

Notice of Modification

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

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



Stephen O'Donoghue
Director
Resource Assessments

Sydney

15 June 2022

SCHEDULE 1

The project approval for the Sunnyside Coal Mine (06_0308) granted by the Minister for Planning on 24 September 2008.

SCHEDULE 2

1. In the list of definitions, delete the definition for "OEH" and insert in alphabetical order:
BCS Biodiversity, Conservation and Science and Directorate within the Department
2. In the definition for "EA":
 - a. delete the word "and" at the end of the first bullet point and insert after the last bullet point;
 "; and"
 - the Modification Report titled *Sunnyside Coal Mine – Highwall Drain Modification Report*, dated April 2022"
3. In the definition for "Resources Regulator" delete "Planning and Environment" and insert "Regional NSW"
4. Replace all references to "OEH" with "BCS"
5. Delete Schedule 3, Condition 30 and replace with:
 30. The Proponent must prepare a Rehabilitation Management Plan for the development, in accordance with the conditions imposed on the mining lease(s) associated with the development under the *Mining Act 1992*.
6. In Schedule 3, delete Condition 31, including its heading.
7. In Appendix 2, delete figures 4 and 5, and replace with:

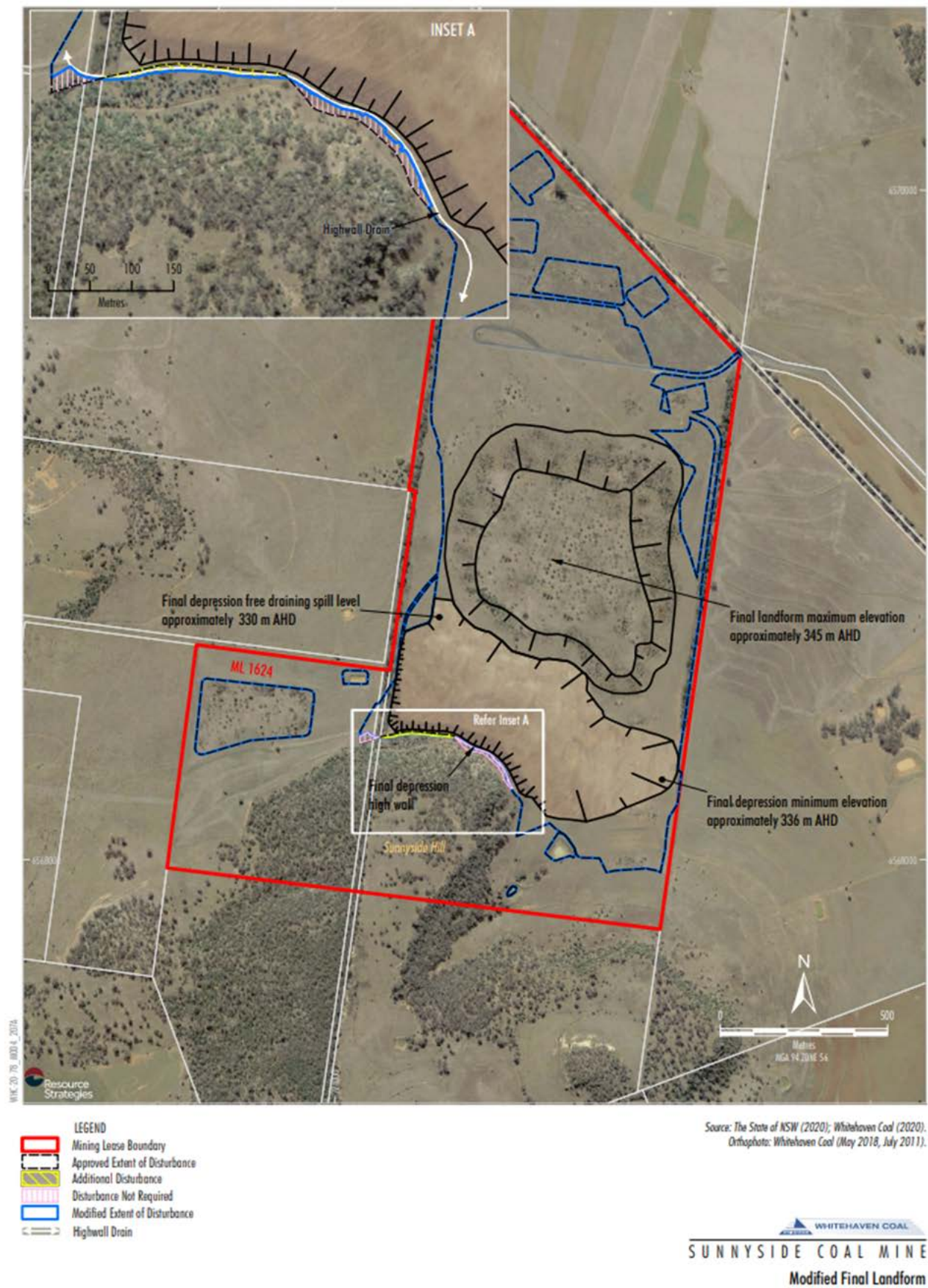


Figure 4: Final Landform

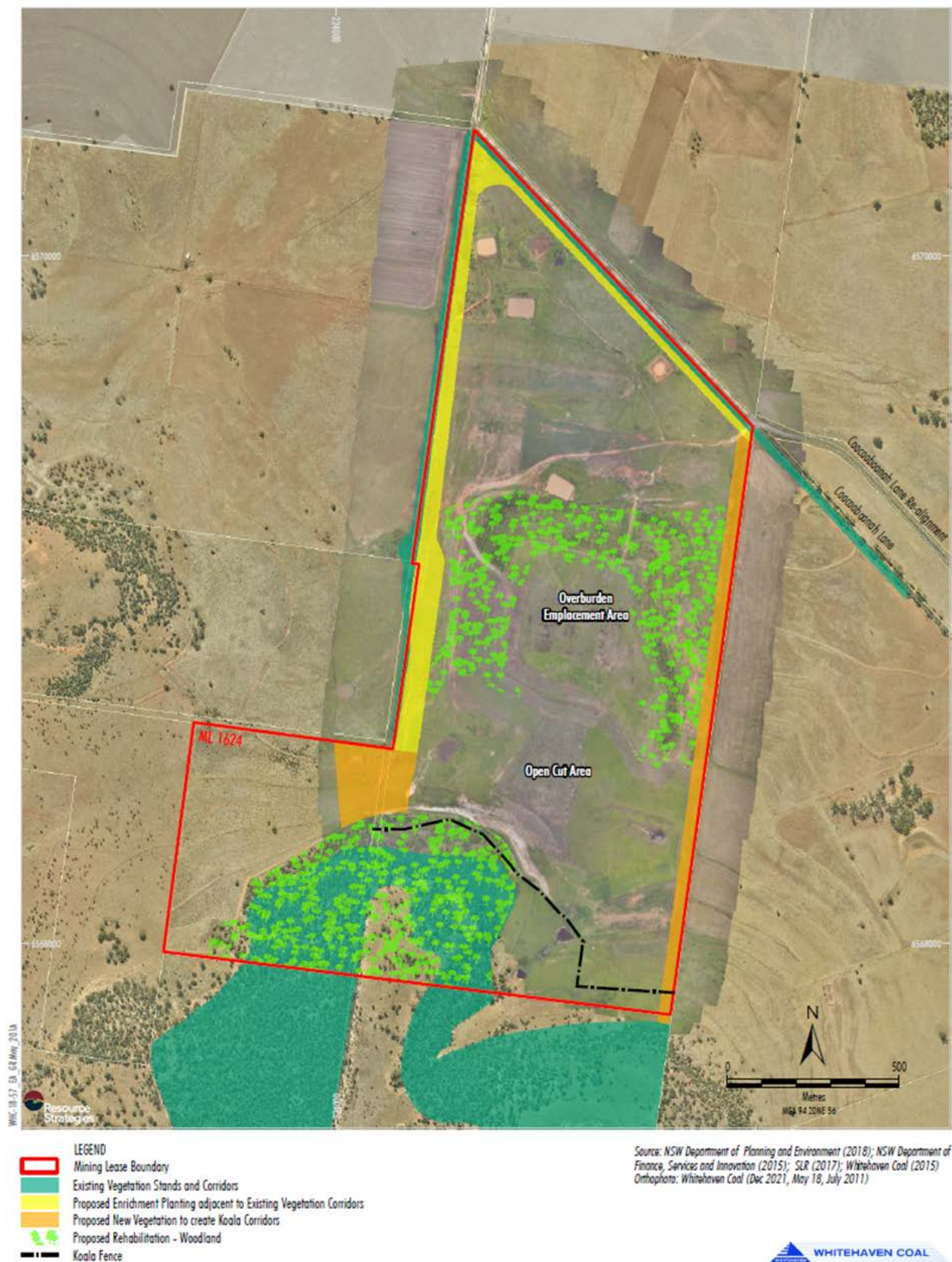


Figure 5: Koala habitat protection and enhancement areas

**End of modification
(MP06_0308-Mod-4)**