



Mr Michael Moore
Moolarben Coal Mines Pty Limited
Level 26, 363 George Street
Sydney NSW 2000



Dear Mr Moore

**Moolarben Coal Mine Stage 1 – Modification 13 (05_0117 MOD 13)
Notice of Determination**

I am writing to advise you that on 20 January 2017 the A/Executive Director, Resource Assessments and Business Systems, as delegate for the Minister for Planning approved the modification application for the above project under section 75W of the *Environmental Planning and Assessment Act 1979*.

A copy of the signed Notice of Modification is enclosed. This document, as well as the Department's assessment report and consolidated project approval, are also available on the Department's website (majorprojects.planning.nsw.gov.au).

Yours sincerely



27/1/17

Matthew Riley
Senior Planner
Resource Assessments

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.



Mike Young
A/Executive Director
Resource Assessments and Business Systems

Sydney 20 JANUARY 2017

SCHEDULE 1

The project approval (05_0117) for the Moolarben Coal Project Stage 1, granted by the Minister for Planning on 6 September 2007.

SCHEDULE 2

1. In the definition for EA in the list of Definitions, delete the last two bullet points and replace with:
 - OC4 South West Modification Environmental Assessment, dated April 2015 and associated response to submissions dated June 2015 (MOD 11);
 - UG1 Optimisation Modification Environmental Assessment, dated June 2015 and associated response to submissions dated September 2015 (MOD 12); and
 - Modification Application 05_0117 MOD 13 and accompanying letter dated 24 November 2016.
 2. Append the following text to condition 7(a) of schedule 2:

“, except in the year 2017”
 3. Insert the following after condition 7 of schedule 2:
 - 7A. In the 2017 calendar year, the Proponent may wash up to 13.5 million tonnes of coal at the coal handling and preparation plant.
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