

Notice of Modification

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

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



Richard Pearson
Deputy Director General
Development Assessment and Systems Performance

Sydney

28 February

2012

SCHEDULE 1

The development consent for the Ashton Coal Project (DA 309-11-2001-i)

SCHEDULE 2

1. In Condition 1.2 of Schedule 2, delete all words after "(dated 6 May 2001);" and replace with the following:
 - (see Schedule E);
 - ae) documents titled *Modification application to Ashton Coal Project DA 30-9-11-2001 MOD 8*, dated 2 December 2011 prepared by Ashton Coal Operations Pty Limited, *Aboriginal Archaeological Assessment, Development of Gas Drainage Boreholes in areas of Potential Archaeological Deposits*, dated December 2011, prepared by Insite Heritage Pty Ltd and the plan in Schedule D; and
 - af) conditions of this consent.
2. Delete Condition 1.20 of Schedule 2.
3. Replace existing Schedule D with the following: