

Modification of Development Consent

Section 4.55(1) of the *Environmental Planning and Assessment Act 1979*

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



Steve O'Donoghue
Director - Resource Assessments

Sydney

24 February 2022

SCHEDULE 1

The development consent (DA 376-8-2003) for the Bulga Underground, granted by the Minister for Planning, on 23 February 2004.

SCHEDULE 2

1. In the DEFINITIONS table, delete the following terms and their definitions: "DS NSW", "Department", "MEG", "Minister", and insert the following in alphabetical order:

Department	NSW Department of Planning and Environment
Heritage NSW	Heritage Branch of the Department of Premier and Cabinet
MEG	Mining, Exploration and Geoscience within Regional NSW
Minister	Minister for Planning, or delegate
MR (MOD 8)	The modification application DA 376-8-2003 MOD 8 and accompanying documents titled <i>DA 376-8-2003 – Application to change the Bulga Coal Annual Review reporting period and change to use the sigma theta method for meteorological monitoring</i> , prepared and submitted by Glencore on 21 January 2022

2. Delete all references to "DS NSW" replace with "Dams Safety NSW".
3. In condition 2 of Schedule 3:
 - a. after the words "EA (MOD 6);", delete "and";
 - b. after the words "SEE (MOD 7)", delete ".", and replace with "; and".
 - c. insert a new subparagraph (i) which states "MR (MOD 8)."
4. In condition 41 of Schedule 4, delete "the NSW Heritage Office" and replace with "Heritage NSW".
5. In condition 4 of Schedule 6, replace all instances of the word "financial" with "calendar".
6. In condition 7 and 7A of Schedule 5, delete the words "to compliance@planning.nsw.gov.au" and insert "via the Department's Major Projects Website".
7. In condition 1(d) of Appendix 4, delete "temperature inversion conditions greater than 3°C/100m" and replace with "stability category G inversion conditions under the *NSW Noise Policy for Industry* (EPA, 2017)".
8. In condition 1(e) of Appendix 4, delete "temperature inversion conditions between 1.5°C and 3°C/100 m" and replace with "stability category F inversion conditions under the *NSW Noise Policy for Industry* (EPA, 2017)".

End of modification