

22 September 2017

NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Oliver Holm,
Executive Director, Resource Assessments and Compliance

Dear Oliver,

**RE: REQUEST TO MODIFY MOUNT PLEASANT DEVELOPMENT CONSENT DA 92/97
(MODIFICATION 4)**

Please find herein a request for the Minister to modify Development Consent DA 92/97 for the Mount Pleasant Operation under section 75W of the *Environmental Planning and Assessment Act, 1979* (EP&A Act) (MOD 4).

The approved Mount Pleasant Operation includes the construction and operation of an open cut coal mine and associated infrastructure located approximately four kilometres north-west of Muswellbrook in the Upper Hunter Valley of New South Wales (NSW).

The potential environmental impacts associated with the development were originally assessed in an Environmental Impact Statement prepared by ERM Mitchell McCotter in September 1997.

The Mount Pleasant Operation was approved under Part 4 of the EP&A Act on 22 December 1999 (Development Consent DA 92/97) and was subsequently modified on 19 September 2011 (MOD 1) and 29 March 2017 (MOD 2) under section 75W of the EP&A Act.

An application to modify Development Consent DA 92/97 was also lodged by MACH Energy (MOD 3) to extend the time limit of open cut mining to 22 December 2026 and extend the Eastern Out of Pit Emplacement. MOD 3 is currently being assessed by the NSW Department of Planning and Environment.

Proposed Modification

The approved Mount Pleasant Operation includes a rail spur, loop and associated product coal loadout infrastructure. The approved location of the rail spur, loop and associated loadout infrastructure is within the approved ultimate extent of the Bengalla Mining Company (Bengalla) Mine and is required to be relocated to facilitate Bengalla Mine's open cut operations progressing through this area (Figure 1).

Recent investigations by MACH Energy have identified a potential alternative location for the rail spur, loop and associated product coal loadout infrastructure generally to the immediate north of Wybong Road between the two mining operations and east of the existing Bengalla Mine (Figure 1).

Key components of MOD 4 would include the construction and operation of a new rail spur and loop and associated product coal loadout infrastructure (including a conveyor).

MOD 4 would also involve the decommissioning of the approved rail loop and associated infrastructure, as well as development of an alternative water supply pipeline and Hunter River pump station (the current water supply pipeline shares the same alignment as the approved rail spur).

The conceptual alignments for the rail spur, loop and associated product coal loadout infrastructure presented on Figure 1 will be subject to further refinement and revision in consultation with the NSW Department of Planning and Environment.

Refinement of the design of these elements will also be undertaken in consideration of the following:

- Design of public road overpasses or underpasses associated with the new rail corridor.
- Known historic heritage items and previous underground workings located to the east of Bengalla Mine.
- The location of existing mining and support infrastructure associated with the Bengalla Mine and Mount Pleasant Operation.
- Locating where practical the proposed infrastructure on land owned by MACH Energy, Bengalla Mine and/or existing easements/land owned by the Crown.
- Locating where practical the proposed infrastructure such that it minimises potential material biodiversity and heritage impacts.

Attachment 1 provides a comparative summary of the proposed modified operations at the Mount Pleasant Operation against the approved Mount Pleasant Operation, and the Mount Pleasant Operation incorporating MOD 3 (i.e. subject to separate assessment and determination).

In relation to the request to modify the Development Consent DA 92/97, please also find enclosed:

- Application to Modify a Development Consent Form.
- Political Donations Disclosure Statement, confirming MACH Energy has no reportable political donations to declare.

Pathway

Environmental Planning and Assessment Act, 1979

Clause 12 of Schedule 6A of the EP&A Act provides that section 75W of Part 3A of the EP&A Act continues to apply to modifications of development consents referred to in clause 8J(8) of the *Environmental Planning and Assessment Regulation, 2000* (EP&A Regulation) following the repeal of Part 3A.

The Mount Pleasant Operation Development Consent is a development consent that falls within clause 8J(8) of the EP&A Regulation because it is a consent granted by the Minister under section 101 of the EP&A Act.

Approval for the Modification is formally sought as a modification to the Development Consent (DA 92/97) under section 75W of the EP&A Act (Attachment 2).

Environment Protection and Biodiversity Conservation Act, 1999

Given the location of the proposed infrastructure, and subject to the findings of the ecological assessments, MACH Energy anticipates that the Modification would not have a significant impact on any relevant Matter of National Environmental Significance under the *Environment Protection and Biodiversity Conservation Act, 1999*.

Environmental Assessment

MACH Energy is preparing an Environmental Assessment to address the potential environmental impacts of the Modification. The Environmental Assessment would include:

- a description of the existing environment using sufficient baseline data;
- potential impacts of all stages of the Modification, including comparison with approved impacts of the Mount Pleasant Operation and consideration of potential cumulative impacts (including cumulative impacts with the Bengalla Mine);
- measures that could be implemented to avoid, mitigate, rehabilitate/remediate, monitor and/or offset the potential impacts of the Modification; and
- contingency plans and/or adaptive management for managing any potentially significant residual risks to the environment.

Based on a preliminary risk assessment of key issues, the following environmental assessments/studies are being prepared in support of the Modification Environmental Assessment:

- Flood Study.
- Terrestrial Ecology Assessment/Aquatic Ecology Review.
- Aboriginal Cultural Heritage Assessment.
- Historical Heritage Assessment.
- Noise Assessment.
- Air Quality Review.
- Visual Assessment.
- Land Contamination Assessment.

Proposed Scope of Secretary's Environmental Assessment Requirements

MACH Energy kindly requests that any environmental assessment requirements issued by the Secretary are targeted and scoped for the Modification, consistent with the current direction of NSW Government policy reforms.

In relation to the scope of the Modification Environmental Assessment, MACH Energy is proposing the following:

- An assessment of the potential impacts of the additional infrastructure on Hunter River flooding.
- An assessment/review of the potential terrestrial and aquatic ecology impacts of the Modification, in accordance with applicable NSW Government policy.
- An assessment of the likely Aboriginal and historic heritage (cultural and archaeological) impacts of the Modification, including potential impacts to known/existing historic heritage sites listed in the Local Environmental Plan.
- An assessment of the likely noise impacts associated with the Modification, including contemporary noise modelling.
- A review of the likely air quality impacts associated with the Modification.
- An assessment of the likely visual impacts associated with the Modification, including potential rail spur lighting impacts on dwellings in Muswellbrook.
- A land contamination assessment for change in land use associated with the Modification (i.e. private land to rail easement).
- Consideration of potential economic benefits of the Modification associated with additional construction activity and employment (note it is not proposed to comply with the *Guidelines for the Economic Assessment of Mining and Coal Seam Gas Proposals* given the modest scale of the proposed Modification).

Summary

MACH Energy seeks that this request for a Modification under section 75W be accepted (as lodged) by the Secretary.

Please do not hesitate to contact the undersigned if the Department requires further information.

Yours faithfully



Scott Winter

Mount Pleasant Operation – Managing Director

cc: Mr Howard Reed, Director, Resource Assessments

ATTACHMENT 1

COMPARISON OF THE APPROVED AND MODIFIED MOUNT PLEASANT OPERATION
UNDER DA 92/97

Table 1 provides a comparative summary of the proposed modified operations at the Mount Pleasant Operation against the approved operations and operations incorporating Modification 3 (pending determination).

Table 1
Comparative Summary of the Approved and Modified Mount Pleasant Operation

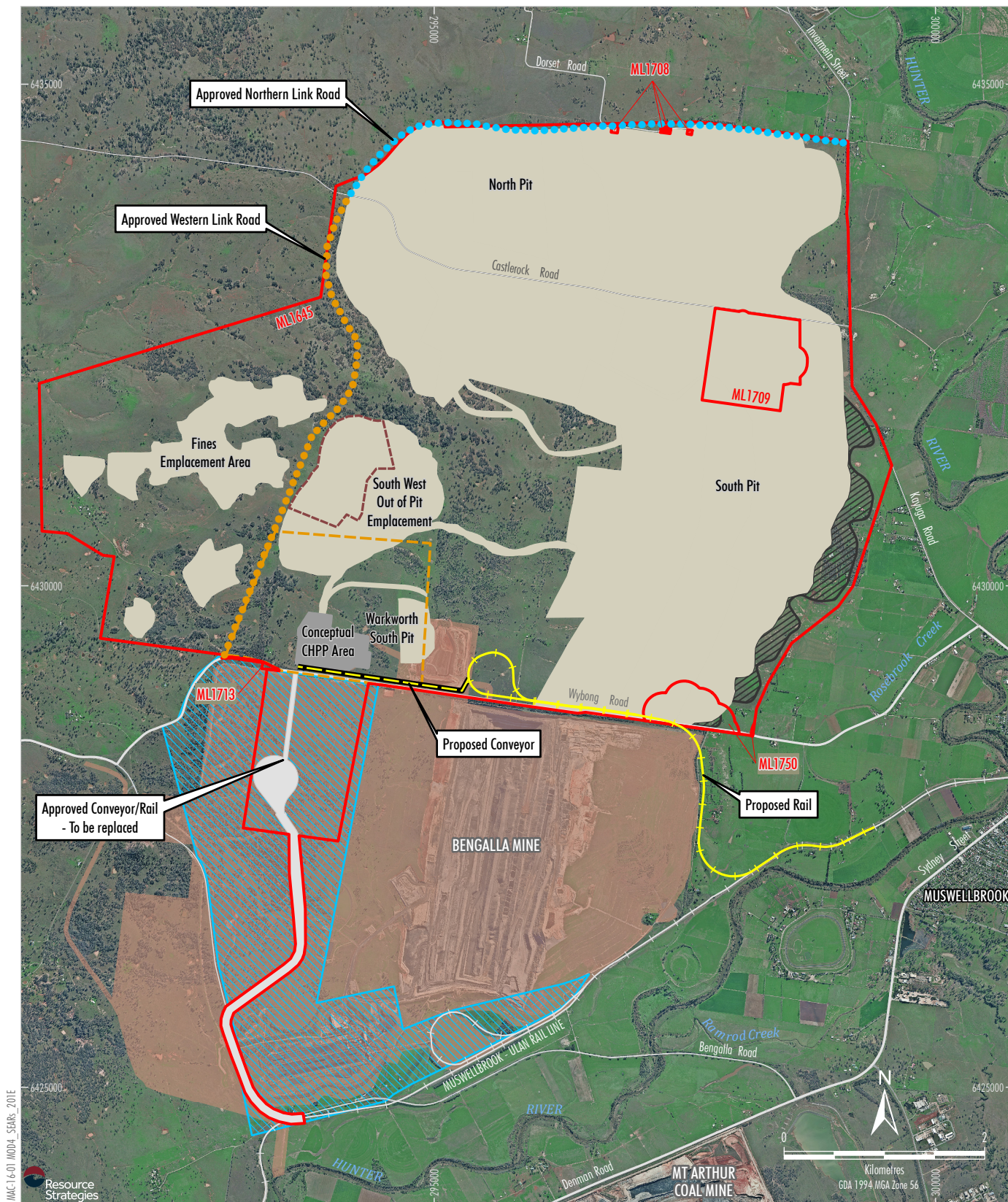
Project Component	Approved Mount Pleasant Operation	Proposed MOD 3 (pending determination)	Proposed MOD 4
ROM Coal Production	ROM coal production at a rate of up to 10.5 Mtpa.	Unchanged.	Unchanged.
Mining Tenements	ML 1645, ML1708, ML1709, ML 1713, ML 1750.	Unchanged.	Unchanged.
General Waste Rock Management	Waste rock will be placed within mine voids, out-of-pit emplacements and the Fines Emplacement Area and will also be used to construct visual bunds.	Unchanged.	Unchanged.
Waste Rock Production	Waste rock removal at a rate of up to approximately 53 million bank cubic metres (Mbcm) per annum.	Unchanged.	Unchanged.
Waste Emplacements	Waste rock emplaced both in-pit, and four major out-of-pit emplacement areas located to the east of the open cuts and to south west and north west of the open cuts.	Approximately 67 hectare (ha) extension of the Eastern Out of Pit Emplacement. No waste rock to be emplaced in the South West Out of Pit Emplacement.	Unchanged from MOD 3.
Coal Beneficiation	Beneficiation of ROM coal in an on-site Coal Handling and Preparation Plant (CHPP).	Unchanged.	Unchanged.
Coal Transport	Coal transport to the Muswellbrook – Ulan Rail Line will be via either (but not both)^: <ul style="list-style-type: none"> a conveyor/service corridor to the Bengalla Mine; or rail via an on-site rail loop and loader facilities, including load-out conveyor and bin. 	Unchanged.	MACH Energy will construct and operate a rail spur, loop and associated product coal loadout infrastructure to the north of Wybong Road and on the eastern side of Bengalla Mine connecting with the Muswellbrook-Ulan Rail Line.
	Coal will be transported to the Port of Newcastle for export along the Muswellbrook – Ulan Rail Line and then the Main Northern Railway.	Unchanged.	Unchanged.
	An average of three and a maximum of nine laden trains per day leaving the mine.	Unchanged.	Unchanged.
Coal Rejects	Coarse rejects will be placed within mined out voids, out-of-pit emplacements and used to build fines emplacement walls. Fine rejects will be stored in the Fines Emplacement Area.	Unchanged.	Unchanged.

Table 1 (continued)
Comparative Summary of the Approved and Modified Mount Pleasant Operation

Project Component	Approved Mount Pleasant Operation	Proposed MOD 3 (pending determination)	Proposed MOD 4
Project Layout Plan	Appendix 2 of Development Consent DA 92/97 provides the approved layout of the project at Year 20.	Amendment to reflect extension to the Eastern Out of Pit Emplacement and reduction in the South West Out of Pit Emplacement.	Further amendment to reflect proposed relocated linear infrastructure.
Mining Method	Open cut mining incorporating truck and shovel and dragline operations.	Open cut mining method comprising truck and shovel in the Modification period.	Unchanged from MOD 3.
Water Supply and Disposal	Water requirements for the mine and CHPP will be met from pit groundwater inflows, catchment runoff and make-up water from the Hunter River. Potable water for the industrial area will be sourced from the Hunter River and treated on-site to the required standards. Surplus water will be discharged into the Hunter River (or its tributaries) in compliance with the Hunter River Salinity Trading Scheme (HRSTS) and an EPL.	Largely unchanged, however, to reduce water demand from the Hunter River, excess mine water may also be sourced from the Bengalla and Dartbrook Mines.	Method and water sources unchanged from MOD 3. Provision of alternative water supply pipeline to the east and associated relocated Hunter River pump station.
Mine Life	21 years from the date of grant of Development Consent DA 92/97 (i.e. from 22 December 1999 until 22 December 2020).	Extended to 22 December 2026*.	Unchanged from MOD 3.
Hours of Operation	Operations are approved to be undertaken 24 hours per day, seven days per week.	Unchanged.	Unchanged.
Operational Workforce	Average operational workforce throughout the life of the mine of approximately 330 people, and an estimated peak of approximately 380 people.	Unchanged.	Unchanged.
Construction Workforce	A construction workforce of up to approximately 250 people will be required.	Construction workforce is expected to peak at approximately 350 people.	Unchanged from MOD 3.

* Remains less than 21 years from commencement of operations.

^ On 23 January 2017, MACH Energy notified the DPE of its intent to transport all coal from the site by rail via an on-site rail loop.



- LEGEND**
- Mining Lease Boundary
 - Infrastructure Area Envelope
 - Indicative Offsite Coal Transport Infrastructure
 - Approximate Extent of Approved Surface Development (1997 EIS Year 20)*
 - Conveyor/Services Corridor Envelope
 - Bengalla Mine Approved Disturbance Boundary (SSD-5170) Subject to Separate Modification (MOD 3)
 - Emplacement Extension
 - Area Relinquished for Overburden Emplacement and Major Infrastructure

- Key Conceptual Modification Components #**
- Proposed Conveyor
 - Proposed Rail

Notes: * Excludes some project components such as water management infrastructure, infrastructure within the Infrastructure Area Envelope, offsite coal transport infrastructure, road diversions, access tracks, topsoil stockpiles, power supply, temporary offices, other ancillary works and construction disturbance.

Modification would also include additional minor components not shown, e.g. Hunter River pump station, water pipelines, access roads etc.

Source: NSW Land & Property Information (2017); NSW Division of Resources & Energy (2017); Department of Planning and Environment (2016); MACH Energy (2017)
Orthophoto: MACH Energy (Aug 2016)

MACHEnergy
MOUNT PLEASANT OPERATION
Proposed Modified General Arrangement

Figure 1

ATTACHMENT 2

APPLICATION TO MODIFY A DEVELOPMENT CONSENT FORM

Application to Modify a Development Consent

DA Modification Number: DA 92/97 MODIFICATION 4

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

Chris

Family name

Lauritzen

Company/organisation

MACH Energy Australia Pty Ltd

ABN

34608495441

STREET ADDRESS

Unit/street no.

Level 17,10

Street name

Eagle Street

Suburb or town

BRISBANE

State

QLD

Postcode

4000

POSTAL ADDRESS (or mark 'as above')

GPO Box 94

Suburb or town

BRISBANE

State

QLD

Postcode

4001

CONTACT DETAILS

Daytime telephone

Fax

Mobile

0438 985 197

Email

Chris.lauritzen@machenergyaustralia.com.au

How would you prefer to be contacted?

Email

3. Identify the land

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

Street or property name

Mount Pleasant Operation
1100 Wybong Road

Suburb, town or locality

MUSWELLBROOK

Postcode

2333

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.

The land listed in Appendix 1 "Schedule of Land" of Development Consent DA 92/97 plus the land listed in Enclosure 1.

- (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

Development and operation of an open cut mine producing up to 10.5 million tonnes per annum of run-of-mine coal.

What is the development application no.?

DA 92/97

What is the date of consent?

22/12/1999

What was the original estimated cost of development (including GST)?

Original estimate of cost not known.

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)

☐

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)

Application pursuant to Section 75W and Clause 12 of Schedule 6A of the EP&A Act to revise rail and water supply infrastructure.

Refer also to the attached letter.

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).

N/A

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)

To be confirmed.

Operation jobs (full-time equivalent)

No change to
operational
workforce.

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

To be confirmed.

Total fees lodged

To be advised.

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

Name

Date

Capacity in which you are signing

Signature

Name


Date

Capacity in which you are signing

10. Applicant's Signature

The applicant must sign the application.

Signature



Name

Chris Lauritzen

Date

22/9/2017

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

Enclosure 1

Tenure Type	Lot	Deposited Plan
FREEHOLD	11	1184928
FREEHOLD	1	997931
FREEHOLD	1	784436
FREEHOLD	13	585880
FREEHOLD	5	784436
FREEHOLD	7	784436
FREEHOLD	505	711996
FREEHOLD	2	784436
FREEHOLD	123	700578
FREEHOLD	3	784436
FREEHOLD	2	655750
FREEHOLD	4	784436
FREEHOLD	124	700578
FREEHOLD	6	784436
FREEHOLD	642	554159
FREEHOLD	641	554159
FREEHOLD	2	745369
FREEHOLD	2	997931
FREEHOLD	51	631169
FREEHOLD	210	1070206
NSW GOVERNMENT	5	1170997
NSW GOVERNMENT	4	1170997
NSW GOVERNMENT	2	1170997
NSW GOVERNMENT	3	1170997
FREEHOLD	8	1170997
FREEHOLD	211	1070206
FREEHOLD	8	770911
FREEHOLD	7	770911
FREEHOLD	1	745369
FREEHOLD	111	556761
FREEHOLD	110	556761
FREEHOLD	9	39345
FREEHOLD	1	189134
FREEHOLD	1	570070
FREEHOLD	2	570070
FREEHOLD	71	626353
FREEHOLD	72	626353
FREEHOLD	28	1072668
FREEHOLD	1	1129338
FREEHOLD	1031	1164040
NSW GOVERNMENT	1	1170997
FREEHOLD	6	1170997
FREEHOLD	7	1170997
NSW GOVERNMENT	2	1072668
NSW GOVERNMENT	3	1072668
NSW GOVERNMENT	4	1072668
FREEHOLD	5	1072667
FREEHOLD	52	631169
FREEHOLD	3	713374
FREEHOLD	17	1112792
FREEHOLD	6	770911
FREEHOLD	2	1137094
State Rail Authority	Land identified as Railway Corridor within the application area	
Muswellbrook Shire Council or Department of Lands (Crown)	Crown or Council formed or unformed roads within the application area	
Crown	Water Courses or unidentified Crown Land within the application area	

ATTACHMENT 3

POLITICAL DONATIONS DISCLOSURE STATEMENT

Political donations disclosure statement



NSW GOVERNMENT
Department of Planning

Office use only:

Date received: ____/____/____

Planning application no. _____

This form may be used to make a political donations disclosure under section 147(3) of the *Environmental Planning Assessment Act 1979* for applications or public submissions to the Minister or the Director-General.

Please read the following information before filling out the Disclosure Statement on pages 3 and 4 of this form. Also refer to the 'Glossary of terms' provided overleaf (for definitions of terms in *italics* below). Once completed, please attach the completed declaration to your planning application or submission.

Explanatory information

Making a planning application or a public submission to the Minister or the Director-General

Under section 147(3) of the Environmental Planning and Assessment Act 1979 ('the Act') a person:

- (a) who makes a *relevant planning application* to the Minister or the Director-General is required to disclose all *reportable political donations* (if any) made within the *relevant period* to anyone by any person with a *financial interest* in the application, or
- (b) who makes a *relevant public submission* to the Minister or the Director-General in relation to the application is required to disclose all *reportable political donations* (if any) made within the *relevant period* to anyone by the person making the submission or any *associate of that person*.

How and when do you make a disclosure?

The disclosure to the Minister or the Director-General of a *reportable political donation* under section 147 of the Act is to be made:

- (a) in, or in a statement accompanying, the relevant planning application or submission if the donation is made before the application or submission is made, or
- (b) if the donation is made afterwards, in a statement of the person to whom the relevant planning application or submission was made within 7 days after the donation is made.

What information needs to be included in a disclosure?

The information requirements of a disclosure of reportable political donations are outlined in section 147(9) of the Act.

Pages 3 and 4 of this document include a Disclosure Statement Template which outlines the information requirements for disclosures to the Minister or to the Director-General of the Department of Planning.

Note: A separate Disclosure Statement Template is available for disclosures to councils.

Warning: A person is guilty of an offence under section 125 of the *Environmental Planning and Assessment Act 1979* in connection with the obligations under section 147 only if the person fails to make a disclosure of a political donation or gift in accordance with section 147 that the person knows, or ought reasonably to know, was made and is required to be disclosed under section 147.

The maximum penalty for any such offence is the maximum penalty under Part 6 of the *Election Funding and Disclosures Act 1981* for making a false statement in a declaration of disclosures lodged under that Part.

Note: The maximum penalty is currently 200 penalty units (currently \$22,000) or imprisonment for 12 months, or both.

Glossary of terms (under section 147 of the *Environmental Planning and Assessment Act 1979*)

gift means a gift within the meaning of Part 6 of the *Election Funding and Disclosures Act 1981*. Note. A gift includes a gift of money or the provision of any other valuable thing or service for no consideration or inadequate consideration.

Note: Under section 84(1) of the *Election Funding and Disclosures Act 1981* gift is defined as follows:

gift means any disposition of property made by a person to another person, otherwise than by will, being a disposition made without consideration in money or money's worth or with inadequate consideration, and includes the provision of a service (other than volunteer labour) for no consideration or for inadequate consideration.

local councillor means a councillor (including the mayor) of the council of a local government area.

relevant planning application means:

- a) a formal request to the Minister, a council or the Director-General to initiate the making of an environmental planning instrument or development control plan in relation to development on a particular site, or
- b) a formal request to the Minister or the Director-General for development on a particular site to be made State significant development or declared a project to which Part 3A applies, or
- c) an application for approval of a concept plan or project under Part 3A (or for the modification of a concept plan or of the approval for a project), or
- d) an application for development consent under Part 4 (or for the modification of a development consent), or
- e) any other application or request under or for the purposes of this Act that is prescribed by the regulations as a relevant planning application, but does not include:
 - f) an application for (or for the modification of) a complying development certificate, or
 - g) an application or request made by a public authority on its own behalf or made on behalf of a public authority, or
 - h) any other application or request that is excluded from this definition by the regulations.

relevant period is the period commencing 2 years before the application or submission is made and ending when the application is determined.

relevant public submission means a written submission made by a person objecting to or supporting a relevant planning application or any development that would be authorised by the granting of the application.

reportable political donation means a reportable political donation within the meaning of Part 6 of the *Election Funding and Disclosures Act 1981* that is required to be disclosed under that Part. Note. Reportable political donations include those of or above \$1,000.

Note: Under section 86 of the *Election Funding and Disclosures Act 1981* reportable political donation is defined as follows:

86 Meaning of "reportable political donation"

- (1) For the purposes of this Act, a reportable political donation is:
 - (a) in the case of disclosures under this Part by a party, elected member, group or candidate—a political donation of or exceeding \$1,000 made to or for the benefit of the party, elected member, group or candidate, or
 - (b) in the case of disclosures under this Part by a major political donor—a political donation of or exceeding \$1,000:
 - (i) made by the major political donor to or for the benefit of a party, elected member, group or candidate, or
 - (ii) made to the major political donor.
- (2) A political donation of less than an amount specified in subsection (1) made by an entity or other person is to be treated as a reportable political donation if that and other separate political donations made by that entity or other person to the same party, elected member, group, candidate or person within the same financial year (ending 30 June) would, if aggregated, constitute a reportable political donation under subsection (1).
- (3) A political donation of less than an amount specified in subsection (1) made by an entity or other person to a party is to be treated as a reportable political donation if that and other separate political donations made by that entity or person to an associated party within the same financial year (ending 30 June) would, if aggregated, constitute a reportable political donation under subsection (1). This subsection does not apply in connection with disclosures of political donations by parties.
- (4) For the purposes of subsection (3), parties are associated parties if endorsed candidates of both parties were included in the same group in the last periodic Council election or are to be included in the same group in the next periodic Council election.

a person has a financial interest in a relevant planning application if:

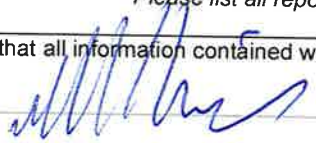
- a) the person is the applicant or the person on whose behalf the application is made, or
- b) the person is an owner of the site to which the application relates or has entered into an agreement to acquire the site or any part of it, or
- c) the person is associated with a person referred to in paragraph (a) or (b) and is likely to obtain a financial gain if development that would be authorised by the application is authorised or carried out (other than a gain merely as a shareholder in a company listed on a stock exchange), or
- d) the person has any other interest relating to the application, the site or the owner of the site that is prescribed by the regulations.

persons are associated with each other if:

- a) they carry on a business together in connection with the relevant planning application (in the case of the making of any such application) or they carry on a business together that may be affected by the granting of the application (in the case of a relevant planning submission), or
- b) they are related bodies corporate under the *Corporations Act 2001* of the Commonwealth, or
- c) one is a director of a corporation and the other is any such related corporation or a director of any such related corporation, or
- d) they have any other relationship prescribed by the regulations.

Political Donations Disclosure Statement to Minister or the Director-General

If you are required under section 147(3) of the Environmental Planning and Assessment Act 1979 to disclose any political donations (see Page 1 for details), please fill in this form and sign below.

Disclosure statement details				
Name of person making this disclosure ANTHONY SCOTT VEITCH DIRECTOR OF APPLICANT		Planning application reference (e.g. DA number, planning application title or reference, property address or other description) DA 92/97		
Your interest in the planning application (circle relevant option below)				
You are the APPLICANT <input checked="" type="radio"/> YES / NO		OR You are a PERSON MAKING A SUBMISSION IN RELATION TO AN APPLICATION YES / NO		
Reportable political donations made by person making this declaration or by other relevant persons				
<p>* State below any reportable political donations you have made over the 'relevant period' (see glossary on page 2). If the donation was made by an entity (and not by you as an individual) include the Australian Business Number (ABN).</p> <p>* If you are the applicant of a relevant planning application state below any reportable political donations that you know, or ought reasonably to know, were made by any persons with a financial interest in the planning application, OR</p> <p>* If you are a person making a submission in relation to an application, state below any reportable political donations that you know, or ought reasonably to know, were made by an associate.</p>				
Name of donor (or ABN if an entity)	Donor's residential address or entity's registered address or other official office of the donor	Name of party or person for whose benefit the donation was made	Date donation made	Amount/ value of donation
NO REPORTABLE POLITICAL DONATIONS TO DECLARE				
Please list all reportable political donations—additional space is provided overleaf if required.				
By signing below, I/we hereby declare that all information contained within this statement is accurate at the time of signing.				
Signature(s) and Date  22/9/2017				
Name(s) ANTHONY SCOTT VEITCH DIRECTOR OF APPLICANT MACH ENERGY AUSTRALIA PTY LTD				

Cont...

Political Donations Disclosure Statement to Minister or the Director-General

Name of donor (or ABN if an entity)	Donor's residential address or entity's registered address or other official office of the donor	Name of party or person for whose benefit the donation was made	Date donation made	Amount/ value of donation