

25 September 2013

Department of Planning and Infrastructure
Major Projects Assessment Mining
23-33 Bridge Street
SYDNEY NSW 2001

Attention: Mr Howard Reed, Manager Mining, Major Development Assessment

Also by email: Howard.Reed@planning.nsw.gov.au

Dear Howard

RE: METROPOLITAN COAL - PROJECT APPROVAL MODIFICATION APPLICATION

As discussed with Greg Tarrant and Ryan Pascoe on 13 June 2013, Metropolitan Coal requests to modify Project Approval 08_0149 with respect to the Annual Review period (Condition 3, Schedule 7 of the Project Approval).

The Project Approval currently requires the Annual Review to be conducted by the end of October each year. This has required an assessment of environmental performance for the period 1 August to 31 July for the last two Annual Reviews (2011 and 2012).

Metropolitan Coal is required to prepare an Annual Environmental Management Report (AEMR) in accordance with Consolidated Coal Lease (CCL) 703 and Environmental Management Reports (EMR) in accordance with Mining Lease (ML) 1610. One report is currently prepared to address these two requirements which is submitted annually and covers the calendar year.

Metropolitan Coal wishes to consolidate the annual environmental reporting requirements under the Project Approval and the ML and CCL conditions. As such, Metropolitan Coal requests Condition 3, Schedule 7 of the Project Approval be modified as indicated below to allow for submission of the Annual Review by the end of March each year:

Annual Review

*By the end of ~~October 2010, and annually thereafter,~~ **March each year**, the Proponent shall review the environmental performance of the project to the satisfaction of the Director-General **in respect of the previous calendar year**. This review must:*

...

The Annual Review would be developed to address the requirements of the Project Approval, as well as containing relevant information to address the AEMR and EMR requirements of CCL 703 and ML 1610 respectively.

As discussed on 13 June 2013, the next Annual Review will describe the period from 1 August 2012 to 31 December 2013 in regard to the Project Approval requirement. The reporting period in regard to the CCL 703 and ML 1610 requirements will be from 1 January 2013 to 31 December 2013. The next Annual Review will be submitted by 31 March 2014.

Please don't hesitate to contact the undersigned on (02) 4294 7222 if you have any queries or wish to discuss.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'RP' followed by a long horizontal stroke.

RYAN PASCOE

Manager - Environment and Community