

# 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.



Howard Reed  
Director  
Resource Assessments

Sydney

18 August

2016

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### SCHEDULE 1

The project approval (MP 06\_0311) for the Mannering Colliery granted by the Minister for Planning on 12 March 2008.

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### SCHEDULE 2

1. Delete the following terms and their definitions: "Affected councils", LMCC", "OEH" and "WSC", and insert the following terms and definitions in alphabetical order:

Affected councils	Central Coast Council and Lake Macquarie City Council
EA (Mod 4)	Environmental Assessment titled ' <i>Administrative modification to MP06_0311 – Environmental Assessment</i> ' dated 25 July 2016
OEH	Office of Environment and Heritage
2. Delete all references to "shall" and replace with "must", except in condition 3 of Schedule 2 and condition 5 of Schedule 4.
3. In condition 2 of Schedule 2:
  - (a) delete the word "and" at the end of paragraph (d); and
  - (b) delete paragraph (e) and insert the following:
    - (e) EA (Mod 4); and
    - (f) Project Layout Plans.
4. In condition 15 of Schedule 3, delete the words "WSC and LMCC" and replace with "affected councils".
5. In condition 21 of Schedule 3, delete all references to "WSC" and replace with "Central Coast Council".
6. In condition 3 of Schedule 5, delete the words "February 2013, and annually thereafter, the Proponent shall review", and replace with "March each year, or other timing as may be agreed by the Secretary, the Proponent must submit a report to the Department reviewing".
7. In condition 8 of Schedule 5:
  - (a) delete the word "and" at the end of paragraph (c); and
  - (b) delete paragraph (d) and insert the following:
    - (d) review the adequacy of any approved strategy/plan/program required under this approval: and, if necessary;

- (e) recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, strategy/plan/program required under the abovementioned approvals; and
  - (f) be conducted and reported to the satisfaction of the Secretary.
- 8. In condition 9 of Schedule 5, delete the words "6 weeks of completion of" and replace with "12 weeks of commissioning".
- 9. Adjust the TABLE OF CONTENTS and page numbers to reflect changes made by this instrument.