

Notice of Modification

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

As delegate for the Minister for Planning and Infrastructure, I modify the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.

Chris Wilson
Executive Director, Major Development Assessment

Sydney

27 April

2012

SCHEDULE 1

The development consent (DA 29/95) for the Austar Coal Mine, granted by the Minister for Planning on 14 February 1996.

SCHEDULE 2

1. Delete the definitions for "DECCW", "I&I NSW", "RTA" and "NOW", and insert the following in alphabetical order:

DRE	Division of Resources and Energy, within the Department of Trade and Industry, Regional Infrastructure and Services
EA (MOD 5)	The Environmental Assessment for DA29/95 MOD 5, including: <ul style="list-style-type: none">• the letter from Austar Coal Mine Pty Limited dated 13 January 2012;• <i>Austar Coal Mine Stage 2 – Longwall A5a Variation to Commencing End</i> prepared by Mine Subsidence Engineering Consultants and dated December 2011;• the Response to Submissions from Austar Coal Mine Pty Limited dated 9 March 2012 and 26 March 2012; and• <i>Longwall A5a Extension Flood and Drainage Assessment</i> by Umwelt (Australia) Pty Ltd dated March 2012.
EPA	Environment Protection Authority
Executive Director, Mineral Resources	Executive Director Mineral Resources within DRE, or the equivalent role
NOW	NSW Office of Water, within the Department of Primary Industries
RMS	Roads and Maritime Services

2. Insert "and Infrastructure" following each reference to "Department of Planning".
3. Delete the reference to "A6 – A17", and insert "A7 – A19".
4. Delete all references to "Director-General of I&I NSW", and insert "Executive Director, Mineral Resources".
5. Delete all references to "DECCW", and insert "EPA".
6. Delete all references to "I&I NSW", and insert "DRE".
7. In condition 2 of schedule 2, delete all words after "July 2010; and", and insert the following:
 - (f) modification application DA 29/95 – MOD 5 and EA (MOD 5); and
 - (g) the conditions of this consent.
8. In Appendix 2, delete Figure 1 and insert the following:

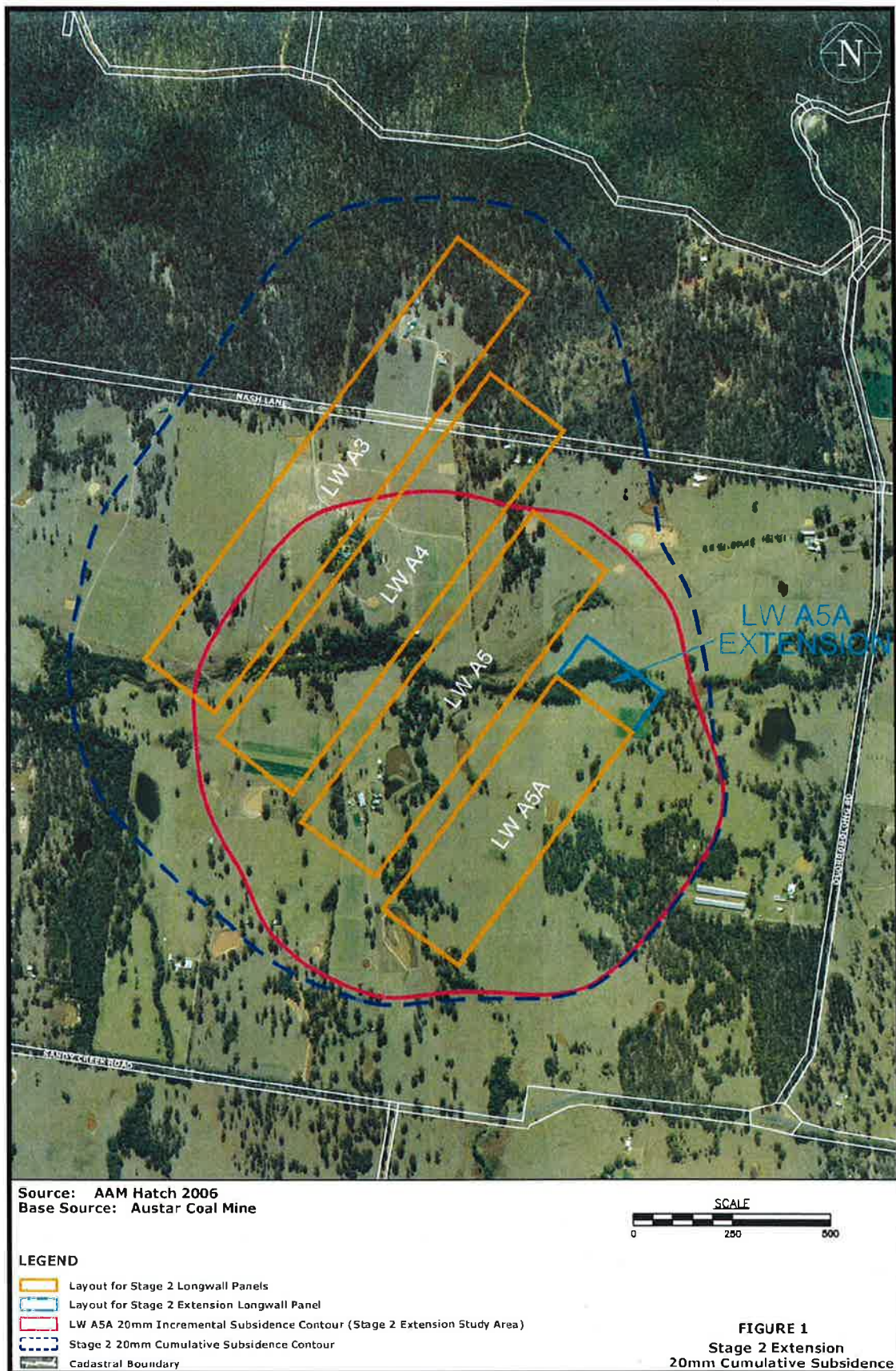


Figure 1: Stage 2 longwall panels