

Notice of Modification

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

As delegate of the Minister for Planning, I modify the project approval referred to in Schedule 1, as set out in Schedule 2.

J Evans 30.10.18

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A/Director
Resource Assessments

Sydney 30 October 2018

SCHEDULE 1

The project approval (07_0069) for the Wagga Wagga Quarry Extension Project, granted by the Deputy Director-General on 22 November 2011.

SCHEDULE 2

1. In the list of Definitions, delete the definitions for "Department", "Director-General", "DRE", "Feasible", "Incident", "Material harm to the environment", "Minister", "NOW", "Project", "Quarrying operations", and "RTA", and insert the following in alphabetical order:

AEP	Annual Exceedance Probability
AHD	Australian Height Datum
CCC	Community Consultative Committee
Department	NSW Department of Planning and Environment
Dol	NSW Department of Industry – Crown Lands and Water
DRG	Division of Resources and Geoscience within the Department
EA (MOD 1)	Environmental Assessment titled <i>Environmental Assessment for Wagga Wagga Quarry Extension Project Modification PA 07_0069</i> , dated June 2018
EPA	NSW Environmental Protection Authority
Feasible	Means what is possible and practical in the circumstances
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance
Material harm	Is harm that: • involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or • results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) This definition excludes "harm" that is authorised under either this approval or any other statutory approval
Minister	NSW Minister for Planning, or delegate
Modification 1	The modification to the project approval, as described in EA (MOD 1)
Project	The project as described in the documents listed in condition 2 of Schedule 2
Quarry product	Includes all saleable quarry products, but excludes tailings and other wastes and rehabilitation material

Quarrying operations	The extraction, processing, stockpiling and transportation of extractive materials carried out on the site and the associated removal, storage and/or emplacement of vegetation, topsoil and overburden
RMS	NSW Roads and Maritime Services
Secretary	Planning Secretary under the EP&A Act, or nominee

2. In the definition for “Annual Review”, delete the number “4” and replace with the number “5”.
3. Delete all references to “Director-General” and replace with “Secretary”.
4. Delete all references to “shall” and replace with “must”.
5. Delete all references to “NOW” and replace with “DoI”.
6. Delete all references to “DRE” and replace with “DRG”.
7. Delete all references to “RTA” and replace with “RMS”.
8. Delete conditions 2, 3 and 4 of Schedule 2, and insert the following:
 2. The Proponent must carry out the project generally in accordance with the:
 - (a) EA and EA (MOD 1); and
 - (b) Statement of Commitments.

Note: The general layout of the project is shown in Appendix 1 and intended project staging as shown in Appendix 2.
 - 2A. The Proponent must carry out the project in accordance with the conditions of this approval.
 3. Consistent with the requirements in this approval, the Secretary may make written directions to the Proponent in relation to:
 - (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this approval, including those that are required to be, and have been, approved by the Secretary; and
 - (b) the implementation of any actions or measures contained in any such document referred to in condition 3(a).
 4. The conditions of this approval and directions of the Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document/s listed in condition 2. In the event of an inconsistency, ambiguity or conflict between any of the document/s listed in condition 2, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.
9. In condition 6 of Schedule 2, delete paragraph (b) and replace with the following:
 - (b) permit more than 12 heavy vehicle movements per hour (total of all quarry haulage truck movements into and out of the site) between 3:00 pm and 5:00 pm on any weekday; and
 - (c) permit more than six heavy vehicle movements per hour (total of all quarry haulage truck movements into and out of the site) between 5:00pm and 6:00pm on any weekday, unless in the case of emergency or under the direction of police or other relevant authority.
10. In condition 7 of Schedule 2 in paragraph:
 - a) (a) delete the number “8” and replace with the number “9”;
 - b) (b) delete the number “16” and replace with the number “14”;
 - c) (c) delete the number “17” and replace with the number “15”;
 - d) (d) delete the number “18” and replace with the number “16”; and
 - e) (e) delete the number “27” and replace with the number “25”.
11. In the first bullet point in the notes to Table 1 in condition 1 of Schedule 3, delete the words “and Addendum EA”.
12. Delete references to “OEH” in conditions 2, 4, 5, 7, 8, 9, 14, 15 and 24 of Schedule 3 and Appendix 3, and replace with “EPA”.
13. In conditions 4, 7, 14, 15, 19, 24 and 25 of Schedule 3 and condition 1 in Schedule 5, delete the words “and implement”.
14. At the end of conditions 4, 7, 14, 19, 24 and 25 of Schedule 3, insert the following:

The Proponent must implement the plan as approved by the Secretary.

15. At the end of condition 15 of Schedule 3, insert the following:

The Proponent must implement the program as approved by the Secretary.

16. At the end of condition 1 of Schedule 5, inset the following:

The Proponent must implement the strategy as approved by the Secretary.

17. In Table 4 in condition 5 of Schedule 3, delete note reference “a” and replace with “b”.

18. In condition 24(e) of Schedule 3, delete the number “27” and replace with the number “25”.

19. In condition 5(b) of Schedule 4, delete the word “schedule” and replace with “Schedule”.

20. In condition 1(f) of Schedule 5, delete the words “copies of” and replace with the words “references to”.

21. In condition 2(a) of Schedule 5, delete the word “detailed” and replace with the words “a summary of”.

22. In condition 5 of Schedule 5, delete the words “*Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects* (Department of Planning, 2007, or its latest version)”, and replace with “*Community Consultative Committee Guidelines: State Significant Projects (2016)*”.

23. In condition 8(b) of Schedule 5, after the word “agencies” inset the words “and CCC”.