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Department of Environment and Planning



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Contact Mr. P. Staveley

Our reference: 76/20188

Your reference

10 SEP 1988

Dear Sir,

Modification of Development Consent
 in respect of Tahmoor Colliery

Pursuant to clause 48(1) of the Environmental Planning and Assessment Regulation, 1980, you are informed that the Director of Environment and Planning has determined, pursuant to section 102 of the Environmental Planning and Assessment Act, 1979, a modification to the development consent in respect of Tahmoor Colliery.

2. The modification to the development consent would permit the transport by road of the proposed two trial shipments of coal from the Tahmoor Colliery as described in your letter to the Minister for Planning and Environment dated 19 August, 1988.

3. It should be noted that once the proposed trial shipments of coal have been undertaken no further road transport of coal may be undertaken. Any proposed long term or permanent road transport of coal from the Tahmoor Colliery would require a development application to be made. However, it should be recognised that the Government's policy for coal transport is to maximise transportation by rail. Any proposed long term or permanent road transport of coal would need to be considered in the context of the Government's coal transport policy.

4. Attached please find a copy of the Instrument of Consent for the modification of the Tahmoor Colliery development consent. A copy of the Instrument of Consent has also been forwarded to the Wollondilly Shire Council.

Yours faithfully,

R. L. Pincini
Secretary

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

MODIFICATIONS OF DETAILS OF CONSENT DATED 23 AUGUST, 1979 IN ACCORDANCE WITH THE PROVISIONS OF SECTION 102 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979.

APPLICANT'S NAME AND ADDRESS: Clutha Development Pty. Ltd.
19-29 Queen Street,
NARELLAN, N.S.W. 2567

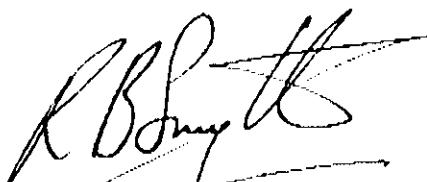
WHEREAS:

- (a) The then New South Wales Planning and Environment Commission (hereinafter called "the Commission") gave a direction (hereinafter called "the direction") in writing in accordance with Section 342V(3) of the Local Government Act, 1919 to the Council of the Shire of Wollondilly (hereinafter called "the Council") to refer to the Commission for determination by it all development applications of the kind referred to in the direction;
- (b) A development application (hereinafter called "the application") for the development of a coal preparation plant and ancillary washery and reject area (hereinafter called "the development") on certain land and being an application to which the direction applied was received by the Council and referred to the Commission;
- (c) The application was determined by the Commission on 23 August, 1979, by granting consent subject to conditions (hereinafter called "the consent");
- (d) By letter dated 19 August, 1985, the applicant has sought a modification of the details of the consent;
- (e) In accordance with Clause 8C of the Miscellaneous Acts (Planning) Savings and Transitional Provisions Regulation, 1980, the Director of Environment and Planning (hereinafter called "the Director") is the consent authority for the purposes of section 102 of the Environmental Planning and Assessment Act, 1979;
- (f) The Director is satisfied that the development to which the consent as modified relates is substantially the same development as described in the application;

NOW, I, The Director of Environment and Planning pursuant to section 102 of the Environmental Planning and Assessment Act, 1979, do hereby modify the details of the consent by amending condition 5 by inserting after the word "rail" the following words -

except for one 1000 tonne trial shipment of coal to be sent to South Australia and one 1000 tonne trial shipment of coal to be sent to the Corrimal Coke Works which may be transported by road.

Signed at Sydney this sixteenth day of September, 1985.



R.B. SMYTH
Director of Environment
and Planning