# State Significant Development Application

*Office use only* - Date received: ____/____/____ Reference no: _____

This application form is required to apply for the consent of the Minister to carry out State significant development under Part 4 of the *Environmental Planning & Assessment Act 1979*.

**You should not lodge this form unless you have previously submitted a Request for Director General's Requirements and been provided with Director General's Requirements.**

You must submit this form together with the development application fee and an Environmental Impact Statement:

In person at:
Information Centre
Department of Planning & Infrastructure
23-33 Bridge Street, Sydney

By mail to:
Executive Director, Major Projects Assessment
Department of Planning & Infrastructure
GPO Box 39, Sydney NSW 2000

To complete the form, please place a cross in the boxes ☐ and fill out the white sections.

This form must contain all relevant information required under Schedule 1 of the *Environmental Planning and Assessment Regulation 2000*, otherwise it may be rejected. Your application will also not be processed unless the fee is paid in full. The applicable fee should be confirmed with the Department prior to lodgement.

If your application is rejected, you will be advised within 14 days of lodgement. If the application and EIS are accepted, you will be contacted regarding exhibition arrangements. You may also be asked to submit further information on the application or EIS prior to exhibition.

Persons lodging applications are required to declare reportable political donations (including donations of $1,000 or more) made in the previous two years. For more details, go to **www.planning.nsw.gov.au/donations**.

## 1. Applicant details

**COMPANY/ORGANISATION/ AGENCY**: MT OWEN PTY LIMITED

ABN: 83 003 827 361

Mr ☒ Ms ☐ Mrs ☐ Dr ☐ Other ☐

First name: STEPHEN

Surname: HUBERT

**STREET ADDRESS**

Unit/street no.:

Street name: HEBDEN ROAD

Suburb or town: HEBDEN VIA SINGLETON

State: NSW

Suburb or town: 2330

**POSTAL ADDRESS (or write 'as above')**

PO BOX 320

Suburb or town: SINGLETON

State: NSW

Suburb or town: 2330

**CONTACT DETAILS**

Daytime telephone: 0429 700 650

Fax: 02 6576 1643

**CONTACT DETAILS**

Daytime telephone:

Email: Stephen.Hubert@glencore.com.au

## 2. Identify the land you propose to develop

**Fill out the relevant fields or attach a schedule of lands and a detailed map of the land.**

Site Name (Enter the common name for the site e.g. Liverpool Hospital, Drayton South Coal Mine etc.)

MT OWEN MINE

Street or Property Description

HEBDEN ROAD

| Suburb, town or locality | Postcode | Local government area |
|---|---|---|
| HEBDEN | 2330 | SINGLETON |

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.

SEE APPENDIX 2 OF ATTACHED ENVIRONMENTAL IMPACT STATEMENT

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 the Land & Property Management Authority for updated details.

OR: detailed description of land attached: ☐

## 3. Describe what you propose to do

**Briefly describe your proposal**

CONTINUATION OF OPERATIONS AT MT OWEN AND RAVENSWORTH EAST MINES, ALLOWING FOR EXTRACTION OF APPROXIMATELY AN ADDITIONAL 92 MILLION TONNES.

What is the capital investment value of the development? $151 MILLION

**If the development is State significant because it meets the capital investment value (CIV) criteria in a class of Schedule 1 or 2 of *State Environmental Planning Policy (State and Regional Development) 2011*, the supporting document must include a quantity surveyor's report confirming the CIV of the development.**

## 4. Staged development

**You can apply for development consent for only part of your proposal now, and for the remaining part(s) at a later stage.**

Are you applying for development consent in stages?

Yes ☐ ➢ Please attach

- information which describes the stages of your development
- a copy of any consents you already have for part of your development.

No ☒

## 5. Critical habitat and threatened species

Is the land, or part of the land, critical habitat?

Yes ☐ No ☒

Is the development likely to significantly affect threatened species, populations or ecological communities, or their habitats?

Yes ☒ No ☐ ➢

Is the development biodiversity compliant? (refer to Schedule 1, Part 1(2) of the *Environmental Planning and Assessment Regulation 2000*)

Yes ☐ ➢ Why is the development biodiversity compliant?

No ☒

## 6. Other approvals

**Would the development, but for section 89J of the EP&A Act, require any of the following (select all that apply)?**

- ☐ concurrence under Part 3 of the *Coastal Protection Act 1979* of the Minister administering that Part of that Act
- ☐ a permit under section 201, 205 or 219 of the *Fisheries Management Act 1994*
- ☐ an approval under Part 4, or an excavation permit under section 139, of the *Heritage Act 1977*
- ☒ an Aboriginal heritage impact permit under section 90 of the *National Parks and Wildlife Act 1974*
- ☐ an authorisation referred to in section 12 of the *Native Vegetation Act 2003* (or under any Act repealed by that Act) to clear native vegetation or State protected land
- ☐ a bush fire safety authority under section 100B of the *Rural Fires Act 1997*
- ☐ a water use approval under section 89, a water management work approval under section 90 or an activity approval under section 91 of the *water Management Act 2000*

**Do you require any of the following approvals in order to carry out the development (select all that apply)?**

- ☐ an aquaculture permit under section 144 of the *Fisheries Management Act 1994*
- ☐ an approval under section 15 of the *Mine Subsidence Compensation Act 1961*
- ☒ a mining lease under the *Mining Act 1992* (CONVERSION AL → ML)
- ☐ a petroleum production lease under the *Petroleum (Onshore) Act 1991*
- ☒ an environment protection licence under Chapter 3 of the *Protection of the Environment Operations Act 1997* (for any of the purposes referred to in section 43 of that Act) (VARIATION)
- ☒ a consent under section 138 of the *Roads Act 1993*
- ☐ a licence under the *Pipelines Act 1967*
- ☒ an aquifer interference approval under the *Water Management Act 2000*

**Consultation and concurrence**

- ☒ Would the development, but for Section 79B (2A) of the EP&A Act have required a concurrence under Section 79B of the Act, including a concurrence under the *Threatened Species Conservation Act 1995*?

## 7. Landowner's consent

**As the owner(s) of the above property, I/we consent to this application being made on our behalf by the applicant:**

| Signature | Signature |
|---|---|
| S. Hubert | |
| Name | Name |
| STEPHEN HUBERT | |
| Date | Date |
| 14/1/2015 | |

Note: The Department will not accept an application for State significant development without the signature of the owner of the land, unless the application does not require landowners consent under clause 49(2) of the *Environmental Planning and Assessment Regulation 2000*.

## 8. Political donation disclosure statement

**Have you attached a disclosure statement to this request?**

☒ Yes ☐ No

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

## 9. Applicant's signature

**The applicant, or the applicant's agent, must sign the application.**

| Signature | In what capacity are you signing if you are not the applicant |
|---|---|
| S. Hubert | |
| Name, if you are not the applicant | Date |
| STEPHEN HUBERT | 14/1/2015 |

## 10. Accompanying documents (to be included as part of EIS)

**Which of the following documents (as required under Clause 2 of Part 1 of Schedule 1 of the *Environmental Planning and Assessment Regulation* 2000) have been included in the EIS (select all that apply)?**

- ☐ a site plan of the land.
- ☐ a sketch of the development.
- ☐ an A4 plan of the building that indicates its height and external configuration, as erected, in relation to its site.
- ☒ an environmental impact statement.
- ☐ preliminary engineering drawings of the subdivision work to be carried out (if any).
- ☐ documentary evidence that any arrangements required by an environmental planning instrument to have been made before development consent may be granted have been made.

**If the development involves a change of use of a building (other than a dwelling house or a building or structure that is ancillary to a dwelling house and other than a temporary structure):**

- ☐ a list of the Category 1 fire safety provisions that currently apply to the existing building
- ☐ a list of the Category 1 fire safety provisions that are to apply to the building.

**If the development involves building work to alter, expand or rebuild an existing building**

- ☐ a scaled plan of the existing building.

**If the land is within a wilderness area and is the subject of a wilderness protection agreement or conservation agreement within the meaning of the *Wilderness Act 1987*:**

- ☐ a copy of the consent of the Minister for the Environment to the carrying out of the development.

**If the development is development to which clause 2A of Schedule 1 of the *Environmental Planning and Assessment Regulation 2000* applies:**

- ☐ a BASIX certificate(s) issued no earlier than 3 months before the application is made.
- ☐ such other documents as any BASIX certificate for the development requires to accompany the application.

**If the development is BASIX optional development and the development application is accompanied by a BASIX certificate(s):**

- ☐ such other documents as any BASIX certificate for the development requires to accompany the application.

**If the development involves the erection of a temporary structure:**

- ☐ documentation that specifies the live and dead loads the temporary structure is designed to meet.
- ☐ a list of any proposed fire safety measures to be provided in connection with the use of the temporary structure.
- ☐ in the case of a temporary structure proposed to be used as an entertainment venue, a statement as to how the performance requirements of Part B1 and NSW Part H102 of Volume One of the *Building Code of Australia* are to be complied with (if an alternative solution, to meet the performance requirements, is to be used).
- ☐ documentation describing any accredited building product of system sought to be relied on for the purposes of section 79C(4) of the *Environmental Planning and Assessment Act 1979*.
- ☐ copies of any compliance certificates to be relied on.

**If the development involves the use of a building as an entertainment venue or a function centre, pub, registered club or restaurant:**

- ☐ a statement that specifies the maximum number of persons proposed to occupy, at any one time, that part of the building to which the use applies.

**If the development is residential flat development to which State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development applies:**

- ☐ an explanation of the design in terms of the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development.
- ☐ drawings of the proposed development in the context of surrounding development, including the streetscape.
- ☐ development compliance with building heights, building height planes, setbacks and building envelope controls (if applicable) marked on plans, sections and elevations.
- ☐ drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed building or buildings and the surrounding development and is context.
- ☐ details of the existing and likely future contexts, if the built form of the surrounding area is changing.
- ☐ photomontages of the proposed development in the context of surrounding development.
- ☐ a sample board of the proposed materials and colours of the façade.
- ☐ detailed sections of proposed facades.
- ☐ a model that includes the context, if appropriate.