

Notice of Modification

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

The Independent Planning Commission, as the declared consent authority under clause 8A of the *State Environmental Planning Policy (State and Regional Development) 2011* and section 4.5(a) of the *Environmental Planning and Assessment Act 1979*, modifies the development consent referred to in Schedule 1, as set out in Schedule 2.



Mary O'Kane (Chair)
Chair of the Commission



Andrew Hutton
Member of the Commission



Tony Pearson
Member of the Commission

Sydney

12 June 2019

SCHEDULE 1

The development consent (DA 49/94) granted by the Minister for Urban Affairs and Planning on 19 October 1995 for the construction and operation of surface coal mine extensions at Rix's Creek Coal Mine.

SCHEDULE 2

1. In condition 1(x) of Schedule 2, delete "and" where second occurring.
2. In condition 1(xi) of Schedule 2, delete the full stop and replace with "; and".
3. After condition 1(xi) of Schedule 2, insert the following:

(xii) the modification application DA 49/94 MOD 10 and accompanying documents from Bloomfield Collieries Pty Ltd titled *Rix's Creek South Mine – DA 49/94 Modification 10 Time Extension Contingency for the Determination of the Project Continuation* dated 26 February 2019, and *Rix's Creek South Modification 10 Response to Submissions for The Bloomfield Group* dated April 2019.

4. In condition 2 of Schedule 2, after "21 years" insert "and nine months".