NSW GOVERNMENT | Planning & Environment

Application to Modify a Development Consent

DA Modification Number: _____

1. Before you lodge

You can use this form to apply to modify a development consent given by the Minister for Planning. If the changes you propose mean the development will not be substantially the same as that originally approved, please do not use this form. You will need to submit a new development application.

Disclosure statement

Persons lodging applications are required to declare reportable political donations (including donations of or more than $1,000) made in the previous two years. For more details, including a disclosure form, go to **www.planning.nsw.gov.au/donations**

Lodgement

To minimise delay in receiving a decision about your application, please ensure you submit all relevant information to us. When your application has been assessed, you will receive a notice of determination.

To complete this form, please place a cross in the appropriate boxes ☐ and complete all sections.

2. Details of the applicant

NAME

Mr ☒ Ms ☐ Mrs ☐ Dr ☐ Other ☐

First name	Family name
Anthony	Russo

Company/organisation	ABN
HV Operations Pty Limited	76606478399

STREET ADDRESS

Unit/street no.	Street name
123	Albert St

Suburb or town	State	Postcode
Brisbane	Qld	4001

POSTAL ADDRESS (or mark 'as above')

as above

Suburb or town	State	Postcode

CONTACT DETAILS

Daytime telephone	Fax	Mobile
07 3625 4823	07 3625 3001	0429 480 163

Email

anthony.russo@riotinto.com

How would you prefer to be contacted?

email or mobile

3. Identify the land

Unit/street no. (or lot no. for Kosciuszko ski resorts)

Street or property name

Hunter Valley Operations

Suburb, town or locality

Lemington

Postcode

2330

Lot/DP or Lot/Section/DP or Lot/Strata no.
Please ensure that you put a slash (/) between lot, section, DP and strata numbers. If you have more than one piece of land, you will need to separate them with a comma eg 123/579, 162/2.

as attached

(1) (Note: You can find the lot, section, DP or strata number on a map of the land or on the title documents for the land, if title was provided after 30 October 1983. If you have documents older than this, you will need to contact Land & Property Information (LPI), a division of the Department of Finance, Service and Innovation, for updated details.

(2) Note: If the subject land is located within the Kosciuszko ski resorts area, DP and strata numbers may not always apply.

4. Details of the original development consent

Describe what the original consent allows

DA 450-10-2003 approves Hunter Valley Operations (HVO) north of the Hunter River. HVO North comprises the active West Pit and the mined alluvial lands, Carrington Pit and North Pit. The Carrington West Wing is an approved operation that is permitted to mine 17 million tonnes of run of mine coal over a 6 year period. That project is yet to commence.

What is the development application no.?	What is the date of consent?	What was the original estimated cost of development (including GST)?
DA 450-10-2003	Original in 2004 with the consolidation of all previous development consents across HVO North at that time.	

5. Describe the modification you propose to make

Please indicate the type of modification you propose to make by placing a cross in the appropriate box ☐ below.

You need to submit with your application form a full description of the expected impacts of the modifications proposed, including relevant plans, drawings and compliance with relevant controls.

☒ A modification to correct a minor error, misdescription or miscalculation

Describe the error, misdescription or miscalculation
(Refer to section 96(1) of the *Environmental Planning and Assessment 1979* (EP&A) Act)

The proponent seeks to have the proposal approved as a modification to DA 450-10-2003, as provided for under Clause 8J (8A) of the EP&A Regulation and Section 75W of the EP&A Act.
This application seeks to modify the HVO North development consent to include land parcels that were not included in the Schedule of Lands for the previous development consent approval that considered environmental assessments and consolidation of historic consents.
The approval of these areas will enable the approval of the existing Mining Lease applications.

☐ A modification that will have minimal environmental impact

Describe the modification and its expected impact
(Refer to section 96(1A) of the EP&A Act)

☐ Any other modification

Describe the modification and its expected impact
(Refer to section 96(2) of the EP&A Act)

Will the modified development be substantially the same as the development that was originally approved?

No ☐➢ Please submit a new development application.

Yes ☒➢ Please provide evidence that the development will remain substantially the same.
(If you need to attach additional pages, please list below the material attached).

The proposal seeks to include in the development consent boundary, lands associated with activities that have been considered in previous assessments. No intensification of the activities above the existing approvals are planned for these land parcels. The approval of these areas will enable the approval of the existing Mining Lease applications.

6. Number of jobs to be created

Please indicate the number of jobs this will create. This should be expressed as a proportion of full time jobs over a full year. (e.g. a person employed full-time for 6 months would equal 0.5 of a full-time equivalent job; six contractors working on and off over 2 weeks equate to 2 people working full-time for 2 weeks, which equals approximately 0.08 of an FTE job.)

Construction jobs (full-time equivalent)	0
Operation jobs (full-time equivalent)	0

7. Application fee

For development that involves a building or other work, the fee for your application is based on the estimated cost of the development.

Clause 258 of the Environmental Planning and Assessment Regulation 2000 and the table attached to that clause set out how to calculate the fee for an application for modification of a consent.

If your development needs to be advertised to the public you may also need to include an advertising fee. Clause 258 of the regulations includes details on these fees.

Note: Contact us if you need help to calculate the fee for your application.

Estimated cost of the development	Total fees lodged
	850

8. Political donation disclosure statement

Persons lodging a development application are required to declare reportable political donations (including donations of or more than $1000) made in the previous two years. Disclosure statements are to be submitted with your application.

Have you or any person with a financial interest in the application or any persons associated with the application made a political donation?

No ☒
Yes ☐

Have you attached a disclosure statement to this application?

No ☐
Yes ☒

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

9. Signatures

The lessee(s) of the land this application relates to must sign the application.

As the lessee(s) of the above property, I/we consent to this application:

Signature	Signature
Name	Name
Richard Phillip Francis	Antony James Field
Date	Date
20.6.2017	20/6/17
Capacity in which you are signing	Capacity in which you are signing
Director	Company Secretary

10. Applicant's Signature

The applicant must sign the application.

Signature

Name: Anthony Russo

Date: 9 June 2017

11. Privacy policy

The information you provide in this application will enable us, and any relevant state agency, to assess your application under the *Environmental Planning and Assessment Act 1979* and other applicable state legislation. If the information is not provided, your application may not be accepted. If your application is for designated development or advertised development, it will be available for public inspection and copying during a submission period. Written notification of the application will also be provided to the neighbourhood. You have the right to access and have corrected information provided in your application. Please ensure that the information is accurate and advise us of any changes.

12. Contact details

Alpine Resorts Team
Shop 5A, 19 Snowy River Avenue
PO Box 36, JINDABYNE NSW 2627
Telephone: 02 6456 1733
Email: alpineresorts@planning.nsw.gov.au

Head Office
320 Pitt Street, SYDNEY 2000
GPO Box 39, SYDNEY NSW 2001
Telephone: 1300 305 695
Email: information@planning.nsw.gov.au

Note: contact details of other Sydney Metropolitan and Regional Offices, go to **www.planning.nsw.gov.au**