

# 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.

Name  
Member of the Commission

Name  
Member of the Commission

Sydney

2019

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### 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.

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### 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".