

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
A/Executive Director
Development Assessment Systems and Approvals

Sydney

16 August

2013

SCHEDULE 1

Project approval 09_0176 for the Ravensworth Operations Project, granted by the Minister for Planning on 11 February 2011.

SCHEDULE 2

1. Delete the definitions for "DECCW", "Department", "Director-General", "Heritage Branch", "I&I NSW", "Minister" and "RTA" in the list of definitions in schedule 2, and insert the following in alphabetical order:

Department Director-General DRE EPA Heritage Council Minister MOD 1 EA OEH RMS	Department of Planning and Infrastructure Director-General of the Department, or nominee Division of Resources and Energy within the Department of Trade and Investment, Regional Infrastructure and Services Environment Protection Authority Heritage Council of NSW Minister for Planning and Infrastructure, or delegate Modification application 09_0176 MOD 1 and accompanying documents titled <i>Narama West Modification Environmental Assessment</i> dated April 2013, including the response to submissions dated June 2013 Office of Environment and Heritage Roads and Maritime Services
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2. Delete references to:
 - "RTA" in conditions 44 and 47 of schedule 3 and commitments 6.9.1 and 6.9.2 of Appendix 3, and replace with "RMS";
 - "I&I NSW" in condition 5 of schedule 2, conditions 31, 40 and 41 of schedule 3 and commitment 6.4.1 of Appendix 3, and replace with "DRE";
 - "DECCW" in conditions 9, 17, 20, 21 24, 25 and 31 of schedule 3 and commitments 6.5.4, 6.8.1 and 6.8.5 of Appendix 3, and replace with "EPA";
 - "DECCW" in conditions 34, 36, 38 and 42 of schedule 3 and commitments 6.6.10, 6.7.1 and 6.10.1 of Appendix 3, and replace with "OEH";
 - "DECCW" in condition 41 of schedule 3, and replace with "OEH, EPA"; and
 - "Heritage Branch" in condition 42 of schedule 3 and commitment 6.11.2 of Appendix 3, and replace with "Heritage Council".
3. Delete all words after "statement of commitments;" in condition 2 of schedule 2, and insert:
 - (c) MOD 1 EA; and
 - (d) conditions of this approval.

Notes:

- The general layout of the project is shown in Appendix 2.
 - The statement of commitments is reproduced in Appendix 3 (excluding the commitments which are directly reflected in, or inconsistent with, the conditions of this approval).
4. Delete the ground vibration criteria for the Aboriginal axe grinding groove site in condition 10 of schedule 3, and replace with “^C 175”.
 5. Insert the following after footnote ‘b’ in condition 10 of schedule 3:

^C Subject to meeting incremental limits under condition 10A.
 6. Insert the following condition after condition 10 of schedule 3:

10A. The Proponent shall ensure that blasts on site do not cause any exceedance of the following incremental ground vibration limits at the Aboriginal axe grinding site (REA86):
 - (a) 60 mm/s;
 - (b) 120 mm/s; and
 - (c) 175 mm/s;without the prior approval of the Director-General.

In seeking the Director-General's approval for an incremental increase in the ground vibration limit from (a) to (b) to (c) above, the Proponent shall provide a report prepared by a suitably qualified expert, in consultation with OEH and relevant Aboriginal groups, demonstrating that blasting at these limits is not having any discernable impact on the Aboriginal axe grinding groove site (REA86).
 7. Insert the following after condition 17 (f) of schedule 3:

Note: The Blast Management Plan should be prepared and implemented in accordance with the agreement between the Proponent and Coal & Allied as detailed in the MOD 1 EA.
 8. Delete “1,762” and “3,720” where they occur in Table 16 in condition 32 of schedule 3, and replace with “1,767” and “3,725” respectively.
 9. Insert the following after the third open bullet point in condition 42 (b) of schedule 3:
 - managing the incremental ground vibration limits under condition 10A above;
 10. Delete the words “Umwelt archaeologists” in commitment 6.10.1 of Appendix 3 and replace with “an appropriately qualified archaeologist”.
 11. Insert the following after the first figure in Appendix 2:

