



**APPLICATION TO MODIFY DEVELOPMENT
CONSENT 8-1-2005 WHITEHAVEN COAL MINE
CANYON EXTENSION**

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1.0 INTRODUCTION

1.1 Scope

This document has been prepared to accompany an application by Whitehaven Coal Limited to the Minister for Planning seeking a modification to development consent 8-1-2005. (Approved 30 JUNE 2005).

The application, under Section 96(1A) of the Environmental Planning and Assessment Act 1979, seeks to amend the boundary of the Canyon Extension as depicted in the Statement of Environmental Effects submitted for Development Consent 8-1-2005. No other modifications have been requested of this consent.

The modification is sought to extend the Canyon area boundary as depicted on Plans 1 and 2 attached. This extension will remain well within the confines of the boundary of the Mining Lease (ML) 1471 and the schedule of parcels approved for development under consent 8-1-2005. The extension will allow for easier working of the pit face on the southern boundary of the Canyon area and will enable extraction of additional reserves of coal identified from exploration activities.

1.2 The Applicant

The Whitehaven Coal Mine is wholly owned and operated by Whitehaven Coal Limited.

1.3 The Application Area

The area to which this application applies is within the land described as Lot 2 DP 1038308, Parish of Boggabri, County of Nandewar, which forms part of the DA area as defined within Appendix 1 of DA 8-1-2005. The above lot is owned in freehold title by Whitehaven Coal Limited. The actual area of additional activity is approximately 3.5 hectares. As depicted on Plan 1, part of this area was subject to clearing activity following a clearing campaign in the Canyon Extension after a fauna survey conducted by Country-Wide Ecological Services in February 2007. All activities were suspended in the area subject to this application upon determining that it was outside the Canyon Boundary as depicted in the Consent 8-1-2005. The Limit of Disturbance

Boundary was subsequently re-pegged on the correct alignment, with all workings remaining within that boundary.

1.4 History of the Mine's Development

The consolidated development consent for the Whitehaven Coal Mine and Canyon Extension was signed by Mr Craig Knowles MP, the then Minister for Infrastructure, Planning and Natural Resources on 30th June 2005. Upon notification of approval, development in the Canyon area was undertaken as part of the ongoing operation of the Whitehaven Coal Mine.

A total of 48 people are currently employed or contracted by Whitehaven Coal Mining Pty Ltd at the Whitehaven Coal Mine. As the mine has progressed additional exploration activity has also occurred within the Exploration Licence and Mining Lease Areas.

1.5 Justification for 96(1A) Approval

The assessment of this application under S.96(1A) is appropriate given that:

- The proposed modification is of minimal environmental impact and will occur in areas not significantly different from those already assessed in the Canyon Extension SEE.
- The proposed modification is well within the boundary of ML 1471 and Lot 2 DP 1038308 and would involve a minor continuation of the footprint of the mine.
- The area involved is defined as Community 4 (Bimble Box/Pilliga Grey Box Community). These areas have been previously defined by Geoff Cunningham Natural Resource Consultants during his assessments of the area for the original consent in 1999, and again in 2003 and 2004 for the Canyon extension. Countrywide Ecological Services has also undertaken studies in the subject area for the original consent in 1999 and again in 2003 and 2004 for the Canyon Extension. A pre-start survey was also undertaken in February 2007 with no additional requirements noted. As the proposal involves areas previously assessed no significant change is expected from those earlier outcomes.

- Final Void and rehabilitation requirements will remain as per those proposed in the Canyon SEE, with minor adjustments identified in future MOP and Final Void Plans.
- Coal production will remain within the limits specified in Consent 8-1-2005.
- As a minor extension of existing operations, no significant additional impact is expected on existing management arrangements for noise, air quality, water quality, flora and fauna, cultural heritage and rehabilitation.
- Rehabilitation activities will follow those actions identified in the SEE for the Canyon extension and will involve those activities relating to reshaping, topsoiling, replanting and infill planting as described across the area impacted on by the modification. Ultimately, the area impacted by this application will result in an additional 3.5 hectares planted out to native vegetation as part of the final rehabilitation process. This area had already been identified in the SEE for the Canyon extension as an area for infill planting to further promote corridor and habitat value.
- The proposed modification will also be addressed in an amendment to the Mining Operations Plan, to be submitted to the Department of Primary Industries for approval.

2.0 THE APPLICATION, DEVELOPMENT METHOD AND SAFEGUARDS

2.1 *The Application*

This application seeks a modification to DA 8-1-2005 to extend the boundary of the Canyon Extension to enable easier working of the pit face and access to additional resources identified from exploration activity. All activity will remain within the confines of the ML 1471 and schedule of land approved for development under DA 8-1-2005.

The application identifies a proposed maximum extent of extraction. This is based on the most recent exploration drilling undertaken by Whitehaven. That drilling confirmed no coal in a series of holes drilled on the southern boundary (shown as the maximum extent of extraction) on plans 1 & 2. Drilling in the area between the proposed maximum extent and the current approved Canyon boundary confirms a

volume of coal in the vicinity of 150,000 tonnes. Drilling in this area also identified a series of outcrops that make final resource estimates difficult, and may result in the actual extraction area being well within the proposed extraction boundary, depending upon access to the resource.

2.2 Development Method

All actions associated with the proposed modification will occur in accordance with the provisions already specified within the SEE for the Canyon Extension and the Mining Operations Plan. Prior to development, an amendment to the current Mining Operations Plan will be submitted identifying the additional area and sequence of operations.

Vegetation and soil removal will be undertaken as per currently approved arrangements identified in the MOP. Vegetation clearing activity as a result of this amendment would be confined to a small section of Community 4 only. Soil and vegetation stockpiling will also occur as per current arrangements.

Environmental monitoring will continue in conjunction with the remainder of the Whitehaven Coal Mine.

It is expected that the additional area will provide for an additional 150,000.00 tonnes of coal extending the lifetime of the Whitehaven Coal Mine by 2-3 months.

2.3 Safeguards

In order to minimise potential impacts associated with the extension of the Canyon Area, the activities will be managed in accordance with existing conditions relating to the operation of the Whitehaven Coal Mine. All activities within the extension will also be subject to the existing management plans as defined in Development Consent 8-1-2005.

Studies undertaken to supplement the Statement of Environmental Effects for the Canyon Extension gave due consideration and included the areas subject to this application, and specifically involved flora and fauna studies which ultimately determined that the Canyon Extension would not have a significant effect on rare or threatened species. The studies conducted in that regard did, however, recommend

a number of safeguards relating to how the development proceeds to limit the impact on flora and fauna and these safeguards have been implemented and form part of the management strategy for the whole of the mine site.

The proposed extension of the Canyon Area will not detract from or diminish the effectiveness of those safeguards, with the planned infill planting to enhance the vegetation corridor and habitat value of the area not impacted on by the proposed extension. Ultimately, the proposed extension will result in the potential additional clearing of 3.5 ha of vegetation nominated as Community 4 (Bimble Box/Pilliga Grey Box) in the Canyon SEE.

3.0 CONCLUSION

The modification to DA 8-1-2005 is sought to assist in the effective development of the Canyon extension in terms of practical access to the coal resource. In making this application, due consideration has been given to potential environmental impacts of the proposal, all of which have been previously addressed in the Canyon SEE. It is therefore considered that the proposed modification is of minimal environmental impact and best addressed under the bounds of Section 96 (1A) of the Environmental Planning and Assessment Act 1979.

PLAN 1

PROPOSAL TO MODIFY DEVELOPMENT CONSENT 8-1-2005

- Canyon Boundary
- - - MOP Limit of Disturbance
- . . . Proposed maximum extent of extraction

Approved Canyon Boundary

MOP Limit of Disturbance

Proposed maximum extent of extraction

ML 1471

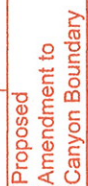


Figure 3
EXISTING AND APPROVED
MINE DEVELOPMENT
(as of 30/09/2005)