Bund Wall</i> , dated 17 July 2000 and prepared by Nexus Environmental Planning Pty Ltd                                                                |
| Modification 3             | Modification application DA 267-11-99 Mod 3 and supporting documentation titled <i>Environmental Assessment Section 75W Modification (3): DA 267-11-99, Hodgson Quarry Products Pty Ltd: Roberts Road: Maroota</i> , dated 17 May 2015 and prepared by Nexus Environmental Planning Pty Ltd |
| Secretary                  | Secretary of the Department, or nominee                                                                                                                                                                                                                                                     |

3. Delete all references to 'Director-General' and replace with 'Secretary'.
4. Delete all references to 'DLWC' and replace with 'DPI-Water'.
5. In condition 2 of Schedule 2, delete the words all words after the existing words in the last dot point, and insert instead:
  - (d) Modification 1;
  - (e) Modification 3; and
  - (f) the conditions of this consent.

If there is any inconsistency between the conditions of this consent and a document listed above, the conditions of this consent shall prevail to the extent of the inconsistency. If there is any inconsistency between documents listed above (other than the conditions of this consent) then the most recent document shall prevail to the extent of the inconsistency.'

6. In condition 9 of Schedule 2, delete the words 'for a maximum period of 15 years.' and replace with 'until 31 May 2016.'
7. Delete the words in condition 17 of Schedule 2 and replace with the following:

'The Applicant shall ensure that the depth of extraction is no deeper than 186.08 metres AHD, unless otherwise agreed by the Secretary'.