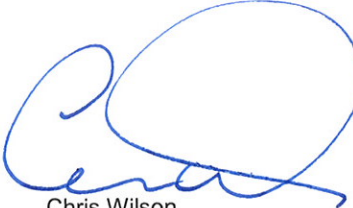


# Notice of Modification

## 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 Schedule 2.



Chris Wilson  
Executive Director

Sydney

12 AUGUST

2009

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### SCHEDULE 1

Project Approval 07\_0127 for the Invincible Coal Project, which was granted by the Minister for Planning on 4 December 2008.

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### SCHEDULE 2

1. In Schedule 2, delete condition 2 (c) and replace with the following:
  - (c) the modification application 07\_0127 MOD 2 and accompanying documents entitled:
    - 'Proposed Modification to Project Approval 07\_0127 for the Invincible Colliery Open Cut Mine, May 2009'; and
    - 'Addendum to the Proposed Modification to Project Approval 07\_0127 for the Invincible Colliery Open Cut Mine, July 2009'; and
  - (d) the conditions of this project approval.
2. After condition 4 of schedule 2 insert the following:
  - 4A. The Proponent shall prepare revisions of any strategies, plans or programs required under this project approval if directed to do so by the Director-General. Such revisions shall be prepared to the satisfaction of, and within a timeframe approved by, the Director-General.
3. In Appendix 1 Project Maps, delete Figures 1, 2, 3, 4 and 5 and replace with the following:

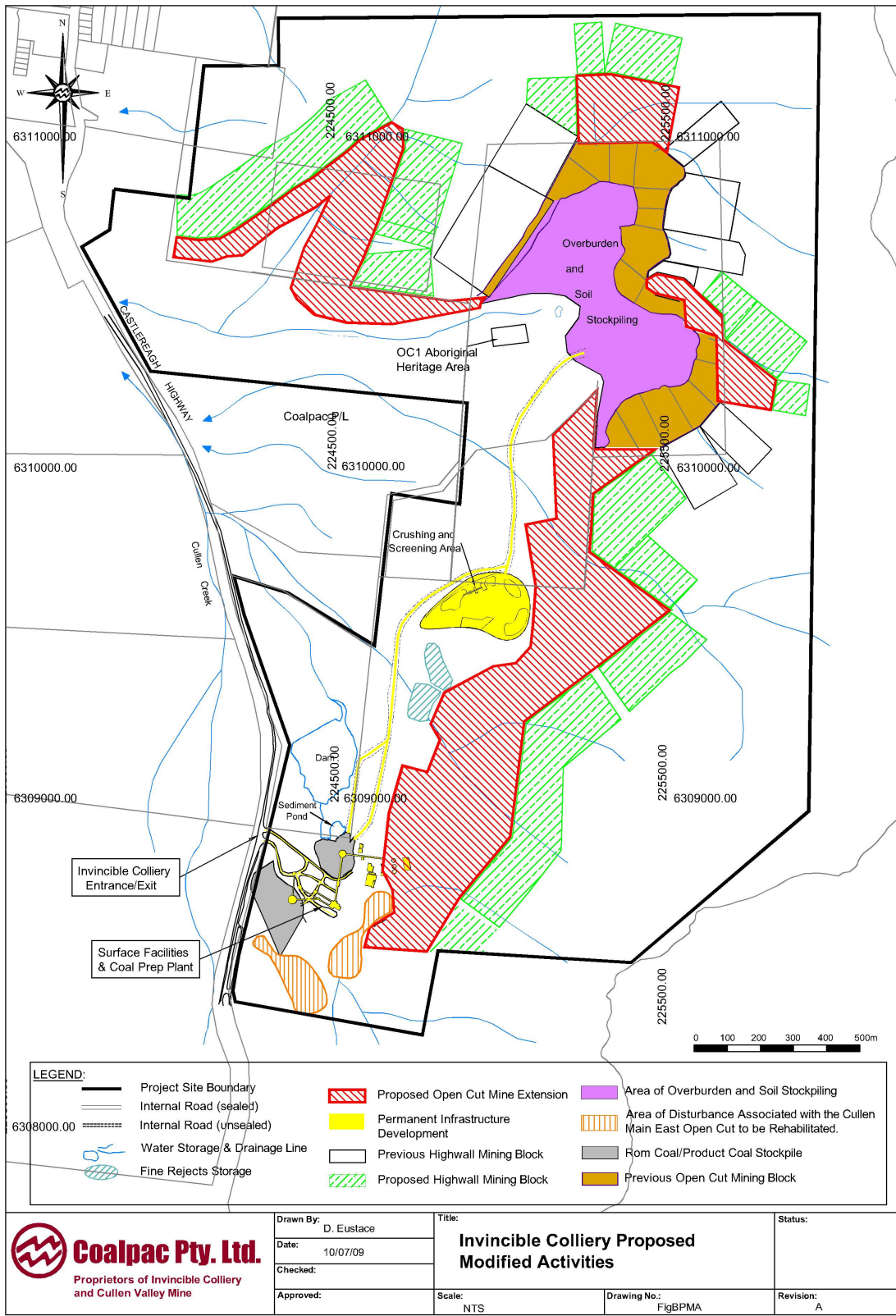


Figure 1: Project Site and Mine Layout

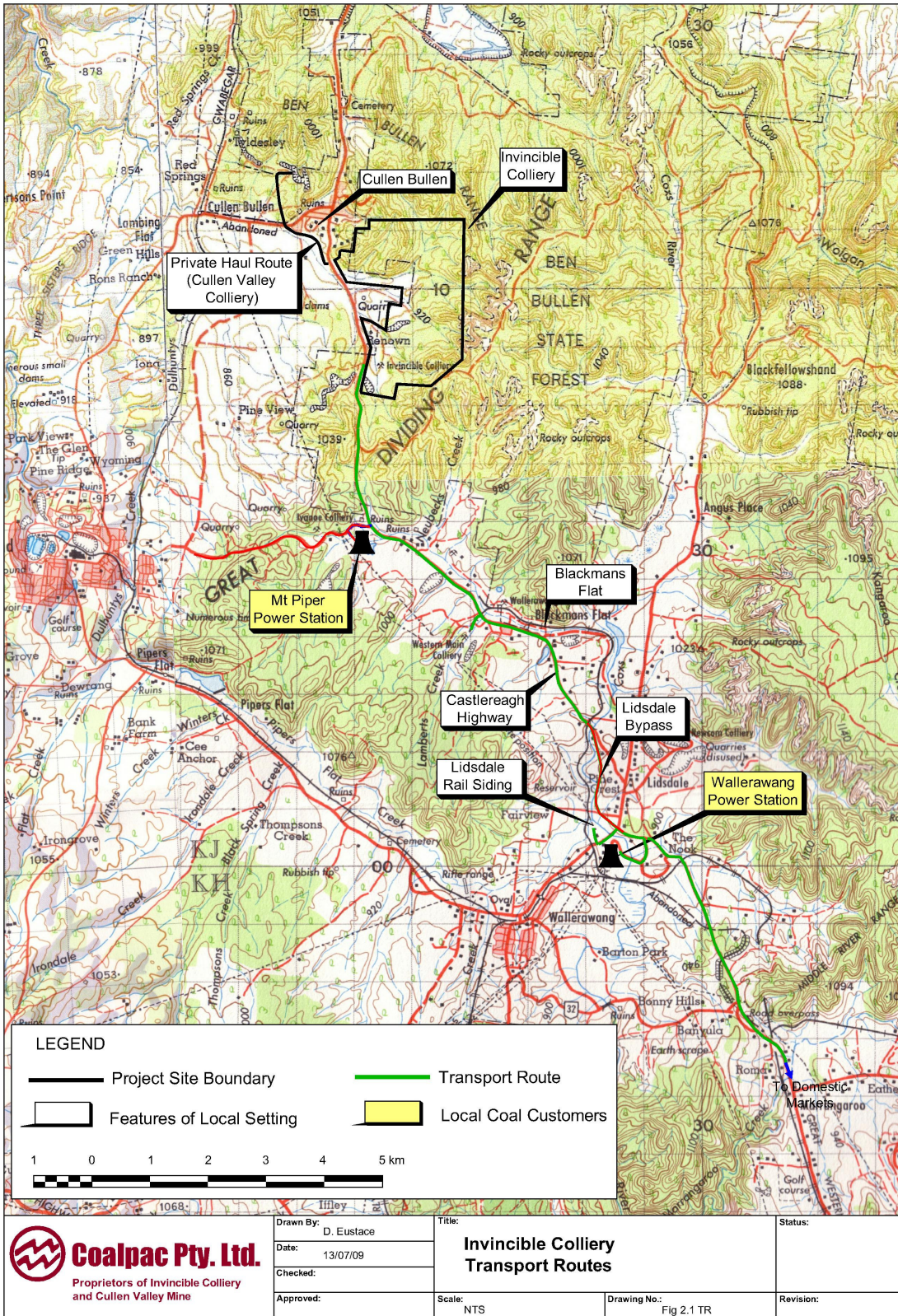


Figure 2: Coal Transport Routes

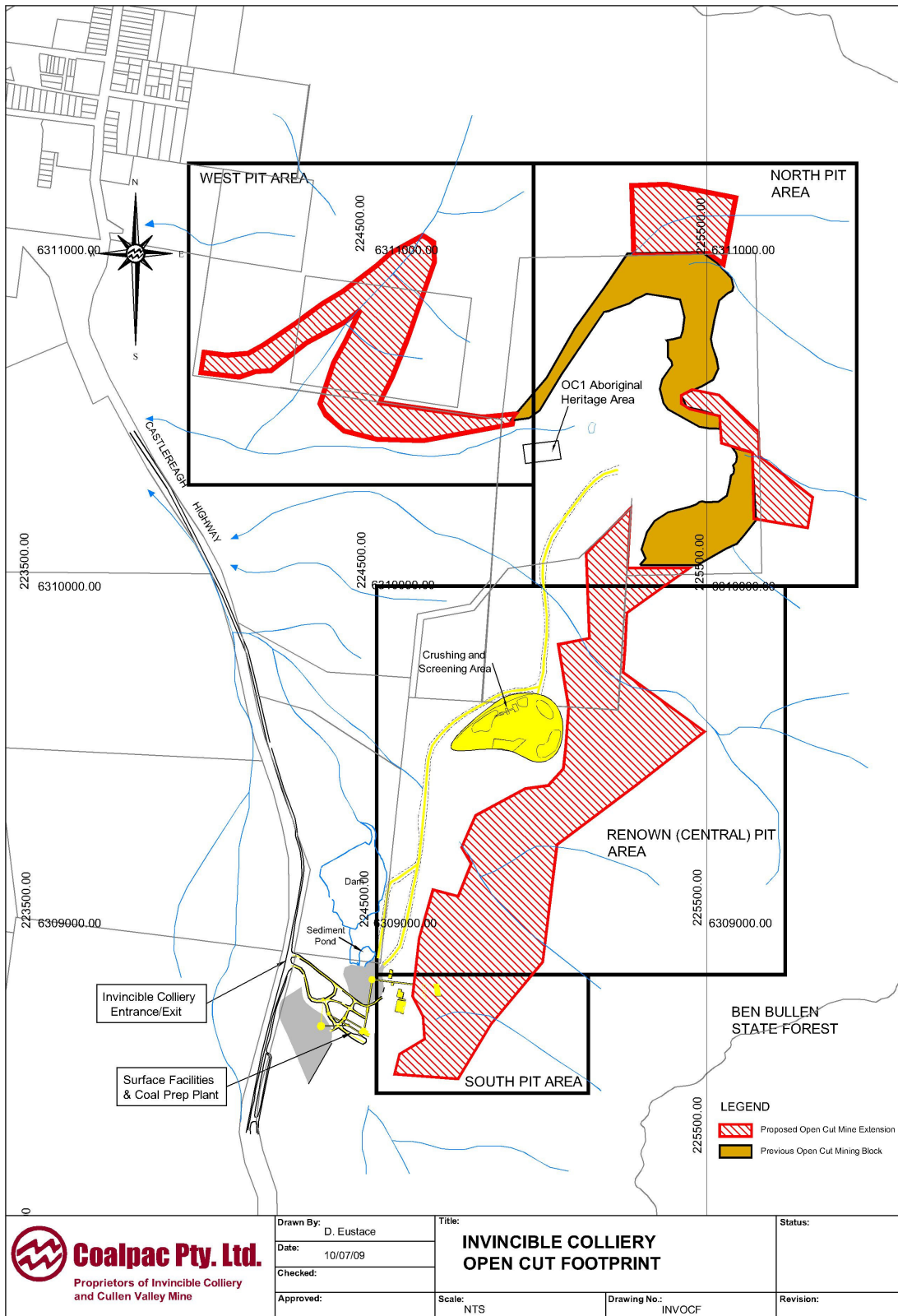


Figure 3: Classification of Open Cut Pits

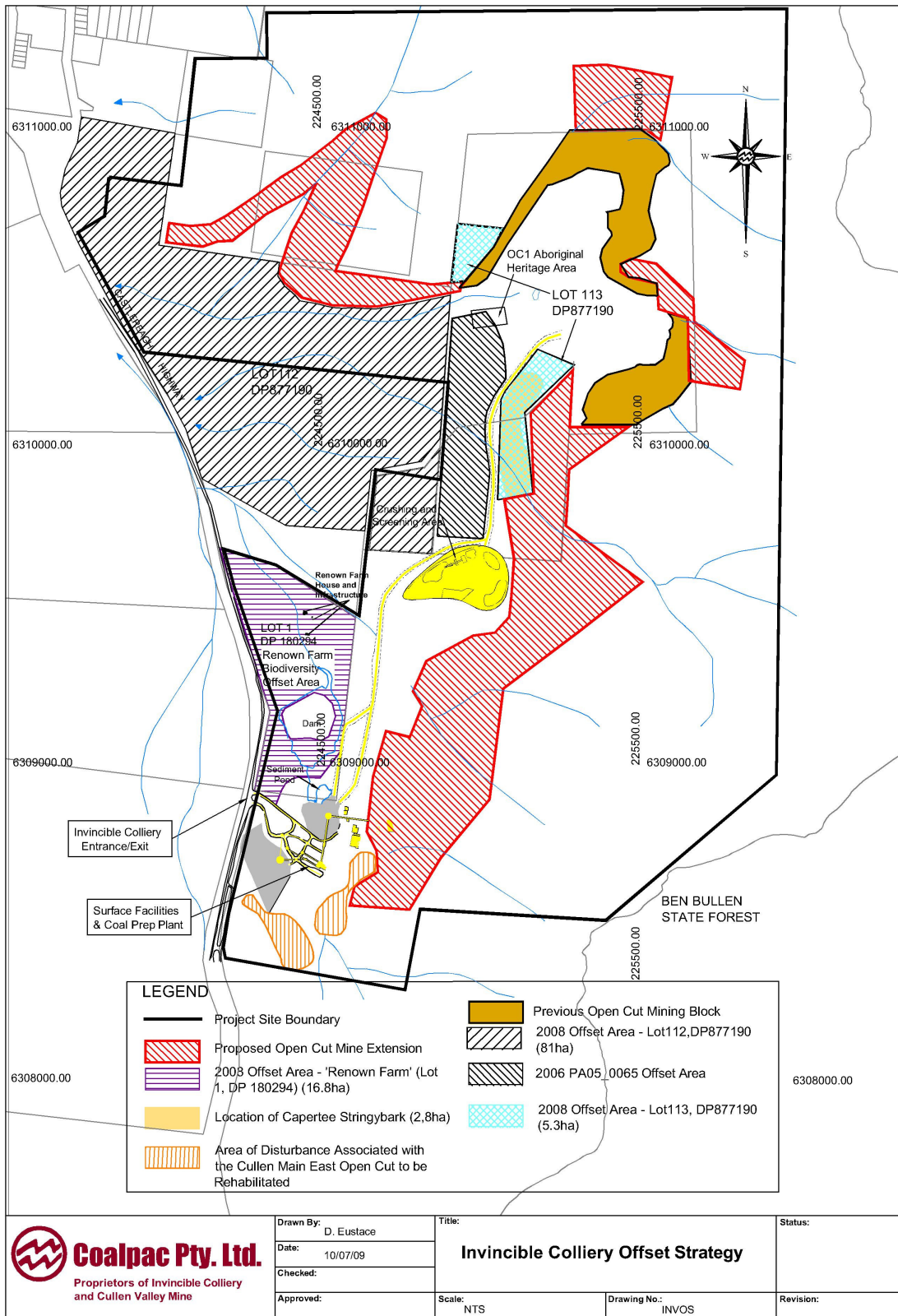


Figure 4: Biodiversity Offset Areas

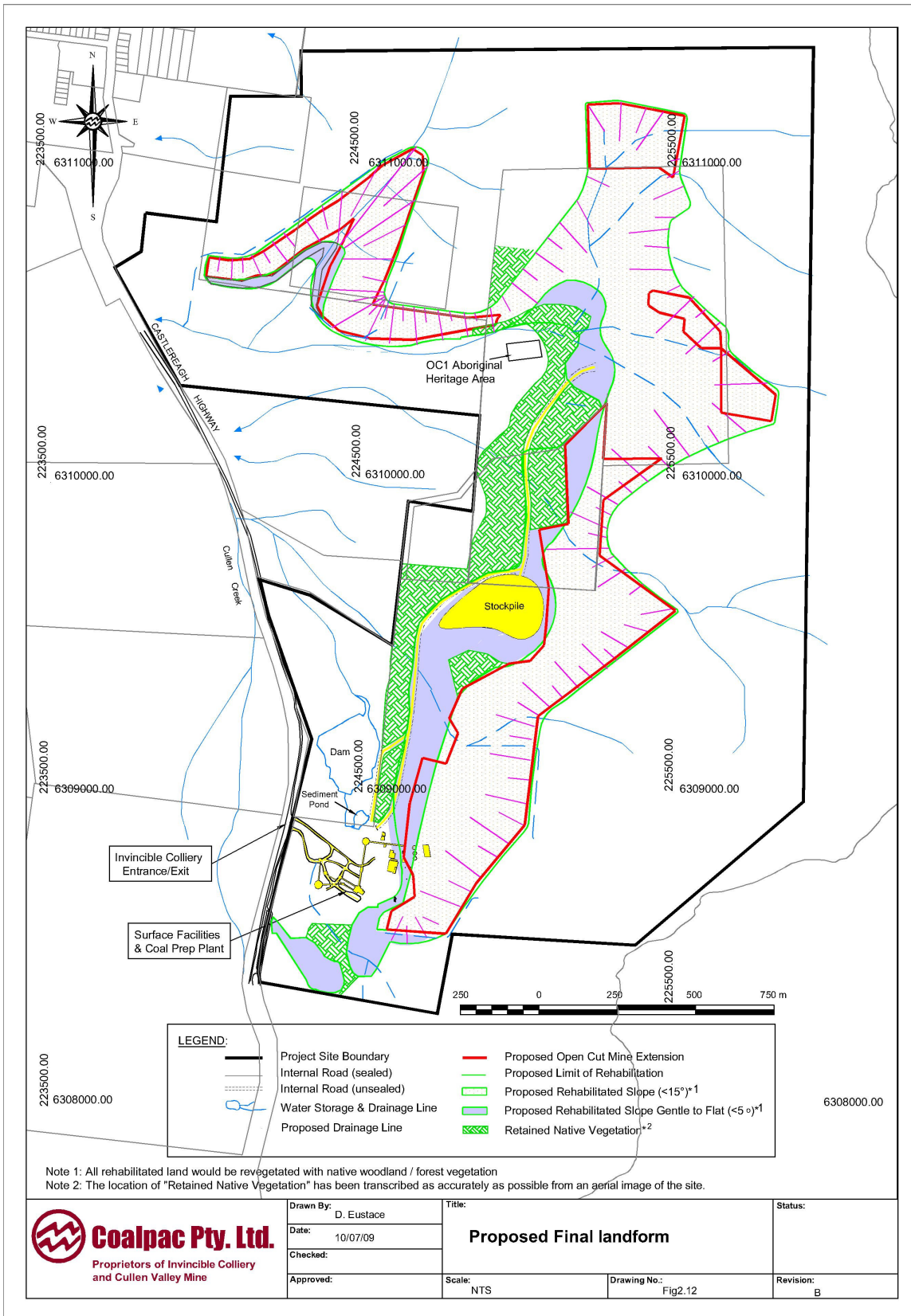


Figure 5: Proposed Final Landform and Mine Rehabilitation Plans