

**NOTICE OF A MODIFICATION TO A DEVELOPMENT CONSENT
UNDER 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 Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), modify the development consent referred to in Schedule 1, as set out in Schedule 2.

Diane Beamer
**Minister Assisting the
Minister for Infrastructure & Planning
(Planning Administration)**

Sydney, 2003

File No:S03/01444

SCHEDULE 1

The development consent (DA No. 60-03-2001) granted by the Minister for the Dendrobium underground coal mine on 20 November 2001.

SCHEDULE 2

1. Add the following sentence at the end of Condition 3.3.2 (a)

However, with the written agreement of the Director-General, the Applicant may submit an application for second workings approval to the DMR under s.138 of the *Coal Mines Regulation Act 1982* prior to the approval of the relevant Subsidence Environmental Management Plan.

2. Delete Condition 4.1(u) and insert the following after Condition 4.1(t):

- (u) The Applicant shall ensure that mine water discharged into Allans Creek:
- Must not exceed ten megalitres a day, after commencement of draining of the underground workings, including Kemira, Elouera and Mount Kembla Collieries; and
 - After a total of 1,800ML has been discharged into Allans Creek until the 30 December 2010, the water discharged must not exceed four megalitres per day.