

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

NOTICE OF MODIFICATION TO A DEVELOPMENT CONSENT GRANTED ON 01.11.91 UNDER SECTION 101 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979, PURSUANT TO SECTION 96(2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

I, the Minister for Planning, under Section 96(2) of the Environmental Planning and Assessment Act, 1979, modify the development consent referred to in Schedule 1 by the conditions set out in Schedule 2. I am satisfied that the development to which the development consent, as modified, will relate, is substantially the same development.

The reasons for the imposition of the conditions are:

- (i) to permit the modification of consent such that the existing highwall entry can be used in the long term, coal can be transported to Camberwell Coal Handling and Preparation Plant for processing, and coal can be dispatched from the Camberwell rail loading facility;
- (ii) to minimise any adverse impact that the modified development may cause through noise, visual disturbance, air and water pollution, traffic and subsidence; and,
- (iii) to ensure environmental monitoring and reporting requirements are appropriate for the modified development.



Andrew Refshauge MP
Minister for Planning

Sydney, 18 December 2001

DA 105-90-M2 File No: N91/00267

SCHEDULE 1

Development consent to be modified:

Development consent granted by the Minister for Urban Affairs and Planning on 1 November 1991, pursuant to section 101 of the Environmental Planning and Assessment Act 1979, ("the Act") for a development application (DA 105-90) made by Maitland Main Collieries Pty Limited for the construction and operation of an underground coal mine, except as modified by the amendment of that development consent granted by the Minister for Urban Affairs and Planning on 16 November 1998, pursuant to section 96(2) of the Act.

SCHEDULE 2

Proposed modifications for which development approval is now sought (DA 105-90-M2):

- The long-term use of the highwall entry in ML 1437 for the extraction and temporary stockpiling of coal mined by underground methods from within CL 382;
- The transportation of all coal produced within CL 382 through CL 357 to the Camberwell Coal Handling and Preparation Plant (CHPP) for processing;
- The preparation of all Glennies Creek coal through the Camberwell CHPP;
- The despatch of the washed coal through the Camberwell train loading facility and rail loop; and
- The long-term use of the existing surface facilities on the former Oak Creek School site owned by the Glennies Creek Coal Mine.

The development consent is modified as follows:

SCHEDULE 1

- (a) ***inserting an additional section in Schedule 1 after "For the following:", titled "BCA Classification" as follows:***

"BCA Classification:	Class 10(a)	-	Main Bathhouse
	Class 10(a)	-	Overflow Bathhouse
	Class 10(a)	-	Ablutions Building
	Class 9(a)	-	First Aid Room
	Class 7	-	Lamp Room
	Class 5	-	Surveyor's/Geologists' Office, Storeman's Office, Safety Officer's Office, Underground Admin Office, Site Clerks Office"

SCHEDULE 2

GENERAL

- (b) ***inserting in Condition 1, before the words '...and, as may be modified by these conditions.', the words:***

"the Statement of Environmental Effects in support of a Section 96(2) application for the Glennies Creek Coal Mine, dated June 2001, prepared by R.W. Corkery and Co Pty Ltd"

- (c) ***inserting after Condition 32, the following conditions:***

“Long-term Highwall Stability

33. The Applicant shall commission a geotechnical assessment of the highwall area to assess its long term stability, within three months of the date of this development consent to the satisfaction of the Department of Mineral Resources.
34. The Applicant shall ensure that appropriate measures are adopted to address the outcomes of the assessment undertaken in condition 33 above to the satisfaction of the Department of Mineral Resources. This may include but shall not be limited to:
- (a) a strategy for supporting the highwall and access roadways in the long term;
 - (b) a timetable for any repair and support works required; and
 - (c) a monitoring plan to detect any changes in highwall and roadway stability.”

(d) *inserting after Condition 34, the following condition:*

“Statutory Requirements

35. (a) The Applicant shall ensure that all statutory requirements including but not restricted to those set down by the Local Government Act 1993, Protection of the Environment Administration Act 1991, Protection of the Environment Operations Act 1997, Rivers and Foreshores Improvement Act 1948, Water Act 1912, National Parks and Wildlife Act 1974, and all other relevant legislation, Regulations, Australian Standards, Codes, Guidelines and Notices, Conditions, Directions, Notices and Requirements issued pursuant to statutory powers by the Singleton Shire Council, Environment Protection Authority, Department of Mineral Resources, National Parks and Wildlife Service, Department of Land and Water Conservation, Roads and Traffic Authority, NSW Agriculture, and NSW Fisheries, are fully met.
- (b) Detailed plans and specifications relating to the design and construction of each structural element associated with the proposed development are to be submitted to the Principal Certifying Authority prior to the construction of each particular building or structure. Such plans and specifications must be accompanied by certification provided by a practicing professional structural engineer or an accredited certifier certifying the structural adequacy of the proposed building design and compliance with the Building Code of Australia.
- (c) Upon completion of building works and prior to the issue of an occupation certificate, a certificate/s prepared by a suitably qualified person or a compliance certificate/s issued by an accredited certifier, is to be submitted to the Principal Certifying Authority certifying that the following building components, where relevant, have been completed in accordance with approved plans and specifications:
- footings;
 - concrete structures, including ground floor and any subsequent floors, retaining walls and columns;
 - framing and roof structure;

- fire protection coverings to building elements required to comply with the Building Code of Australia; and
- mechanical ventilation.

The certificate/s shall demonstrate at what stage of construction inspections were undertaken.”