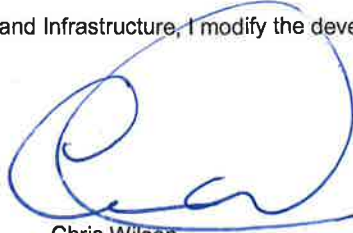


Notice of Modification

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

As delegate of the Minister for Planning and Infrastructure, I modify the development consent referred to in Schedule 1, as set out in Schedule 2.



Chris Wilson
A/Deputy Director General
Development Assessment and Systems Performance

Sydney

25 October

2012

SCHEDULE 1

Development consent granted by the Minister for Planning on 13 October 1988 for the Spring Farm Quarry at 186 Macarthur Road, Lot 22 DP 833317 (formerly Lot 2 DP 625278 Vol 14788 Folio 34).

SCHEDULE 2

1. In Schedule 1, after the words "Lot 22 DP 833317" insert "and Lot 32 DP 635271"
2. In Schedule 1 and in the Definitions section, delete "(Contractors)" and replace with "Holdings".
3. In the Definitions section, delete the definitions for "DECC", "Department", "Director-General", "DWE", "Minister" and "RTA" and insert in alphabetical order the following:

| | |
|------------------|--|
| Department | Department of Planning and Infrastructure |
| Director-General | Director-General of the Department of Planning and Infrastructure, or nominee |
| DRE | Division of Resources and Energy |
| EA (Mod 3) | Environmental Assessment titled <i>Modification of Spring Farm Quarry Consent (DA 75/256), Lot 22 (No. 186) DP 833317 (incorporating Lot 32 No. 172 DP 635271) Macarthur Road, Spring Farm</i> , prepared by Pascoe Planning Solutions, dated April 2012; including the response to submissions titled <i>Review of Exhibition/Consultation Submissions</i> , Part 1, dated August 2012, and Part 2, dated September 2012. |
| EPA | Environment Protection Authority |
| Minister | Minister for Planning and Infrastructure, or delegate |
| NOW | NSW Office of Water |
| RMS | Roads and Maritime Services |

4. In the Definitions section:
 - (a) in the definition of SEE, after the word "SEE", insert "(Mod 2)"; and
 - (b) in the definition of Statement of Commitments, delete the words ", dated 17 April 2009".
5. Except in conditions 12(b) and 17(a), delete all references to "DECC" and replace with "EPA".
6. Delete all references to "DWE" and replace with "NOW".
7. Delete all references to "RTA", and replace with "RMS".
8. In condition 2 of Schedule 2 delete all words after "SEE;" and insert the following:
 - (c) EA (Mod 3);
 - (d) Statement of Commitments (see Appendix 1); and
 - (e) conditions of this approval.

9. Delete condition 3 of Schedule 3, and insert the following:
3. The Applicant shall not:
 - (a) stockpile extractive material on the site, with the exception of topsoil stockpiles and proposed noise and/or visual mitigation bunds; or
 - (b) process any extractive material on the site, with the exception of mobile screening.
10. In condition 12(b) of Schedule 3, delete "and DECC" and insert instead "EPA and NOW".
11. After condition 16 of Schedule 3, insert the following:
- 16A. The Applicant shall ensure that, in order to limit potential scour and erosion during flood events, all topsoil stockpiles and earthen bunds which are to be in place for any period longer than 3 months are oriented parallel to potential flood flows and are promptly and effectively spray-seed hydro-mulched with an appropriate fast-growing native grass mix, to the satisfaction of the Director-General.
12. In condition 17(a) of Schedule 3, delete "and DECC" and insert instead "DPI (Agriculture NSW) and DRE".
13. In condition 18 of Schedule 3:
- (a) in paragraph (b), after the word "including", insert "re-establishing high order agricultural land suitability and land use";
 - (b) in paragraph (b), after the word "Council", insert "and proposed rehabilitation timeframes and timelines";
 - (c) in paragraph (c), after the words "rehabilitation of the site", insert ", including appropriate high order agricultural land suitability objectives with reference to the NSW Agricultural Land Suitability Classification system"; and
 - (d) in paragraph (d), after the dot point "achieving a free draining final landform;", insert the following dot points:
 - ensuring compatibility of the final land form with surrounding land uses;
 - erosion and sediment control;
 - identifying any proposed types and methods of agriculture;
14. After condition 22 of Schedule 3, insert the following:

Waste Management Plan

- 22A. The Applicant shall prepare and implement a Waste Management Plan for the project in consultation with Council and to the satisfaction of the Director-General. The plan must:
 - (c) be prepared by a suitably qualified person/s with expertise in asbestos risk management;
 - (d) be submitted to the Director-General for approval prior to commencing earthworks on Lot 32; and
 - (e) include a:
 - description of the measures and controls that would be implemented to manage asbestos within site;
 - validation protocol to be implemented to ensure that remaining soils and extractive materials products are asbestos free;
 - unexpected findings protocol in the event of encountering asbestos contaminated soils not previously identified in the EA (Mod 3); and
 - incident protocols in the event of exposure to asbestos.
15. Delete condition 4 of Schedule 5 (including the heading), and insert the following:

Annual Review

4. By the end of March each year, the Applicant shall review the environmental performance of the project to the satisfaction of the Director-General. This review must:
 - (a) describe the development (including rehabilitation) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year;
 - (b) include a comprehensive review of the monitoring results and complaints records of the project over the previous calendar year, which includes a comparison of these results against:
 - the relevant statutory requirements, limits or performance measures/criteria;
 - the monitoring results of previous years; and
 - the relevant predictions in the EIS, SEE (Mod 2) and EA (Mod 3);

- (c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;
- (d) identify any trends in the monitoring data over the life of the project;
- (e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and
- (f) describe what measures will be implemented over the current calendar year to improve the environmental performance of the project.

16. Delete condition 7 of Schedule 5, and insert the following:

Revision of Strategies, Plans & Programs

7. Within three months of:
- (a) the submission of an incident report under Condition 3 above;
 - (b) the submission of an Annual Review under Condition 4 above;
 - (c) the submission of an audit report under Condition 5 above, or
 - (d) any modification of the conditions of this approval (unless the conditions require otherwise), the Applicant shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Director-General.

Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.

17. In Appendix 1 delete all words after "Statement of Commitments" and insert the following:



M. COLLINS & SONS HOLDINGS PTY LTD

M. Collins & Sons Holdings Pty Ltd

ACN: 000 521 871

P.O. Box 55, MILPERRA NSW 2214
17 Fitzpatrick Street, REVESBY NSW 2212

Phone: (02) 9774 1544

Facsimile: (02) 9792 1532

Website: www.mcollins.com.au

Statement of Commitments for Spring Farm Quarry

M. Collins and Sons Holdings Pty Ltd undertakes to implement the commitments listed below, in respect of the Spring Farm Quarry, including the stockpile, processing and dispatch site.

- Notes: 1. Spring Farm Quarry encompasses Lot No 1 DP 587631, Lot No 22 DP 833317 and Lot No 32 DP 645271.
2. The stockpile, processing and dispatch site is located on Lot No 1 DP 587631.

| Desired Outcome | Commitments |
|--|---|
| Traffic and Transportation | |
| Limit the impact of development-related traffic | 1. Laden truck movements from the Spring Farm Quarry to public roads will not exceed 36 per day (when averaged over any working week) or 80 on any working day. 2. The total annual dispatches of extractive material products from the Spring Farm Quarry will not exceed 300,000 tonnes per annum. |
| Monitor traffic movements in and out of the site | 3. Comprehensive logs of truck movements and extractive materials received and dispatched from the Spring Farm Quarry will be recorded and maintained. 4. These logs will be made available promptly for inspection on request by either the Director-General or the Council. 5. Comprehensive reports on truck movements and extractive materials received and dispatched will be included in each Annual Environmental Management Report for the development. |
| Limit the impact of quarry trucks on local roads | 6. Except where permitted by Council, trucks travelling to and from the Spring Farm Quarry will not travel via local roads in the vicinity of the development other than Macarthur Road, Springs Road and Richardson Road. |
| Limit the tracking of material onto public roads to minimise dust, particulate matter and debris emissions | 7. All laden trucks carrying material from the Spring Farm Quarry on public roads and will be covered. 8. All trucks leaving the Spring Farm Quarry and travelling on public roads will be cleaned of materials that may fall on the road, before leaving the site. |
| Ecology | |
| Rehabilitate the existing anabranch and eastern bank of the Nepean River | 9. The existing anabranch and eastern bank of the Nepean River will be rehabilitated through appropriate conservation initiatives to a maintainable standard. 10. The current Rehabilitation Management Plan will be updated to include the rehabilitation program proposed in EA (Mod 3). |
| Greenhouse Gases | |
| Minimise greenhouse gas emissions | 11. Energy efficiency associated with all extractive related activities will be constantly improved. |

Signed By: M. Collins & Sons Holdings Pty Ltd
Name: Matthew J. Collins
Position: Managing Director
Date: 9th October, 2012



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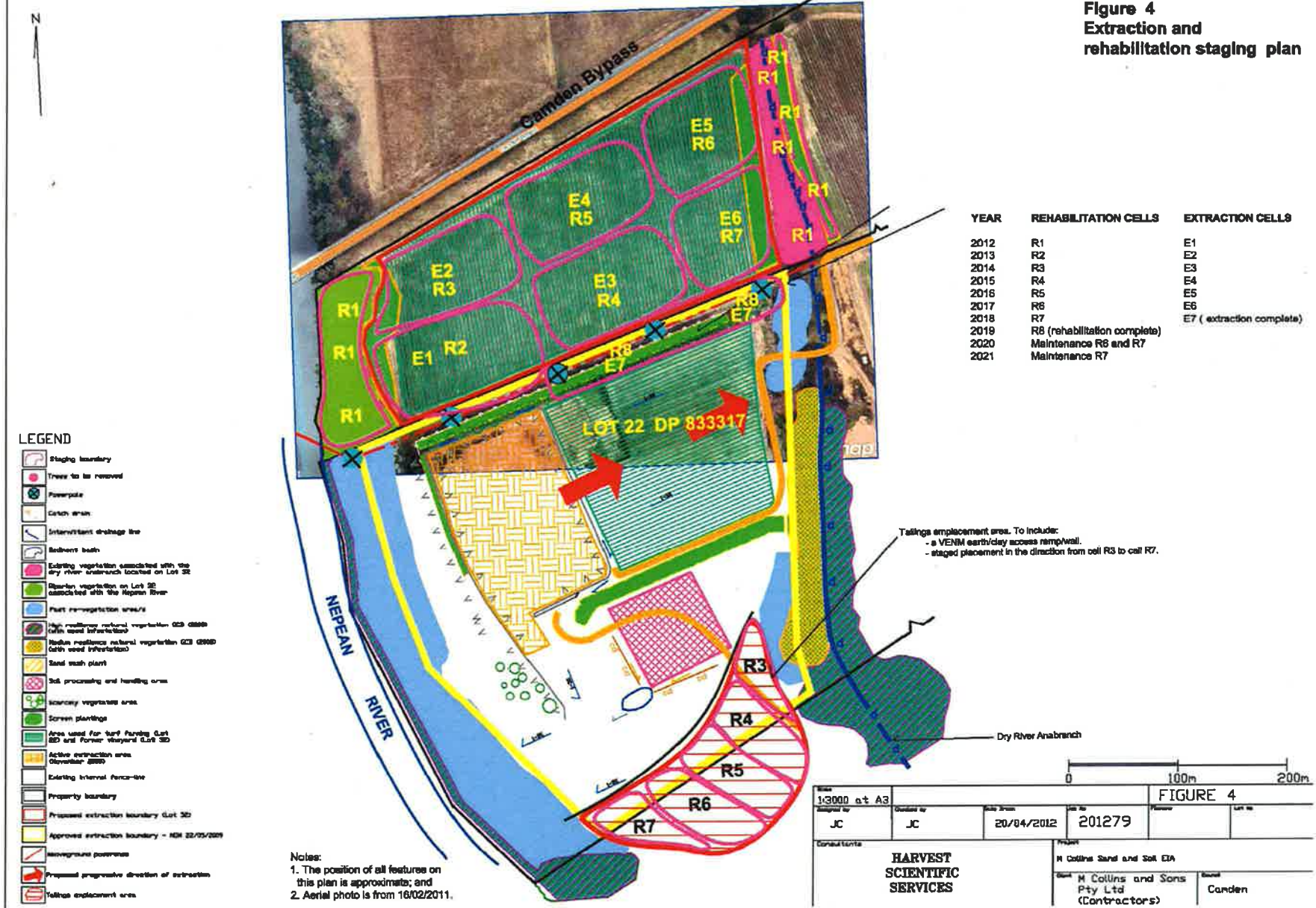
| | |
|---|--|
| Visual | |
| Limit the visual impact from the public view | <p>12. The existing tree screens will be maintained in position for as long as practical.</p> <p>13. Additional screen planting will be undertaken along the anabranch on Lot 22 and Lot 32 prior to the commencement of extraction on Lot 32.</p> <p>14. The active extraction surface area will be restricted to 1 hectare (and a further hectare undergoing rehabilitation). Rehabilitation will be commenced as extraction is completed.</p> <p>15. The current Landscape Management Plan will be updated to include the visual impact mitigation measures proposed in EA (Mod 3).</p> |
| Surety | |
| Extend the current bond held with the Water Ministerial Corporation | 16. The current bond held with the Water Ministerial Corporation will be extended for the duration of extraction and rehabilitation activities on Lot 32, inclusive of a 2 year maintenance period after rehabilitation has been completed. |
| Post Extractive Land use | |
| Restore the final landform suitable for agricultural use | <p>17. The landform and soil profile will be restored to facilitate a diversity of intensive agricultural pursuits.</p> <p>18. The current Landscape Management Plan, including the Rehabilitation Management Plan, will be updated to include the rehabilitation program proposed in EA (Mod 3).</p> |
| Salinity and Groundwater | |
| Implement appropriate management measures | <p>19. All Salinity Management Plan and Groundwater Management Protocols prepared by Harvest Scientific Services will be complied with.</p> <p>20. The current Water Management Plan, including the Groundwater Monitoring Program, will be updated to include the impact mitigation measures proposed in EA (Mod 3).</p> |
| Contamination | |
| Remove and dispose of asbestos contaminated soils | 21. Waste Management Plan consistent with the protocols detailed in the Phase 2 Contamination Assessment undertaken by Harvest Scientific Services will be prepared for the site. |
| Aboriginal Archaeological Watching Brief | |
| Minimise impacts on Aboriginal relics | 22. Aboriginal Archaeological Watching Brief will be implemented. |
| Dust Monitoring | |
| Undertake dust monitoring | <p>23. Dust monitoring as currently in place, will be supplemented by an additional monitoring station near the existing workshop and shed.</p> <p>24. The current Air Quality Monitoring Program will be updated to include the additional air quality monitoring proposed in EA (Mod 3).</p> |
| Camden Bypass Bridge Integrity | |
| Protect the Camden-Bypass bridge integrity | 25. All recommendations made in the SMEC Camden Bypass Report outlined in Appendix Z1 of EA (Mod 3) will be implemented. |
| Endeavour Energy Infrastructure | |
| Protect the Endeavour Energy onsite infrastructure | 26. All recommendations made in respect of the Endeavour Energy Transmission Poles detailed in Appendix G of EA (Mod 3) will be implemented. |
| Flood Emergency Response Plan | |
| | 27. The current Water Management Plan, including the Flood Emergency Procedures Plan, will be updated to include management measures proposed in EA (Mod 3). |

Signed By: M. Collins & Sons Holdings Pty Ltd
 Name: Matthew J. Collins
 Position: Managing Director
 Date: 9th October, 2012

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

Proposed extraction and rehabilitation staging plan for Lot 32 and existing operations on Lot 22

Figure 4
Extraction and
rehabilitation staging plan



Proposed final landform for the extraction areas on Lots 22 and 32

Figure 3
Final landform and
rehabilitation
management plan

