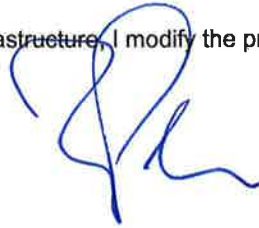


Notice of Modification

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.



Richard Pearson
Deputy Director-General
Development Assessment and Systems Performance

Sydney

2nd July

2011

SCHEDULE 1

The project approval (MP 08-0149) granted by the Minister for Planning for the Metropolitan Coal Project on 22 June 2009.

SCHEDULE 2

1. Under the heading "DEFINITIONS", delete the definitions for "DECC", "DPI" and "DWE", and insert in alphabetical order the following:

DRE	Division of Resources and Energy, within the Department of Trade and Investment, Regional Infrastructure and Services
NOW	NSW Office of Water
OEH	Office of Environment and Heritage
2. Insert "and Infrastructure" after "Department of Planning", wherever occurring.
3. Delete all references to "DECC" and replace with "OEH".
4. Delete all references to "DPI" and replace with "DRE".
5. Delete all references to "DWE" and replace with "NOW".
6. In condition 19 of Schedule 3:
 - (a) delete "120,000" and insert instead "170,000";
 - (b) in paragraph (b), delete the word "or"; and
 - (c) in paragraph (c), delete ".", and insert instead:

“;
 - (d) permit the departure of more than 25 trucks containing product coal for delivery to the Corrimal Cokeworks on any given day; or
 - (e) permit the departure of more than 30 trucks containing product coal for delivery to the Coalcliff Cokeworks on any given day.”
7. In conditions 1 and 4 of Schedule 6, delete "Director-General" and insert instead "Executive Director Mineral Resources".