

# Notice of Modification

## Section 75W of the Environmental Planning & Assessment Act 1979

As delegate of the Minister for Planning, I modify the project approval referred to in schedule 1, subject to the conditions in schedule 2.



Sam Haddad  
Director General

Sydney

17<sup>th</sup> March

2009

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### SCHEDULE 1

Project approval 06\_0074 for the Marulan South Quarry, which was granted by the Minister for Planning on 28 February 2007.

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### SCHEDULE 2

1. Delete the definitions for DEC and DNR from beneath the heading "DEFINITIONS" in Schedule 1 and insert in alphabetical order the following:

DECC	Department of Environment and Climate Change
DWE	Department of Water and Energy
2. Delete all references to "DEC" and replace with "DECC".
3. Delete all references to "DNR" and replace with "DWE"
4. Delete condition 2(c) of schedule 2 and replace with:
  - (c) modification application 06\_0074 – MOD 1 and accompanying Statement of Environmental Effects entitled *Marulan South Quarry Statement of Environmental Effects for a Pre-commencement Exploratory Test Pit* dated 13 November 2008, and letter from Boral Resources Pty Ltd to the Department dated 13 February 2009; and
  - (d) conditions of this approval.
5. After condition 4 of Schedule 2 insert the following:
  - 4A The Proponent shall be permitted to undertake pre-construction exploratory test pit activities as described in modification application 06\_0074 MOD 1.

Note: The commencement of test pit activities as described in modification application 06\_0074 MOD 1 is not subject to the preparation of management plans.