

Notice of Modification

Section 96(1A) of the *Environmental Planning and Assessment Act 1979*

I modify the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



David Kitto
Director Major Development Assessments
(as Delegate for the Minister for Planning)

Sydney **27 NOVEMBER** 2009

SCHEDULE 1

The development consent (DA 73-11-98) for the Newstan Colliery, granted by the Minister for Urban Affairs and Planning on 14 May 1999.

SCHEDULE 2

1. Delete the abbreviations for DECC, DPI, and DWE and their definitions from the section entitled "Government Authorities" in Schedule 2 and insert in alphabetical order the following:

DECCW - Department of Environment, Climate Change and Water
DII - Department of Industry and Investment
NOW - DECCW's Office of Water
2. Delete all references to "DECC" from Schedule 2 and replace with "DECCW".
3. Delete all references to "DPI" from Schedule 2 and replace with "DII".
4. Delete all reference to "DWE" from Schedule 2 and replace with "NOW".
5. In condition 1.1, delete all words after "April 2007;" and replace with:
 - d) the modification application DA 73-11-98 – MOD 2 and accompanying Environmental Assessment entitled *Washing of Mandalong Coal at Newstan Section 96(1A) Application Statement of Environmental Effects*, dated October 2009; and
 - e) the conditions of this consent.