

Notice of Modification

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

As Delegate for the Minister for Planning, I modify the Project Approval referred to in Schedule 1, subject to the conditions in Schedule 2.

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Development Assessment Systems and Approvals

Sydney

2014

SCHEDULE 1

The Project Approval (MP 07_0094) for the Salt Ash Sand Project, granted by the Acting Deputy Director-General, as delegate for the Minister for Planning, on 29 October 2010.

SCHEDULE 2

1. In the list of Definitions, delete the definitions for "Department", "Director-General", "Minister" and "OEH" and insert the following in alphabetical order:

Department	Department of Planning and Environment
Minister	Minister for Planning, or delegate
OEH	Office of Environment and Heritage
Secretary	Secretary of the Department, or nominee
2. Delete all references to "Director-General" and replace with "Secretary".
3. In condition 2 of Schedule 2, delete all words after "18 February 2011;" (except the note) and insert the following:
 - (e) the modification application 07_0094 MOD 3, and supporting letter titled *Proposed modification to Salt Ash Sand Extraction Project (MP 07_0094)*; dated 2 May 2014; and
 - (f) conditions of this approval.
4. In condition 19 of Schedule 3, delete "By 1 February 2012" and replace with "By 1 February 2015".
5. In condition 22(b) of Schedule 3, delete "bund" and replace with "fence".
6. Delete condition 26 of Schedule 3, and insert the following:
 26. Prior to commencing quarrying operations, the Proponent shall lodge a rehabilitation bond for the project with the Secretary. The sum of the bond shall be calculated as either:
 - (a) \$2.50/m² for the area to be disturbed for the first 3 years of quarrying operations; or
 - (b) in accordance with the *NSW Industry and Investment Rehabilitation Cost Estimate Guidelines 2010*,
to the satisfaction of the Secretary.

Notes:

- *If capital and other expenditure required by the Rehabilitation Management Plan is largely complete, the Secretary may waive the requirement for the lodgement of a bond in respect of the remaining expenditure.*
- *If the rehabilitation of the site area is completed to the satisfaction of the Secretary, then the Secretary will release the bond. If the rehabilitation of the site is not completed to the satisfaction of the Secretary, then the Secretary will call in all or part of the bond, and arrange for the completion of the relevant works.*

7. In condition 3 of Schedule 5, delete “By 1 November 2011, and annually thereafter” and insert “By the end of March each year”.
8. In condition 3(a) of Schedule 5, insert “calendar” before all references to “year”.
9. In Appendix 3, under “1. Ecology” delete the paragraph under “Environmental Offset”, and insert the following:

By 1st February 2015, the required number of biodiversity credits are to be retired.

10. In Appendix 3, under “6. Water Management” delete the sixth dot point, and insert the following:
 - 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;