

Notice of Modification

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

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


Scott Jeffries
Executive Director, Major DA Assessments

Sydney

16 October

2009

SCHEDULE 1

The project approval (06_0202) granted by the Minister for Planning for the Drayton Coal Mine on 1 February 2008.

SCHEDULE 2

1. Delete the definitions for "DECC", "DPI" and "DWE", in the list of definitions in schedule 1, and insert in alphabetical order the following:

DECCW	Department of Environment, Climate Change and Water
DII	Department of Industry and Investment
NOW	NSW Office of Water
EA (Mod 1)	Environmental Assessment titled <i>Project Approval Modification Environmental Assessment</i> (including its Statement of Commitments), dated July 2009, and the response to submissions dated September 2009.

2. In condition 2 of schedule 2, delete all words after "commitments;" and insert:

- (c) EA (Mod 1); and
- (d) conditions of this approval.

3. Delete all references to "DECC" and replace with "DECCW".

4. Delete all references to "DPI" and replace with "DII".

5. Delete all references to "DWE" and replace with "NOW".

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

- 4A. Within 3 months of any modification to this approval, the Proponent shall review and if necessary revise any strategies/plans/programs required under this approval which are relevant to the modification to the satisfaction of the Director-General.

7. Insert the following condition after condition 35 of schedule 3:

- 35A. By the end of December 2009, the Proponent shall:
 - (a) incorporate an offset of at least 12 hectares, generally consistent with the offset described in the 2009 EA, into the Drayton Wildlife Refuge; and
 - (b) establish mechanisms within the Offset Strategy for long-term conservation and management of this offset in accordance with condition 36.

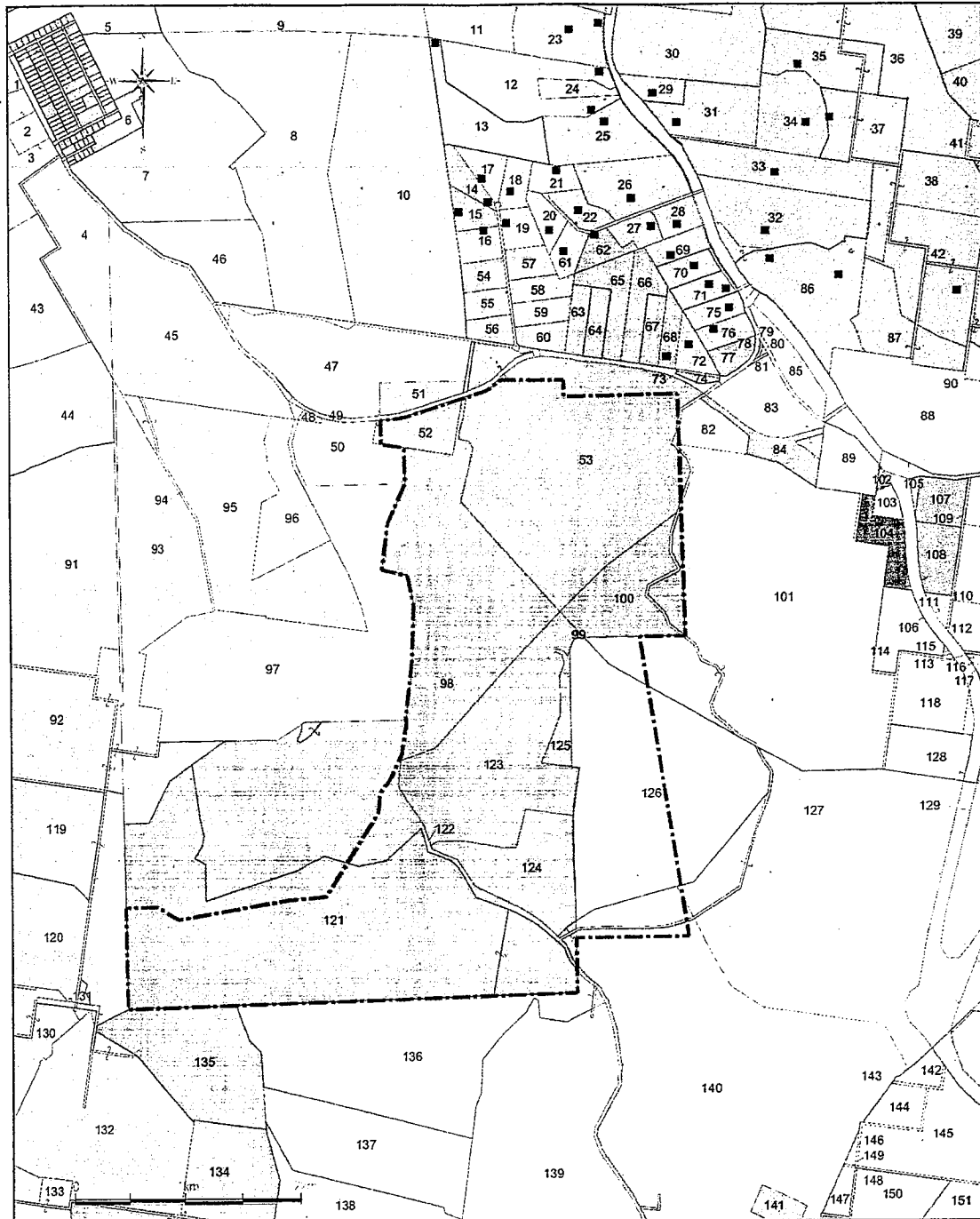
8. Delete Appendix 5 and replace with:

**APPENDIX 5
PROPERTY NUMBERS AND LAND OWNERSHIP**

ID	Name	Receiver	ID	Name	Receiver	ID	Name	Receiver
7	Coal Operations Australia		60	Drayton Coal		112	Macquarie Generation	
8	Coal Operations Australia		61	RC & LT Skinner	■	113	Macquarie Generation	
9	F & I Webber		62	Anglo Coal (Drayton Management) Pty Limited	■	114	Macquarie Generation	
10	EM Casben		63	Drayton Coal		115	Macquarie Generation	
11	Yarralong Stud Pty Ltd		64	Drayton Coal		116	Macquarie Generation	
12	K Newton	■ ■	65	Drayton Coal		117	Macquarie Generation	
13	CS Jacobsen	■	66	Drayton Coal		118	Macquarie Generation	
14	Anglo Coal (Drayton Management) Pty Limited	■	67	Drayton Coal & Anglo Coal		119	Hunter Valley Energy Coal Ltd	
15	Drayton Coal	■	68	Drayton Coal	■	120	Hunter Valley Energy Coal Ltd	
16	MF & AV Doherty	■	69	P & K Clifton	■	121	Drayton Coal & Anglo Coal	
17	BC & SR Page	■	70	BD & B Jones	■	122	Drayton Coal	
18	SR Page	■	71	DW & LM Hunter	■ ■	123	Drayton Coal & Anglo Coal	
19	CJ & LE Duck	■	72	BJ & NH Robertson	■	124	Drayton Coal	
20	RD & DA Osborn	■	73	Muswellbrook Shire Council		125	Drayton Coal	
21	WJ Reynolds	■	74	Muswellbrook Shire Council		126	Macquarie Generation	
22	RB & LJ Halloran	■	75	EJ & MC Shaman	■	127	Macquarie Generation	
23	SJ & J Jackson	■ ■	76	PG Horder	■	128	Macquarie Generation	
24	J Newton		77	Drayton Coal		129	Macquarie Generation	
25	PJ & KJ Collins	■	78	The State of NSW		130	Hunter Valley Energy Coal Ltd	
26	RE & ID Baxter	■	79	The State of NSW		131	Hunter Valley Energy Coal Ltd	
27	GJ & PH De Boer	■	80	The State of NSW		132	Hunter Valley Energy Coal Ltd	
28	MJ Bird	■	81	The State of NSW		133	Hunter Valley Energy Coal Ltd	
29	MJ & EJ Wailman	■	82	Macquarie Generation		134	Anglo Coal Australia Pty Ltd	
30	JM & BB & PS Mitchelhill & HB Rivett & IB Vineburg		83	Macquarie Generation		135	Anglo Coal Australia Pty Ltd	
31	RJ & IA Summerville	■	84	Drayton Coal		136	Macquarie Generation	
32	K & KI Cross	■	85	Macquarie Generation		137	Macquarie Generation	
33	CL & JA Fisher & CI Dennis	■	86	Wild Group Pty Ltd	■	138	Macquarie Generation	
34	BT & JE Davis	■	87	P Wild		139	Macquarie Generation	
35	GM Wilson	■	88	Macquarie Generation		140	Macquarie Generation	
36	JM Mitchelhill & HB Rivett & IB Vineburg		89	The State of NSW		141	TransGrid	
37	BJ & TL King	■	90	Macquarie Generation		136	Macquarie Generation	
38	NP & CJ O'Brien		91	Coal Operations Australia		137	Macquarie Generation	
39	OR & CP Stewart		92	Coal Operations Australia		138	Macquarie Generation	
40	PS & TG Adams		93	Hunter Valley Energy Coal Ltd		139	Macquarie Generation	
41	M & P Clifton		94	Bayswater Colliery Company		140	Macquarie Generation	
42	H Ray	■	95	Bayswater Colliery Company		141	TransGrid	
43	Coal Operations Australia		96	Bayswater Colliery Company		142	Macquarie Generation	
44	Coal Operations Australia		97	Bayswater Colliery Company		143	Macquarie Generation	
45	Coal Operations Australia		98	Drayton Coal & Anglo Coal		144	Macquarie Generation	
46	The State of NSW		99	Drayton Coal		145	Macquarie Generation	
47	The State of NSW		100	Drayton Coal		146	Macquarie Generation	
48	Hunter Valley Energy Coal Ltd.		101	Macquarie Generation		147	Macquarie Generation	
49	Hunter Valley Energy Coal Ltd.		102	The Commissioner for Main Roads		148	Macquarie Generation	
50	Coal Operations Australia		103	Macquarie Generation		149	Macquarie Generation	
51	Drayton Coal		104	RTA NSW		150	Macquarie Generation	
52	Drayton Coal		105	Macquarie Generation		151	Macquarie Generation	
53	Drayton Coal & Anglo Coal							

Notes:

- A coloured square denotes a receiver on the property.
- Each colour correlates to the shading in the following figure (Figure 4)



Legend

EA Boundary	Macquarie Generation	Public Roads	Hansen Bailey
Drayton	Drayton-owned Residence	RTA NSW	ANGLCOAL
Mt Arthur Coal	Crown Land	Commissioner for Main roads	DRAYTON
Electricity Commission of NSW	Freehold Property		<small>Co-ordinate System: MGA Zone 56</small>
Freehold Property with Residence			

DRAYTON MINE MODIFICATION

Land Ownership

Figure **4**

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