



Ms Carolyn McNally
Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

22 August 2016

Dear Ms McNally

Subject: Determination of Modification (MP 06_0014 MOD 7) – Mangoola Coal Project, Muswellbrook LGA.

I refer to the Department's letter received 16 August 2016 referring the above modification request to the Planning Assessment Commission for determination under Ministerial delegation of 14 September 2011. I constituted the Commission to determine the modification.

The modification request seeks to delete Condition 3 (Schedule 3) as it now represents an unnecessary duplication of an existing compliance requirement contained within the project approval. The modification also seeks to make a number of minor administrative amendments, and does not alter the approved project in any way.

I note that neither Council nor the Environmental Protection Agency objected to the proposed modification. No public consultation was conducted by the Department due to the administrative nature of the proposed modification. However, the Department's assessment report makes reference to Mangoola's active consultation with affected property owners regarding their mitigation rights.

I am satisfied the modification retains requirements to implement reasonable and feasible measures to minimise noise impacts on the surrounding residences. Consequently, I have determined to approve the modification request, subject to the Department's recommended conditions. The signed instrument and file (16/08732-1) are enclosed.

Lynelle Briggs AO
Chair
NSW Planning Assessment Commission

cc. The Hon. Rob Stokes, MP
Minister for Planning
GPO Box 5341
SYDNEY NSW 2001