

Notice of Modification

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

As delegate of the Minister for Planning, I modify the project approval referred to in Schedule 1 subject to the conditions in Schedule 2.



Chris Wilson
Executive Director
Major Development Assessment

Sydney

3 SEPTEMBER

2008

SCHEDULE 1

The project approval (06_0017) granted by the Minister for Planning for Lamberts Gully Coal Mine on 12 May 2006.

SCHEDULE 2

1. In the DEFINITIONS section, delete the entries for DEC and DNR and insert the following in alphabetical order:

DECC	Department of Environment and Climate Change
DWE	Department of Water and Energy
2. Delete all references to "DEC" throughout the approval and replace with "DECC".
3. Delete all references to "DNR" throughout the approval and replace with "DWE".
4. In condition 2(a) of Schedule 2, delete "05-0017" and replace with "06_0017".
5. Delete condition 2(c) in Schedule 2 and replace with:
 - (c) Modification Application (06_0017 MOD 1) and supporting materials titled *Lamberts Gully Open Cut – Ramp Construction for Lithgow City Council*, prepared by Centennial Coal Company Limited and dated 5 December 2007, and *Lamberts Gully Open Cut – Ramp Construction for Lithgow City Council: Additional Information to Support Modification to project Approval* prepared by Centennial Coal Company Limited and dated 30 April 2008; and
 - (d) conditions of this approval.
6. Delete condition 3 in Schedule 2 and replace with the following:
 3. If there is any inconsistency between the above documents, the latter document shall prevail over the former to the extent of the inconsistency. However, the conditions of this approval shall prevail over all other documents to the extent of any inconsistency.

7. Insert the following condition after condition 20 in Schedule 3:
 - 20A. By the end of November 2008, the Applicant shall update the Site Water Management Plan to incorporate the necessary changes required as a result of the additional 4.6 hectare disturbance area (06_0017 MOD 1), in consultation with SCA and DWE, and to the satisfaction of the Director-General.
8. Renumber conditions 25-28 of Schedule 3 as conditions 24-27.
9. Add the following condition after the condition to be numbered 25 in Schedule 3:
 - 25A. By the end of November 2008, the Applicant shall update the Rehabilitation and Landscape Management Plan to accommodate the necessary changes required as a result of the additional coal extraction and ramp construction (06_0017 MOD 1), in consultation with the relevant agencies, and to the satisfaction of the Director-General.
10. Add the following after the condition to be numbered 27 in Schedule 3:

Works relating to Lithgow City Council's Waste Disposal Facility

28. The Proponent must ensure that any construction works carried out on behalf of Lithgow City Council relating to the Waste Disposal Facility (DA 388-05) are in accordance with design guidelines specified by Council, to the satisfaction of the Director-General.
- 28A. The Proponent must obtain approval from Lithgow City Council and/or Delta Electricity for the management of overburden material not required for rehabilitation works, ramp construction or stabilising batter slopes, prior to transporting this material outside of the Lamberts Gully approval area.