

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.



Chris Wilson
Executive Director
Major Project Assessment

Sydney

18 DECEMBER

2008

SCHEDULE 1

MP 05_0117 for the Moolarben coal mine, which was granted by the Minister for Planning on 6 September 2007.

SCHEDULE 2

1. Delete Condition 2(c) of Schedule 2 and replace with:
 - (c) Environmental Assessment prepared by Coffey Natural Systems, dated December 2008; and
2. Insert after Condition 2 of Schedule 2 the following additional wording:
 - (d) conditions of this approval.
3. Replace Condition 51 of Schedule 3 with the following:
 51. Prior to carrying out any construction on site, unless otherwise authorised by the Director-General, the Proponent shall:
 - (a) construct the new intersection between the Ulan-Cassilis Road (MR 214) and the proposed mine access road for the coal handling preparation plant and coal stockpile infrastructure areas; and
 - (b) upgrade the existing intersection between the Ulan-Cassilis Road (MR 214) and Ulan-Wollar Road in conjunction with the owner of the Wilpinjong coal mine, to the satisfaction of the RTA.
4. Replace the 'Note' below Condition 56 of Schedule 3 with the following:

Note: The Proponent is only responsible for upgrading the Ulan-Wollar Road from the existing intersection between Ulan-Cassilis Road (MR 214) and Ulan-Wollar Road and the new intersection between the Ulan-Wollar Road and the proposed mine access road for the open cut mining operations (see Conditions 51(b) and 52 of Schedule 3).