# **Modification of Development Consent**

Section 4.55(1A) of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.

Steve O'Deneabue

Steve O'Donoghue

Director

Resource Assessments

Sydney 17 October 2024

### **SCHEDULE 1**

Development consent: MP08\_0135 granted by the Planning Assessment Commission on

30 January 2015 as delegate of the Minister for Planning.

For the following: Moolarben Coal Project Stage 2

Applicant: Moolarben Coal Operations Pty Limited

**Modification:** Mod 5 - CWO Transmission Line

#### **SCHEDULE 2**

- 1. In the list of definitions delete the terms and corresponding conditions for "BSC", "DPIE Water" and "Heritage NSW".
- 2. In the list of definitions insert the following definitions in alphabetical order:

BCS Biodiversity Conservation and Science Group of NSW

Department of Climate Change, Energy, the Environment and

Water

CWO REZ Central-West Orana Renewable Energy Zone Transmission

Transmission Project project (SSI-48323210)

Heritage NSW, within the NSW Department of Climate

Change, Energy, the Environment and Water

Water Group NSW Department of Climate Change, Energy the

Environment and Water - Water Group

- 3. In the definition of "EA":
  - a. delete the "and" at the end of the 9th bullet point;
  - b. delete the full stop at the end of the last bullet point and replace with ";"; and
  - c. insert:
    - Modification Report CWO Transmission Line, dated 30 August 2024
- 4. In the definition of "Resources Regulator" delete "Regional NSW" and replace with "Primary Industries and Regional Development".
- 5. Throughout the consent, replace "DPIE Water" with "Water Group".
- 6. In the note to condition 7 of Schedule 2, after the first dot point, insert:
  - The total ROM coal extracted from the Moolarben mine complex (open-cut) is no more than 16 million tonnes in any calendar year.
  - The total ROM coal extracted from the Moolarben mine complex (underground mining) is no more than 8 million tonnes in any calendar year.
- 7. After condition 29e(iv) of Schedule 3, insert:
  - (v) a protocol that has been prepared in consultation with the owners of the CWO REZ Transmission Project to review opportunities of increased water sharing between these projects.
- 8. In Table 16 within condition 44 of Schedule 3:
  - a. In the row corresponding to Red Hills Conservation Area replace "42" with "41", "9" with "8" and "107" with "106".

10. In Appendix 2, insert after Figure 2.1: UG4 U(1) 03 03 UG2 03 Source: MCO (2021); NSW Spatial Services (2021) Orthophoto: MCO (Jan 2021) LEGEND Interaction Between Approved Disturban ce Footprint and Central - West O and Renewable Energy Zone Transmissi on Project (SSI-48323210) Central - West O rand Renewable Energy Zone Transmissi on Project (SSI-48323210) National Parks /Nature Reserves Other Mining Operation Existing/Approved Moolathen Coal Complex Mining Lease Boundary Underground Longwall Layout Disturbance Footprint YANCOAL MOOLARBEN COAL COMPLEX

Figure 2.2: Interaction of General Project Arrangement with CWO REZ Transmission Project

Interaction Between Approved Disturbance Footprint and Central-West Orana Renewable Energy Zone Transmission Project (SSI-48323210)

## 11. In Appendix 8, replace Figure 8.1 with the following:

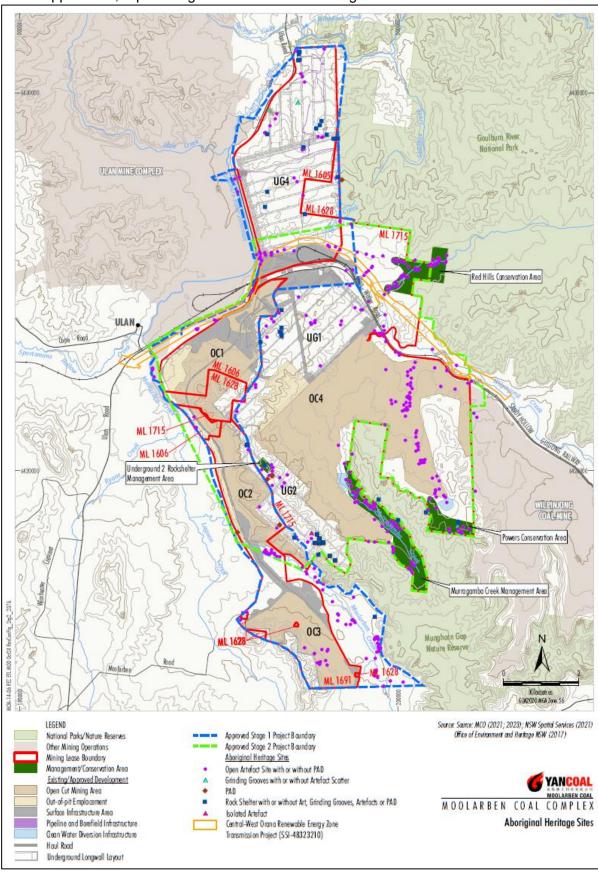


Figure 8.1: Aboriginal Cultural Heritage Sites

## 12. In Appendix 9, replace figure 9.1 with the following:

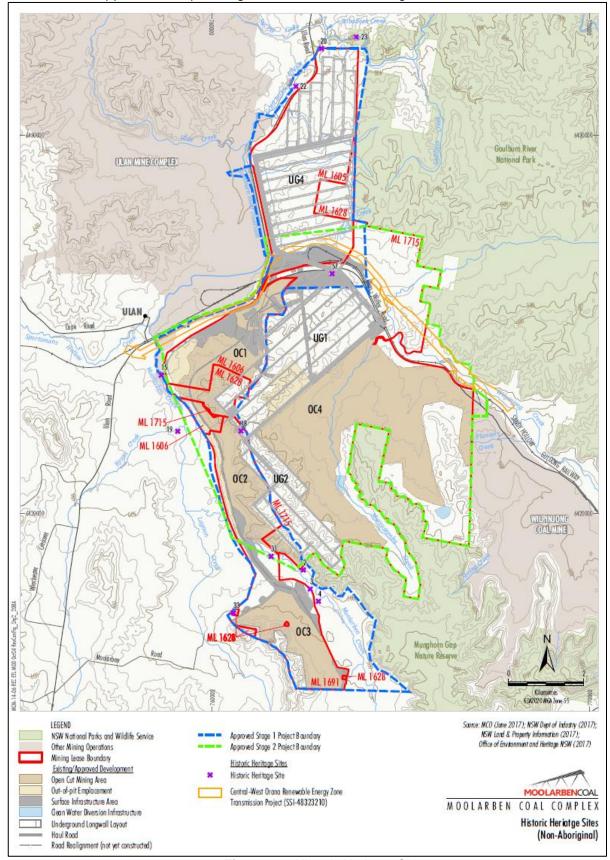


Figure 9.1: Historic Heritage Sites

13. In Appendix 10, replace figure 10.1 with the following: Source MCO (2017); MSW Degr of Industry (2017); NSW Land & Property Information (2017); Office of Environment and Heatage MSW (2017) Orthophoto Mosnic MCO (Agril 2016 - May 2012) LEGEND Mining Lease Boundary Road Realignment (not yet constructed) DA Stage 1 Boundary DA Stage 2 Boundary Rehabilitation Agricultural MOOLARBENCOAL Rehabilitation Native Vegetation MOOLARBEN COAL COMPLEX Final Void Central-West Orana Renewable Energy Zone Transmission Project (SSI-48323210) Indicative Areas of Rehabilitation

Figure 10.1: Indicative Rehabilitation Areas

**End of modification** (MP08\_0135 MOD 5)