

Notice of Modification

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

As delegate of the Minister for Planning, I modify the project approval referred to in Schedule 1, as set out in Schedule 2.

David Kitto
Executive Director
Resources Assessments

Sydney

17 FEBRUARY

2015

SCHEDULE 1

The project approval (09_0182) for the Boggabri Coal Project, granted by the Planning Assessment Commission under delegation from the Minister for Planning and Infrastructure on 18 July 2012.

SCHEDULE 2

1. Delete the reference to "*Planning and Infrastructure*" in the footer and replace with "*Department of Planning and Environment*".
2. Delete the definitions for "Director-General", "EA", "Executive Director Mineral Resources", "Minister", "P&I" in the definitions of Schedule 2, and insert the following in alphabetical order:

Department
EA

Department of Planning and Environment
Environmental Assessment titled:

- *Environmental Assessment Boggabri Coal Mine* dated December 2010; associated response to submissions titled *Boggabri Coal Mine Response to Submissions* dated March 2011; additional report titled *Boggabri Coal Mine – Residual Matters* dated July 2011;
- *Boggabri Coal Project Modification Environmental Assessment* dated July 2013; associated response to submissions titled *Response to Submissions on the Modification No. 2 of Boggabri Mine – Processing Tarrawonga Coal* dated 6 December 2013; and
- *Boggabri Coal Mine Project Approval Modification – Environmental Assessment* dated December 2013; associated response to submissions titled *Project Approval Modification Response to Submissions* dated January 2014.

Minister
Secretary
Tarrawonga coal mine

Minister for Planning, or delegate
Secretary of the Department, or nominee
The coal mine approved in the project approval (MP 11_0047) for the Tarrawonga Extension Project, as may be modified or replaced from time-to-time

3. Delete all references to "P&I" and replace with "the Department".
4. Delete all references to "Director-General" and replace with "Secretary".

5. Delete all references to “the Executive Director Mineral Resources”, “the Executive Director, Mineral Resources in DRE” and “the Executive Director Mineral Resources in DRE” and replace with “DRE”.

6. Delete condition 11 of schedule 2 and insert the following:

Coal Processing

11. The Proponent may process up to 3.5 million tonnes of ROM coal in the CHPP in any calendar year.

Note: For the purpose of this condition, processing does not include bypass coal from either the Boggabri or Tarrawonga coal mines.

- 11A. The Proponent shall not process any coal from the Tarrawonga coal mine unless it has demonstrated that adequate water licences are held to account for the required water use associated with processing this coal, to the satisfaction of the Secretary.

7. Delete condition 12 and insert:

12. The Proponent may transport up to:
 - (a) 7 million tonnes of product coal from the Boggabri coal mine in any calendar year; and
 - (b) 3 million tonnes of product coal from the Tarrawonga coal mine in any calendar year.

8. In Appendix 2, delete Figure 2 and insert the following:

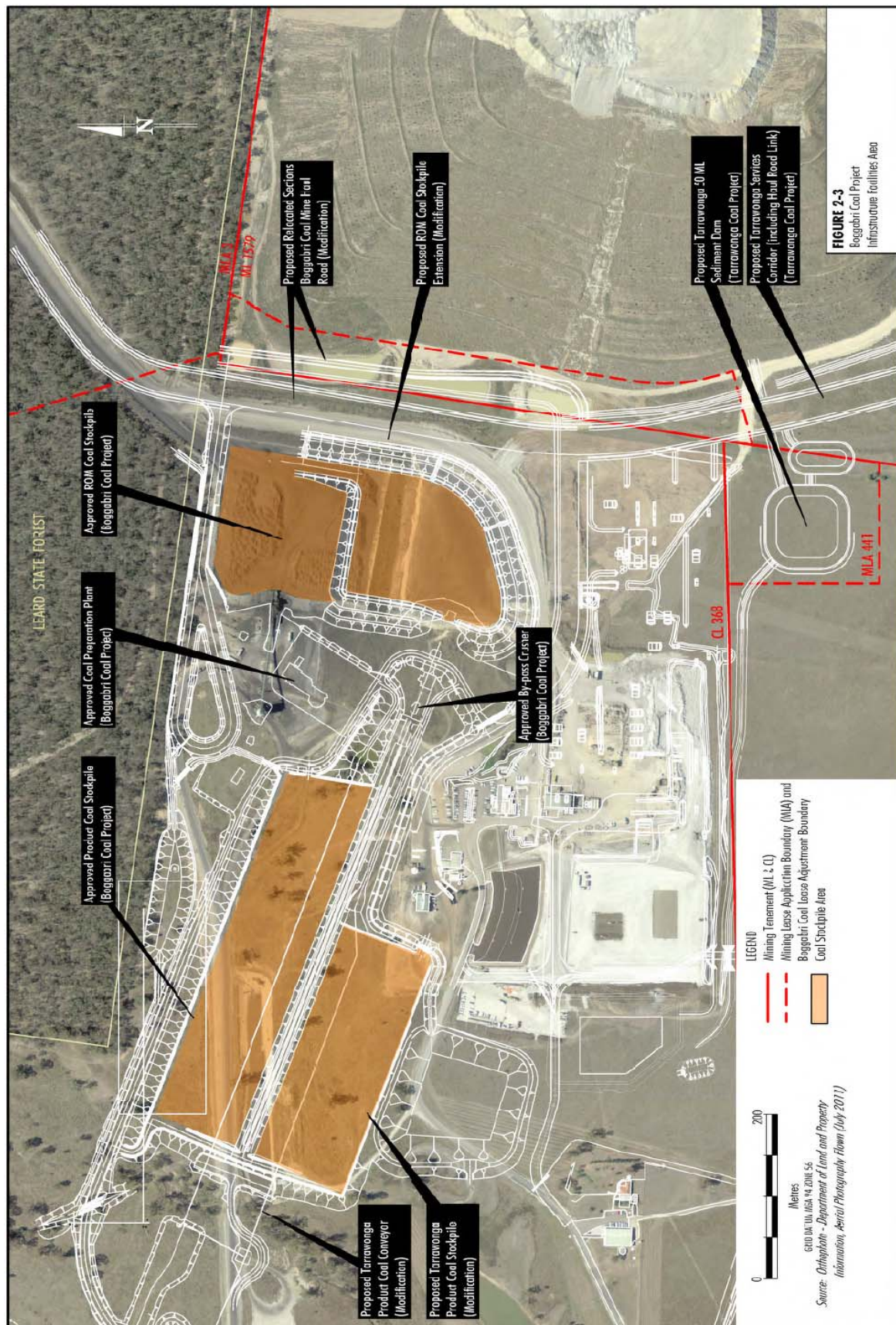


Figure 2: Infrastructure Area