



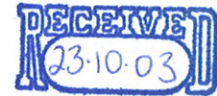
Department of  
**Infrastructure, Planning and Natural Resources**

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HC  
F108

Our ref: S03/00074  
Your ref:

The General Manager  
Ashton Coal Operations Limited  
PO Box 699  
SINGLETON NSW 2330  
Attention: Mr Ian Callow



Dear Ian

**ASHTON COAL PROJECT – PROPOSED MODIFICATION OF MINISTER’S CONSENT**

I refer to the application to modify the consent for the Ashton Coal Project under section 96 (1A) of the *Environmental Planning and Assessment Act 1979* (the Act).

The Minister Assisting the Minister for Infrastructure and Planning (Planning Administration) has now determined the application in accordance with section 96 (1A) of the Act by modifying the consent. A copy of the Minister’s determination is enclosed for your information.

The modified consent permits the operational noise limits for the Ashton Coal Project to be varied by way of express conditions in a licence issued by the Department of Environment and Conservation, formerly the Environment Protection Authority.

If you have any further enquiries, please contact Colin Phillips on 9762 8158.

Yours sincerely

**David Kitto**  
**Acting Manager**  
**Mining & Extractive Industries**

NOTICE OF A MODIFICATION TO A DEVELOPMENT CONSENT  
UNDER SECTION 96(1A)  
OF THE  
*ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979*

Under Section 96(1A) of the Environmental Planning and Assessment Act 1979, I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration) modify the development consent referred to in Schedule 1, as set out in Schedule 2.



Diane Beamer, MP  
Minister Assisting the  
Minister for Infrastructure and Planning  
(Planning Administration)

Sydney, 15<sup>th</sup> October 2003

File No: S03/00074

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**SCHEDULE 1**

The development consent (DA No. 309-11-2001-i) granted by the Minister for Planning for the Ashton Coal Project on 11 October 2002.

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**SCHEDULE 2**

1. **Delete** the following text in condition 6.34:  
"Noise generated by the development must not exceed the limits specified in Table 5 below."

and **replace** it with the following text:

"Except as may be expressly provided by an EPA Licence, noise generated by the development must not exceed the limits specified in Table 5 below."