

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.



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A/Executive Director
Resource Assessments and Compliance

Sydney 10 OCTOBER

2018

SCHEDULE 1

The project approval (07_0094) for the Salt Ash Sand Project, granted by the Acting Deputy Director-General on 29 October 2010.

SCHEDULE 2

1. In the list of Definitions, delete the following terms for "AEMR", "Day", "Department", "DRE", "EEC", "I&I NSW", "Incident", "Material harm to the environment", "Minister", "NOW", "Project", "Proponent", "Quarrying operations", "Reasonable and feasible", "Rehabilitation", "RTA" and "Secretary", and their definitions and insert the following in alphabetical order:

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>Salt Ash Sand Quarry and Tomalla Offset Biobank Assessment Report</i> , dated 20 May 2011 and prepared by ATB Morton Pty Limited; and supporting documentation titled <i>Tomalla Botanical Survey and Vegetation Mapping – Offset Investigation: Lot 2 DP 707938, Tomalla, NSW</i> prepared by Orogen Pty Limited and dated November 2010
EA (MOD 2)	Environmental Assessment titled <i>Proposed Modification to Salt Ash Sand Extraction project (MP 07_0094)</i> , dated 18 February 2011 and prepared by ATB Morton Pty Limited
EA (MOD 3)	Environmental Assessment titled <i>Proposed modification to Salt Ash Sand Extraction project (MP 07_0094)</i> , dated 2 May 2014 and prepared by ATB Morton Pty Limited
EA (MOD 4)	Environmental Assessment titled <i>Modification to Redisand Salt Ash Sand project approval 07_0094</i> , dated November 2017 and response to submissions documents dated April 2018 and May 2018 prepared by ATB Morton Pty Limited
EEC	Endangered Ecological Community, as defined under the <i>Biodiversity Conservation Act 2016</i> and/or <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>
EPA	NSW Environment 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
km/h	Kilometres per hour

Laden trucks	Trucks transporting quarry products from the site and/or trucks transporting topsoil or mulch to the site
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
Mitigation	Activities associated with reducing the impacts of the project
Modification 4	The modification to the project approval, as described in EA (MOD 4)
Non-compliance	An occurrence, set of circumstances or development that is a breach of this approval
Project	The project as described in the documents listed in condition 2 of Schedule 2
Project layout	The layout of the project as shown in the figure in Appendix 1
Proponent	ATB Morton Pty Limited, or any person carrying out any project under this approval
Public infrastructure	Linear and other infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications, etc.
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
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
RMS	NSW Roads and Maritime Services
Secretary	Planning Secretary under the EP&A Act, or nominee

2. Delete all references to “shall” and replace with “must”.
3. Delete all references to “NOW” and replace with “Do”.
4. Delete all references to “DRE” and replace with “DRG”.
5. In condition 1 of Schedule 2, delete the words “The Proponent” and replace with the words “In addition to meeting the specific performance measures and criteria established under this approval, the Proponent”.
6. In condition 2 of Schedule 2, delete all words after paragraph (b) and replace with the following:
 - (c) EA (MOD 1);
 - (d) EA (MOD 2);
 - (e) EA (MOD 3);
 - (f) EA (MOD 4); and
 - (g) project layout.
7. After condition 2 of Schedule 2, insert the following:
 - 2A. The Proponent must carry out the project in accordance with the conditions of this approval.
8. Delete conditions 3 and 4 of Schedule 2, and replace with the following:
 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. Delete condition 7 of Schedule 2 and replace with the following:
 - 7. The Proponent must not transport more than:
 - (a) 4 laden trucks per hour;
 - (b) 42 laden trucks per day, Monday to Friday; and
 - (c) 18 laden trucks per day on Saturdays.

Note: Truck movements are further restricted by the operating hours in condition 3 of Schedule 3.
- 10. In condition 8 of Schedule 2, delete the number “201,000” and insert the number “400,000”.
- 11. Delete condition 9 of Schedule 2 and replace with the following:
 - 9. With the approval of the Secretary, the Proponent may:
 - (a) prepare and submit any strategy, plan or program required by this approval on a staged basis (if a clear description is provided as to the specific stage and scope of the project to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - (b) combine any strategy, plan or program required by this approval (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined);
 - (c) update any strategy, plan or program required by this approval (to ensure the strategies, plans and programs required under this approval are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the project); and
 - (d) stage or update a strategy, plan or program without consultation being undertaken with all parties required to be consulted in the relevant condition in this approval.
- 12. After condition 13 of Schedule 2, insert the following:

EVIDENCE OF CONSULTATION

- 14. Where conditions of this approval require consultation with an identified party, the Proponent must:
 - (a) consult with the relevant party prior to submitting the subject document to the Secretary for approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Proponent and how the Proponent has addressed the matters not resolved.

COMPLIANCE

- 15. The Proponent must ensure that all employees, contractors (and their sub-contractors) are made aware of, and instructed to comply with, the conditions of this approval relevant to activities they carry out in respect of the project.

APPLICABILITY OF GUIDELINES

- 16. References in the conditions of this approval to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, standards or policies in the form they are in as at the date of this approval.
- 17. However, consistent with the conditions of this approval and without altering any limits or criteria in this approval, the Secretary may, when issuing directions under this approval in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, standard or policy, or a replacement of them.

13. In condition 2 of Schedule 3, delete the table and replace with the following:

Receiver	Morning shoulder period (6:00 am – 7:00 am) <i>L_{Aeq} (15 min) dB(A)</i>	Day period (7:00 am – 6:00 pm) <i>L_{Aeq} (15 min) dB(A)</i>
JP1	35	40
JP2	35	43
JP3	35	39
JP4	35	37
NB1	35	36
All other receivers	35	35

14. In condition 3 of Schedule 3, delete the table and replace with the following:

Day	Construction Activities	Quarrying Operations (including truck movements)	Maintenance (only if inaudible at privately-owned residences)
Monday – Friday	7:00 am to 6:00 pm	6:00 am to 6:00 pm	Any time
Saturday	8:00 am to 1:00 pm	8:00 am to 1:00 pm	Any time
Sundays and Public Holidays	No construction activities	No quarrying operations	Any time

15. In condition 7 of Schedule 3:
a) delete the words “and implement”; and
b) after paragraph (c), insert the following:

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

16. Delete condition 8 of Schedule 3 and replace with the following:

8. The Proponent must ensure that particulate matter emissions generated by the development do not cause exceedances of the criteria in Table 3 at any residence on privately-owned land.

Table 3: Air quality criteria

Pollutant	Averaging period	Criterion	
Particulate matter < 10 µm (PM ₁₀)	Annual	^{a, c} 25 µg/m ³	
	24 hour	^b 50 µg/m ³	
Particulate matter < 2.5 µm (PM _{2.5})	Annual	^{a, c} 8 µg/m ³	
	24 hour	^b 25 µg/m ³	
Total suspended particulate (TSP) matter	Annual	^{a, c} 90 µg/m ³	
^d Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month

Notes:

^a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources).

^b Incremental impact (i.e. incremental increase in concentrations due to the development on its own).

^c Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Planning Secretary.

^d Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.

17. Delete condition 10 of Schedule 3, including the heading, and insert the following:

Air Quality Management Plan

10. Within 3 months of approval of Modification 4, the Proponent must prepare an Air Quality Management Plan for the project to the satisfaction of the Secretary. This plan must:
- (a) be prepared by a suitably qualified and experienced person/s;
 - (b) be prepared in consultation with the EPA;
 - (c) describe the measures to be implemented to ensure:
 - (i) compliance with the air quality criteria and operating conditions in this approval;
 - (ii) best practice management is being employed; and
 - (iii) air quality impacts of the project are minimised during adverse meteorological conditions and extraordinary events;
 - (d) describe the air quality management system; and
 - (e) include an air quality monitoring program that:
 - (i) is capable of evaluating the performance of the project against the air quality criteria;
 - (ii) adequately supports the air quality management system; and
 - (iii) includes a protocol for identifying any air quality-related exceedance, incident or non-compliance and for notifying the Department and relevant stakeholders of these events.

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

18. In conditions 14, 23, 28 and 33 of Schedule 3:
- a) after the word “prepare”, delete the words “and implement”; and
 - b) after the last paragraph, insert the following:

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

19. Delete condition 29 of Schedule 3, and insert the following:

29. Prior to commencing increased trucking approved under Modification 4 and stipulated in condition 7 of Schedule 2, the Proponent must upgrade the intersection of Nelson Bay Road and Janet Parade to a channelised right turn (CHR) type intersection in consultation with Council and to the satisfaction of RMS.

Note: Conditions of approval do not guarantee RMS's final consent to the specific road work, traffic control facilities and other structures or works, for which it is responsible, on the road network. RMS must provide a final consent for each specific change to the classified (State) road network prior to the commencement of any work.

20. In condition 31 of Schedule 3, in paragraph (a), delete “kph” and replace with “km/h”.

21. After condition 33 of Schedule 3, insert the following:

Transport Operating Conditions

- 33A. The Proponent must:
- (a) ensure that all laden trucks entering or exiting the site have their loads covered;
 - (b) ensure that all laden trucks exiting the site are cleaned of material that may fall from vehicles, before leaving the site;
 - (c) take all reasonable steps to minimise traffic safety issues and disruption to local road users; and
 - (d) take all reasonable steps to ensure that appropriate signage is displayed on all trucks used to transport quarry products from the site so they can be easily identified by other road users.
22. After the heading “ENVIRONMENTAL MANAGEMENT” in Schedule 5, insert the sub heading “**Environmental Management Strategy**”.
23. In condition 1 of Schedule 5:
- a) delete the words “and implement”; and
 - b) after the last paragraph, insert the following:

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

24. After condition 2 of Schedule 5, insert the following:

Application of Existing Strategies, Plans and Programs

- 2A. The Proponent must continue to apply existing management plans, strategies or monitoring programs approved prior to the approval of Modification 4, until the approval of a similar plan, strategy or program following the approval of Modification 4.
25. In condition 5 of Schedule 5, delete the words “*Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects* (Department of Planning, 2007”, and replace with the words “*Community Consultative Committee Guidelines: State Significant Projects* (2016”.
26. Delete conditions 6 and 7 of Schedule 5, including their headings, and insert the following:

Incident Notification

6. The Proponent must notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing to compliance@planning.nsw.gov.au and identify the project (including the project approval number and name) and set out the location and nature of the incident.

Non-Compliance Notification

7. Within seven days of becoming aware of a non-compliance, the Proponent must notify the Department of the non-compliance. The notification must be in writing to compliance@planning.nsw.gov.au and identify the project (including the project approval number and name), set out the condition of this approval that the project is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

27. Delete APPENDIX 3 and replace with the following:

Impact	Commitment
1. Ecology	• Environmental Offset By 1st February 2015, the required number of biodiversity credits are to be retired. • Hollow bearing tree management To compensate the loss of up to 212 hollow bearing trees identified in the extraction foot print it is proposed to salvage branch hollows (up to 30 cm in diameter) from those existing hollow bearing trees proposed for removal for subsequent re-erection onto host trees which the subject site, such as the buffer zones or retained swamp forest habitat, and / or on adjoining Office of Environment and Heritage estate. Hollows will be placed at least 3 metres from the base of the host tree and in a favourable orientation to minimise exposure. Host trees should be in good health. All salvaged hollows shall be re-erected within twelve (12) weeks from completion of staged clearing operations. Damaged hollows would be repaired (where possible) or replaced with nest boxes. Where required, nest boxes are to be laced in host trees in retained habitats such as buffer zones and retained swamp forest habitat and if possible, in adjoining Office of Environment and Heritage estate. The re-use of hollows and establishment of nest boxes provides habitat for a range of species including: ○ Brush – tailed Phascogale; ○ Squirrel Gliders; and

	○ Microbats. Existing logs and other suitable ground debris salvaged during clearing operations are to be retained in forested habitats within the subject site. The provision ground debris within the site would be expected to provide shelter and nesting habitat for small terrestrial mammals, additional habitat for the Brush – tailed Phascogale and Squirrel Gliders. Cleared trees supporting trunk hollows would provide suitable den sites for quolls. ● Buffer Zones The following buffer zones / exclusion zones are proposed to be established prior to, and maintained throughout the life of the quarry: - ○ A fifty (50) metre buffer shall be established on both sides of the northern Energy Australia power line. This will create a 130-metre-wide 'exclusion zone (including the 30 metre cleared area); ○ A fifty (50) metre wide buffer zone is proposed along the site boundary adjoining Office of Environment and Heritage Estate to minimise edge effects; ○ Remaining site boundaries will be provided with a twenty-metre-wide vegetated buffer; and ○ A twenty (20) metre wide buffer zone is also proposed between the northern edge of the quarry face and the retained swamp forest habitats on the site. All buffer zones are to be surveyed and marked (flagging tape / plastic mesh fencing) prior to the commencement of clearing works. Buffers will generally be consistent with the figure provided in Appendix B.
2. Vegetation Management - Salt Ash	A comprehensive Vegetation Management Plan will be prepared to address the staged clearing program within the extraction footprint. This plan is to be endorsed by NSW Department of Planning and Environment prior to the commencement of clearing or earthworks. The plan shall have regard to the following matters, as outlined in the Orogen 2008 report: ● Vegetation Clearing Management ○ All contractors conducting clearing, earthworks or construction activities within the subject site are to be informed of the restrictions to the clearing of vegetation outside the exclusion fencing. A construction protocol would be prepared requiring all earthworks, machinery and personnel be strictly controlled and restricted to the extraction footprint. No storage of materials, vehicle parking or other disturbance would be undertaken outside the exclusion fencing. Contractors would be supplied with the construction protocol regarding the clearing restrictions through a work induction program; ○ Trees are to be felled away from the retained bushland on the subject site back into the extraction area; and ○ Domestic fauna (ie dogs) are prohibited from entering the subject site with Contractors. ● Weed Management A Weed Management Program is to be adopted to control weeds in buffer zones, retained swamp forest habitats and future extraction stages to minimise edge effects and future extraction stages. The

	program is to comprise annual monitoring to assess weed coverage and determine the need for future weed control. Pre Clearing Surveys Fauna surveys are required prior to vegetation clearing for each staged extraction area. Surveys shall target Threatened species known or potentially occurring in the locality and will involve the following steps four nights prior to staged clearing activities: - - Searches for nests of threatened raptors; - Searches for whitewash or other signs of roosting or nesting of Powerful and Masked Owls; - Stag watching and Anabat survey of hollow bearing trees in each staged extraction area to determine presence of Microchiropteran bats; - Scat searches and visual inspection for recent Koala occupation of all trees proposed for felling; and - Elliot trapping surveys for Squirrel Gliders and Brush – Tailed Phascogale. Any identified species must be appropriately monitored, and clearance obtained prior to commencement of clearing in identified habitat / nesting sites. The results of such surveys would be made available to Office of Environment and Heritage prior to the commencement of clearing operations for each stage. Translocation of Threatened Fauna Where it is proposed to translocate a threatened fauna species, this process shall be undertaken in accordance with <i>Policy of the Translocation of Threatened Fauna in NSW</i> (NPWS, 2001). Staged Rehabilitation Prior to the commencement of works a site rehabilitation plan is to be endorsed by NSW Department of Planning and Environment. This plan should have regard for: - Staging of rehabilitation; - Retention and reuse of materials from clearing process; - Seedbanking; - Use of endemic species; - Recovery of any groundwater dependent ecosystems, including swamp sclerophyll forest; - Proposed final landforms; and - Ongoing monitoring.
3. Vegetation Management – Offset Site	A vegetation management plan shall be prepared for the Offset Site. This Plan shall be endorsed by Office of Environment and Heritage prior to the commencement of clearing on the Salt Ash site. The plan shall give regard to the following: - Weed Management and monitoring; - Management of retained native vegetation and habitat; - Feral animal control; - Fire management; - Public access management; - Minimisation of edge effects and fragmentation; - Long term monitoring commitments; - Details of rehabilitation programs / measures; - Measures to ensure conservation in perpetuity; and - Funding details of long term financial commitment to any proposed conservation measures.

4. Aboriginal Cultural Heritage	• An Aboriginal Cultural Heritage Management Plan should be developed in consultation with the local Aboriginal community. This document will guide the management of Aboriginal cultural heritage resources and heritage values for the duration of the Salt Ash Sand extraction project. • A detailed Research Design and Methodology should be developed for the Salt Ash sand extraction project. This document will outline procedures for undertaking monitoring, surface collection and archaeological excavation within the project area. • Archaeological excavation should be undertaken as recommended in the AHMS (2008) report. This excavation should be done with the full consultation and involvement of the Aboriginal community. The excavation should only be conducted once project approval has been granted in order to ensure that archaeological sites are not destroyed without reason. • Consultation established with the Aboriginal community should continue for the duration of the project until all matters pertaining to Aboriginal heritage have been resolved. • The AHMS should incorporate a designated keeping place within the site. The size and location of the keeping place should be endorsed by the Aboriginal community.
5. Air Quality	• Any unsealed haulage routes are to be watered to suppress dust prior to the commencement of haulage. • Monitoring of air quality is to occur in accordance with the licensing requirement imposed on the project.
6. Water Management	• No excavation is permitted into the sandbed lower than 1 metre above the highest predicted groundwater table for the extraction area. • All operations relating to the extraction of groundwater, including the sinking of bores must be done in compliance with the Water Sharing Plan for the Tomago Tomaree Stockton Groundwater Sources, 2003. • A Groundwater Management Plan is to be developed prior to the commencement of extraction operations to the satisfaction of the Department of Planning. The management plan is to include ongoing monitoring requirements. • A Groundwater Impact Model shall be developed to the satisfaction of NSW Department of Planning and Environment which presents details on drawdown limits to neighbouring bores, including those on Lot 220, DP 1049608. The model shall also establish cut off criteria to avoid exposure of Potential Acid Sulphate Soil materials and determine cease to pump limits in accordance with Section 36 of the Water Sharing Plan for the Tomago Tomaree Stockton Groundwater Sources, 2003. • A groundwater monitoring network shall be developed to the satisfaction of NSW Department of Planning and Environment which shall monitor the effectiveness of cut off criteria and compliance with the 1 metre minimum buffer to highest predicted groundwater table as determined within the model and demonstrate minimal interference with neighbouring bores and wells. • Any refuelling of equipment used for the proposal will be undertaken within a designated area, in close proximity to a spill kit and the workshop. Where practical repairs to mobile plant will be undertaken within the workshop. • Prior to the commencement of sand washing on site a license for groundwater extraction is to be obtained or details of alternative arrangements are to be submitted to NSW Department of Planning and Environment.

	An approval to install and operate an onsite effluent disposal system shall be obtained in accordance with Section 68 of the Local Government Act, 1993 prior to the commencement of operations.
7. Visual Impact	- For the life of the project an 8-metre ridge line (RL 8m AHD) along the northern boundary of the vegetated sand dune is to be maintained. - Buffers, as required for ecological mitigation measures, are to be similarly maintained to mitigate visual impacts associated with the development. - Vegetation screens are to be established and maintained to shield the plant amenities building. - Ongoing and progressive revegetation during the sand extraction operation is required. Revegetation is to commence on the completion of extraction from any area. - Sand extraction to occur in accordance with the approved extraction staging plan. - Full revegetation post staged extraction and upon finalisation of the mine.
8. Noise & Vibration	The proposed hours of operation are: - - Monday – Friday: - 6:00am – 6:00pm; - Saturday: - 8:00am – 1:00pm; and - Sundays and Public Holidays: - No operations Prior to the commencement of construction or operations a noise management plan shall be prepared and endorsed by NSW Department of Planning and Environment and shall incorporate measures generally consistent with the following recommendations: - Construction of the required noise attenuation barrier adjacent to the Janet Parade residence shall be constructed prior to major earthworks for the quarry access road construction; - Examine different types of machinery that perform the same function and compare the noise level data to select the least noisy machinery. - Place as much distance as possible between the plant or equipment and residences. - Regularly train and communicate with workers and / or contractors regarding the use of equipment in ways to minimise noise. This could include, but is not be limited to, the following: - Avoid the use of radios/stereos outside; - Avoid shouting and slamming doors; and - Keep truck drivers informed of designated routes and parking areas. - Periodically check the site and neighbouring residences for noise problems so that solutions can be quickly applied. - Consult with affected neighbours about scheduling activities to minimise noise impacts. - Schedule noise activities around times of high background noise (eg local road traffic) where possible to provide masking or to reduce the amount that the construction noise intrudes above the background. - Nominate an off-site truck parking area, away from residences, for trucks arriving prior to gates opening. - Examine and implement, where feasible and reasonable, the option of acoustical treatment to residences affected by construction noise, such as to windows at the building façade. However, alternative means of ventilation may be required where windows are close and airflow into a building does not meet building requirements. Note also that the effectiveness of closing existing

	windows may be limited by the performance of the window seals and/or building façade construction. The application for the upgrade to the Nelson Bay Road / Janet Parade Intersection shall incorporate a Construction Noise Impact Assessment and Management Plan. This plan shall be prepared in accordance with the NSW Interim Construction Noise Guidelines and endorsed by NSW Department of Planning and Environment and the RMS prior to the commencement of works associated with the intersection.
9. Management Plans Required	The following management plans shall be prepared and endorsed by the relevant authority prior to the commencement of works / operations: • Vegetation Management Plan (Extraction Site); • Vegetation Management Plan (Offset Site); • Aboriginal Cultural Heritage Management Plan; • Groundwater Management Plan and Impact Model; • Construction and Operational Noise Management Plan. Continued monitoring of mosquitos within the site in addition to the identification and reduction of aquatic breeding sites will be undertaken. Measures will include not allowing irrigation water to lie undisturbed and checking irrigation lines for leaks.
10. Essential Operational Licenses required	• The operator is to obtain an Environmental Protection License for the proposal in accordance with the <i>Protection of the Environment Operations Act, 1997</i>; • The operator shall adhere to any ongoing monitoring requirements specified in the license; • Prior to the commencement of any operations the operator will make available and publicise a contact phone number which will enable the general public to reach an appropriate person to address and action any concerns raised. The operator shall maintain a log of all enquiries received and actions undertaken to address the enquiry. A copy of the log shall be supplied to Office of Environment and Heritage on an annual basis.

28. Delete APPENDIX 5 – INDEPENDENT DISPUTE RESOLUTION PROCESS.

29. Update the Table of Contents to reflect the above changes.