

Notice of Modification

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

As delegate of the Minister for Planning and Infrastructure, I modify the project approval referred to in Schedule 1, as set out in Schedule 2.



David Kitto
Director, Industry & Mining

Sydney

29 MAY

2012

SCHEDULE 1

The project approval (MP 08_0184) for the Ulan Coal Mine, granted by the then Minister for Planning on 15 November 2010.

SCHEDULE 2

1. In the list of definitions in schedule 1, delete the definitions for "DITRIS" and "RTA" and insert the following in alphabetical order:

Construction blast	Blast associated with the construction of ancillary infrastructure, such as a ventilation shaft
DRE	Division of Resources and Energy, within the Department of Trade & Investment, Regional Infrastructure and Services
EA (MOD 2)	Environmental assessment titled <i>Modification to Ulan Coal Continued Operations – Ulan West Mine Plan (Approved Panels 1-4) and Construction Blasting</i> , dated May 2012
EPA	Environment Protection Authority
Operational blast	Blast associated with mining activities, including blasts at the quarry on site, overburden blasts and coal blasts
RMS	Roads and Maritime Services

2. Replace all references to "RTA" in Schedule 3 of this approval with "RMS".
3. Replace references to "OEH" in Schedule 3, conditions 9, 16, 22 and 34 of this approval with "EPA".
4. In condition 2 of schedule 2, delete all words after "EA (MOD 1);" and insert the following:
 - (c) EA (MOD 2);
 - (d) statement of commitments; and
 - (e) conditions of this approval.

5. Delete condition 10 of schedule 3, and replace with the following:

Operational Blasting Criteria

10. The Proponent shall ensure that operational blasting on site does not cause exceedances of the criteria in Table 7.

Table 7: *Operational blast impact criteria*

Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance
Residence on privately-owned land	115	5	5% of the total number of blasts over a period of 12 months
	120	10	0%

6. After condition 10 of schedule 3, insert the following:

10A. The Proponent shall ensure that both operational blasting and construction blasting on the site does not damage Heritage Sites on site. Heritage Sites can be identified in Appendix 7 of this approval.

7. Delete condition 11 of schedule 3, and replace with the following:

Operational Blasting Hours

11. The Proponent shall only carry out operational blasting on site between 9am and 5pm Monday to Saturday inclusive. No operational blasting is allowed on Sundays, public holidays, or at any other time without the written approval of Director-General.

8. Delete condition 12 of schedule 3, and replace with the following:

Operational Blasting Frequency

12. The Proponent shall not carry out more than 1 operational blast a day on site, unless an additional operational blast is required following a blast misfire.

Note: A blast may involve a number of explosions within a short period, typically less than two minutes.

9. After condition 12 of schedule 3, insert the following:

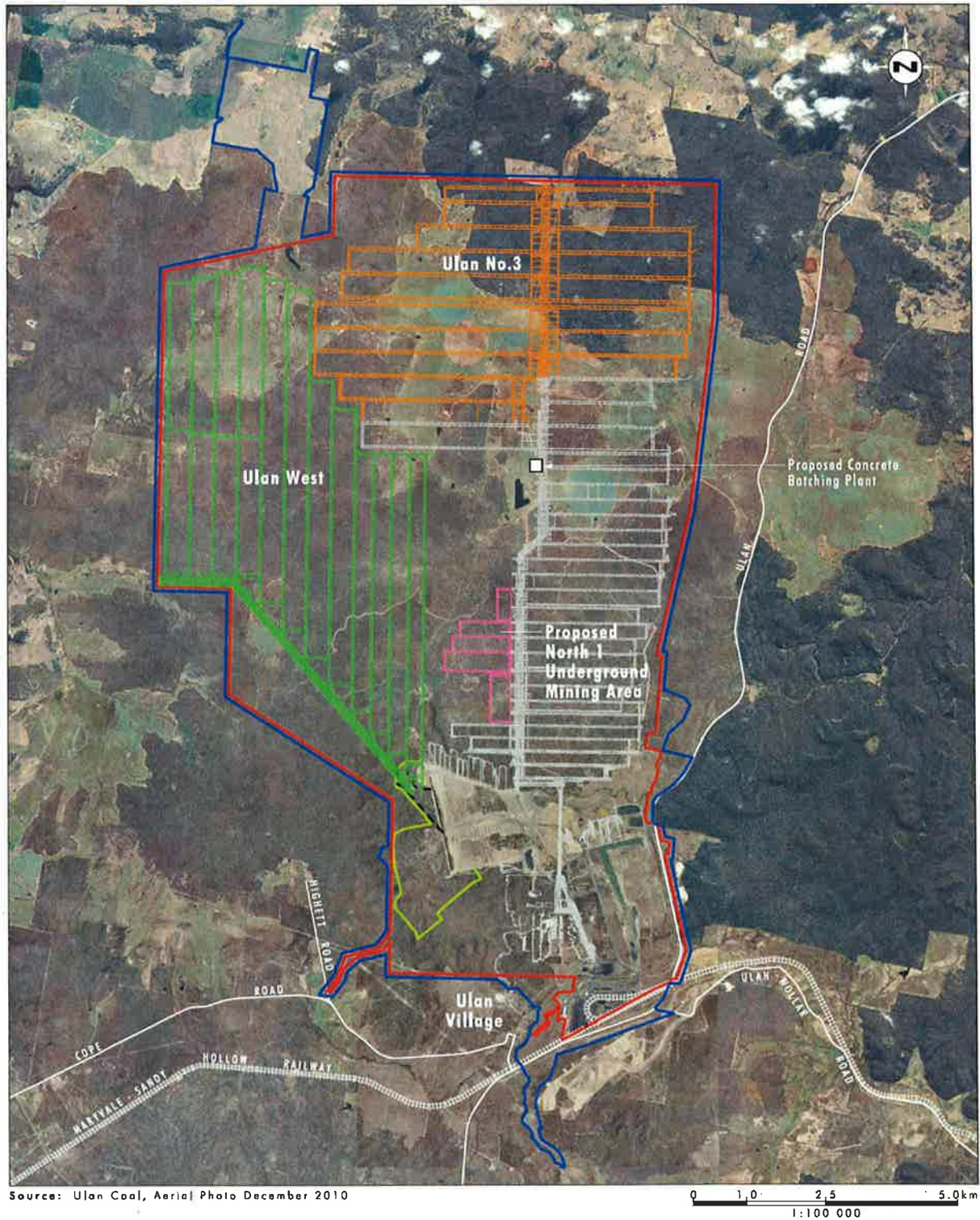
Construction Blasting Hours and Frequency

12A. The Proponent shall only carry out construction blasting on site between 7am and 7pm daily where the Proponent confirms by design and prediction prior to construction blasting that the overpressure and vibration levels will be less than 95dB(A) and 1mm/sec, respectively at all private buildings.

6. In condition 41 of schedule 3, move the reference to 3 kilometres of cliffline from the Bobadeen Vegetation Offset Area column to the Brokenback Conservation Area column.

7. Delete Appendices 2, 3, 4, 5 and 7 and replace with:

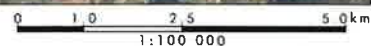
APPENDIX 2 PROJECT LAYOUT PLANS



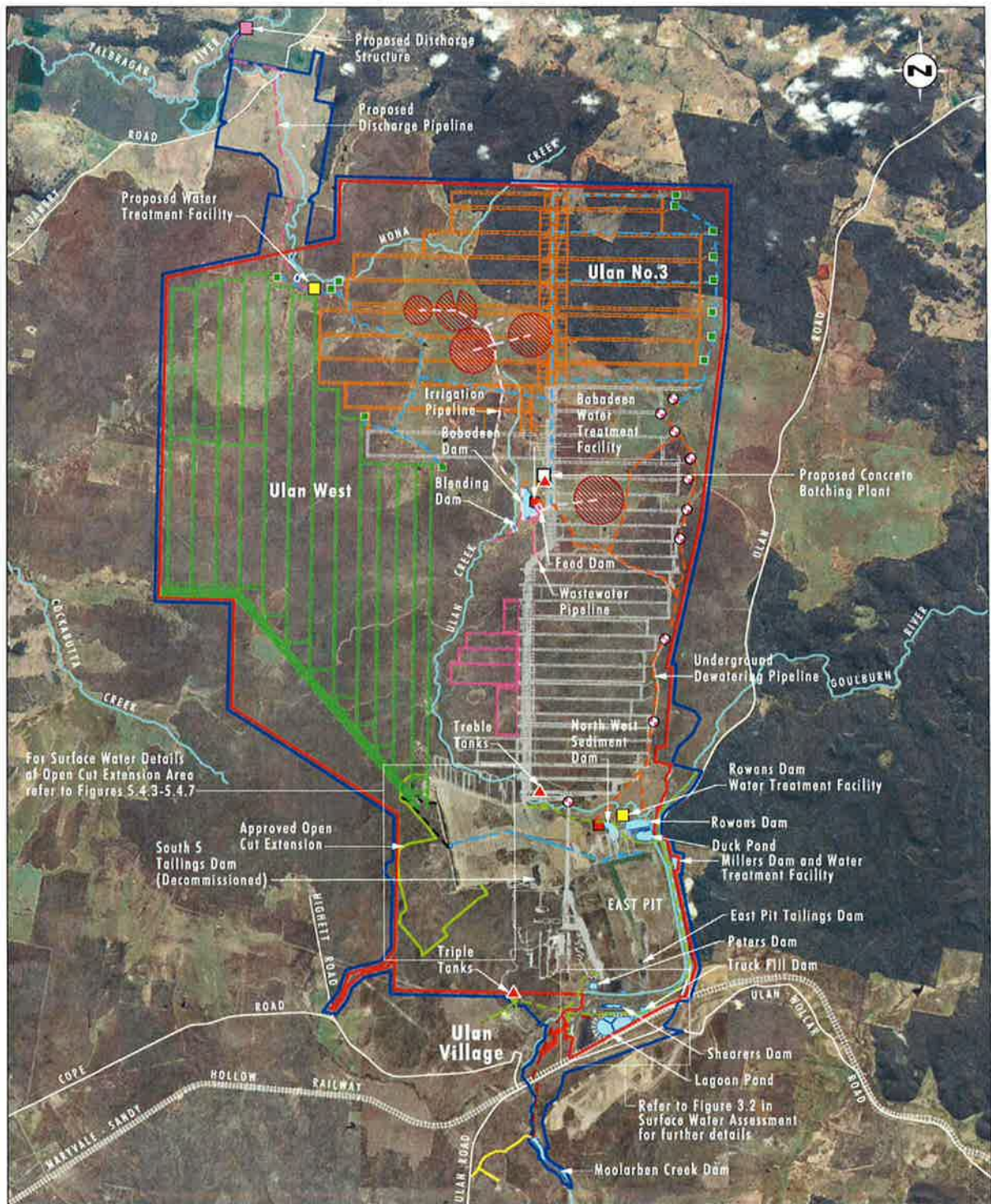
Legend

- | | |
|---|---|
| — Colliery Holding Boundary | — Box Cut Option |
| — UCML Continued Operations Project Approval Area | Proposed Concrete Batching Plant |
| — Approved Open Cut Extension | |
| — Revised Ulan West Mine Plan | |
| — Ulan No. 3 Mine Plan | |
| — Previous Underground Mining Operations | |
| — Proposed North 1 Underground Mining Area | |

Ulan Coal S75W Modifications
Proposed North 1 Underground Mining Area,
Concrete Batching Plant and Modified Mine Plan



Access Roads



Source: Ulan Coal, Aerial Photo December 2010

0 1.0 2.5 5.0 km
1:100 000

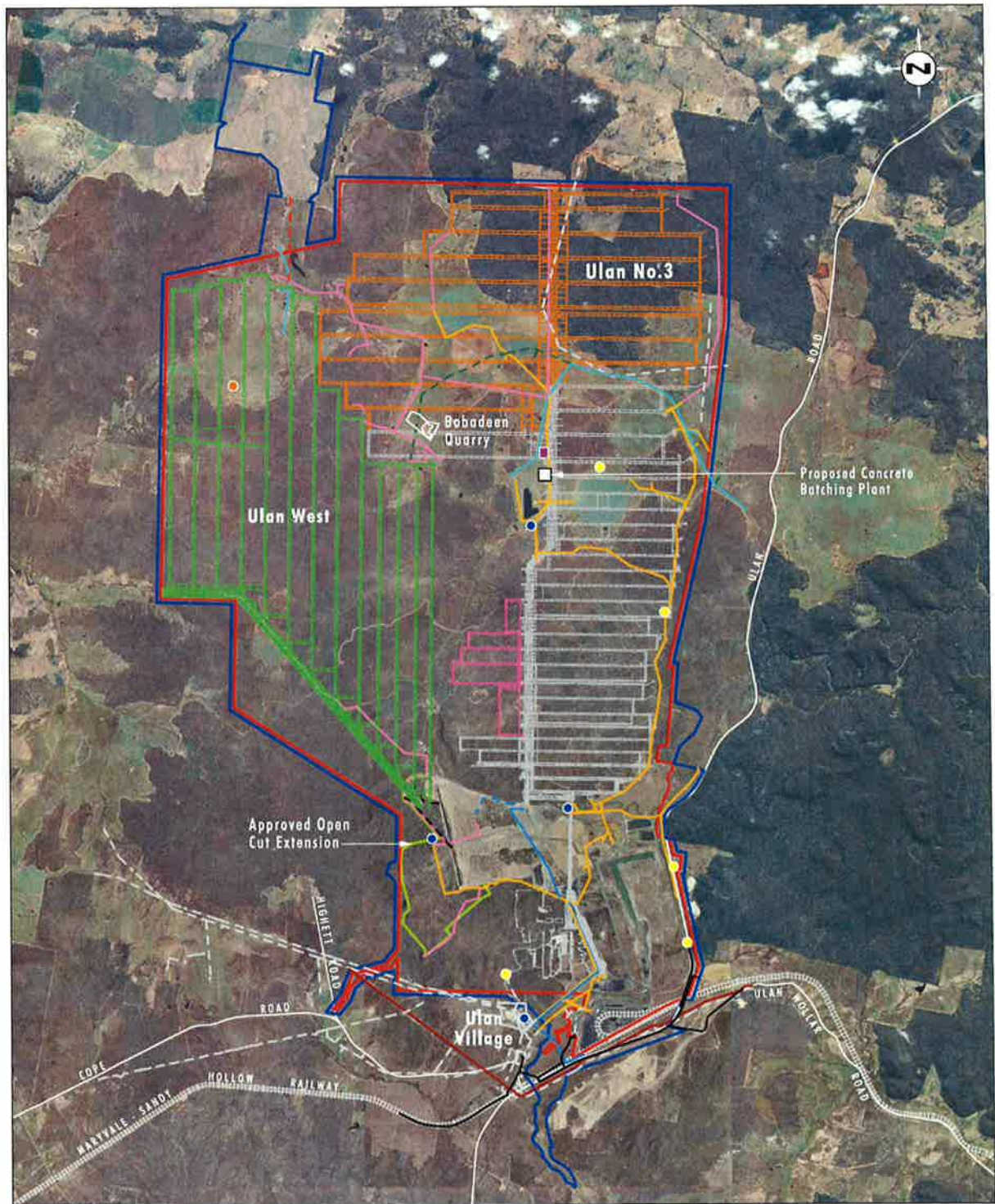
Legend

- Colliery Holding Boundary
- UCML Continued Operations Project Approval Area
- Approved Open Cut Extension
- Revised Ulan West Mine Plan
- Ulan No.3 Mine Plan
- Previous Underground Mining Operations
- Proposed North 1 Underground Mining Area
- Box Cut Option
- Proposed Concrete Batching Plant

- Dams
- Existing Dewatering Bore Pipeline
- Existing Irrigation Pipeline
- Existing Reverse Osmosis Pipelines
- Existing Moolarben Raw Water Pipeline
- Existing Potable Water
- Existing Moolarben Dam to Orca Pipeline
- Approved Pipeline

- Existing Dewatering Points
- Existing Irrigation Pivots
- Existing Fire Fighting Water Reservoir
- Existing Water Treatment Facility
- Approved Water Treatment Facility
- Approved Dam
- Approved Dewatering Bore

**Current and
Proposed Water
Management
Infrastructure**



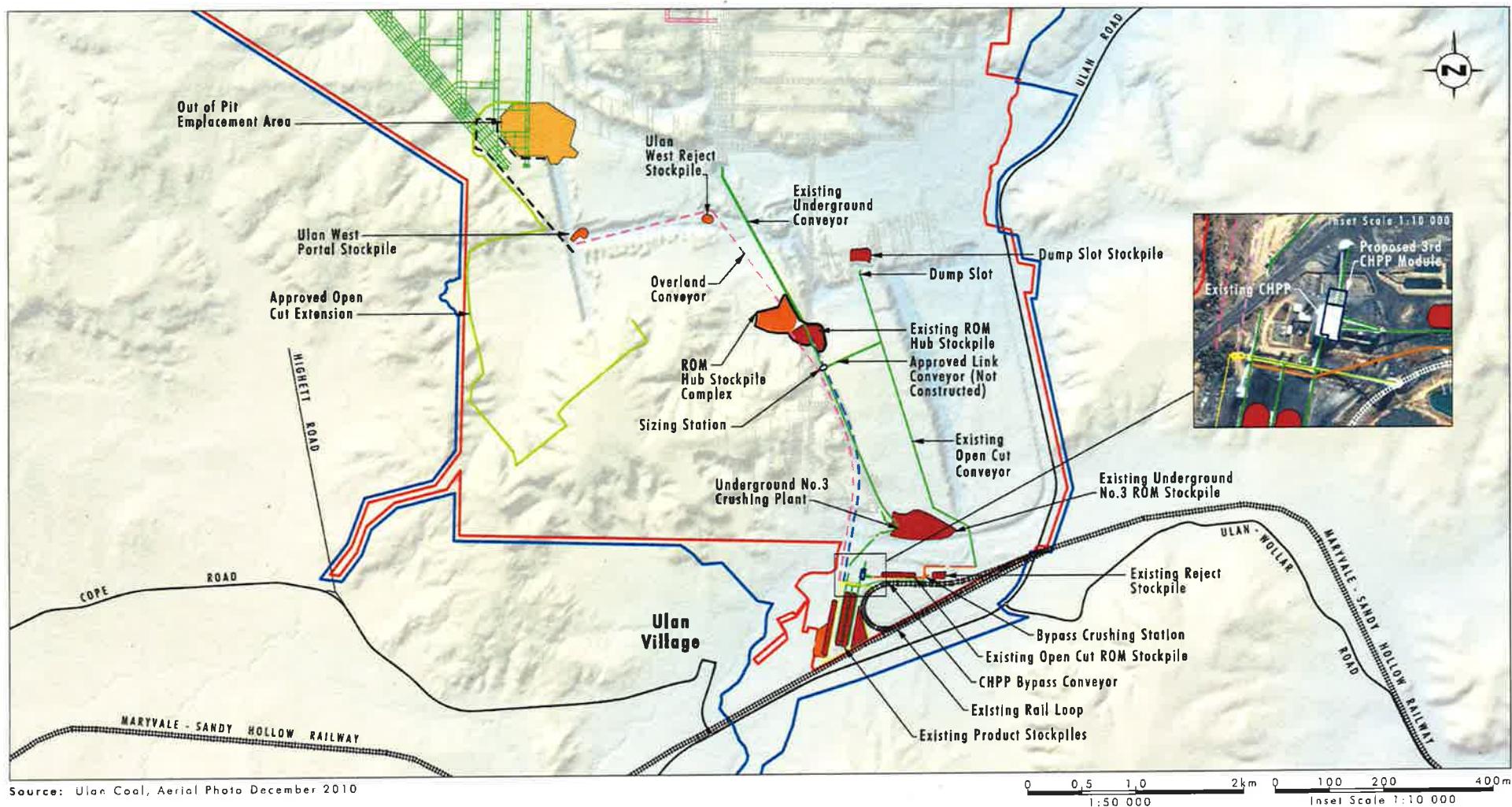
Source: Ulan Coal, Aerial Photo December 2010

0 1.0 2.5 5.0km
1:100 000

Legend

- | | | |
|---|--|---|
| ▬ Colliery Holding Boundary | ▬ Babadeen Quarry | ● Existing Substations |
| ▬ UCML Continued Operations Project Approval Area | ▬ Existing Power Line UCML | ● Existing Communication Towers |
| ▬ Approved Open Cut Extension | ▬ Existing Country Energy Power Line | ▬ Existing Power Line Private |
| ▬ Revised Ulan West Mine Plan | ▬ Existing Transgrid Power Line | ▬ Approved Power Line |
| ▬ Ulan No.3 Mine Plan | ▬ Existing Fibre Optics UCML | ● Approved Communication Towers |
| ▬ Previous Underground Mining Operations | ▬ Existing Fibre Optics Telstra | ▬ Approved Fibre Optic |
| ▬ Proposed North 1 Underground Mining Area | ▬ Existing Telstra Line Active | |
| ▬ Box Cut Option | ▬ Existing Telstra Line Inactive | |
| Proposed Concrete Batching Plant | | |

**Current and
Proposed Power and
Telecommunications Services**



Legend

- | | | |
|---|--|---|
| Colliery Holding Boundary | Existing Stockpile | Approved Ulan No.3 Overland Conveyor (option) |
| UCML Continued Operations Project Approval Area | Proposed Stockpile | Approved Product Coal Conveyors |
| Approved Open Cut Extension | Out of Pit Emplacement Area | Approved CHPP Bypass Conveyor |
| Ulan West Mine Plan | Existing Conveyors | Box Cut Option |
| Previous Underground Mining Operations | Proposed Conveyor | Proposed North 1 Underground Mining Area |

**Conceptual Coal Handling,
Preparation and Stockpiles**



Source: Ulan Coal, Aerial Photo December 2010

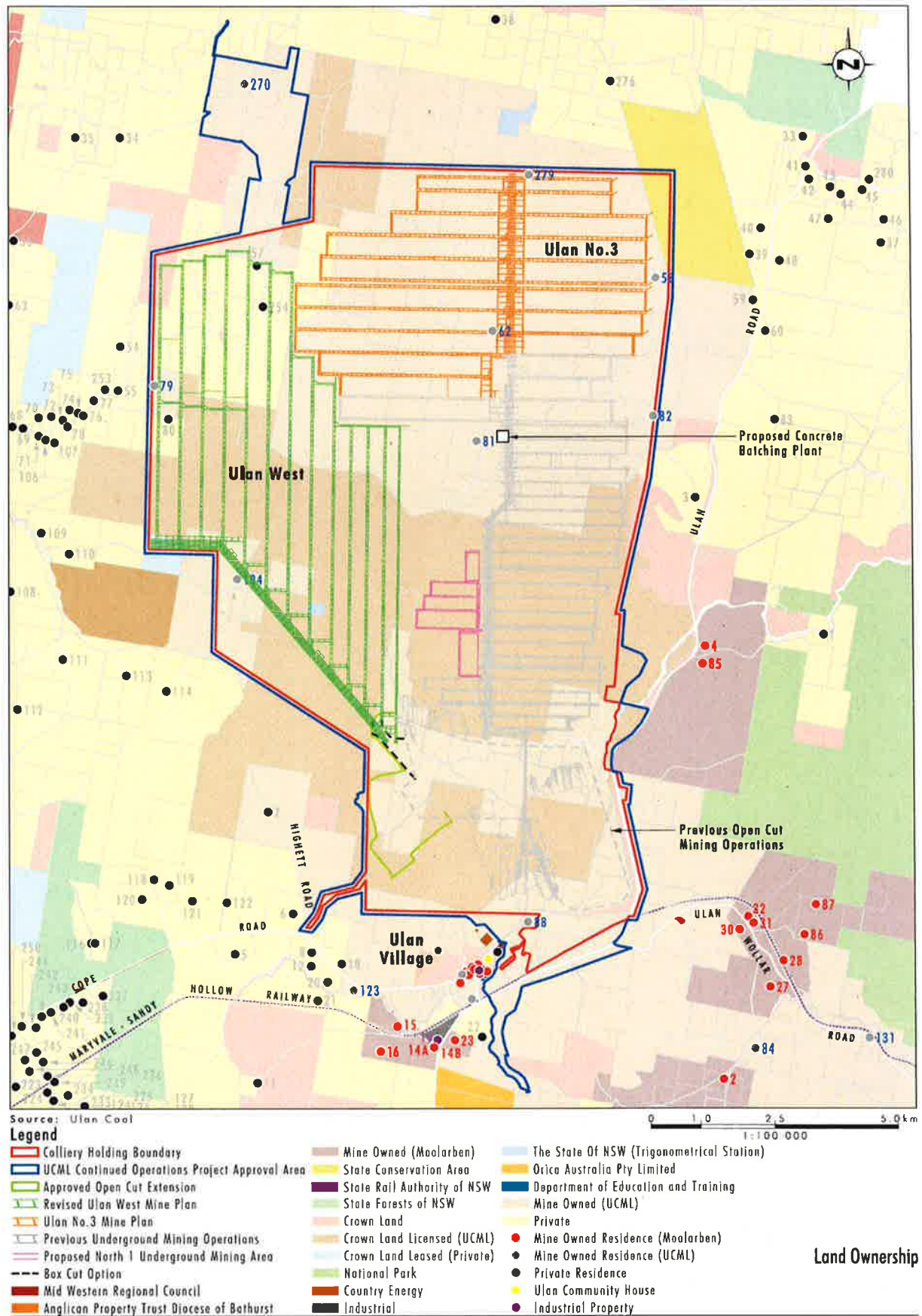
0 0.5 1.0 2km
1:50 000

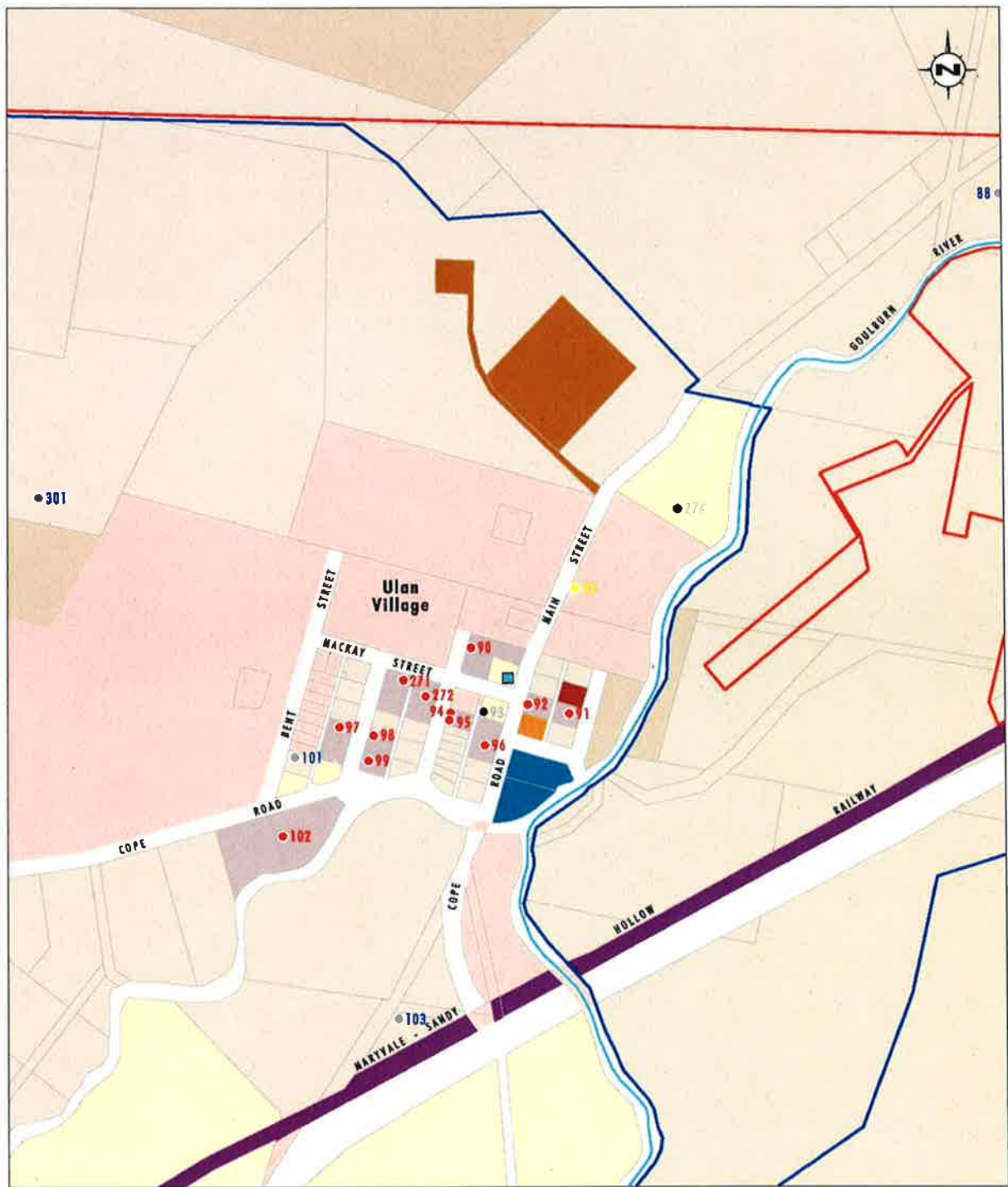
Legend

- | | |
|---|--|
| — Colliery Holding Boundary | — Tailings Emplacement Area |
| — UCML Continued Operations Project Approval Area | — Coarse Reject Emplacement Area |
| — Approved Open Cut Extension | --- Box Cut Option |
| — Revised Ulan West Mine Plan | — Proposed North 1 Underground Mining Area |
| — Previous Underground Mining Operations | |

**Conceptual Coarse Reject and
Tailings Emplacement Areas**

APPENDIX 3 LAND OWNERSHIP PLANS





Source: LPI

0 125 250 500m
1:10 000

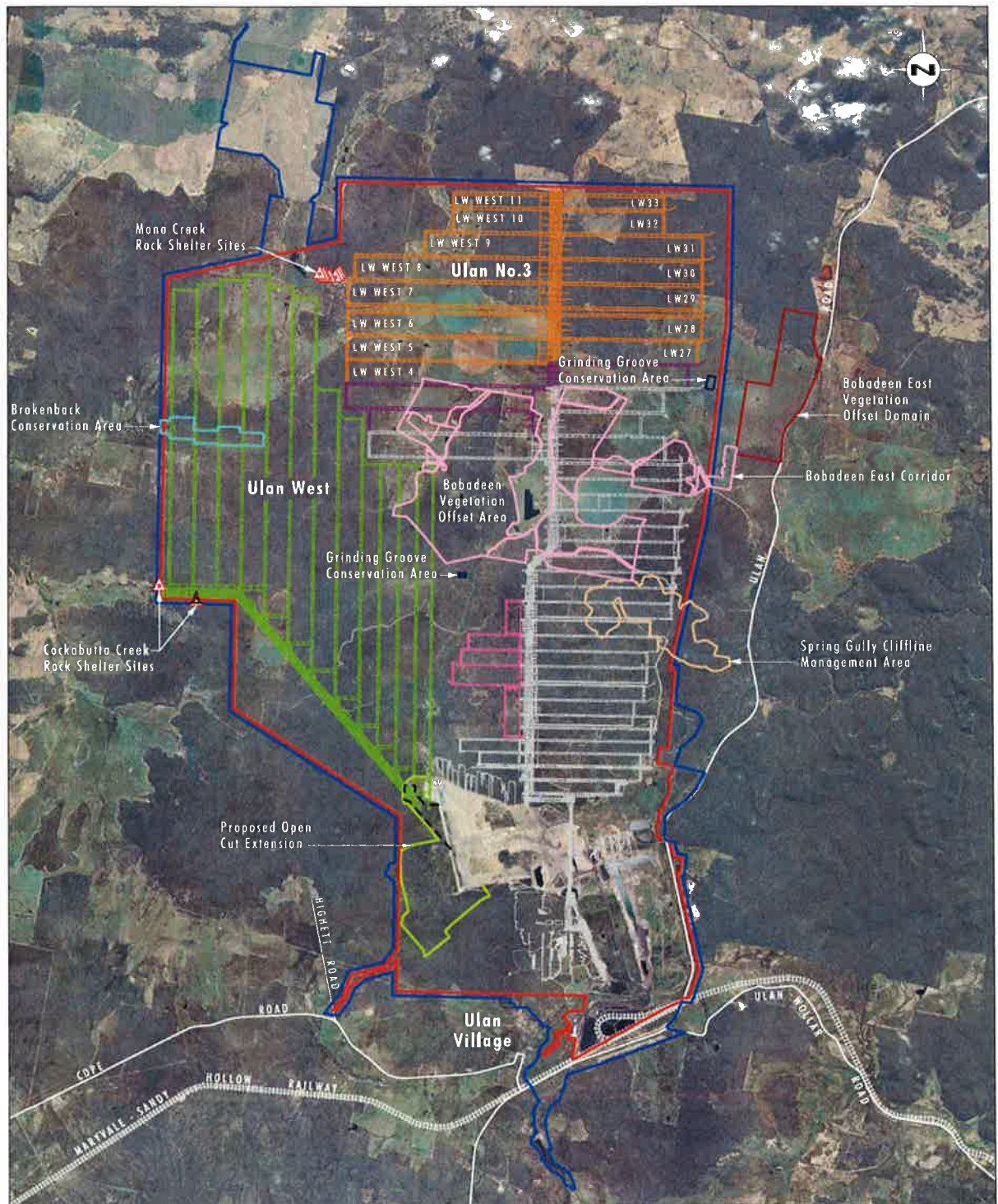
Legend

- | | | |
|---------------------------|---|----------------------------------|
| Colliery Holding Boundary | Mid Western Regional Council | Mine Owned Residence (Moolarben) |
| Project Boundary | Department of Education and Training | Ulan Community House |
| Crown Land | Crown Land Leased (UCML) | Ulan Pub |
| Country Energy | State Rail Authority of NSW | |
| Private | Anglican Property Trust Diocese of Bathurst | |
| Mined Owned (UCML) | Private Residence | |
| Mined Owned (Moolarben) | Mine Owned Residence (UCML) | |

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Land Ownership Ulan Village

APPENDIX 4 OFFSET STRATEGY



Source: Ulan Coal, Aerial Photo 2010

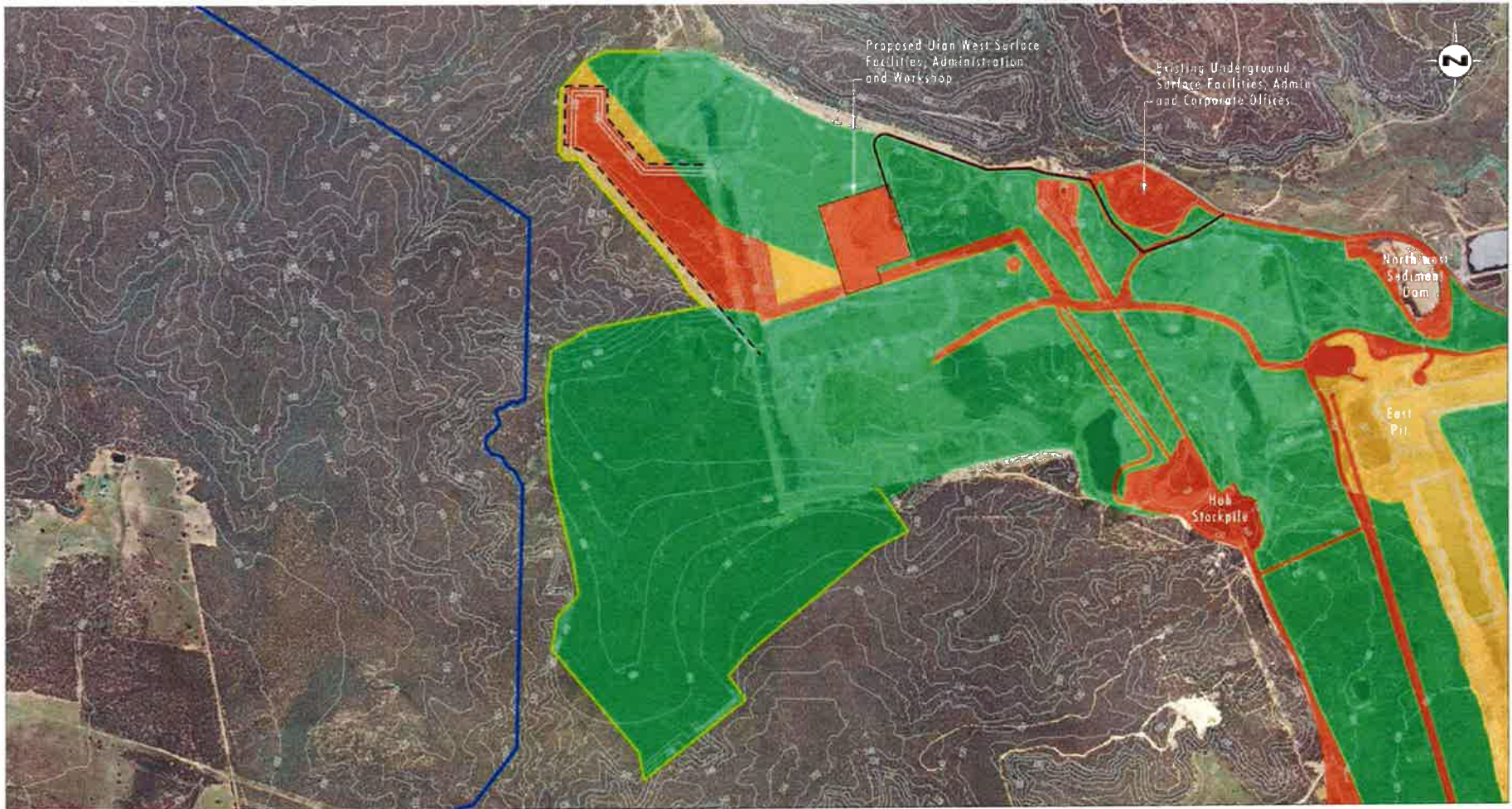
0 1.0 2.5 5.0 km
1:100 000

Legend

- | | |
|--|--|
| — Collinery Holding Boundary | — Bobadeen Vegetation Offset Area |
| — Project Boundary | — Brokenback Conservation Area |
| — Proposed Open Cut Extension | — Spring Gully Cliffline Management Area |
| — Proposed Ulan West Mine Plan | — Grinding Groove Conservation Area |
| — Ulan No.3 Underground Mine Plan | — Bobadeen East Vegetation Offset Domain |
| — Previous Underground Mining Operations | — Box Cut Option |
| — Current Mining and SMP Approved Area | |
| — Proposed 1 North Mine Plan | |

Offset and Management Area

APPENDIX 5 CONCEPTUAL REHABILITATION PLAN

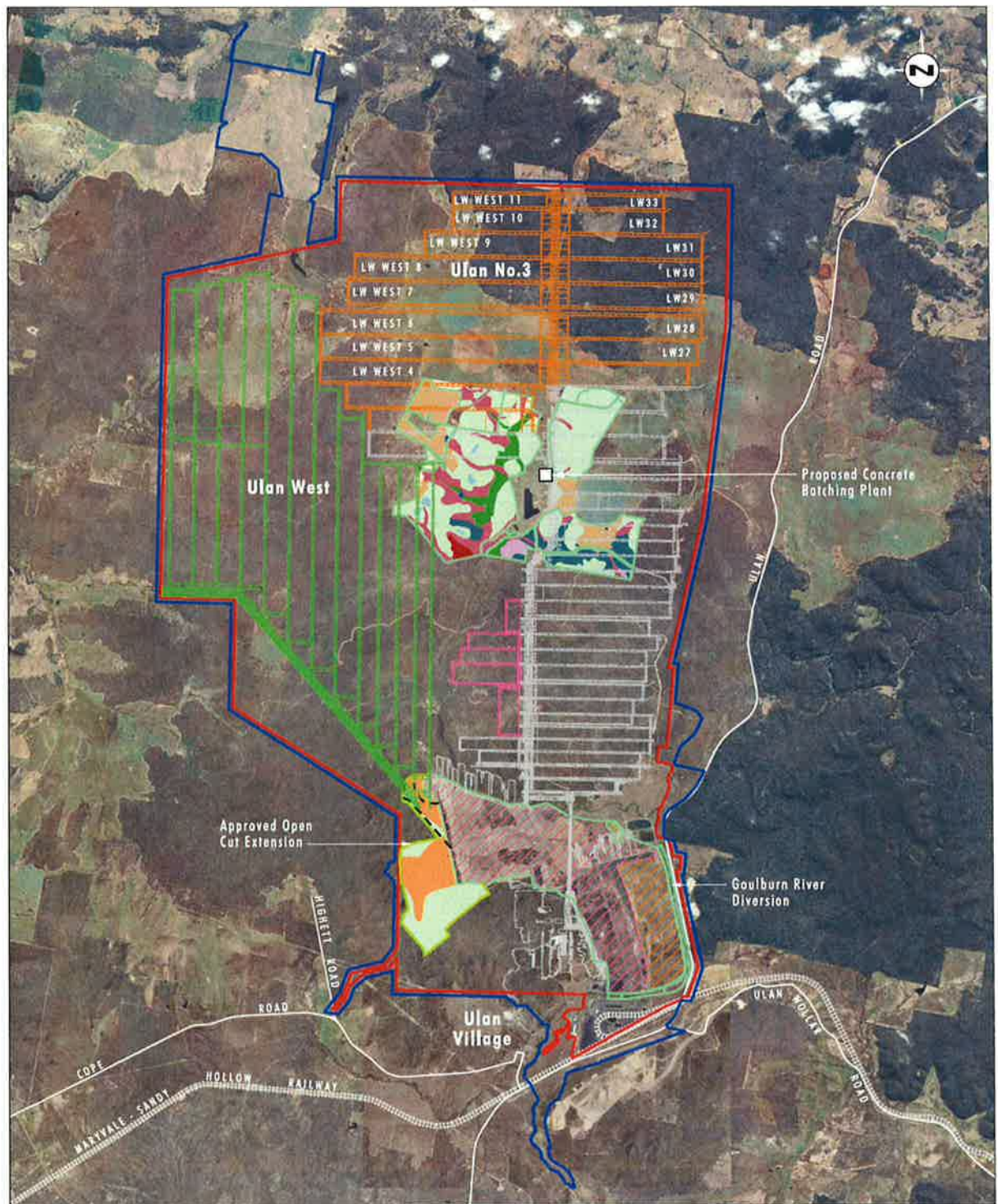


Source: Arkhill Engineers, Downer EDI
 Note: 1 Contour Interval 10m
 2 Refer to figure 5.4.3 to 5.4.7 for the Surface Water Management

Legend

- | | |
|---|--|
| Project Boundary | Proposed Access Road |
| Proposed Open Cut Extension | Box Cut Option |
| Infrastructure/Stockpile | |
| Rehabilitation | |
| Unshaped Overburden | |

Conceptual Open Cut Mining and
 Progressive Rehabilitation
 Year 12



Source: Ulan Coal, Aerial Photo December 2010

Legend

- Colliery Holding Boundary
- UCML Continued Operations Project Approval Area
- Approved Open Cut Extension
- Revised Ulan West Mine Plan
- Ulan No.3 Mine Plan
- Previous Underground Mining Operations
- Proposed North 1 Underground Mining Area
- Box Cut Option
- Proposed Concrete Batching Plant
- Rehabilitation Areas

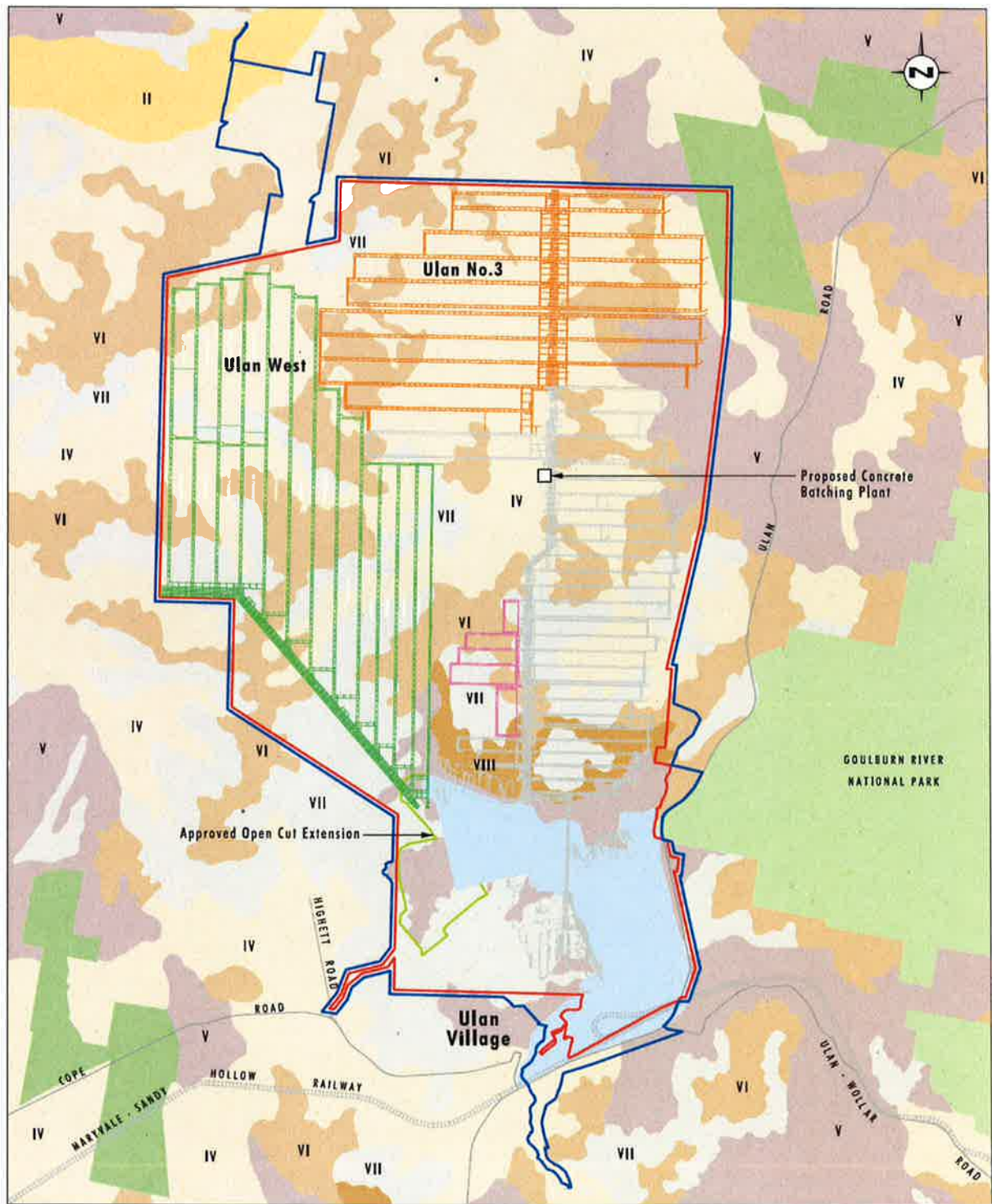
Post-Revegetation Communities:

- Ironbark Open Forest Complex on Sandstone
- Modified White Box Woodland
- Narrow-leaved Ironbark Open Forest &
- Scribbly Gum Woodland - Heathland on Sand Plateaux
- Narrow-leaved Ironbark Open Forest on Alluvium/Colluvium
- Rough-barked Apple Open Forest
- Scribbly Gum Woodland - Heathland on Sand Plateaux
- She-oak Low Forest on Sandstone Crests
- Stringybark-Ironbark Open Forest on Sandstone Slopes
- Blakely's Red Gum Open Forest

0 1.0 2.5 5.0km
1:100 000

- Cleared
- Derived Native Grassland
- Grey Box Woodland
- Improved Pasture
- Unimproved Pasture
- Water Bodies
- White Box Woodland
- Open Woodland
- Woodland

**Revegetation
Areas**



Source: Umwelt (2009), Lands NSW (2007) and Ulan Coal

0 1.0 2.5 5.0 km
1:100 000

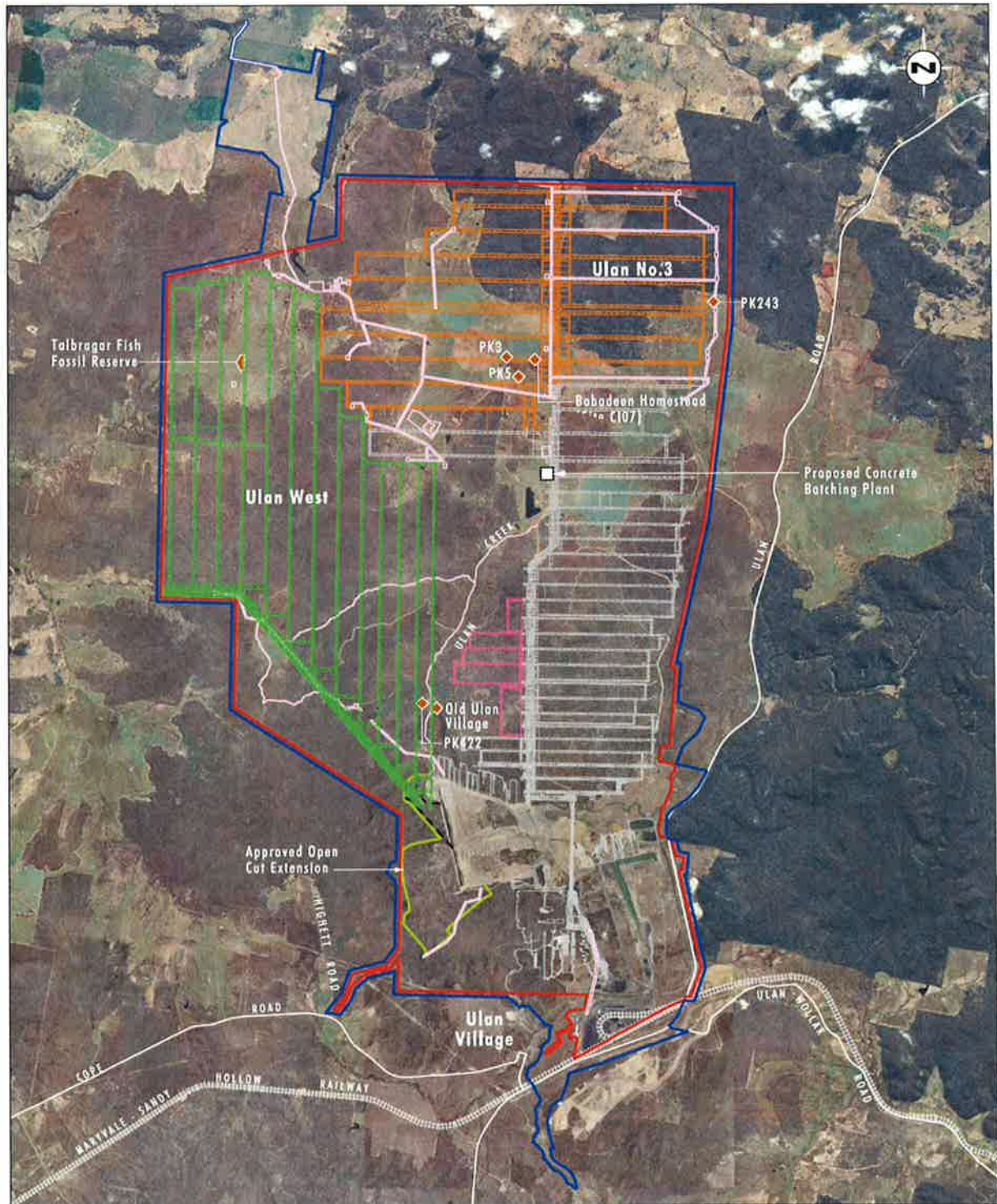
Legend

- Colliery Holding Boundary
- UCML Continued Operations Project Approval Area
- Approved Open Cut Extension
- Revised Ulan West Mine Plan
- Ulan No.3 Mine Plan
- Previous Underground Mining Operations
- Proposed North 1 Underground Mining Area
- Proposed Concrete Batching Plant
- National Park

- Suitable for Regular Cultivation
- Suitable for Grazing with Occasional Cultivation
- Suitable for Grazing with Occasional Cultivation (Structural Soil Conservation Works Required)
- Suitable for Grazing with No Cultivation
- Other (Land Best Protected by Green Timber)
- Other (Unsuitable for Agricultural and Pastoral Production)
- Mining and Quarrying Area
- State Forest

Land Capability

APPENDIX 7 HERITAGE SITES



Source: Ulan Coal, Aerial Photo December 2010, Mount King (2008), Umwelt (2009), Kuskie (2008)

0 1.0 2.5 5.0 km
1:100 000

Legend

- | | |
|---|---|
| — Colliery Holding Boundary | --- Box Cut Option |
| — UCML Continued Operations Project Approval Area | Proposed Concrete Batching Plant |
| — Approved Open Cut Extension | ◆ Historical Sites/Items |
| --- Revised Ulan West Mine Plan | --- Infrastructure Footprint |
| --- Ulan No.3 Mine Plan | |
| --- Previous Underground Mining Operations | |
| --- Proposed North 1 Underground Mining Area | |

**European and Natural Heritage
Sites/Items within Project Area
Subject to Blasting Criteria**