

Notice of Modification

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 Acting Deputy Director-General, Office of Sustainable Assessments and Approvals, modify the development consent referred to in Schedule 1, as set out in Schedule 2.

Chris Wilson
Acting Deputy Director-General
Office of Sustainable Assessments and Approvals
(as Delegate for the Minister for Planning)

Sydney

2005

SCHEDULE 1

The development consent (DA 172-7-2004) for the Werris Creek coal mine, which was granted by the Minister for Infrastructure and Planning on 18 February 2005.

SCHEDULE 2

1. Delete the word “and” at the end of condition 2(c) of schedule 3.
2. Add the following after condition 2(c) of schedule 3:
 - (d) information accompanying modification application DA 172-7-2004 MOD-1, dated 11 October 2005, prepared by Werris Creek Coal Pty Ltd; and
3. Replace the numbering of condition 2(d) of schedule 3 with 2(e).
4. Amend condition 48(a) of schedule 4 to read:
 - (a) prior to 31 January 2006, design and construct a mine access road from the mine site to the Quirindi to Werris Creek Road;
4. Amend condition 51(a) of schedule 4 to read:
 - (a) mine access road prior to 31 January 2006; and