

Notice of Modification

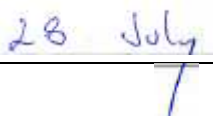
Section 75W of the *Environmental Planning and Assessment Act 1979*

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



Howard Reed
Director Resource Assessments

Sydney



2017

SCHEDULE 1

The development consent (DA 450-10-2003) granted by the Minister for Infrastructure and Planning for the Hunter Valley Operations – North Coal Mine in 2004

SCHEDULE 2

1. In the list of Definitions, delete the term “DRE” and its definition, and replace with:

DRG	Division of Resources and Geoscience of the Department
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2. In condition 2 of Schedule 3:

- a) delete the word “and” at the end of sub-paragraph (i);
- b) delete the full stop at the end of sub-paragraph (j) and replace with “; and”; and
- c) after sub-paragraph (j), insert:
 - (k) modification application DA 450-10-2003 Modification 7 and accompanying Environmental Assessment entitled *Proposed modification 7 to Hunter Valley Operations North development consent (DA 450-10-2003) to amend historical boundary errors and update the Schedule of Lands* dated June 2017.

3. After condition 13 of Schedule 3, insert the following:

EVIDENCE OF CONSULTATION

14. Where consultation with any stakeholder identified in the conditions of this consent is required by any conditions of this consent, the Applicant must:
 - (a) consult with the relevant stakeholder prior to submitting the required document to the Secretary for approval;
 - (b) submit evidence of such consultation as part of the relevant document;
 - (c) describe how matters raised by the stakeholder have been addressed and identify any matters that have not been resolved; and
 - (d) include details of any outstanding issues raised by the stakeholder and an explanation of disagreement between any stakeholder and the Applicant.

COMPLIANCE

15. The Applicant must ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.
4. In condition 16B of Schedule 4, after the words “privately-owned land” insert the words “within 3 kilometres of any approved open cut mining pit on the site, or any other privately-owned land where the Secretary is satisfied that an investigation is warranted, ”.
5. After condition 2 of Schedule 6, insert the following:

Relationships Between Strategies, Plans or Programmes

- 2A. With the agreement of the Secretary, the Applicant may combine any strategy, plan, program or Annual Review required by this consent with any similar strategy, plan, program or Annual Review required for HVO South and Mt Thorley Warkworth mines or any other adjoining operation in common ownership or management.
6. In condition 4 of Schedule 6, delete the words “4 weeks” and replace with “6 weeks”
7. Delete Appendix 1 and replace with:

**APPENDIX 1
SCHEDULE OF LAND**

Lot	DP	Property Owner
1	90727	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
1	110662	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
1	114966	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
1	125406	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 1	191982	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
1	211043	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 1	659810	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
1	727260	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 1	729048	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
1	737796	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
1	779625	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
1	794836	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
1	808431	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
1	823767	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 1	1078618	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
1	1113789	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
1	1152619	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 2	48555	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
2	114966	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
2	125406	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
2	574166	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 2	808301	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
2	808431	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
2	1152619	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
3	48555	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
3	125406	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
3	252530	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
3	1113789	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd

Lot	DP	Property Owner
Part of 3	1152619	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
4	48555	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
4	125406	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
4	130831	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
4	252530	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
4	1113789	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 4	1152619	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
5	48555	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
5	125406	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
5	252530	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
5	1113789	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
6	125406	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
6	1113789	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
7	48555	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
7	125406	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 7	1113789	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
8	125406	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
8	252530	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
9	125406	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
10	125406	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 10	740183	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
11	125406	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
11	858172	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
17	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
18	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 20	1085391	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 21	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
21	786904	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 22	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
22	786904	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
38	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
53	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
54	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
58	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
65	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
66	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
68	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
70	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
71	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
80	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
81	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 82	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
82	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
83	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
83	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
84	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd

Lot	DP	Property Owner
89	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part 93	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 94	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 98	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part 101	1017998	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
102	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
103	1103268	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 111	1059007	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
117	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
118	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
119	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 120	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 121	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
121	1174907	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
122	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 122	1174907	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
123	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
124	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
125	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
126	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 127	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 127	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 156	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
157	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
158	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
159	752468	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 164	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 170	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
171	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
182	975271	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
183	975271	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
184	975271	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
192	975271	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
193	975271	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
200	752481	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
201	544091	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
211	975271	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
212	975271	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
217	975271	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
218	975271	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
219	975271	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
221	975271	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 300	597726	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
304	868175	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
380	869839	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd
Part of 1000	1153575	Coal & Allied Operations Pty Ltd and HVO Resources Pty Ltd

Lot	DP	Property Owner
1	574166	AGL Macquarie Pty Ltd
1	1155775	AGL Macquarie Pty Ltd
2	1167986	AGL Macquarie Pty Ltd
Part of 120	1174907	AGL Macquarie Pty Ltd
Part of 601	1019325	AGL Macquarie Pty Ltd
100	700429	Alpha Distribution Ministerial Holding Corporation
89	752470	Charlotte Augusta Bowman
7	48165	Council road - Lemington Road
6	48165	Crown / Council road - Lemington Road
1	776382	Crown / Council Road - Liddell Station Road
2	48165	Crown / Council road - Old Lemington Road
4	48165	Crown / Council road - Old Lemington Road
4	776382	Crown Land
Part of 16	848095	Cumnock No 1 Colliery Pty Limited, Ibra Cumnock Pty Limited
300	856881	Cumnock No 1 Colliery Pty Limited, Ibra Cumnock Pty Limited
Part of 3000	1132357	Cumnock No 1 Colliery Pty Limited, Ibra Cumnock Pty Limited
5	48165	Her most gracious majesty Queen Elizabeth the second - Lemington / Old Lemington Road
8	48165	Her most gracious majesty Queen Elizabeth the second - Lemington Road
Part of 9	48165	Her most gracious majesty Queen Elizabeth the second - Lemington Road
1	48165	Her most gracious majesty Queen Elizabeth the second - Lemington Road
3	48165	Her most gracious majesty Queen Elizabeth the second - Lemington Road
Part of 102	1103268	Liddell Tenements Pty Limited, Mitsui Matsushima Australia Pty Limited, Enex Liddell Pty Limited
Part of 22	869399	Resource Pacific Ltd, Cumnock No.1 Colliery Pty Ltd, Muswellbrook Coal Company Ltd, ICRA Cumnock Pty Ltd
2	1113789	Singleton Council - Council Road - Lemington Road
1	135459	State Rail Authority of New South Wales
1481	1129164	The State of New South Wales
7001	93617	The State of New South Wales
		Part Crown (Coal & Allied Operations Pty Limited) Licence 175936
		Crown land - Closed road - north side 7001//93617
		Part Crown land South Bank Hunter River
		Old Highway Road
		Lemington Road
		Liddell Station Road
		New England Hwy
		Railway - Newdell Rail Spur
		Various Crown and Council Roads
		Hunter River

8. In Appendix 2, delete the second figure and replace with:

**Appendix 2A
Project Layout Plan**





9. Update the Table of Contents, as required, to reflect the above changes, including re-numbering the Schedules of conditions as 3, 4, 5 and 6.