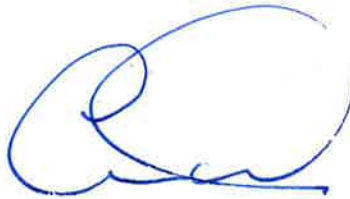


Notice of Modification

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

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



Chris Wilson
Executive Director
Major Projects Assessment

Sydney

13 MARCH

2012

SCHEDULE 1

The project approval (08_0111) for the Austar Coal Mine, granted by the Minister for Planning on 6 September 2009.

SCHEDULE 2

1. In the list of "DEFINITIONS":

(a) delete the following:

DECCW	Department of Environment, Climate Change and Water
DII	Department of Industry and Investment
RTA	Roads and Traffic Authority

and insert the following in alphabetical order:

EA (Mod 2)	Environmental Assessment titled <i>Austar Coal Mine Environmental Assessment – Stage 3 Modification</i> (Volumes 1 and 2), dated September 2011, and associated response to submissions dated November 2011
DRE	Division of Resources and Energy of the Department of Trade and Investment, Regional Infrastructure and Services
Executive Director, Mineral Resources	Executive Director Mineral Resources within DRE, or the equivalent role
NOW	NSW Office of Water, within the Department of Primary Industries
OEH	Office of Environment and Heritage, including the Environment Protection Authority
RMS	Roads and Maritime Services
Statement of Commitments (Mod 2)	Statement of Commitments found in EA (Mod 2)

(b) insert "and Infrastructure" following "Department of Planning" and "Minister for Planning"; and

(c) delete all references to "LW A6 to LW A17", and replace with "LW A7 to LW A19".

2. Delete all references to "DECCW", and replace with "OEH".
3. Delete all references to "DII", and replace with "DRE".
4. Delete all references to "Director-General of DII", and replace with "Executive Director, Mineral Resources".
5. Delete all references to "RTA", and replace with "RMS".
6. In condition 2 of Schedule 2, delete all words after "EA;" (except the note) and insert the following:
- (b) modification application 08_0111 Mod 1 and supporting documentation dated 9 March 2011;