

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

Wilpinjong Coal Pty Ltd

ABN

87104594694

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

Keith

Family name

Downham

Position

General Manager

STREET ADDRESS

Unit/street no.

259

Street name

Queen Street

Suburb or town

Brisbane

State

QLD

Postcode

4000

POSTAL ADDRESS (or mark 'as above')

Locked Bag 2005

Suburb or town

Mudgee

State

NSW

Postcode

2850

Daytime telephone

6370 2500

Fax

6373 4575

Mobile

-

Email

-

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

Refer Appendix 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

Development and operation of an open cut coal mine producing up to 13 million tonnes per annum of run-of-mine coal for domestic electricity generation and export markets.

What was the original project application no.?

05-0021

What was the date of the approval?

1 February 2006

What was the original application fee?

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

Increase in the mining rate from 13 million tonnes per annum to 15 million tonnes per annum of run-of-mine coal and associated modifications to fixed and mobile plant.

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).

\$ TBA

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)

110

Operational jobs (FTE)

50

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

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

Name

Keith Downham

Name, if you are not the proponent

Date

17/05/10

**APPENDIX 1
SCHEDULE OF LAND**

Freehold Land

Property	Owner	Property	Owner
Lot 10 DP 703223	Cumbo Coal Pty. Ltd.	Lot 1 DP 727117	Cumbo Land Pty. Ltd.
Lot 123 DP 755425	Cumbo Coal Pty. Ltd.	Lot 100 DP 755454	Cumbo Land Pty. Ltd.
Lot 124 DP 755425	Cumbo Coal Pty. Ltd.	Lot 109 DP 755454	Cumbo Land Pty. Ltd.
Lot 2 DP 720305	Cumbo Coal Pty. Ltd.	Lot 110 DP 755454	Cumbo Land Pty. Ltd.
Lot 3 DP 583254	Cumbo Coal Pty. Ltd.	Lot 116 DP 755425	Cumbo Land Pty. Ltd.
Lot 3 DP 755425	Cumbo Coal Pty. Ltd.	Lot 12 DP 755425	Cumbo Land Pty. Ltd.
Lot 5 DP 703225	Cumbo Coal Pty. Ltd.	Lot 128 DP 755425	Cumbo Land Pty. Ltd.
Lot 90 DP 755425	Cumbo Coal Pty. Ltd.	Lot 13 DP 755425	Cumbo Land Pty. Ltd.
Lot 93 DP 755425	Cumbo Coal Pty. Ltd.	Lot 14 DP 755425	Cumbo Land Pty. Ltd.
Pt. Lot 237 DP 724588	Cumbo Coal Pty. Ltd.	Lot 142 DP 755425	Cumbo Land Pty. Ltd.
Lot 1 DP 724617	Cumbo Creek Pastoral	Lot 143 DP 755425	Cumbo Land Pty. Ltd.
Lot 1 DP 728756	Cumbo Creek Pastoral	Lot 144 DP 755425	Cumbo Land Pty. Ltd.
Lot 105 DP 755425	Cumbo Creek Pastoral	Lot 145 DP 755425	Cumbo Land Pty. Ltd.
Lot 11 DP 703223	Cumbo Creek Pastoral	Lot 146 DP 755425	Cumbo Land Pty. Ltd.
Lot 122 DP 755425	Cumbo Creek Pastoral	Lot 148 DP 755425	Cumbo Land Pty. Ltd.
Lot 125 DP 755425	Cumbo Creek Pastoral	Lot 149 DP 755425	Cumbo Land Pty. Ltd.
Lot 133 DP 755425	Cumbo Creek Pastoral	Lot 150 DP 755425	Cumbo Land Pty. Ltd.
Lot 134 DP 755425	Cumbo Creek Pastoral	Lot 151 DP 755425	Cumbo Land Pty. Ltd.
Lot 135 DP 755425	Cumbo Creek Pastoral	Lot 152 DP 755425	Cumbo Land Pty. Ltd.
Lot 136 DP 755425	Cumbo Creek Pastoral	Lot 153 DP 755425	Cumbo Land Pty. Ltd.
Lot 137 DP 755425	Cumbo Creek Pastoral	Lot 156 DP 755425	Cumbo Land Pty. Ltd.
Lot 138 DP 755425	Cumbo Creek Pastoral	Lot 157 DP 755425	Cumbo Land Pty. Ltd.
Lot 139 DP 755425	Cumbo Creek Pastoral	Lot 158 DP 755425	Cumbo Land Pty. Ltd.
Lot 140 DP 755425	Cumbo Creek Pastoral	Lot 160 DP 755425	Cumbo Land Pty. Ltd.
Lot 141 DP 755425	Cumbo Creek Pastoral	Lot 183 DP 755425	Cumbo Land Pty. Ltd.
Lot 161 DP 755425	Cumbo Creek Pastoral	Lot 184 DP 755425	Cumbo Land Pty. Ltd.
Lot 18 DP 755425	Cumbo Creek Pastoral	Lot 186 DP 755425	Cumbo Land Pty. Ltd.
Lot 25 DP 755425	Cumbo Creek Pastoral	Lot 187 DP 755425	Cumbo Land Pty. Ltd.
Lot 27 DP 755425	Cumbo Creek Pastoral	Lot 188 DP 755425	Cumbo Land Pty. Ltd.
Lot 35 DP 755425	Cumbo Creek Pastoral	Lot 194 DP 755425	Cumbo Land Pty. Ltd.
Lot 40 DP 755425	Cumbo Creek Pastoral	Lot 195 DP 755425	Cumbo Land Pty. Ltd.
Lot 50 DP 755425	Cumbo Creek Pastoral	Lot 196 DP 755425	Cumbo Land Pty. Ltd.
Lot 53 DP 755425	Cumbo Creek Pastoral	Lot 20 DP 755425	Cumbo Land Pty. Ltd.
Lot 54 DP 755425	Cumbo Creek Pastoral	Lot 31 DP 755454	Cumbo Land Pty. Ltd.
Lot 66 DP 654143	Cumbo Creek Pastoral	Lot 34 DP 755425	Cumbo Land Pty. Ltd.
Lot 71 DP 755425	Cumbo Creek Pastoral	Lot 35 DP 755454	Cumbo Land Pty. Ltd.
Lot 75 DP 755425	Cumbo Creek Pastoral	Lot 37 DP 755425	Cumbo Land Pty. Ltd.
Lot 76 DP 755425	Cumbo Creek Pastoral	Lot 41 DP 583255	Cumbo Land Pty. Ltd.
Lot 79 DP 755425	Cumbo Creek Pastoral	Lot 42 DP 583255	Cumbo Land Pty. Ltd.
Lot 9 DP 755425	Cumbo Creek Pastoral	Lot 43 DP 583255	Cumbo Land Pty. Ltd.
Lot 94 DP 755425	Cumbo Creek Pastoral	Lot 44 DP 583255	Cumbo Land Pty. Ltd.
Lot 95 DP 755425	Cumbo Creek Pastoral	Lot 44 DP 755425	Cumbo Land Pty. Ltd.
Pt. Lot 132 DP 755425	Cumbo Creek Pastoral	Lot 45 DP 755425	Cumbo Land Pty. Ltd.
Lot 1 DP 112124	Cumbo Land Pty. Ltd.	Lot 45 DP 755454	Cumbo Land Pty. Ltd.
Lot 1 DP 583254	Cumbo Land Pty. Ltd.	Lot 46 DP 755454	Cumbo Land Pty. Ltd.
Lot 49 DP 755425	Cumbo Land Pty. Ltd.	Lot 48 DP 755454	Cumbo Land Pty. Ltd.

Property	Owner	Property	Owner
Lot 49 DP 755454	Cumbo Land Pty. Ltd.	Lot 14 DP 755454	Cumbo Land Pty. Ltd.
Lot 55 DP 755425	Cumbo Land Pty. Ltd.	Lot 15 DP 755454	Cumbo Land Pty. Ltd.
Lot 56 DP 755425	Cumbo Land Pty. Ltd.	Lot 17 DP 755454	Cumbo Land Pty. Ltd.
Lot 57 DP 755425	Cumbo Land Pty. Ltd.	Lot 18 DP 755454	Cumbo Land Pty. Ltd.
Lot 57 DP 755455	Cumbo Land Pty. Ltd.	Lot 182 DP 755425	Cumbo Land Pty. Ltd.
Lot 59 DP 755425	Cumbo Land Pty. Ltd.	Lot 19 DP 755454	Cumbo Land Pty. Ltd.
Lot 70 DP 755425	Cumbo Land Pty. Ltd.	Lot 22 DP 755454	Cumbo Land Pty. Ltd.
Lot 72 DP 755454	Cumbo Land Pty. Ltd.	Lot 23 DP 755454	Cumbo Land Pty. Ltd.
Lot 83 DP 755425	Cumbo Land Pty. Ltd.	Lot 24 DP 755454	Cumbo Land Pty. Ltd.
Lot 95 DP 755455	Cumbo Land Pty. Ltd.	Lot 3 DP 755454	Cumbo Land Pty. Ltd.
Lot 96 DP 755455	Cumbo Land Pty. Ltd.	Lot 46 DP 755425	Cumbo Land Pty. Ltd.
Pt. Lot 1 DP 1078866	Cumbo Land Pty. Ltd.	Lot 47 DP 755454	Cumbo Land Pty. Ltd.
Pt. Lot 131 DP 755425	Cumbo Land Pty. Ltd.	Lot 5 DP 755454	Cumbo Land Pty. Ltd.
Pt. Lot 68 DP 755455	Cumbo Land Pty. Ltd.	Lot 52 DP 755425	Cumbo Land Pty. Ltd.
Pt. Lot 69 DP 755455	Cumbo Land Pty. Ltd.	Lot 58 DP 755425	Cumbo Land Pty. Ltd.
Pt. Lot 92 DP 755425	Cumbo Land Pty. Ltd.	Lot 6 DP 703225	Cumbo Land Pty. Ltd.
Lot 1 DP 703224	Cumbo Land Pty. Ltd.	Lot 6 DP 755454	Cumbo Land Pty. Ltd.
Lot 10 DP 755454	Cumbo Land Pty. Ltd.	Lot 78 DP 755425	Cumbo Land Pty. Ltd.
Lot 104 DP 755454	Cumbo Land Pty. Ltd.	Lot 80 DP 755425	Cumbo Land Pty. Ltd.
Lot 106 DP 755425	Cumbo Land Pty. Ltd.	Lot 87 DP 755425	Cumbo Land Pty. Ltd.
Lot 11 DP 755454	Cumbo Land Pty. Ltd.	Lot 88 DP 755425	Cumbo Land Pty. Ltd.
Lot 114 DP 42127	Cumbo Land Pty. Ltd.	Lot 9 DP 755454	Cumbo Land Pty. Ltd.
Lot 12 DP 703223	Cumbo Land Pty. Ltd.	Lot 1 DP 653565	M Bloom & R Beheil
Lot 12 DP 755454	Cumbo Land Pty. Ltd.	Pt. Lot 1 DP 755455	RWB & NJ & DB Reid
Lot 13 DP 703223	Cumbo Land Pty. Ltd.	Pt. Lot 52 DP 755454	Ulan Coal Mines Limited
Lot 13 DP 755454	Cumbo Land Pty. Ltd.	Pt. Lot 68 DP 755454	Ulan Coal Mines Limited

Crown Lands

Property	Owner
Lot 115 DP 42127	Crown Land
Lot 147 DP 755425	Crown Land
Lot 233 DP 723412	Crown Land
Lot 234 DP 723412	Crown Land
Lot 235 DP 723412	Crown Land
Lot 77 DP 755425	Crown Land
Lot 84 DP 755425	Crown Land
Lot 91 DP 755425	Crown Land
Lot 97 DP 755425	Crown Land

Other Lands

Crown Roads, Council Roads and property under the control of the State Rail Authority have been identified and are shown on the attached plan (00567A).