

Notice of Modification

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

As delegate of the Minister for Planning, I modify the development consent referred to in schedule 1, subject to the conditions in schedule 2.

David Kitto
Director
Mining Projects

Sydney

11 JULY

2014

SCHEDULE 1

The development consent for the Bengalla Coal Mine (DA 211/93) granted by the Minister for Urban Affairs and Planning on 7 August 1995.

SCHEDULE 2

1. Delete the definitions for "Department", "Director-General", "DRE", "EA" and "Minister" in the list of definitions in schedule 2, and insert the following in alphabetical order:

Department	Department of Planning and Environment
EA	(a) Environmental Assessment for modification to the development consent relating to the overburden emplacement strategy (Mod 4), titled <i>Bengalla Mining Company Development Consent Modification Environmental Assessment December 2010</i> , prepared by Hansen Bailey, and including the Response to Submissions, dated February 2011; and
	(b) Environmental Assessment for modification to the development consent relating to the geotechnical investigations (Mod 5), the Environmental Assessment titled <i>Bengalla Mine Development Consent Modification Environmental Assessment</i> , prepared by Hansen Bailey and dated June 2014, including the Response to Submissions dated 1 July 2014
EPA	Environment Protection Authority
Minister	Minister for Planning, or delegate
NSW Trade & Investment	NSW Department of Trade and Investment, Regional Infrastructure and Services
Secretary	Secretary of the Department, or nominee

2. Delete all references to:
- "Director-General" and replace with "Secretary"; and
 - "the Executive-Director, Mineral Resources in DRE" and "DRE" and replace with "NSW Trade & Investment".
3. Delete references to "OEH" in conditions 8, 16, 19, 20, 23, 24 and 28 of schedule 3 and replace with "EPA".
4. Delete "DECCW" in condition 29 of schedule 3.
5. Delete the words "the Heritage Branch" and "the Heritage Council of NSW" in condition 29 of schedule 3 and replace with "OEH".
6. Insert the following after the table in Appendix 1:

Bengalla Coal Mine – Geotechnical Investigation Land Areas

Lot	DP
5	801249
4	801249
1	998477
2	998477
3	998477
8	821183
43	792447
105	1148907
103	1148907
100	1148907
102	1148907