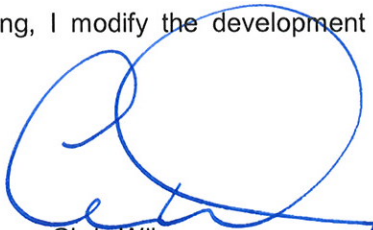


Notice of Modification

Section 96(1A) of the *Environmental Planning and Assessment Act 1979*

As the delegate of the Minister for Planning, I modify the development consent referred to in Schedule 1, as set out in Schedule 2.



Chris Wilson
Executive Director
Major Project Assessment

Sydney, 11 December 2008

SCHEDULE 1

The development consent for Ulan Coal Mines Limited granted by the Minister for Planning on 21 December 2005 (DA 103-5-2005).

SCHEDULE 2

1. Replace Condition 2 (c) of Schedule 2 with the following:
 - (c) Modification Application DA 113-12-98 MOD 3 titled "*Modifications to Ulan Coal Mine Development Consents DA 113-12-98 and DA 103-5-2005 under Section 96(1A) of the Environmental Planning and Assessment Act 1979*", dated 17 November 2008, supplied by Ulan Coal Mines Limited; and
 - (d) conditions of this consent.