

Request to modify a major project



NSW GOVERNMENT
Department of Planning

Date duly made: 18/5/2010

Modification No. 06-0261 MOD 2

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

Coal & Allied Operations Pty Ltd

ABN

16000023656

☐ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

Anthony

Family name

Russo

Position

Manager Project Approvals

STREET ADDRESS

Unit/street no.

1011

Street name

Lemington Road

Suburb or town

Lemington

State

NSW

Postcode

2330

POSTAL ADDRESS (or mark 'as above')

PO Box 315

Suburb or town

Singleton

State

NSW

Postcode

2330

Daytime telephone

(07) 3029 1448

Fax

Mobile

0429 480 163

Email

anthony.russo@rtca.riotinto.com.au

3. Identify the land

STREET ADDRESS (where relevant)

Unit/street no.

Street or property name

Hunter Valley Operations

Suburb, town or locality

Lemington

Postcode

2330

Local government area(s)

Singleton

State Electorate(s)

REAL PROPERTY DESCRIPTION

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

Consolidation of existing consents, infrastructure upgrades, modifications and extension to mining at HVO South. The project involves:

- consolidation of 25 existing consents to allow production and processing of up to 16 million tonnes of coal across the HVO South complex;
- extending Cheshunt, Riverview and South Lemington Pits;
- transport of coal, overburden, tailings and rejects between HVO South and HVO North;
- transport of coal via haul trucks or conveyor to the Wambo rail spur, or alternatively construction of a new rail spur, and transport of coal to market via rail;
- relocation of the Hunter Valley Gliding Club and Camleroi Road; and rehabilitation and revegetation of the site.

What was the original project application no.?

06_0261

What was the date of the approval?

24/03/2009

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

The modification proposed is to reallocate the Archerfield Property provided as a "Biodiversity Enhancement Area" to offset impacts caused by the clearing native remnants (48ha) and regrowth (92ha) for the HVO South Coal Project to an alternative site within the Goulburn River Biodiversity Area adjacent to the Goulburn River National Park west of Merriwa.

The modification proposed would allow the Archerfield Property to be used as part of the Northern Biodiversity Offset Area described in the Proposed Warkworth Extension.

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) 0.01

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

Subject to clause 8F

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

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Have you attached a disclosure statement to this request?

☒ Yes

☐ No

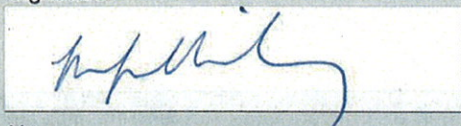
Note: For more details about political donations disclosure requirements, including a disclosure form, go to www.planning.nsw.gov.au/donations.

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

Matthew Halliday

Date

18 May 2010

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

Director, Coal + Allied Operations Pty Limited

Name, if you are not the proponent



Figure 2: Amended Project Application Area

