

Request to modify a major project



NSW GOVERNMENT
Department of Planning

Date duly made: 2/10/09

Modification No. 06_0014 mod 3

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

Xstrata Mangoola Pty Ltd

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

Scott

Family name

Elliott

Position

Senior Project Manager

STREET ADDRESS

Unit/street no.

Street name

3rd Floor 160 Bridge St

Suburb or town

Muswellbrook

State

NSW

Postcode

2333

POSTAL ADDRESS (or mark 'as above')

PO Box 495

Suburb or town

Muswellbrook

State

NSW

Postcode

2333

Daytime telephone

02 6542 6600

Fax

02 6543 4318

Mobile

Email

sellott@xstratacoal.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

Refer to Section 1.3 of report

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

Construction and operation of a new open cut coal mine and associated infrastructure including:

extraction of approximately 10.5 million tonnes of coal a year for 21 years;
a coal handling and preparation plant capable of processing up to 10.5 million tonnes of coal a year;
rail and train loading infrastructure;
transportation of product coal to market via rail; and
rehabilitation and revegetation of the site.

What was the original project application no.?

06_0014

What was the date of the approval?

07/06/2007

What was the original application fee?

\$282,481.50

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 relocation of the MIA to a location approximately 1km north-north-east of the approved location;

Changes within the approved CHPP area, including:

Change in orientation of the CCHPP building from North East – South West to North West – South East;

Change in the position of the ROM stockpile pad to approximately 100 m to the south;
and

An increase in the height of the reject bin from the approved height of between 210 and 215 metres RL to an approximate height of 218 RL.

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).

\$N/A

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)

As per EA

Operational jobs (FTE)

as per EA

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

SCOTT ELLIOTT

Name, if you are not the proponent

Date

28.9.09