Modification of Development Consent

Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*

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

Mike Young  
*Executive Director, Energy, Resources and Compliance*  
*Department Planning, Industry and Environment*

Sydney  21 AUGUST  2020

**SCHEDULE 1**

Project Approval 06_0009 granted by the Minister for Planning on 13 April 2007 for the NCIG Coal Export Terminal
SCHEDULE 2

1. In the description of land in Schedule 1, replace the lot and DPs with:
   Lots 2-3 and Lot 6 DP 1119752;
   Lots 30-31 DP 1184229;
   Lots 4-6 and Lots 10-12 DP 1207051;
   Lot 61 DP 1184395;
   Lot 62 of DP 1184943

2. In the description of the project in Schedule 1, replace the references to “66” with “79”

3. In the table of definitions in Schedule 2:
   Delete the definition for “Department, the”, and replace with “Department of Planning, Industry and Environment”.
   Delete the definition for “Minister, the”, and replace with “Minister for Planning and Public Spaces or nominee”.
   Delete the definitions of OEH and RMS
   Insert the following in the table under the relevant columns
<table>
<thead>
<tr>
<th>Col 1</th>
<th>Col 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>“BCD”</td>
<td>Biodiversity &amp; Conservation Division within the Department</td>
</tr>
<tr>
<td>“Heritage NSW”</td>
<td>Heritage NSW in the Department of Premier and Cabinet</td>
</tr>
<tr>
<td>“Planning Secretary”</td>
<td>Planning Secretary under the EP&amp;A Act, or nominee</td>
</tr>
<tr>
<td>“TfNSW”</td>
<td>Transport for NSW</td>
</tr>
</tbody>
</table>

4. Replace “OEH” with “BCD” except in Schedule 2 Condition 7.3 (e)

5. Replace “OEH” with “Heritage NSW” in Schedule 2 Condition 7.3 (e)

6. Replace “Director-General” with “Planning Secretary”

7. Replace RMS with TfNSW

8. In Condition 1.1 of Schedule 2, after the words “The Proponent shall carry out the project”, insert “in accordance with the conditions of this approval and”

9. In Condition 1.1 of Schedule 2, delete clause (f) and replace with:
   (f) modification application MP 06_0009 MOD 3 and supporting documents titled  
   *Newcastle Coal Infrastructure Group Coal Export Terminal Optimisation Statement of Environmental Effects* prepared by Newcastle Coal Infrastructure Group, dated April 2020 and  
   *NCIG MOD 3 Submissions Report* dated June 2020;

10. In Condition 1.2 (b) of Schedule 2, replace “1.1e” with “1.1f”.

11. In Condition 1.5 of Schedule 2, replace “66” with “79”

End of modification

(SSD 06_0009 MOD 3)