

Request to modify a major project



NSW GOVERNMENT
Department of Planning

Date duly made: 8 / 8 / 12

Modification No. 10-0059 MOD2

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

Werris Creek Coal Pty Limited

ABN

69 107 169 103

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

Brian

Family name

Cullen

Position

General Manager, Technical Services

STREET ADDRESS

Unit/street no.

10409

Street name

Kamilaroi Highway

Suburb or town

GUNNEDAH

State

NSW

Postcode

2380

POSTAL ADDRESS (or mark 'as above')

PO Box 600

Suburb or town

GUNNEDAH

State

NSW

Postcode

2380

Daytime telephone

02 67424337

Fax

02 67423607

Mobile

0418200512

Email

bcullen@whitehavencoal.com.au

3. Identify the land

STREET ADDRESS (where relevant)

Unit/street no.

1435

Street or property name

Werris Creek Road

Suburb, town or locality

WERRIS CREEK NSW

Postcode

2341

Local government area(s)

Liverpool Plains Shire
Council

State Electorate(s)

Tamworth

REAL PROPERTY DESCRIPTION

See Schedule of land attached.

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

Production of up to 2.5mtpa of ROM Coal

Increase in hours of operation to 24hrs/day 7 days/week

Northerly extension of open cut mining and associated activities

Relocation of, and modification to infrastructure including construction of turn around rail loop, relocation of crushing and screening facilities, construction of a new entrance and access road, construction of a new void water dam to the north, relocation of explosives magazine

Rehabilitation of the final landform

What was the original project application no.?

10_0059

What was the date of the approval?

25th October 2011

What was the original application fee?

\$78,511.00

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

The approved northern void water dam will no longer be constructed, in preference for the extension of the existing Void Water Dam 1 at the southern end of the project site. The extension of this dam will necessitate a minor alteration to the approved Biodiversity offset area. The approved size of the offset will be maintained, with the approved boundary subject to minor adjustment.

In addition it is proposed to vary the approved location of the explosives magazine. The

magazine will be located further to the south than originally proposed to avoid conflict with existing power-lines.

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).

\$400000

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)

1

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

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.

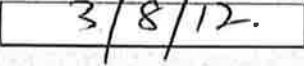
Signature



Name



Date



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

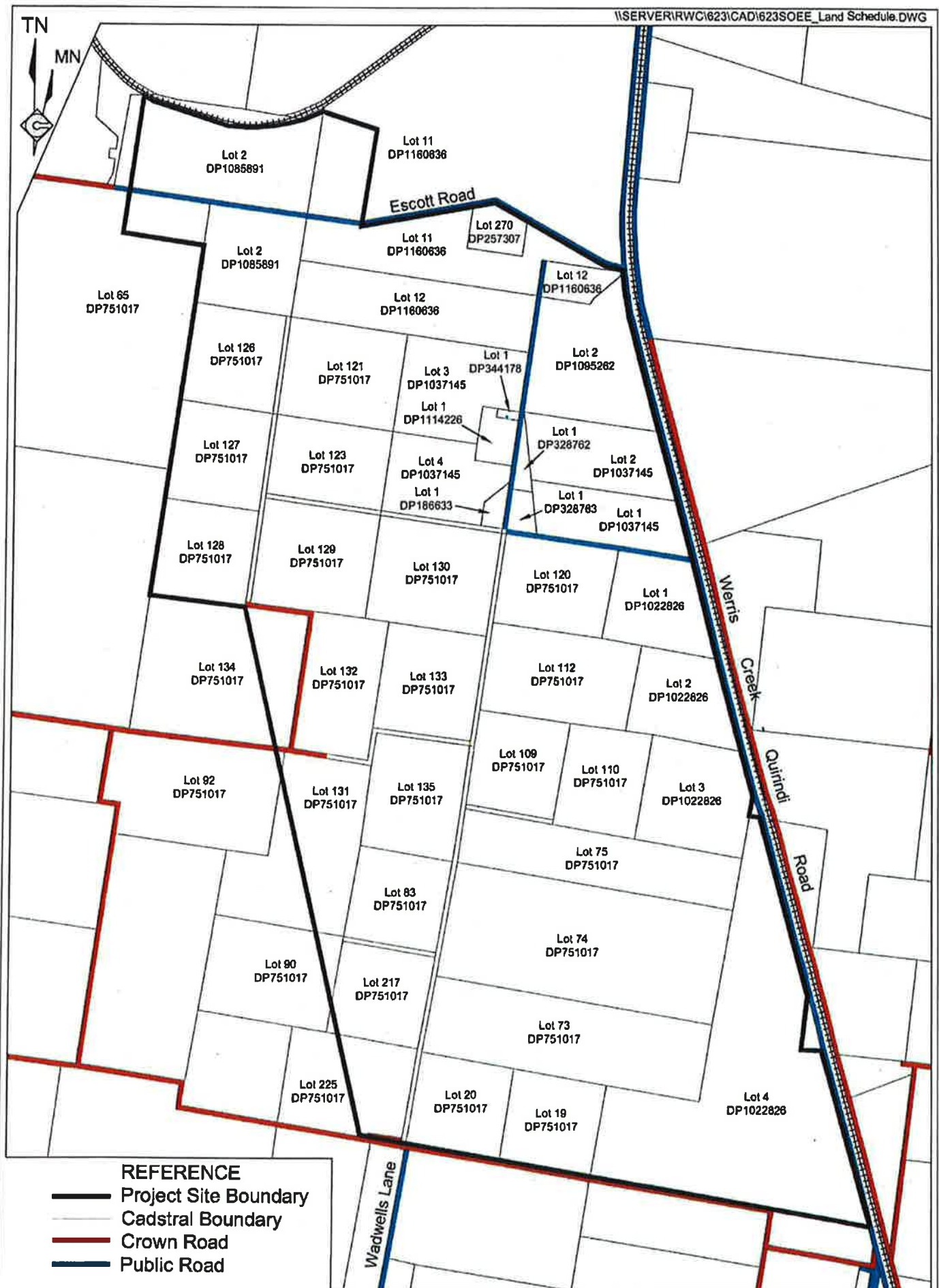
Name, if you are not the proponent

SCHEDULE OF LANDS









LOTS	DP
19-20, 65, 73-75, 83, 90, 92, 109-110, 112, 120-121, 123, 126-130, 131-135, 217, 225	751017
1-4	1022826
1-4	1037145
2	431951
1	186633
270	257307
2	1095262
1	344178
1	1114226
1	328762
1	328763
11-12	1160636
2	1085891
All Crown and Public Roads within the Project Boundary as shown on Figure Titled "Land Schedule"	

TN

MN



VEGETATION COMMUNITIES & CONDITION

-  Class 1 - Cleared Vegetation
-  Class 2 - White Box Grassy Woodland
-  Class 3a - White Box Grassy Woodland
-  Class 3b - White Box Grassy Woodland
-  Class 4 - White Box Grassy Woodland
-  Class 3 - Plains Grassland
-  Class 4 - Tumbledown Gum Shrubby Open Forest
-  Class 4 - Yellow Box Grassy Woodland

Greenslopes BOA
Tumbledown Gum Shrubby Open Forest:
-Class 4 - 27.32 Ha
White Box Grassy Woodland:
-Class 4 - 51.49 Ha
-Class 3a - 44.98 Ha

GREENSLOPES
BANJOOL
BOA

HILL VIEW
BOA

NOTE:
MARENGO
BOA Off Map

RAILWAY
VIEW
BOA

EXPLOSIVE
MAGAZINE
LOCATION
LOM EA
1.8 Ha

ALTERNATIVE
LOM
EXPLOSIVE
MAGAZINE
LOCATION
0.8 Ha

EURUNDEREE
BOA

MINE SITE
BOA

EXISTING
WVD1 DAM
2.7 Ha

PROPOSED WVD1
AUGMENTATION
AREA FROM MINE
SITE BOA
6.0 Ha

Mine site BOA
Yellow Box Grassy Woodland:
-Class 4 - 8.5 Ha
White Box Grassy Woodland:
-Class 4 - 39.18 Ha
-Class 3a - 44.13 Ha
-Class 3b - 103.47 Ha
-Class 2 - 8.5 Ha
Plains Grassland:
-Class 3 - 0.73 Ha
Cleared:
-Class 1 - 16.99 Ha

DESIGN: AN	DATUM: AHD		
CHECKED: PUB	Red Ratio 1 @ A1 10 000 @ A3 1 20 000		
SURVEY: ---	Plot are issued A3		
		1. 06-08-12	ADDITIONAL NOTES: COLOUR & B&W PHOTO
		4. 02-08-12	FINAL ISSUE
		Rev	DATE
			REVISIONS

CAD FILE: E:\werris\werris Coal Pty Ltd\werris BOA\12\0001 Ecology BOA.dwg
PLOT FILE: E:\werris\werris Coal Pty Ltd\werris BOA\12\0001 Ecology BOA.dwg

Werris Creek Coal Pty Limited

PLAN SHOWING AMENDED WERRIS CREEK COAL
BIODIVERSITY OFFSET AREAS FOR
- PROPOSED WVD1 AUGMENTATION
- ALTERNATE LOM EXPLOSIVE MAGAZINE LOCATION

Sheet 1 (colour photo) of 2 Sheets



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