

**NOTICE OF A MODIFICATION TO DEVELOPMENT CONSENT
UNDER SECTION 96(1A)
OF THE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Under Section 96(1A) of the *Environmental Planning and Assessment Act 1979*, I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), modify the development consents referred to in Schedule 1, as set out in Schedule 2.

Diane Beamer MP
**Minister Assisting the
Minister for Infrastructure & Planning
(Planning Administration)**

Sydney,

2003

File No: S97/00399

SCHEDULE 1

- (a) Consent (File No. 81/10684) granted by the Minister for Planning and Environment on 4 October 1985, with respect to the development application made by the Applicant, Ulan Coal Mines Limited for the expansion of Ulan Coal Mine, Ulan ((known as Stage 2).
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SCHEDULE 2

- (a) **Consent of 4 October 1985**

Replace Condition 1(a) in Schedule 2 with the following:

- "1(a) The Development is to be carried out generally in accordance with:
- (i) Development Application File No. 81/10684;
 - (ii) Environmental Impact Statement dated February 1983, prepared by Kinhill Stearns Engineers and entitled *Ulan Coal Mines Stage 2 Colliery Development and Expansion Environmental Impact Statement*;
 - (iii) modification dated 15 July 1992 (File S91/05669);
 - (iv) modification application dated April 1997, prepared by McKenzie Land Planning Services Pty Limited and entitled *Ulan Colliery – Application for Modification of Consent*;

- (v) letter dated 23 June 1997 to the Department of Urban Affairs and Planning from McKenzie Land Planning Services Pty Limited with regard to overburden dumping in the Highwall Zone No. 3 area;
- (vi) modification consent File S97/00399 granted 26 June 1997;
- (i) letter dated 23 May 2003 requesting a S96(1A) modification to construct an overland ROM coal conveyor on a new alignment;
- (ii) the modification report dated 11 July 2003, prepared by McKenzie Land Planning Services Pty Limited, entitled *Ulan Coal Mine Coal Conveyor System Section 96(1A) Modification Application Relocation of Entries and Surface Facilities*; and
- (vii) the conditions of this consent."