

Notice of Modification

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

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



David Kitto
Executive Director
Resource Assessments and Business Systems

Sydney

24 AUGUST

2015

SCHEDULE 1

The project approval (10_0015) for the Rocglen Extension Project, granted under delegation from the Minister for Planning and Infrastructure on 27 September 2011.

SCHEDULE 2

1. Delete the definitions for "DRE", "EA", "Mining Operations" and "NOW" and insert the following in alphabetical order:

DPI Water

Division of Water within the Department of Primary Industries

DRE

Division of Resources and Energy within the NSW Department of Trade & Investment

EA

Environmental Assessment titled:

- *Whitehaven Coal Limited Rocglen Coal Mine Extension Project Environmental Assessment*, dated February 2011, and associated response to submissions titled *Whitehaven Coal Limited Rocglen Coal Mine Extension Project – Response to Submissions*, dated June 2011;
- *Whitehaven ROM Coal Haulage modification*, dated February 2014, and associated response to submissions titled *Whitehaven ROM Coal Haulage Modification – Response to Submissions*, dated April 2014; and
- *Whitehaven Coal Limited – Gunnedah CHPP and Rocglen Rejects Management Modifications and Environmental Assessment*, dated May 2015.

Mining Operations

Includes the removal of overburden and the extraction, processing, handling, storage and transportation of coal as well as the receipt and disposal of coarse and fine reject material from the Whitehaven CHPP

Whitehaven CHPP

Whitehaven Coal Handling and Preparation Plant near Gunnedah

2. Delete all references to "NOW" and replace with "DPI Water".
3. Replace condition 2 of schedule 2 (except for the notes) with the following:
 2. The Proponent shall carry out the project:
 - (a) generally in accordance with the EA
 - (b) in accordance with the statement of commitments; and
 - (c) in accordance with the conditions of this approval.

4. Insert the following after condition 6B of schedule 2:

Coal Rejects

- 6C. The proponent shall not receive more than 700,000 tonnes of coarse and/or fine rejects on the site in any calendar year.
5. Insert the following after the first dot point in condition 27 of schedule 3:
- a protocol for maximising the backfilling of haul trucks with coarse and/or fine rejects from the Whitehaven CHPP;
6. Replace condition 28 of schedule 3 with:
28. The Proponent shall ensure all coarse and fine rejects are transported from the Whitehaven CHPP to the site by road, using only the designated transport route shown in Figure 3 of Appendix 2.
7. Insert the following after condition 28 of schedule 3:
- 28A. The Proponent shall maximise the backfilling of haul trucks with coarse and/or fine rejects from the Whitehaven CHPP to minimise the number of heavy vehicles on the designated transport route.
8. Replace the first sentence of condition 29 of schedule 3 with:
- The Proponent shall only dispatch coal from the site by road or receive coarse and/or fine rejects on the site between the hours of:
9. Replace the first sentence of condition 29A of schedule 3 with:
- The Proponent shall ensure that:
10. Remove the word “coal” from condition 29A(b) of Schedule 3.
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