

Notice of Modification

Section 96(1A) of the *Environmental Planning and Assessment Act 1979*

I, the Executive Director, Major Project Assessments, as delegate of the Minister for Planning, pursuant to section 96(1A) of the *Environmental Planning and Assessment Act 1979*, modify the development consent referred to in Schedule 1 as set out in Schedule 2.

Chris Wilson
Executive Director
Major Project Assessments

Sydney

2006

File No: N96/00196

SCHEDULE 1

The development consent (DA 283/97) granted by the Minister for Urban Affairs and Planning on 25 May 1998 for the Possum Brush Quarry.

SCHEDULE 2

1 Delete Condition 36 of Schedule 2 and replace with:

- 36
- (1) The Applicant shall pay to the Council a contribution for the maintenance of Possum Brush Road between the quarry entrance and the Pacific Highway. The rate of the contribution for all extractive materials transported from the quarry is:
 - (a) 7.5 cents per tonne for the first five years;
 - (b) 10 cents per tonne for the next five years; and
 - (c) a further increase of 5 cents per tonne at the commencement of each subsequent five year period thereafter.
 - (2) The payment of the road maintenance contribution shall commence ten years from the date of the consent and be paid monthly to Council.
 - (3) The Applicant shall provide a summary of the maintenance work undertaken on Possum Brush Road by Council or an approved contractor in each EMR required under condition 38.
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