

Notice of Modification

Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, the Independent Planning Commission of NSW modifies the development consent referred to in Schedule 1, as set out in Schedule 2.

[Name of Commissioner]

Member of the Commission

Sydney

February 2022

SCHEDULE 1

The development consent (SSD 5850) for the Mount Owen Continued Operations Project, granted by the Planning Assessment Commission, as delegate of the Minister for Planning, on 3 November 2016.

SCHEDULE 2

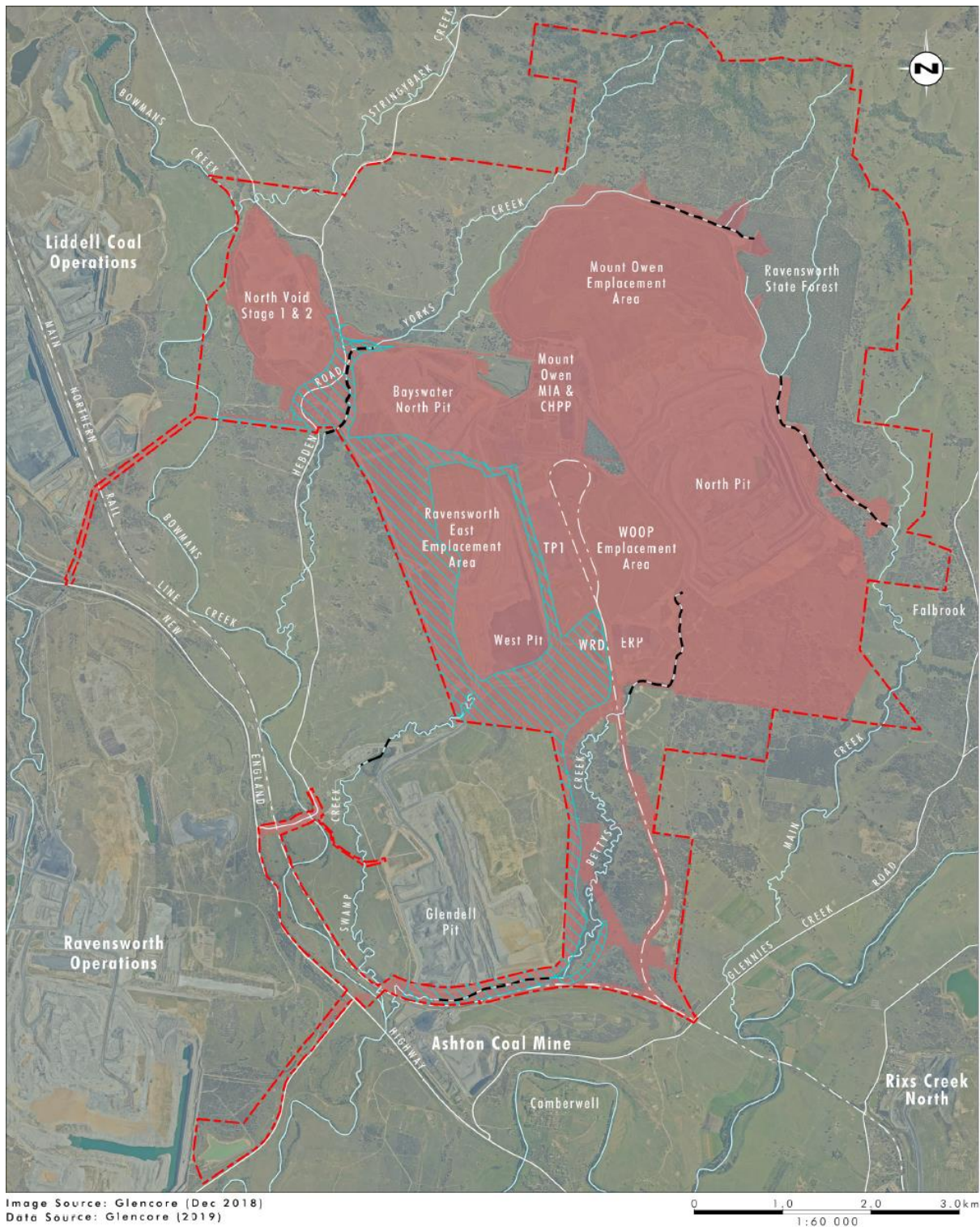
1. In the list of DEFINITIONS, delete the term "Approved disturbance area", "Heritage Branch", including its definition and insert the following in alphabetical order:

Approved disturbance area	The areas delineated as "Mount Owen Operational Area" in Figure 2A of Appendix 2
Heritage NSW	Heritage Branch of within the Department of Premier and Cabinet
Mod 4 EIS	The Environmental Impact Statement titled <i>Glendell Continued Operations Project Environmental Impact Statement</i> , prepared by Umwelt Australia Pty Ltd, dated November 2019, submitted with the application for consent for the development, including the Applicant's response to submissions and additional information provided by the Applicant in support of the application.

2. In condition 2(a) of Schedule 2, directly following "SEE (Mod 2).", insert the words "Mod 4 EIS,".
3. In condition 5 (e) of Schedule 2, delete the term "2037" and insert "2045".
4. In Table 4:
 - a) in the row relating to the "Former Hebden Public School", delete the number "16" and replace with "16⁹"; and
 - b) add a new footnote "g" under the table which states "*The Department recognises that this heritage feature has been impacted by arson since the original assessment, and that alternative criteria may be applied where the Applicant demonstrates to the satisfaction of the Planning Secretary that alternative criteria will protect the heritage feature in its extant condition*".
5. Under Table 10, add a new note which states "*The site includes areas of land which are also regulated by SSD 9349. As such, the rehabilitation works in these areas will also need to consider the rehabilitation objectives in SSD 9349*".
6. In condition 45 of Schedule 3, following the words "for the Mount Owen Complex" delete the words "to the satisfaction of the Resources Regulator" and insert the words "in accordance with the conditions imposed on the mining lease(s) associated with the development under the *Mining Act 1992*".

7. In condition 45(a) of Schedule 3, following the words “submitted to the Resources Regulator” delete the words “for approval”.
8. In condition 45 of Schedule 3, delete the words “The Applicant must implement the Rehabilitation Management Plan as approved to the satisfaction of Resources Regulator.”.
9. In condition 46 of Schedule 3, delete the words “2032” and insert “2045”.
10. In conditions 9 and 9A of Schedule 5, delete the words “to compliance@planning.nsw.gov.au” and insert “via the Department’s Major Projects Website”.
11. In Appendix 2, delete Figures 2A and 2E including their descriptions, and insert the following:

RECOMMENDED



Legend

- Mount Owen Consent Boundary
- Mount Owen Operational Area
- Overlap Area with Glendell Disturbance Area
- Existing Creek Diversion

Mount Owen Operational Area

Figure 2A: Development Layout – Mount Owen Continued Operations Project

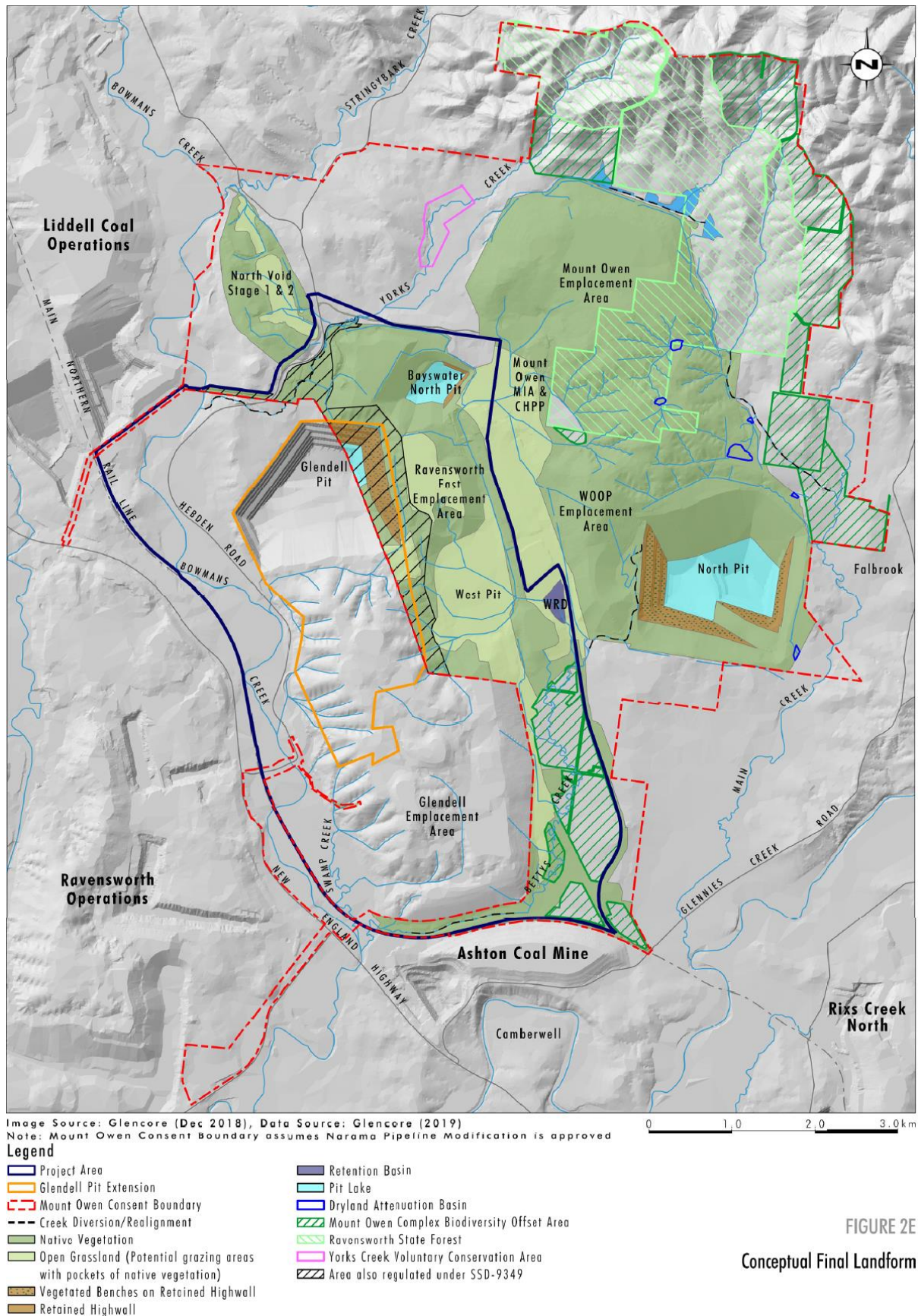


FIGURE 2E
Conceptual Final Landform

Figure 2E: Conceptual Final Landform

12. In Appendix 7, delete Figures 7A and 7B, including their descriptions, and insert the following:

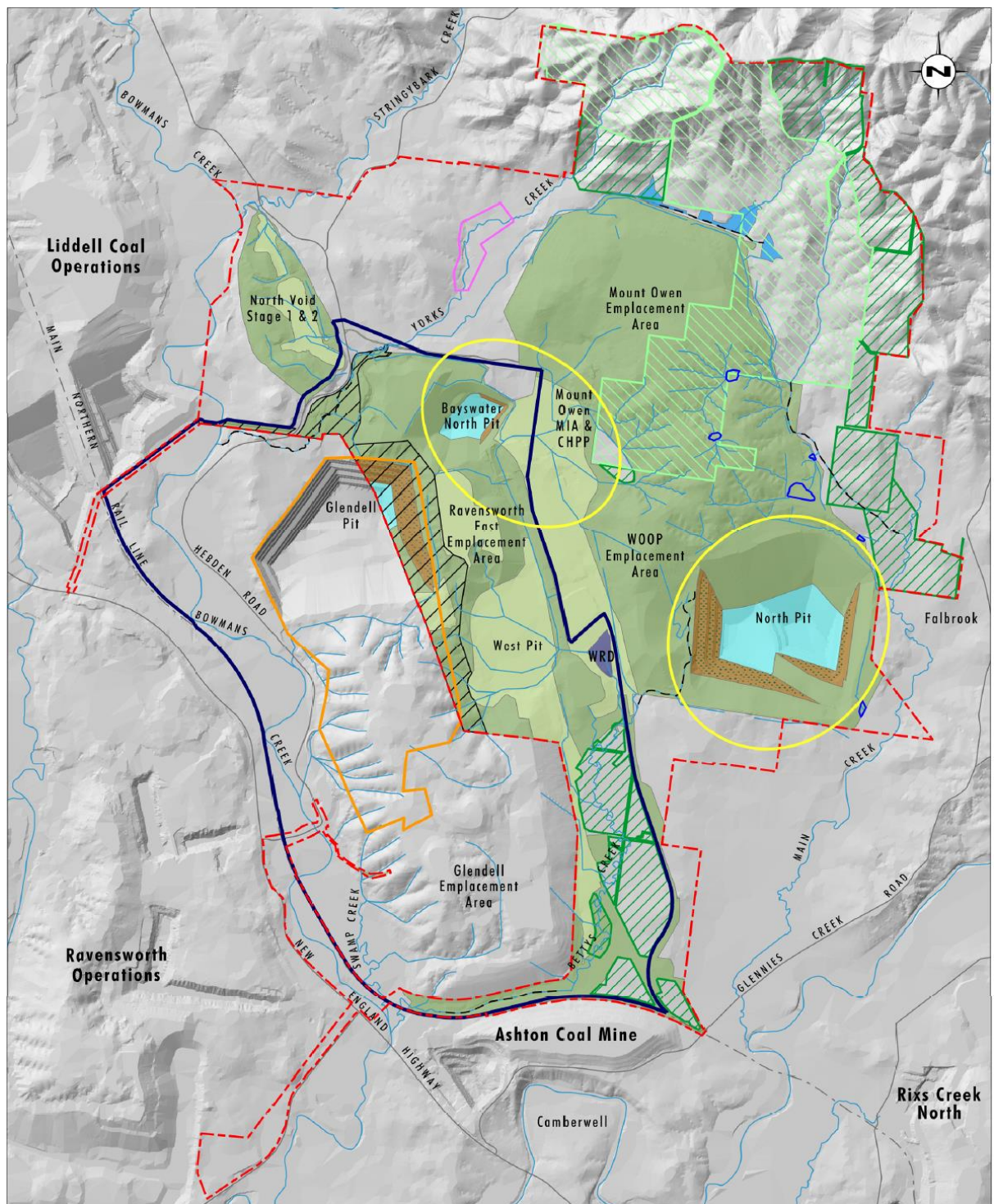


Image Source: Glencore (Dec 2018), Data Source: Glencore (2019)
 Note: Mount Owen Consent Boundary assumes Narama Pipeline Modification is approved

Legend

- | | |
|---|---|
| Project Area | Retention Basin |
| Glendell Pit Extension | Pit Lake |
| Mount Owen Consent Boundary | Dryland Attenuation Basin |
| Creek Diversion/Realignment | Mount Owen Complex Biodiversity Offset Area |
| Native Vegetation | Ravensworth State Forest |
| Open Grassland (Potential grazing areas with pockets of native vegetation) | Yorks Creek Voluntary Conservation Area |
| Vegetated Benches on Retained Highway | Potential for Alternative Land Uses |
| Retained Highway | Area also regulated under SSD-9349 |

FIGURE 7A

Conceptual Post Mining
Land Use Design

Figure 7A: Final Landform Rehabilitation Plan

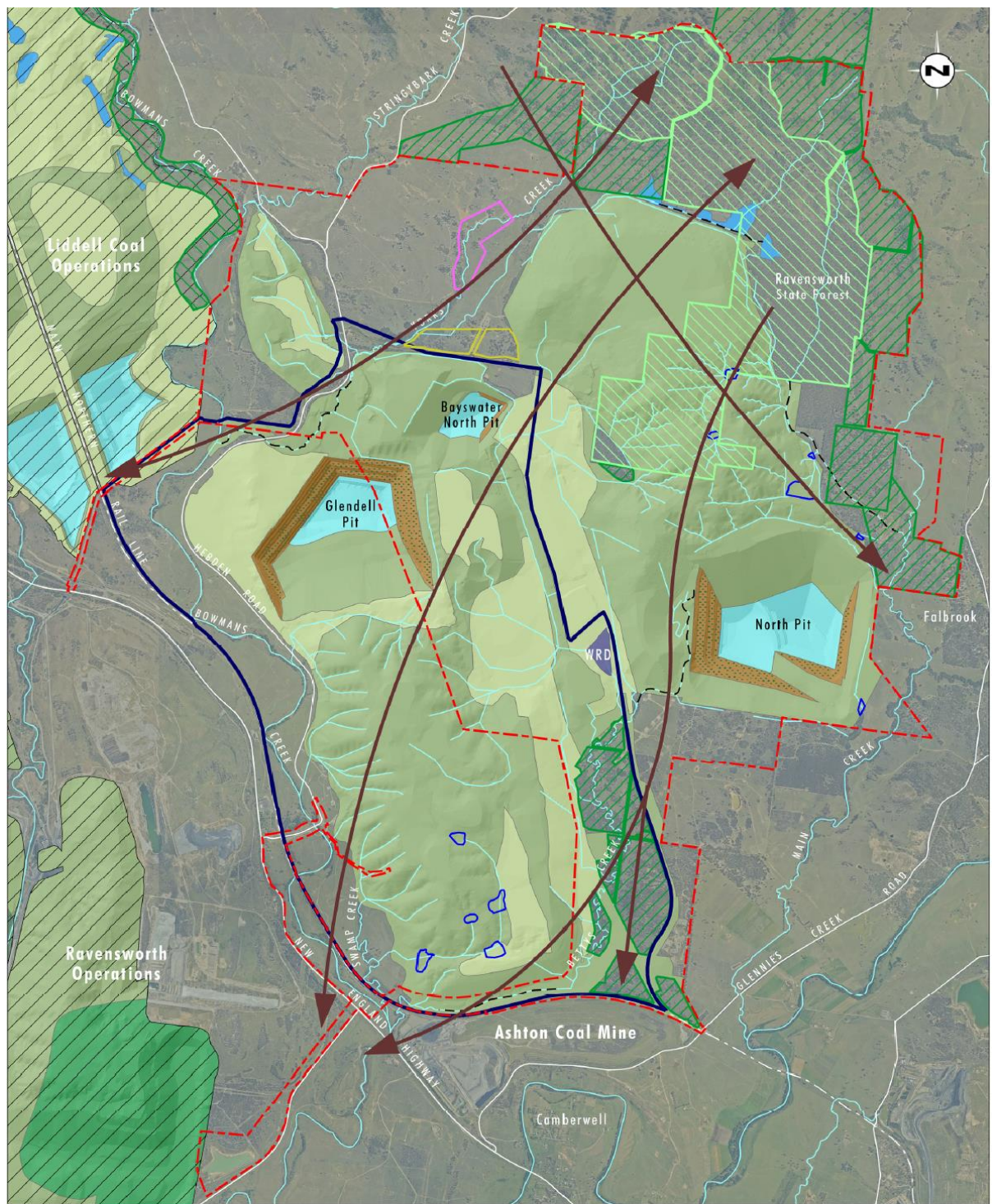


Image Source: Glencore (Dec 2018), Data Source: Glencore (2019), GHD (2019)
 Note: Mount Owen Consent Boundary assumes Narama Pipeline Modification is approved



FIGURE 7B

Conceptual Regional Habitat Linkages through the Conceptual Final Landform

Figure 7B: East-West Corridor Management Area and Final Landform Habitat Connectivity

End of Modification