

# Notice of Modification

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

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



David Kitto  
Director, Mining & Industry Projects

Sydney

21 FEBRUARY

2013

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### SCHEDULE 1

Project approval 07\_0078 for the Rockley Falls Quarry Project, granted by the Minister for Planning on 16 June 2008.

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### SCHEDULE 2

1. In the Definitions in schedule 1, delete the definition for Director-General and insert in alphabetical order the following:

Director-General	Director-General of the Department of Planning and Infrastructure, or nominee
EPA	NSW Environment Protection Authority

2. In condition 2 of schedule 2, delete all words after "November 2011;" and insert the following:
- (i) modification application 07\_0078 Mod 7 and accompanying Environmental Assessment titled: Rockley Falls Quarry, Modification Report – Extend Operating Hours, dated 29 November 2012; and
  - (j) conditions of this approval.
3. Delete conditions 5C and 5D of schedule 2, and insert the following:
- 5C. Until 31 May 2013, unless otherwise agreed by the Director-General:
- (a) the operation of the dry-mix batch plant shall be restricted to 4am to 8pm, Monday to Friday and 4am to 1pm, Saturday
  - (b) if the maximum temperature at the Holbrook Bypass Project site is predicted to be equal to or below 32°C at 3pm the following day:
    - (i) the operation of the wet-mix batch plant shall be restricted to 4am to 8pm, Monday to Friday and 4am to 1pm, Saturday; and
    - (ii) the haulage of concrete from the site is restricted to the hours of 5am to 7pm Monday to Friday and 5am to 1pm on Saturday;
  - (c) if the maximum temperature at the Holbrook Bypass Project site is predicted to be above 32°C at 3pm the following day:
    - (i) the wet-mix batch plant may operate on a 24-hour basis between 5am, Monday and 1pm, Saturday; and
    - (ii) the delivery of materials for the batch plants and haulage of concrete from the site is restricted to the hours of 5am Monday to 1pm on Saturday, limited to a total of 50 vehicle movements per hour within a 12 hour period, for those days predicted to exceed 32°C at 3pm.
- 5D. The delivery of materials for the batch plants (other than that permitted by condition 5C(c)(ii) of schedule 2) may be undertaken:
- (a) on a 24-hour basis Monday to Friday, limited to a total of 5 vehicle entries between 10pm and 7am; and
  - (b) during operational hours on Saturday.

4. Insert the following after condition 5 of schedule 3:

**Operating Conditions**

- 5A. The Proponent shall implement all reasonable and feasible measures to minimise operation and transport noise from the project, to the satisfaction of the Director-General.
5. In conditions 5, 6, 13, 16 and 22 of schedule 3, delete all references to "OEH" and replace with "EPA".