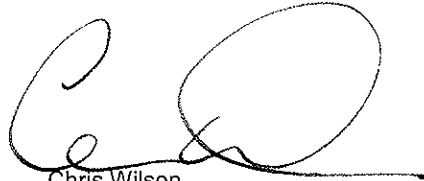


Notice of Modification

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

As delegate for the Minister for Planning, I modify the project approval referred to in schedule 1, subject to the conditions in schedule 2.



Chris Wilson
Executive Director
Major Project Assessment

Sydney

22 July

2008

SCHEDULE 1

The project approval (MP 06_0014) granted by the Minister for Planning for the Anvil Hill Coal Project on 7 June 2007.

SCHEDULE 2

1. Delete all references to "Centennial Hunter Pty Limited" and "Centennial" from the project approval, and replace with "Xstrata Mangoola Pty Limited" and "Xstrata", respectively.
2. Delete the reference to "Anvil Hill Coal Project" in schedule 1, and replace with "Mangoola Coal Project".
3. Insert the following to the definitions list in schedule 1:

Early Works	The works identified in modification application MP 06_0014 MOD 1, as modified by the letter from Xstrata dated 4 July 2008, including construction and use of the: mine access road; temporary access roads; site office and associated amenities and compound; Coal Handling and Preparation Plant pad; borrow pit for the supply of material for civil works and disposal of unsuitable material; water pump and temporary pipeline from the Hunter River; and localised clearing associated with Aboriginal site salvage works and geotechnical investigations.
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4. Delete condition 2(c) of schedule 2 and replace with:
 - (c) modification application MP 06_0014 MOD 1, and accompanying Environmental Assessment dated April 2008, including the letter from Xstrata to the Department dated 4 July 2008 ; and
 - (d) conditions of this approval.
5. Delete condition 50 of schedule 3 and replace with:
 50. The Proponent shall upgrade:
 - (a) the Bengalla Link Road intersections with Wybong Road and Denman Road, to the satisfaction of the RTA and Council, in conjunction with the construction of the Bengalla Link Road extension and prior to carrying out any development on site apart from the defined early works;
 - (b) Wybong Road and its intersection with the mine access road to the satisfaction of Council, prior to carrying out any development on site apart from the defined early works;
 - (c) the Golden Highway/Wybong Road intersection to the satisfaction of the RTA, prior to carrying out any development on site apart from the defined early works, unless otherwise agreed by the Director-General;
 - (d) lighting and signposting of the relevant intersections to the satisfaction of the RTA/Council, in conjunction with the relevant intersection upgrades; and
 - (e) all bus stops affected by the proposal to the satisfaction of Council, prior to carrying out any development on site apart from the defined early works.

- 50A. The Proponent shall undertake the following in relation to the section of Wybong Road between the Golden Highway and the mine access road:
- undertake a road condition survey, in consultation with Council and to the satisfaction of the Director-General, prior to carrying out any development on site;
 - maintain the road to the satisfaction of Council, from the commencement of project-related works until the Bengalla Link Road extension is commissioned;
 - undertake a second road condition survey, in consultation with Council and to the satisfaction of the Director-General, following the completion and commissioning of the Bengalla Link Road extension; and
 - following approval of the second road condition survey, repair the road to at least the condition determined by the initial survey, to the satisfaction of Council.

The road condition surveys shall be undertaken by a suitably qualified expert/s whose appointment/s have been approved by the Director-General.

6. Delete condition 51 of schedule 3 and replace with:

51. Prior to carrying out any development on site, the Proponent shall prepare (and subsequently implement) a construction traffic management plan for the project to the satisfaction of the RTA and Council; and following approval, implement the plan to the satisfaction of the RTA and Council. The plan shall include specific measures in relation to:
- speed limits, warning signage, barriers and repairs on Wybong Road, based on a detailed road safety audit;
 - restriction of project-related traffic to the nominated access routes, including an effective driver education and self-policing penalty system;
 - restriction of heavy vehicle access during school bus hours; and
 - consultation with the local community and relevant agencies regarding the project and traffic management measures.

7. Delete condition 52 of schedule 3 and replace with:

52. No project related traffic shall use Reedy Creek Road, Mangoola Road, Roxburgh Road or Castlerock Road to get to or from the site, except in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.

Note: This condition does not apply to any employees that may reside on Reedy Creek Road, Mangoola Road, Roxburgh Road or Castlerock Road, or the infrequent use of the roads for consultation, environmental monitoring, and inspection and maintenance of nearby infrastructure.

8. Add the following to the schedule of land in Appendix 1:

CH0053	12	594674	Xstrata Mangoola Pty Limited
CH0321	178	750924	Xstrata Mangoola Pty Limited
CH0307	187	750924	Xstrata Mangoola Pty Limited
CH0159	1	995693	Xstrata Mangoola Pty Limited