

Modification of Development Consent

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

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Jessie Evans
Director
Energy and Resource Assessments

Sydney

5 February 2026

SCHEDULE 1

Development consent:	DA 60-03-2001 granted by the Minister for Urban Affairs and Planning on 20 November 2001
For the following:	Dendrobium Underground Coal Mine and associated surface facilities and infrastructure
Applicant:	Illawarra Coal Holdings Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
The Land:	See Appendix 1
Modification:	Slope stabilisation and mining support activities

SCHEDULE 2

1. Replace instances of 'BCS' with 'CPHR' throughout the consent.
2. In the list of Definitions, delete the terms 'BCS' and 'West Cliff Coal Wash Emplacement' including their definitions. Insert the following definitions in alphabetical order:

CPHR	Conservation Programs, Heritage and Regulation Group within NSW DCCEEW.
Modification 11	The modification to the development as described in the Modification Report titled " <i>Dendrobium Mine Modification 11–Modification Report</i> ", dated August 2025, prepared by GM3, and " <i>Dendrobium Mine Modification 11 – Submissions Report</i> ", dated November 2025, prepared by GM3.
NSW DCCEEW	NSW Department of Climate Change, Energy, the Environment and Water.

3. In the list of Definitions, update the following definitions:

Extended site (or site)	All land to which the development application applies, comprising the mining area, surface facilities and coal washery (see Appendix 1).
Surface facilities	Pit top facilities, mine access drift portal, conveyors, three ventilation shafts and fans, ROM coal stockpile, Kemira Valley Coal Loading Facility, Kemira Valley rail line, Cordeaux Pit Top, Corrimal No 3 Shaft and Coal Bins, access roads and all associated development allowed to be constructed under the consent.

4. Delete condition 2(e) of Schedule 2.
5. Delete condition 2(g) of Schedule 2 and replace it with:

(g) Modification 7, Modification 8, Modification 9, Modification 10 and Modification 11.
6. In condition 15 of Schedule 2, in the second and third last paragraphs, delete 'or the project approval for the Bulli Seam Operations Project (08_0150)' and 'or the approval for the Bulli Seam Operations Project (08_0150)'.
7. Following condition 15 of Schedule 2, insert:

Surrender of Existing Consents

16. Within 12 months of the granting of consent for Modification 11 unless otherwise agreed with the Secretary, the Applicant must surrender D74/134 (granted by Wollongong City Council in 1974) in accordance with section 68 of the EP&A Regulation.

Note: Condition 16 does not extend to the surrender of construction or occupation certificates for existing and proposed building works. The surrender required by this condition should not be understood to mean that works legally constructed under a valid consent or approval can no longer be legally maintained or used.

17. Before the surrender of the existing development consent specified in condition 16, the conditions of this consent prevail to the extent of any inconsistency.

8. Following condition 14 of Schedule 3, insert:

HELICOPTER OPERATIONS

15. The Applicant must notify WaterNSW prior to the use of helicopters within the Metropolitan Special Area.

9. Following condition 6 of Schedule 4, insert:

6A. The Applicant must take all reasonable steps to minimise noise from construction, mining operations and mine closure activities associated with the development.

10. Following condition 18B of Schedule 4, insert:

18C. When undertaking slope stabilisation activities within the extended disturbance footprint associated with Modification 11, the Applicant must implement measures that:

- (a) promote staged vegetation clearing which considers the timing of rehabilitation activities to minimise erosion potential and visual impacts;
- (b) avoids clearing vegetation where it performs a screening function unless necessary to ensure site safety or slope stability; and
- (c) ensure the prompt rehabilitation of any exposed soil areas using native species following completion of the works.

11. In condition 22A of Schedule 4, after “Modification 8”, insert “and Modification 11,”.

12. In condition 22B of Schedule 4, in the last sentence after the words “the Applicant must”, insert “notify Heritage NSW and WCC and”.

13. In Schedule 4, following Condition 22B, insert the following:

Demolition of Bulk Warehouse

22C. Removal of the bulk warehouse concrete slab, transformer and transformer compound must be supervised by a suitably qualified archaeologists to ensure that all requirements of the *Heritage Act 1997* are met and that compliance with Section 139(4) of the *Heritage Act 1997* is maintained. This must include the preparation of an archaeological research design specific to these works and stop work procedures.

14. In Schedule 4, following Condition 22C, insert:

Aboriginal Heritage Management Procedures

22D. In the event that previously unidentified Aboriginal objects are discovered in the proposed extended disturbance footprint associated with slope stabilisation works for Modification 11, the following procedure is to be adopted:

- (a) All works must cease immediately in the area to prevent any further impacts to the Aboriginal object(s).

- (b) Heritage NSW must be notified of the identified Aboriginal object(s).
- (c) An appropriately qualified archaeological consultant is to be engaged to determine the nature, extent and significance of the object(s).
- (d) The appropriately qualified archaeologist must prepare a management strategy for the identified Aboriginal object(s).

15. In Schedule 4, replace the subheading 'Rail Transport of Coal' with 'Rail Transport of Coal and Materials'

16. In condition 24(b) of Schedule 4, following the word "coal", insert "and any waste materials".

17. Following condition 24 of Schedule 4, insert:

24A. Transporting any waste materials via the Kemira Valley rail line must be undertaken in accordance with Conditions 23 and 24 of Schedule 4 of this consent and be managed to ensure there is no perceptible intensification of rail movements.

18. Replace condition 30 of Schedule 4 with the following:

30. The Applicant must:
- (a) take all reasonable and feasible steps to minimise the waste (including coal rejects and tailings) generated by the development;
 - (b) classify all waste in accordance with the Waste Classification Guidelines (EPA, 2014);
 - (c) dispose of all waste at appropriately licensed waste facilities;
 - (d) monitor and report on the effectiveness of the waste minimisation and management measures in the Annual Review.

19. Following condition 30 of Schedule 4, insert the following:

30A. Except as expressly permitted in an EPL, specific resource recovery order or exemption under the *Protection of the Environment Operations (Waste) Regulation 2014*, the Applicant must not receive waste at the site for storage, treatment, processing, reprocessing or disposal.

20. Following condition 31 of Schedule 4, insert the following:

31A. The biodiversity credits specified in Table 8A below must be retired in accordance with the Biodiversity Offsets Scheme of the BC Act. Evidence must be provided to the Department that the correct number and class of credits has been retired prior to undertaking the disturbance.

Table 8A: Biodiversity Credit Requirements

Credit Type	Credits Required
Ecosystem Credits	
PCT 3153 - Illawarra Escarpment Bangalay x Blue Gum Wet Forest	27

21. In Schedule 5, delete conditions 3 to 8.

22. In Appendix 1, replace the table with the following:

Lot Number	Plan	Site Component
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1	DP1190181	Crown Dendrobium Mining Areas
2	DP1190181	Crown Dendrobium Mining Areas
21	DP1190749	Crown Dendrobium Mining Areas
212	DP1176205	Crown Dendrobium Mining Areas
1	DP606434	Dendrobium CPP \ Kemira Valley Rail
216	DP751278	Dendrobium Mining Area
276	DP751278	Dendrobium Mining Area
2	DP196993	Dendrobium Mining Area
1	DP713256	Dendrobium Mining Area
137	DP751278	Dendrobium Mining Area
1	DP920893	Dendrobium Mining Area
285	DP751278	Dendrobium Mining Area
278	DP751278	Dendrobium Mining Area
284	DP751278	Dendrobium Mining Area
1	DP745812	Dendrobium Mining Area
217	DP751278	Dendrobium Mining Area
2000	DP914741	Dendrobium Mining Area
1	DP1000997	Dendrobium Mining Area
1	DP1001210	Dendrobium Mining Area
1	DP191695	Dendrobium Mining Area
1	DP1012600	Dendrobium Mining Area
166	DP751278	Dendrobium Mining Area
275	DP751278	Dendrobium Mining Area
279	DP751278	Dendrobium Mining Area
289	DP751278	Dendrobium Mining Area
1	DP615178	Dendrobium Mining Area
8	DP401354	Dendrobium Mining Area
1	DP196993	Dendrobium Mining Area
18	DP1111734	Dendrobium Mining Area
1	DP1103666	Dendrobium Mining Area
1	DP907377	Dendrobium Mining Area
19	DP1131362	Dendrobium Mining Area
212	DP914738	Dendrobium Mining Area
213	DP914738	Dendrobium Mining Area
115	DP1190868	Dendrobium Mining Area
13	DP751278	Dendrobium Mining Area
2	DP1190181	Dendrobium Mining Area
14	DP1233164	Dendrobium Mining Area \ Cordeaux
2	DP208744	Kemira Valley Rail
2	DP208440	Kemira Valley Rail
1	DP227274	Kemira Valley Rail
1	DP606430	Kemira Valley Rail
102	DP602229	Kemira Valley Rail
25	DP216637	Kemira Valley Rail
4	DP203034	Kemira Valley Rail
68	DP259919	Kemira Valley Rail
1	DP606431	Kemira Valley Rail
2	DP1157196	Kemira Valley Rail

3	DP214572	Kemira Valley Rail
70	DP432516	Kemira Valley Rail
2	DP1061983	Kemira Valley Rail
3	DP203034	Kemira Valley Rail
6	DP867936	Kemira Valley Rail
1	DP1061983	Kemira Valley Rail
1	DP157009	Kemira Valley Rail Surface
137	DP751278	Kemira Valley Rail Surface
1	DP156521	Kemira Valley Rail Surface
115	DP1190868	Kemira Valley Rail Surface
11	DP250762	Kemira Valley Surface
1	DP164689	Kemira Valley Surface
1	DP221602	Kemira Valley Surface
12	DP250762	Kemira Valley Surface
3	DP157009	Kemira Valley Surface
2	DP41756	Kemira Valley Surface
1	DP41756	Kemira Valley Surface
3	DP196371	Kemira Valley Surface
3	DP159797	Kemira Valley Surface
1	DP196406	Kemira Valley Surface
134	DP751278	Kemira Valley Surface
2	DP196371	Kemira Valley Surface
1	DP44334	Kemira Valley Surface
1	DP615178	Kemira Valley Surface
1	DP159797	Kemira Valley Surface
2	DP157009	Kemira Valley Surface
2	DP159797	Kemira Valley Surface
11	DP1101896	Kemira Valley Surface
114	DP1127132	Kemira Valley Surface
138	DP1190404	Kemira Valley Surface
1	DP1190768	Kemira Valley Surface
C	DP161800	Nebo Surface
B	DP161800	Nebo Surface
A	DP161800	Nebo Surface
1	DP593804	Nebo Surface
1	DP560813	Nebo Surface
22	DP1076092	Nebo Surface
1	DP1103781	Nebo Surface
3	DP1103666	Nebo Surface
2	DP1103666	Nebo Surface
1	DP1103666	Nebo Surface
74	DP1218449	Nebo Surface

23. In Appendix 2, add the following note below Figure 1:

Note: the 'West Cliff Surface Facilities Lease – Stage 3 emplacement boundary' is no longer covered under this consent.

24. Delete Figure 5 from Appendix 2.

25. In Appendix 2, following Figure 6, insert the following:

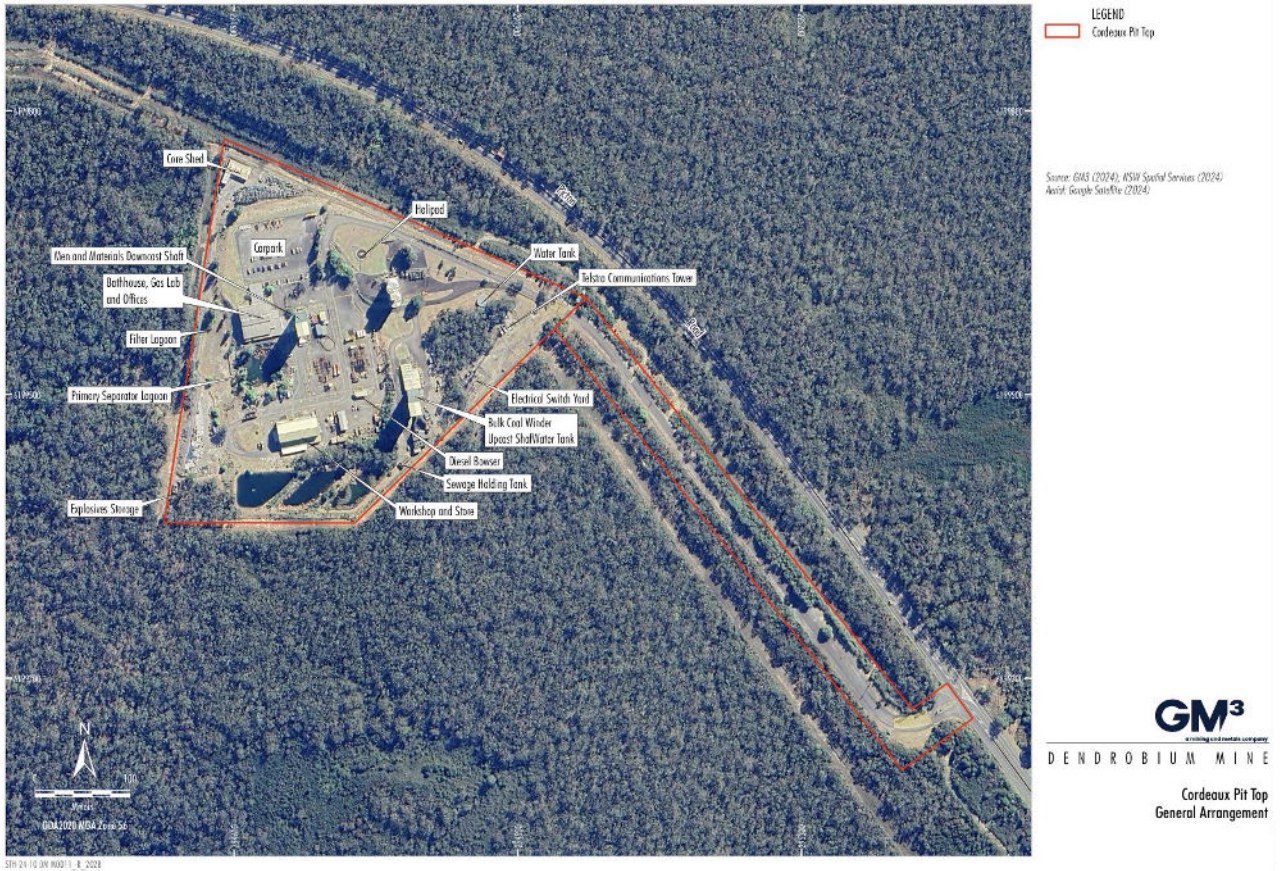


FIGURE 7 – Cordeaux Pit Top General Arrangement

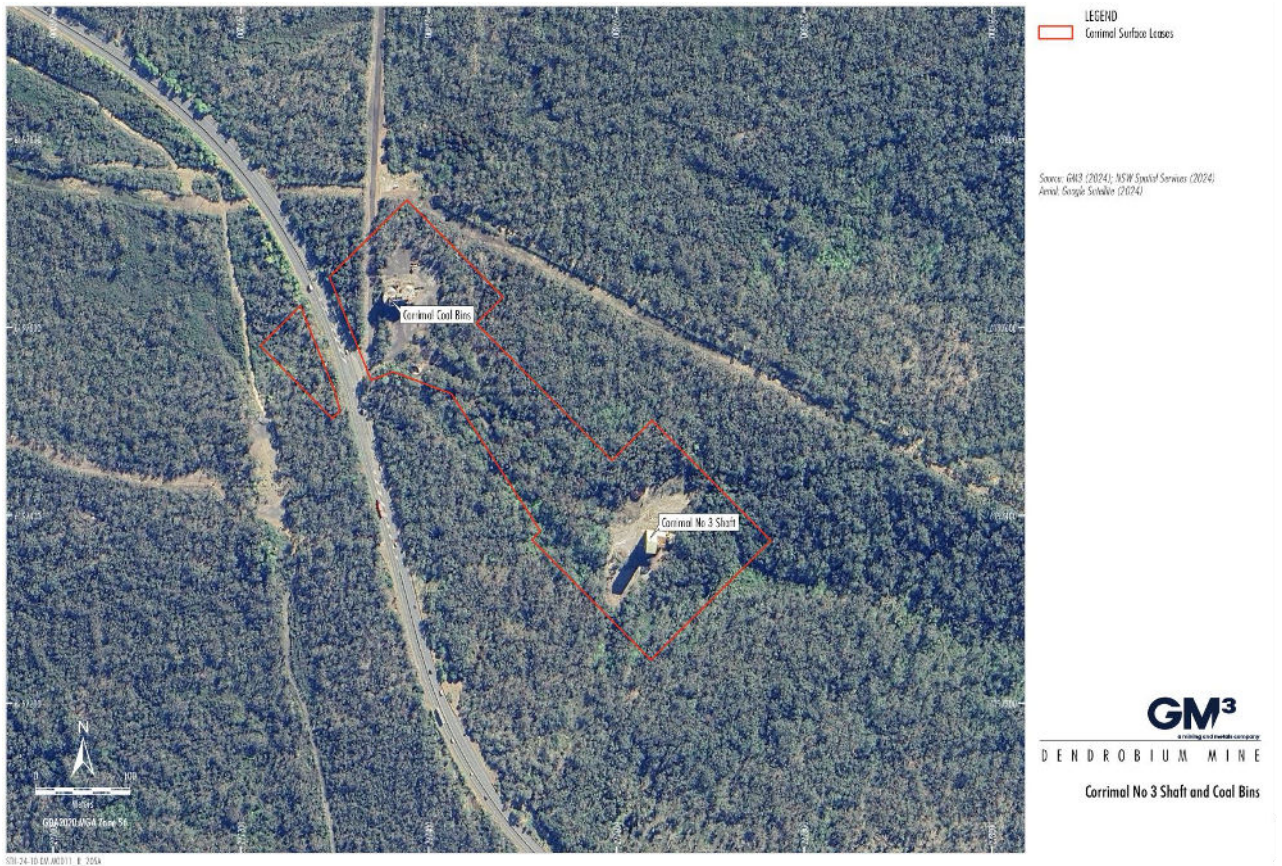


FIGURE 8 – Corrimal No 3 Shaft and Coal Bins

26. Delete Appendix 3: West Cliff Stage 3 Coal Wash Emplacements Statement of Commitments.

**End of modification
(SSD DA 60-03-2001 MOD 11)**