

Notice of Modification

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

As delegate for the Minister for Planning, the Planning Assessment Commission of New South Wales (the Commission) modifies the project approval referred to in Schedule 1, subject to the conditions in Schedule 2.

Member of the Commission

Member of the Commission

Sydney

2014

SCHEDULE 1

The project approval for the Angus Place Coal Project (06_0021), granted by the Minister for Planning on 13 September 2006.

SCHEDULE 2

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

Department
EA Mod 4

NSW Department of Planning & Environment
Modification application and accompanying
Environmental Assessment titled *Environmental
Assessment Angus Place Colliery Development
Continuity Project Section 75W Modification to Project
Approval PA06_0021* and dated May 2014

Incident

A set of circumstances that:

- causes or threatens to cause material harm to the environment; and/or
- breaches or exceeds the limits or performance measures/criteria in this approval

Material harm to the environment

Actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial

Minister
Mod 4 Statement of Commitments

Minister for Planning, or delegate

Secretary

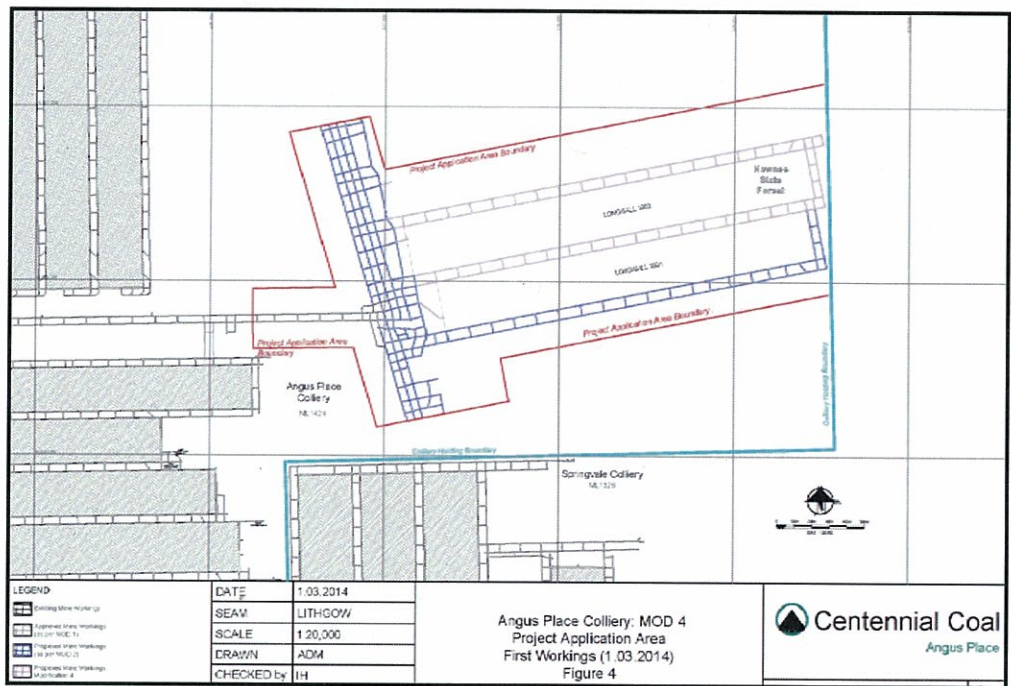
The Proponent's commitments for the implementation of Mod 4, as set out in Appendix 7
Secretary of the Department, or nominee

2. Delete all references to "Director-General" and replace with "Secretary".
3. In condition 2 of Schedule 2, delete all words after "Mod 1 Statement of Commitments;" and insert the following:
- "(d) EA – Mod 2;
 - (e) Mod 2 Statement of Commitments;
 - (f) EA – Mod 3;
 - (g) EA – Mod 4;
 - (h) Mod 4 Statement of Commitments; and
 - (i) conditions of this approval."

4. In condition 12 of Schedule 3, delete all words after "local community.", and insert:
 "The Proponent shall:
 - (a) consult with Council and the CCC regarding expenditure from the fund;
 - (b) nominate project/s for expenditure from the fund by 31 January 2015; and
 - (c) ensure the nominated project/s are commenced by 30 June 2015, to the satisfaction of the Secretary."
5. Delete condition 6 of Schedule 5, and replace with the following:

Incident Reporting

6. The Proponent shall immediately notify the Secretary and any other relevant agencies of any incident. Within 7 days of the date of the incident, the Proponent shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested."
6. In Appendix 5, delete the figure and replace with the following:



7. After Appendix 6, insert the following:

**APPENDIX 7
 MOD 4 STATEMENT OF COMMITMENTS**

Subsidence

- Angus Place Colliery will satisfy the Division of Resources and Energy that the proposed first workings are designed to remain stable and non-subsiding in the long term, except insofar as they may be impacted by approved second workings.
- Appropriate impact management and mitigation strategies will be developed for infrastructure and natural features within the Project Application Area as required.
- Existing management plans will be reviewed and updated if necessary to take into consideration impact management, performance management and mitigation strategies for the Modification.

Water Resources

- The existing Site Water Management Plan will be reviewed and updated if necessary to take into consideration potential impacts from the Modification.

Ecology

- The existing Flora and Fauna Management Plan will be reviewed and updated if necessary to take into consideration potential impacts from the Modification.