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. Scott Jeffries AlExecutive Director, Major DA Assessments Sydney 16 OCADBO 2009 SCHEDULE 1

The project approval (06_0202) granted by the Minister for Planning for the Drayton Coal Mine on 1 February 2008.

SCHEDULE 2

1. Delete the definitions for "DECC", "DPI" and "DWE", in the list of definitions in schedule 1, and insert in alphabetical order the following:

DECCW DII NOW EA (Mod 1)	Department of Environment, Climate Change and Water Department of Industry and Investment NSW Office of Water Environmental Assessment titled <i>Project Approval Modification Environmental</i> <i>Assessment</i> (including its Statement of Commitments), dated July 2009, and the response to submissions dated September 2009.
EA (MOG T)	Assessment (including its Statement of Commitments), dated July 2009, and the

- 2. In condition 2 of schedule 2, delete all words after "commitments;" and insert:
 - (c) EA (Mod 1); and
 - (d) conditions of this approval.
- 3. Delete all references to "DECC" and replace with "DECCW".
- 4. Delete all references to "DPI" and replace with "DII".
- 5. Delete all references to "DWE" and replace with "NOW".
- 6. Insert the following condition after condition 4 of schedule 2:
 - 4A. Within 3 months of any modification to this approval, the Proponent shall review and if necessary revise any strategies/plans/programs required under this approval which are relevant to the modification to the satisfaction of the Director-General.
- 7. Insert the following condition after condition 35 of schedule 3:
 - 35A. By the end of December 2009, the Proponent shall:
 - (a) incorporate an offset of at least 12 hectares, generally consistent with the offset described in the 2009 EA, into the Drayton Wildlife Refuge; and
 - (b) establish mechanisms within the Offset Strategy for long-term conservation and management of this offset in accordance with condition 36.

Delete Appendix 5 and replace with: 8.

APPENDIX 5 PROPERTY NUMBERS AND LAND OWNERSHIP

Coal Operations Australia		STORE STORE					
		60	Drayton Coal		112	Macquarie Generation	
Coal Operations Australia		61	RC & LT Skinner		113	Macquarle Generation	
F & I Webber		62	Anglo Coal (Drayton Management) Pty Limited		114	Macquarie Generation	
EM Casben		63	Drayton Coal		115	Macquarie Generation	
Yarramalong Stud Pty Ltd		64	Drayton Coal		116	Macquarie Generation	
K Newton		65	Drayton Coal		117	Macquarie Generation	
CS Jacobsen		66	Drayton Coal		118	Macquarie Generation	
Anglo Coal (Drayton Management) Pty Limited		67	Drayton Coal & Anglo Coal		119	Hunter Valley Energy Coal Ltd	
Drayton Coal		68	Drayton Coal		120	Hunter Valley Energy Coal Ltd	
MF & AV Doherty		69	P & K Clifton		121	Drayton Coal & Anglo Coal	
BC & SR Page		70	BD & B Jones		122	Drayton Coal	
SR Page		71	DW & LM Hunter		123	Drayton Coal & Anglo Coal	
CJ & LE Duck		72	BJ & NH Robertson		124	Drayton Coal	
RD & DA Osborn		73	Muswellbrook Shire Council		125	Drayton Coal	
WJ Reynolds		74	Muswellbrook Shire Council		126	Macquarie Generation	
RB & LJ Halloran		75	EJ & MC Sharman		127	Macquarie Generation	
SJ & J Jackson		76	PG Horder		128	Macquarie Generation	
J Newton		77	Drayton Coal	-	129	Macquarie Generation	
PJ & KJ Collins		78	The State of NSW		130	Hunter Valley Energy Coal Ltd	
RE & ID Baxter		79	The State of NSW		131	Hunter Valley Energy Coal Ltd	
		80	The State of NSW		132	Hunter Valley Energy Coal Ltd	
MJ Bird		81	The State of NSW		133	Hunter Valley Energy Coal Ltd	
MJ & EJ Wallman		82	Macquarie Generation		134	Anglo Coal Australia Pty Ltd	
JM & BB & PS Mitchelhill & HB Rivett & IB Vineburg		83	Macquarie Generation		135	Anglo Coal Australia Pty Ltd	
RJ & IA Summerville		84	Drayton Coal		136	Macquarie Generation	
K & KI Cross		85	Macquarie Generation		137	Macquarie Generation	
CL & JA Fisher & CI Dennis		86	Wild Group Pty Ltd		138	Macquarie Generation	
BT & JE Davis		87	PWild		139	Macquarie Generation	
GM Wilson		88	Macquarie Generation		140	Macquarie Generation	
JM Mitchelhill & HB Rivett & IB Vineburg	4	89	The State of NSW		141	TransGrid	
BJ & TL King		90	Macquarie Generation		136	Macquarie Generation	
NP & CJ O'Brien		91	Coal Operations Australia		137	Macquarie Generation	
CR & CP Stewart		92	Coal Operations Australia		138	Macquarie Generation	
PS & TG Adams		93	Hunter Valley Energy Coal Ltd		139	Macquarie Generation	
M & P Clifton		94	Bayswater Colliery Company		140	Macquarie Generation	
H Ray		95	Bayswater Colliery Company		141	TransGrid	
Coal Operations Australia		96	Bayswater Colliery Company		142	Macquarie Generation	
Coal Operations Australia		97	Bayswater Colliery Company		143	Macquarie Generation	
Coal Operations Australia		98	Drayton Coal & Anglo Coal		144	Macquarie Generation	
The State of NSW		99	Drayton Coal		145	Macquarie Generation	
The State of NSW		100	Drayton Coal		146	Macquarie Generation	
Hunter Valley Energy Coal Ltd.	-	101	Macquarie Generation	-	147	Macquarie Generation	
Hunter Valley Energy Coal Ltd.		102	The Commissioner for Main Roads	=	148	Macquarie Generation	
Coal Operations Australia		103	Macquarie Generation		149	Macquarie Generation	
Drayton Coal		104	RTANSW		150	Macquarie Generation	
		105			151	Macquarie Generation	
	Yaramalong Stud Pty Ltd K Newton CS Jacobsen Anglo Coal (Drayton Management) Pty Limited Drayton Coal MF & AV Oberty BC & SR Page SR Page CJ & LE Duck RD & DA Osborn WJ Reynolds RB & LJ Halloran SJ & J Jackson J Newton PJ & KJ Collins RE & LD Baxter GJ & PH De Boer MJ Bird MJ & EJ Waliman JM & BB & PS Michelhili & HB Rivett & IB Vineburg RJ & IA Summerville K & KI Cross CL & JA Fisher & CI Dennis BT & JE Davis GM Wilson JM Mitchelhili & HB Rivett & IB Vineburg BJ & TL King NP & CJ O'Brien CR & CP Stewart PS & TG Adams M & P Cifton H Ray Coal Operations Australia Coal Operations Australia Coal Operations Australia	Yaramalong Stud Pty Ltd K Newton CS Jacobsen Anglo Coal (Drayton Management) Pty Limited Drayton Coal MF & AV Oberty BC & SR Page SR Page CJ & LE Duck RD & DA Osborn WJ Reynolds RB & LJ Halloran SJ & J Jackson J Newton PJ & KJ Collins RE & ID Baxter GJ & PH De Boer MJ Bird MJ & EJ Wallman JM & BB & PS Michelhil & HB Rivett & IB Vineburg RJ & LA Summerville K & KI Cross GL & JA Fisher & CI Dennis BT & JE Davis GM Wilson JM Mitchelhill & HB Rivett & IB Vineburg BJ & TL King NP & CJ O'Brien CR & CP Stewart PS & TG Adams M & P Cifton H Ray Coal Operations Australia Coal Operations Austral	Yaramalong Stud Pty Ltd 64 K Newton 65 CS Jacobsen 66 Anglo Coal (Orayton Management) 67 Pty Limited 67 Drayton Coal 68 MF & AV Doherty 69 BC & SR Page 70 SR Page 71 CJ & LE Duck 72 RD & DA Osborn 73 WJ Reynolds 74 R8 & LJ Haloran 75 SJ & J Jackson 77 PJ & KJ Colins 78 RE & ID Baxter 79 GJ & PH De Boer 80 MJ Bird 81 MJ & EJ Waliman 82 JM & BB & PS Mitchelhil & HB 83 Rix Li Rowins 85 CL & JA Fisher & CI Dennis 86 BT & Li Davis 87 GM Wilson 81 JM Mitchelhil & HB Rivett & IB 89 JM Mitchelhil & HB Rivett & IB 89 JM Mitchelhil & HB Rivett & IB 89 JM Mitchelhil & HB Rivett & IB 90 NP & CJ O'Brien 91	Arranalong Stad Pty Ltd 64 Drayton Coal K Newton 65 Drayton Coal CS Jacobsen 66 Drayton Coal Anglo Coal (Drayton Management) 67 Drayton Coal Pty Limited 68 Drayton Coal Dayton Coal 68 Drayton Coal MF & AV Doherty 69 P & K Citinon SR Page 71 DW & LM Hunter CJ & LE Duck 72 BJ & NH Robertson RD & DA Osborn 73 Muswellbrock Shire Council WJ Reynolds 74 Muswellbrock Shire Council RB & LJ Halloran 75 EJ & MC Sharman SJ J Jackson 77 Drayton Coal PJ & KJ Colins 78 The State of NSW RE & ID Baster 79 The State of NSW GJ & PH De Boer 80 The State of NSW M J & EJ Walman 82 Macquarie Generation MJ & BB & PS Mtchelhil & HB Ra Macquarie Generation MJ & BB & PS Mtchelhil & HB Ra Macquarie Generation MJ & BB & PS Mtchelhil & HB Ra Macquarie Generation	Yaranalog Stud Ply Ltd 64 Drayton Coal K Newton 65 Drayton Coal CS Jacobsen 66 Drayton Coal Aragio Coal (Drayton Management) 67 Drayton Coal Ply Linited 63 Drayton Coal Drayton Coal 68 Drayton Coal Drayton Coal 69 P & K Clifton BC & SR Page 71 DX & N Robertson CJ & LE Durk 72 BJ & N Roberson RD & DA Osborn 73 Muswelbrook Shire Council WJ Reynolds 74 Muswelbrook Shire Council RB & LJ Haltoran 75 EJ & M C Sharman SJ & J Jackson 76 Polyton Coal J Newton 77 Drayton Coal 1 VJ Reynolds 74 Muswelbrook Shire Council RB & LJ Haltoran 75 EJ & M C Sharman SJ & J Jackson 77 Drayton Coal J Newton 77 Drayton Coal J Newton 77 Drayton Coal J Newton 77 Drayton Coal J Nethorital & Macouraie Generation 1 K & LO Colins 78 The State of NSW J Nethorital & HB 80 The State of NSW MJ Bid	In order of the second seco	Arranmatory Stud Pty Ltd ef4 Daryton Coal 116 Macquarte Generation CS Jacoben 65 Daryton Coal 117 Macquarte Generation CS Jacoben 66 Daryton Coal 118 Macquarte Generation Acgle Coal Direyton Management) 67 Daryton Coal 119 Hatter Valey Energy Coal Ltd Phy Umited 68 Daryton Coal 121 Daryton Coal 466 Coal Way Coal Ltd 121 Daryton Coal Acgle Coal 122 Daryton Coal Acgle Coal 123 Daryton Coal Acgle Coal 123 Daryton Coal Acgle Coal 123 Daryton Coal Acgle Coal 124 Daryton Coal Acgle Coal 124 Daryton Coal 124 Daryton Coal 124 Macquarte Generation 124 Macquarte Generation 128 Macquarte Generation 128 Macquarte Generation 124 Macquarte Generation 124 Macquarte Generation 124 Macquarte Generation 128 Macquarte Generation 128 Macquarte Generation 124 Macquarte Generation 124<

Notes: • .

A coloured square denotes a receiver on the property. Each colour correlates to the shading in the following figure (**Figure 4**)

