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: Boggabri Coal Pty Limited
ABN: 77 122 087 398

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name: Ken
Family name: McLaren

Position: General Manager - Operations

STREET ADDRESS

Unit/street no.: 386
Street name: Leard Forest Road

Suburb or town: Boggabri
State: NSW
Postcode: 2382

POSTAL ADDRESS (or mark 'as above')

GPO Box 1127

Suburb or town: Brisbane
State: QLD
Postcode: 4001

Daytime telephone: (07) 3222 5600
Fax: (07) 3222 5665
Mobile:

Email: ken.mclaren@boggabricoal.com.au

3. Identify the land

STREET ADDRESS (where relevant)

Unit/street no.

Street or property name

Suburb, town or locality

Postcode

Local government area(s)

State Electorate(s)

REAL PROPERTY DESCRIPTION

See attachment 1

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 09_0182 was granted on 18 July 2012 for the continuation of current mining activities as allowed for in DA 36/88, to allow for increased production to 7 million tonnes per annum,with an increased disturbance area for a further 21 years, as detailed in Boggabri Coal Mine Environmental Assessment (Dec 2010),and subsequent Boggabri Coal Mine Residuals Matters reports dated June and July 2011.

What was the original project application no.?	What was the date of the approval?	What was the original application fee?
09_0182	18 July 2012	

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

Emergency transport of coal by road to the Whitehaven Coal Handling and Processing Plant on the outskirts of Gunnedah until such time that the damaged Werris Creek Mungindi Railway has been repaired and rail transport of coal can recommence.

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).

$0

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) 0 Operational jobs (FTE) 0

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	Land
Signature	Signature
Name	Name
Date	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

GM OPERATIONS.

Name

KEN McLAREN

Name, if you are not the proponent

Date

7/12/12