

Request to modify a major project



NSW GOVERNMENT
Department of Planning

Date duly made: 18 / 12 / 2009

Modification No. 05_0177 MOD 6

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		ABN	
MOOLARBEN COAL MINES PTY LIMITED		82108601672	
☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other			
First name		Family name	
IAN		CALLOW	
Position			
PROJECT MANAGER - DEVELOPMENT			
STREET ADDRESS			
Unit/street no.	Street name		
Lvl 6, 316	ADELAIDE STREET		
Suburb or town	State	Postcode	
BRISBANE	QLD	4000	
POSTAL ADDRESS (or mark 'as above')			
PO BOX 10470			
Suburb or town	State	Postcode	
BRISBANE	QLD	4000	
Daytime telephone	Fax	Mobile	
(07) 3248 7926	(07) 3211 7328	0419 622 155	
Email			
icallow@frl.cmo.au			

3. Identify the land

STREET ADDRESS (where relevant)

Unit/street no.

AS PER MP 05_0117

Street or property name

Suburb, town or locality

MOOLARBEN

Postcode

2850

Local government area(s)

MID-WESTERN REGIONAL

State Electorate(s)

UPPER HUNTER

REAL PROPERTY DESCRIPTION

LOT 51 / DP 736630
(AND WITHIN MINING LEASE 1606)

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

MINING OF COAL FROM THREE OPEN CUT PITS AND ONE UNDERGROUND MINE FOR A PERIOD OF 21 YEARS WITH COAL PRODUCTION NOT TO EXCEED MORE THAN 10 MILLION TONNES OF COAL A YEAR, OR COAL EXTRACTION FROM OPEN CUT MINING NOT TO EXCEED MORE THAN 8 MILLION TONNES OF RUN-OF-MINE (ROM) COAL A YEAR AND COAL EXTRACTION FROM UNDERGROUND MINING NOT TO EXCEED MORE THAN 4 MILLION TONNES OF ROM COAL A YEAR.

What was the original project application no.?

05_0117

What was the date of the approval?

6 SEPTEMBER 2007

What was the original application fee?

\$405,000,000.00

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

RELOCATION OF THE REJECTS BIN BY 250 M TO AN EXISTING CLEARED AREA WITHIN THE OPEN CUT MINE DISTURBANCE FOOTPRINT; AND INCREASING THE HOLDING CAPACITY OF THE REJECTS BIN FROM 250 T TO 500 T AT THE TIME OF CONSTRUCTION.

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).

\$1,500,000.00

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)

6

Operational jobs (FTE)

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

REFER ATTACHED AGREEMENT

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

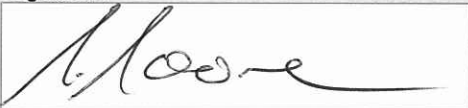
Note: For more details about political donations disclosure requirements, including a disclosure form, go to www.planning.nsw.gov.au/donations.

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



Name

MICHAEL MOORE

Date

18/12/2009

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

ENVIRONMENTAL CONSULTANT

Name, if you are not the proponent

COFFEY