

# 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 project approval referred to in Schedule 1, subject to the conditions in Schedule 2.



David Kitto  
**Director**  
**Mining and Industry Projects**

Sydney

**27 SEPTEMBER**

2013

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### SCHEDULE 1

The Project Approval (DA 92/164) for the Langley Heights hard rock quarry, granted by the Minister for Planning on 1 October 1993.

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### SCHEDULE 2

1. In Condition 1(d) of Schedule 2, delete 'and' after the semi colon.
2. In Condition 1(e) of Schedule 2, delete the full stop and replace with ';' and'.
3. Following Condition 1(e) in Schedule 2, insert the following:
  - f) Modification application (MOD 5), dated 8 August 2013 and accompanying Environmental Impact Statement prepared by Umwelt (Australia) Pty Ltd, dated August 2013.
4. In Condition 2 of Schedule 2, delete "20 years from the granting of this development consent" and insert "on 13 May 2016".
5. Following Condition 22(viii) of Schedule 2, insert the following:
  - ix) by 31 December 2013, the Applicant shall commission a suitably qualified person to:
    - a) undertake a review of existing blasting procedures and practices on the site;
    - b) determine whether any additional management or mitigation measures are necessary to ensure compliance with airblast overpressure and ground vibration limits in this consent; and
    - c) prepare a report detailing the outcomes and recommendations of the review, to the satisfaction of the Director-General.

Within 2 months of receiving the review report, or as otherwise agreed by the Director-General, the Applicant shall submit a copy of the report to the Director-General, with a response to any of the recommendations contained in the report, including a timetable for the implementation of any reasonable and feasible measures proposed to address the recommendations in the report. The Applicant shall then implement the measures identified by the Director-General, to the satisfaction of the Director-General.

6. At the end of Condition 23(i) of Schedule 2, insert the following:

However, these criteria do not apply if the Applicant has a written agreement with the relevant landowner to exceed the criteria, and the Applicant has advised the Department in writing of the terms of this agreement.

7. In Condition 26(ii) of Schedule 2, replace "annually" with "quarterly".

8. Following Condition 30A of Schedule 2, insert the following:

**30B Driver Code of Conduct**

The Applicant shall prepare and implement a Driver Code of Conduct for all quarry related heavy vehicles using public roads. The Code of Conduct must be prepared in consultation with Council, and submitted to the Director-General for approval by 31 December 2013, and must address;

- a) travelling speeds of quarry vehicles on public roads;
- b) staggering of truck departures from the site;
- c) instructions to drivers not to overtake each other on the haulage route, as far as practicable, and to maintain appropriate distances between vehicles
- d) instructions to drivers to adhere to the designated haulage routes;
- e) instructions for safety procedures for drivers to ensure that traffic regulations are obeyed;
- f) regular driver training for the Code of Conduct, to ensure that all drivers are made aware of the Code; and
- g) procedures for ensuring compliance with and enforcement of the Code, to the satisfaction of the Director-General

9. Replace all references to the 'Department of Urban Affairs and Planning' with the 'Department of Planning and Infrastructure'.

10. Replace all references to the 'Roads and Traffic Authority (RTA)' with the 'Roads and Maritime Services (RMS)'.

11. Delete all references to the 'Department of Public Works'.