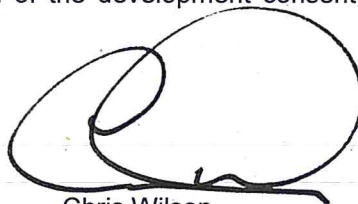


Notice of Modification

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

As delegate of the Minister for Planning and Infrastructure, under the delegation of 14 September 2011, I hereby approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Chris Wilson
Executive Director
Major Projects Assessment

Sydney 14 January 2013

SCHEDULE 1

The development application 14/96 made by Boral Resources (NSW) Pty Ltd on land described as Lots 1 and 2 DP 441113, St Peters, in the Marrickville local government area, granted by the then Minister for Urban Affairs and Planning on 6 September 1996.

SCHEDULE 2

The development consent is modified by:

1. Deleting the existing definitions list and inserting the following:

Applicant	Boral Resources (NSW) Pty Ltd and their agents and successors
Approval	Approval in writing
ARTC	Australian Rail Track Corporation Ltd
CEMP	Construction Environmental Management
Consent Authority	Minister for Planning and Infrastructure
Council	Marrickville Council
Director-General	Director-General of the Department of Planning and Infrastructure or nominee
EPA	Environment Protection Authority
NOW	NSW Office of Water
RMS	NSW Roads and Maritime Services
SACL	Sydney Airport Corporation Limited

2. Replacing the following references:

- (i) All references to "RTA" with "RMS"
- (ii) All references to "Director, Development and Environmental Services" and "Director, Technical Services" with "Council"
- (iii) All references to "LA WC" with "NOW"
- (iv) All references to "FAC" with "SACL"
- (v) All references to "SRA" with "ARTC"

3. Replacing existing Condition 2 with the following:

- 2. The development shall be carried out in accordance with:

- a) The development application (DA 14/96), supporting Environmental Impact Statement (EIS), and the option described as "Option A" in the EIS;
- b) supplementary material prepared by S A Smits and Associates Pty Ltd, dated April 1996, June 1996, 21 September 1998, 25 September 1998, 22 March 1999, 7 May 1999, 21 May 1999, 17 November 1999, 26 November 1999 and 1 March 2000;
- c) modification application DA 14/96 (Mod 1), granted 12 May 1997 and supporting information provided by S A Smits and Associates Pty Ltd;
- d) modification application DA 14/96 (Mod 2), granted 8 December 1998 and supporting information provided by S A Smits and Associates Pty Ltd;
- e) modification application DA 14/96 Mod 03-99 (Mod 3), granted 25 June 1999 and supporting information provided by S A Smits and Associates Pty Ltd;
- f) modification application DA 14/96-M1 Mod 11-99 (Mod 4), granted 7 April 2000 and supporting information provided by S A Smits and Associates Pty Ltd;
- g) modification application DA 14/96 (Mod 5) granted 23 August 2001 and supporting information provided by S A Smits and Associates Pty Ltd;
- h) modification application MOD-10-2-2003-I (Mod 6), granted 16 May 2003 and supporting information provided by S A Smits and Associates Pty Ltd;
- i) modification application MOD-34-3-2004-i (Mod 7) granted 11 February 2004 and supporting information provided by S A Smits and Associates Pty Ltd;
- j) modification application DA 14/96 Mod 8 dated 11 December 2012 and supporting information provided EMGA Mitchell McLennan (EMM);
- k) details of alterations to the layout of the materials handling facility detailed in the letter from S A Smits and Associates dated 25 March 2004, including drawings numbered SEK287-C-009 revision D (11 February 2004) and SEK287-M-001 revision C (11 February 2004);
- l) details of the cross-over and associated third rail siding detailed in letter from EMM dated 11 December 2012, including drawing number 2569-01; and
- m) the conditions of this consent.

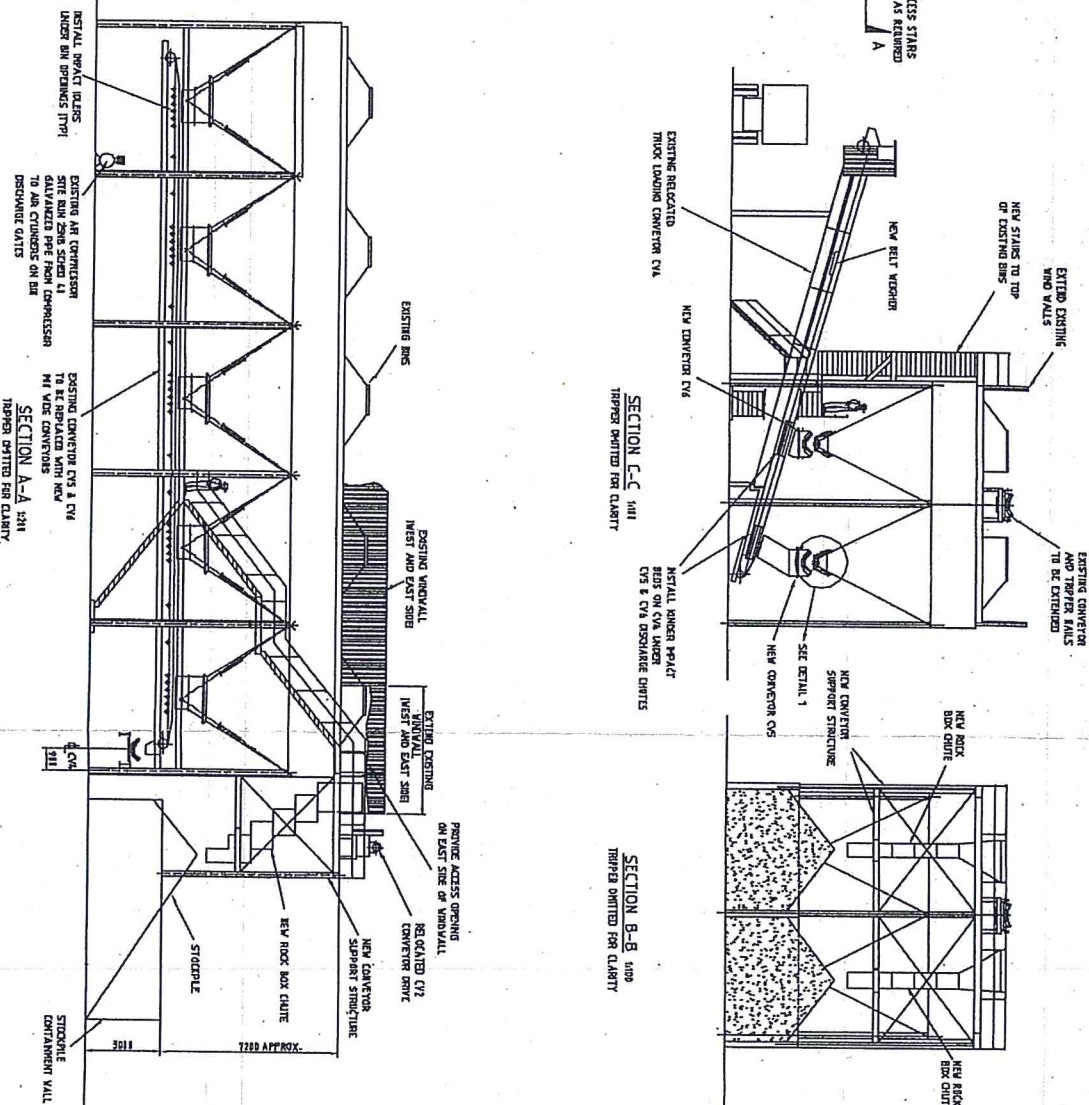
In the event of an inconsistency between the documents listed from a) to l) above, the most recent document shall prevail to the extent of the inconsistency.

4. Insert new condition 28a and 28b as follows:

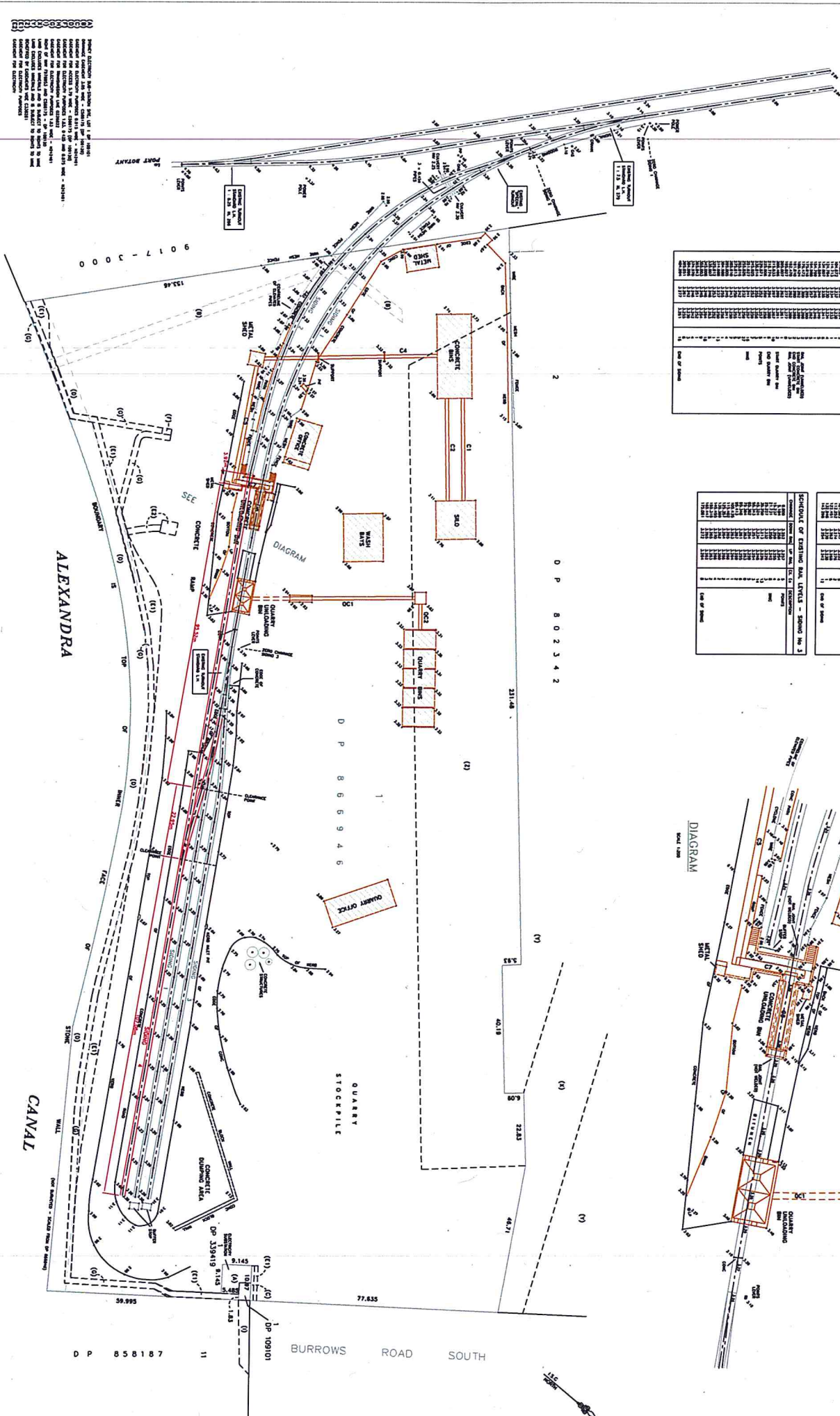
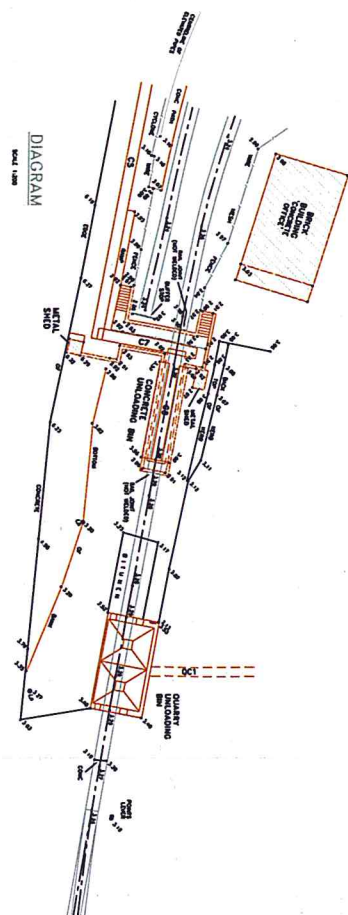
- 28a. The Proponent shall prepare and implement a Construction Environmental Management Plan (CEMP) for the project that outlines environmental management practices and procedures to be followed during construction. The Plan shall:
 - a) be prepared to the satisfaction of the Director-General prior to the commencement of any construction works associated with modification application DA 14/96 Mod 8;
 - b) include:
 - i. hours of construction;
 - ii. soil and water management measures;
 - iii. noise and air quality control measures; and
 - iv. traffic arrangements and management measures, including details on vehicle routes, access arrangements and traffic controls.
- 28b. Prior to the commencement of construction works associated with modification application DA 14/96 Mod 8 (Mod 8), the Proponent shall undertake preliminary testing in the area proposed to be disturbed by Mod 8 to determine whether acid sulfate soils are present.

Should the soil testing identify the presence of acid sulfate soils, the Proponent shall prepare and implement, prior to the construction of Mod 8, management measures to control the disturbance of the acid sulfate soils, to the satisfaction of the Director-General.

[illegible]

[illegible]

Country	From 1981	Up to 1981	DL, 1981	DESCRIPTION
1	1,464	1,464	1	1
2	1,464	1,464	1	1
3	1,464	1,464	1	1
4	1,464	1,464	1	1
5	1,464	1,464	1	1
6	1,464	1,464	1	1
7	1,464	1,464	1	1
8	1,464	1,464	1	1
9	1,464	1,464	1	1
10	1,464	1,464	1	1
11	1,464	1,464	1	1
12	1,464	1,464	1	1
13	1,464	1,464	1	1
14	1,464	1,464	1	1
15	1,464	1,464	1	1
16	1,464	1,464	1	1
17	1,464	1,464	1	1
18	1,464	1,464	1	1
19	1,464	1,464	1	1
20	1,464	1,464	1	1
21	1,464	1,464	1	1
22	1,464	1,464	1	1
23	1,464	1,464	1	1
24	1,464	1,464	1	1
25	1,464	1,464	1	1
26	1,464	1,464	1	1
27	1,464	1,464	1	1
28	1,464	1,464	1	1
29	1,464	1,464	1	1
30	1,464	1,464	1	1
31	1,464	1,464	1	1
32	1,464	1,464	1	1
33	1,464	1,464	1	1
34	1,464	1,464	1	1
35	1,464	1,464	1	1
36	1,464	1,464	1	1
37	1,464	1,464	1	1
38	1,464	1,464	1	1
39	1,464	1,464	1	1
40	1,464	1,464	1	1
41	1,464	1,464	1	1
42	1,464	1,464	1	1
43	1,464	1,464	1	1
44	1,464	1,464	1	1
45	1,464	1,464	1	1
46	1,464	1,464	1	1
47	1,464	1,464	1	1
48	1,464	1,464	1	1
49	1,464	1,464	1	1
50	1,464	1,464	1	1
51	1,464	1,464	1	1
52	1,464	1,464	1	1
53	1,464	1,464	1	1
54	1,464	1,464	1	1
55	1,464	1,464	1	1
56	1,464	1,464	1	1
57	1,464	1,464	1	1
58	1,464	1,464	1	1
59	1,464	1,464	1	1
60	1,464	1,464	1	1
61	1,464	1,464	1	1
62	1,464	1,464	1	1
63	1,464	1,464	1	1
64	1,464	1,464	1	1
65	1,464	1,464	1	1
66	1,464	1,464	1	1
67	1,464	1,464	1	1
68	1,464	1,464	1	1
69	1,464	1,464	1	1
70	1,464	1,464	1	1
71	1,464	1,464	1	1
72	1,464	1,464	1	1
73	1,464	1,464	1	1
74	1,464	1,464	1	1
75	1,464	1,464	1	1
76	1,464	1,464	1	1
77	1,464	1,464	1	1
78	1,464	1,464	1	1
79	1,464	1,464	1	1

[illegible][illegible][illegible]