

Request to modify a major project



NSW GOVERNMENT
Department of Planning

Date duly made: ____/____/____

Modification No. _____

1. Before you lodge

This form is required under section 75W of the *Environmental Planning and Assessment Act 1979* (the Act) in order to request the Minister to modify the Minister's approval to carry out a project or concept plan to which Part 3A of the Act applies.

Before making this request, it is recommended that you first consult with the Department of Planning (the Department) concerning your modification. The Director-General may issue environmental assessment requirements that must be complied with before your request will be considered by the Minister. If the changes proposed by the modification will result in a project that is consistent with the existing approval, the Minister's approval for a modification is not required.

Disclosure Statement

Persons making a request to modify a project or concept plan are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years.

Note: For more details about political donations disclosure requirements, including a disclosure form, go to www.planning.nsw.gov.au/donations.

Lodgement

All modification requests must be lodged with the Director-General of the Department of Planning, by courier or mail. An electronic copy should also be e-mailed to the assessment contact officer assigned to the project.

NSW Department of Planning
Ground floor, 23-33 Bridge Street, SYDNEY NSW 2000
GPO Box 39 SYDNEY NSW 2001
Phone 1300 305 695

2. Details of the proponent

Company/organisation/agency

AQC Dartbrook Management Pty Ltd

ABN

62 007 377 577

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

Andrew

Family name

Roach

Position

Company Secretary

STREET ADDRESS

Unit/street no.

Level 4, 10

Street name

Felix Street

Suburb or town

Brisbane

State

QLD

Postcode

4000

POSTAL ADDRESS (or mark 'as above')

PO Box 16330

Suburb or town

City East

State

QLD

Postcode

4002

Daytime telephone

07 3221 0679

Fax

07 3229 9323

Mobile

Email

cosec@aqcltd.com

3. Identify the land

STREET ADDRESS (where relevant)

Unit/street no.

Street or property name

Stair Street

Suburb, town or locality

Kayuga

Postcode

2333

Local government area(s)

Muswellbrook, Upper
Hunter

State Electorate(s)

Upper Hunter

REAL PROPERTY DESCRIPTION

See Attachment A.

Note: The real property description is found on a map of the land or on the title documents for the land. If you are unsure of the real property description, you should contact the Department of Lands.

Please ensure that you place a slash (/) to distinguish between the lot, section, DP and strata numbers. If the proposed modification applies to more than one piece of land, please use a comma to distinguish between each real property description.

OR: detailed description of land attached: ☒

MAP: A map of the site and locality should also be submitted with this request.

4. Details of the original major project or concept plan

Briefly describe what the original approval allows

DA 231-7-2000 allows for underground mining operations to be undertaken until 5 December 2022. The approved mining activities include longwall mining of the Kayuga, Mt Arthur, Wynn and Piercefield coal seams. DA 231-7-2000 allows for coal to be extracted at a rate of up to 6.0 million tonnes per year of Run of Mine (ROM) coal. The approval also authorises the processing and transportation of coal extracted from the underground mine.

What was the original project application no.?

231-7-2000

What was the date of the approval?

28 August 2001

What was the original application fee?

Note: Clause 245K of the *Environmental Planning and Assessment Regulation 2000* provides information on calculating the maximum fee for a request for modification.

5. Describe the modification you propose to make to the approval

Describe the proposed modification

Undertake mining of the Kayuga Seam using the first workings bord and pillar method as an alternative to the approved longwall mining within the Kayuga seam.

In addition to the approved operations, ROM coal will also be hauled using road registered trucks on existing private roads to a new shaft facility located between the existing private Western Access Road and New England Highway. The new, enclosed shaft will be used to deliver coal via the existing Hunter Tunnel under the New England Highway to an existing stockpile. Crushed, unbeneficiated raw coal will be delivered to the train loadout facility.

Extend the period of DA231-7-2000 by 5 years to 5 December 2027.

Your modification request may need to be accompanied by an Environmental Assessment, including plans. An electronic and hard copy of this document will be required.

ESTIMATED CAPITAL INVESTMENT VALUE

Please indicate the estimated capital investment value (CIV) of the modification to the project approval or concept plan (excluding GST).

\$10.8M

FULL TIME EQUIVALENT JOBS

Please indicate the number of jobs created by the proposed modification. This should be expressed as a proportion of full time equivalent (FTE) jobs over a full year.

Construction jobs (FTE)

26

Operational jobs (FTE)

99

6. Landowner's consent (where required)

As the owner(s) of the above property, I/we consent to this request being made by the proponent:

Land

Signature

Name

Date

Land

Signature

Name

Date

Note: Under Clause 8F of the *Environmental Planning and Assessment Regulation 2000* (the Regulation), certain applications for approval under Part 3A of the Act do not require consent of the landowner, however, the proponent is required to give notice of the application (e.g. linear infrastructure, mining & petroleum projects, and critical infrastructure).

7. Political donation disclosure statement

Persons making a request to modify a project or concept plan are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years.

Have you attached a disclosure statement to this request?

☐ Yes

☒ No

Note: For more details about political donations disclosure requirements, including a disclosure form, go to www.planning.nsw.gov.au/donations.

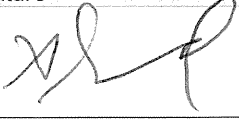
8. Proponent's signature

As the proponent(s) of the project and in signing below, I/we hereby:

- provide a description of the modification to the project approval or concept plan and address all matters required by the Director-General pursuant to Section 75W of the Act, and

- declare that all information contained within this form is accurate at the time of signing.

Signature



In what capacity are you signing if you are not the proponent

Name

ANDREW ROACH
COMPANY SECRETARY

Name, if you are not the proponent

Date

27/02/2018

Attachment A – Schedule of Lands

Lot	DP
110	81725
1	105260
B	174071
A	174071
1	223787
2	223787
11	253397
12	253397
13	253397
14	253397
15	253397
1	312392
1	505544
2	505544
2	578034
1852	582597
1	601918
12	659924
94	665393
111	714211
13	750926
22	750926
24	750926
28	750926
45	750926
73	750926
74	750926
86	750926
93	750926
108	750926
109	750926
110	750926
113	750926
114	750926
128	750926
129	750926
130	750926
131	750926
132	750926
133	750926
152	750926
153	750926
154	750926
155	750926
156	750926
157	750926
158	750926
159	750926
160	750926
163	750926

Lot	DP
164	750926
165	750926
166	750926
175	750926
176	750926
185	750926
186	750926
191	750926
192	750926
200	750926
201	750926
203	750926
204	750926
207	750926
169	750951
171	750951
172	750951
173	750951
174	750951
175	750951
178	750951
179	750951
180	750951
181	750951
183	750951
186	750951
187	750951
188	750951
189	750951
192	750951
153	752485
10	789319
11	789319
110	817253
63	833348
1	835733
2	835733
111	873834
1	961491
1	997444