

Notice of Modification

Section 4.55(1A) 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.

Clay Preshaw
Director
Resource and Energy Assessments

Sydney

2 NOVEMBER

2018

SCHEDULE 1

The project approval for the Rasp Project granted by the delegate of the Minister for Planning on 31 January 2011 (07_0018).

SCHEDULE 2

1. In the list of definitions, delete the definitions for 'DPI – Water', 'DRG', 'Feasible', 'Incident' and 'Material harm to the environment', and insert the following in alphabetical order:

Dol L&W	Department of Industry – Lands & Water Division
DRG	Division of Resources and Geoscience and Resources Regulator within the Department
Feasible	Feasible relates to engineering considerations and what is practical to build or implement
Incident	A set of circumstances that causes or threatens to cause material harm to the environment
Material harm	Is harm that: <ul style="list-style-type: none">• involves actual or potential harm to the health or safety of human beings or to ecosystems 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)
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the project
Non-compliance	An occurrence, set of circumstances or development that is a breach of this approval but is not an incident

2. In the definition of 'EA', delete all words after 'Response to Submissions dated January 2015', and insert:
- Modification application 07_0018 Mod 4 and accompanying Environmental Assessment titled: *Rasp Mine Environmental Assessment Modification 4, Concrete Batching Plant Blackwood Pit TSF2 Extension* dated April 2017 and Response to Submissions dated June 2017; and
 - Modification application 07_0018 Mod 5 and accompanying Statement of Environmental Effects titled: *Rasp Mine Statement of Environmental Effects Modification 5, Warehouse Extension, Cement Silo & Adjustment of Air Quality Monitoring* dated August 2018.
3. In condition 4 of Schedule 3, delete the heading 'Table 4: Discharge Criteria for Point 1 and Point 6 – Ventilation Shafts' and replace with 'Table 4: Discharge Criteria for Point 1 – Ventilation Shaft'.

4. In Table 5 of Schedule 3, delete both occurrences of 'bTBD' and replace with a concentration limit of:
- '20' for the 'Total solid particles (TSP)' pollutant; and
 - '1' for the 'Type 1 and Type 2 substances' pollutant.

5. In the notes to Tables 4-5 of Schedule 3, delete the second dot point.

6. In Table 6.1 of Schedule 3, after the row containing 'Production rock blasting', insert:

Transporting cement to the cement silo	7 am to 7 pm on any day
Loading the cement silo	

7. In condition 17A(c) of Schedule 3, delete all words after 'embankment 1', and insert:

- (c) capping and rehabilitation of TSF2; and
- (d) construction of the cement silo and warehouse extension.

8. In condition 17B of Schedule 3:

- delete '17A(a)-(c)' and replace with '17A(a)-(d)'; and
- delete condition (b) and reorder subsequent conditions.

9. After condition 17B of Schedule 3, insert:

17C. The Proponent must not carry out any of the activities specified in condition 17A(a)-(c) of this consent concurrently.

10. Delete all references to 'DPI' and 'DPI – Water' and replace with 'DoI L&W'.

11. Delete condition 5 of Schedule 4, and replace with:

Incident Notification

5. The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Proponent becomes aware of an incident. The notification must identify the project (including the application number and the name of the project if it has one), and set out the location and nature of the incident.

Non-Compliance Notification

5A. The Department must be notified in writing to compliance@planning.nsw.gov.au within 7 days after the Proponent becomes aware of any non-compliance with the conditions of this approval. The notification must identify the project and the application number for it, set out the condition of 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 done, or will be, undertaken to address the non-compliance.

12. Delete the first figure in Appendix 3 and replace with the following figure:

APPENDIX 3 PROJECT LAYOUT PLANS

