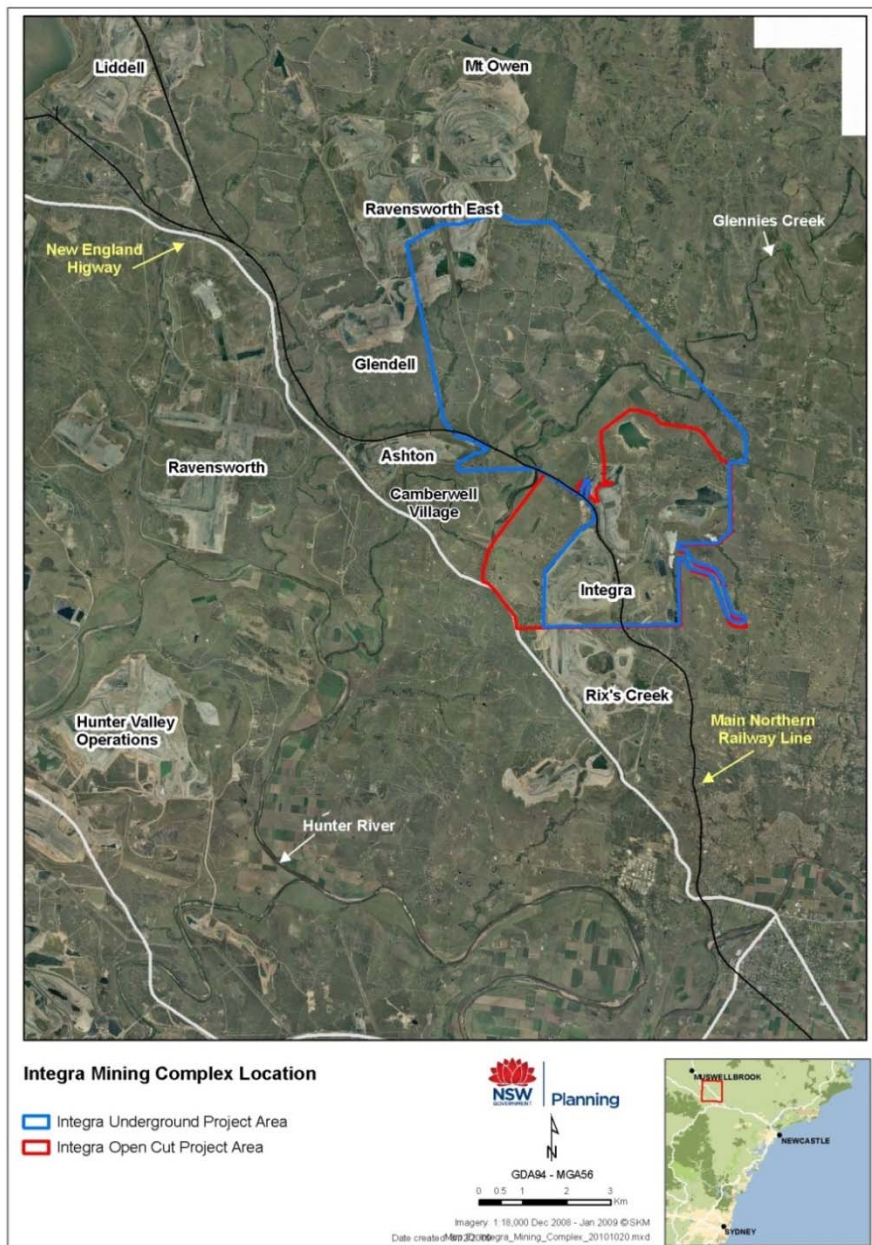


## Integra Underground Project Project Layout Modification (MP 08\_0101 MOD 6)

### Environmental Assessment Report Section 75W of the *Environmental Planning and Assessment Act 1979*

#### 1. BACKGROUND

The Integra Underground Project is located 10 kilometres northwest of Singleton in the Hunter Valley, within the Singleton local government area (see **Figure 1**). The underground mine has been operating since 1990.



**Figure 1: Locality Map**

On 26 November 2010, the then Minister granted consent for both the Integra Underground Project (MP 08\_0101) and the Integra Open Cut Project (MP 08\_0102) under a single consolidated instrument, replacing previous consents and approvals for what was at that time an integrated mining complex.

In December 2015, Bloomfield Collieries Pty Ltd (Bloomfield) acquired the Integra Open Cut Project from HV Coking Coal Pty Ltd (HVCC), a subsidiary of Glencore. This acquisition effectively separated the previous mining complex into two autonomous operations. The Integra Open Cut Project is now owned and operated by Bloomfield, in conjunction with the adjacent Rix's Creek Coal Mine, under the new project title "Rix's Creek North". The Integra Underground Project has been retained by HVCC.

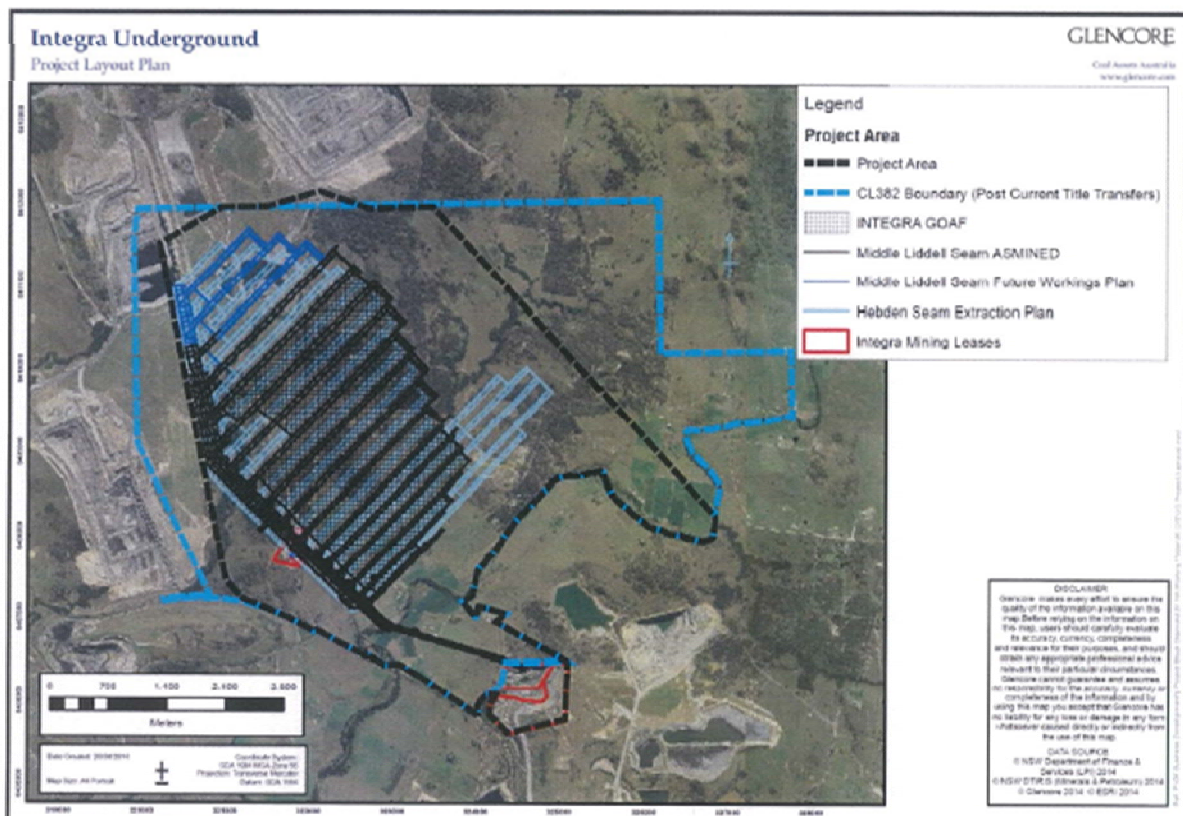
The consolidated approval was subsequently modified on 23 August 2016 by the Planning Assessment Commission, as delegate for the Minister. The purpose of this modification (Modification 5) was to divide the consolidated instrument into separate project approvals for the underground and open cut operations.

The modified project approval (MP 08\_0101) for the Integra Underground Project issued in August 2016 included an amended project layout plan (see **Figure 2**). This amended plan included adjustments to project boundaries following the Bloomfield acquisition, and attempted to consolidate the two previously approved underground mining plans into a single plan.

## 2. PROPOSED MODIFICATION

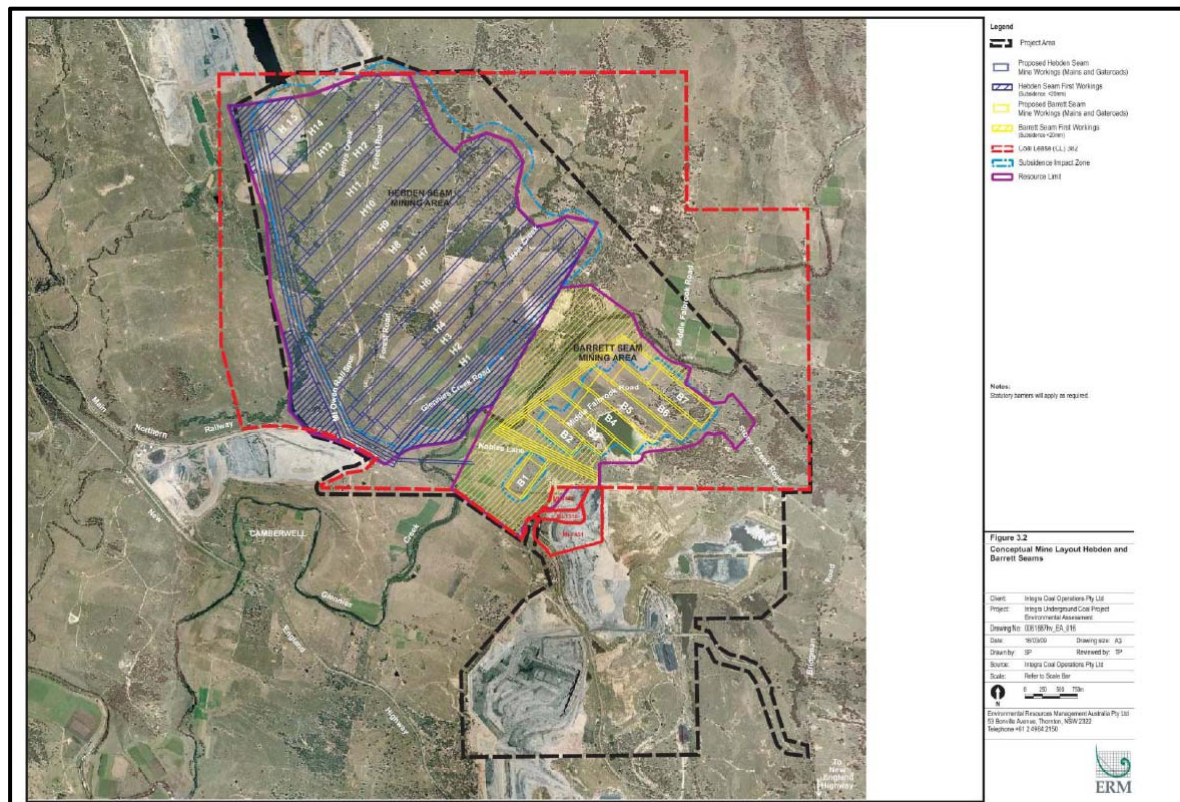
Since the determination of Modification 5, it has become apparent that the modified layout plan was, in fact, not an accurate representation of the previously approved mining plans (see **Figures 3 and 4**). In particular, the plan in **Figure 2** substantially alters the length of longwalls within the Hebden Seam, and omits approved mine workings within the Barrett Seam.

HVCC submits that this was an administrative error, and that Modification 5 was not intended to alter the previously approved mine plans. Consequently, HVCC is now seeking to replace the modified approval's project layout plan with two revised plans more closely resembling the previously approved plans (see **Figures 5 and 6**).

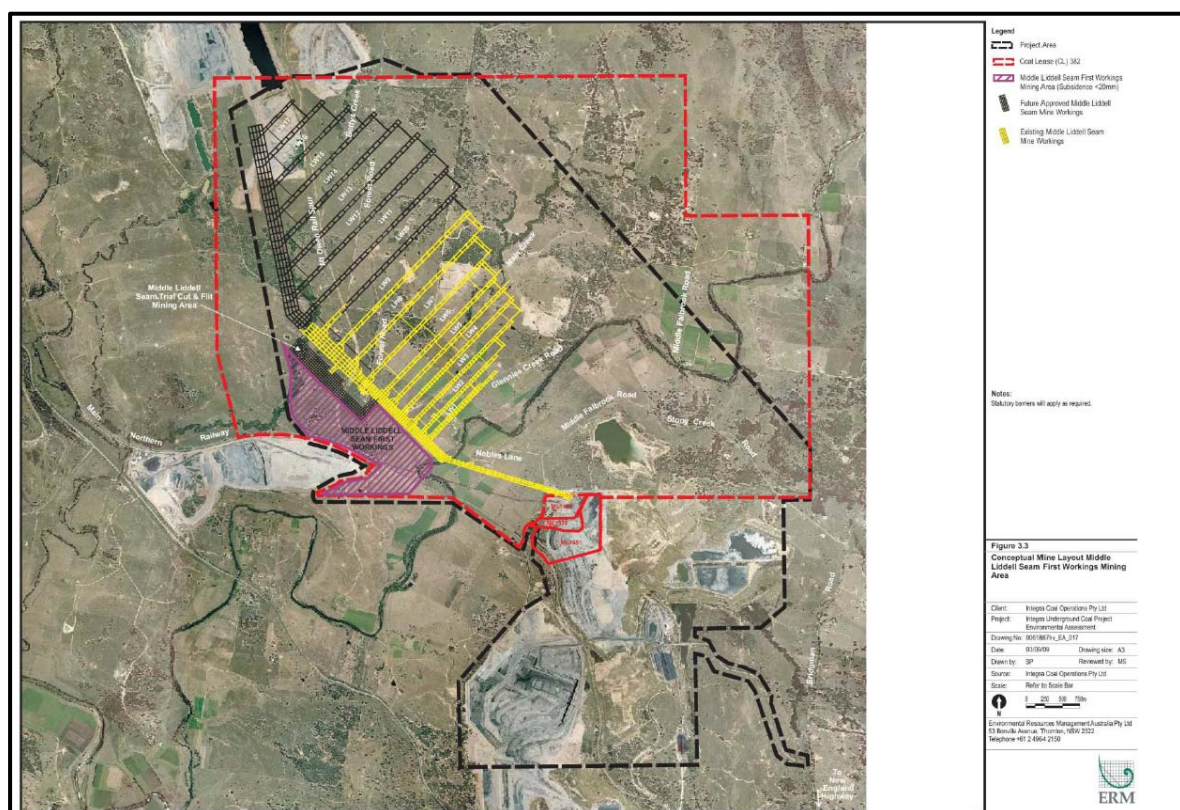


**Figure 2: Currently Approved Site Layout Plan (Modification 5)**





**Figure 3: Previously Approved Site Layout Plan (Hebden and Barrett Seam Areas)**



**Figure 4: Previously Approved Site Layout Plan (Middle Liddell Seam Area)**



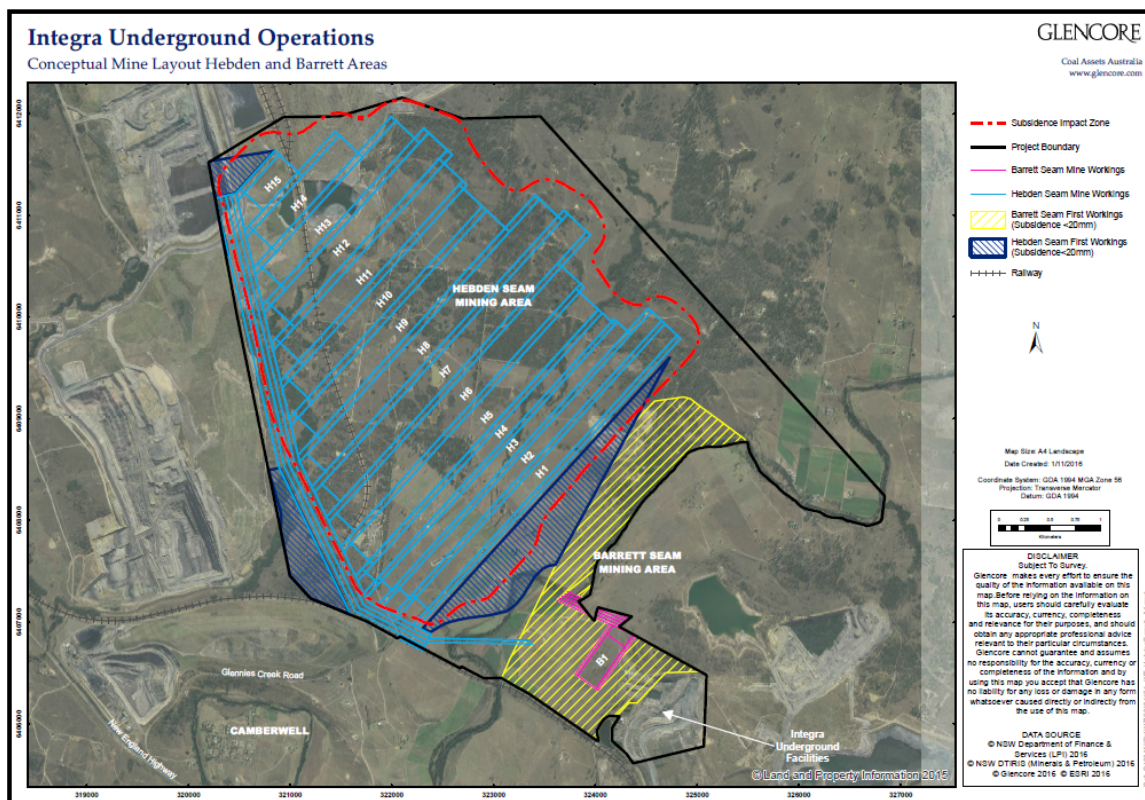


Figure 5: Proposed Site Layout Plan (Hebden and Barrett Seam Areas)

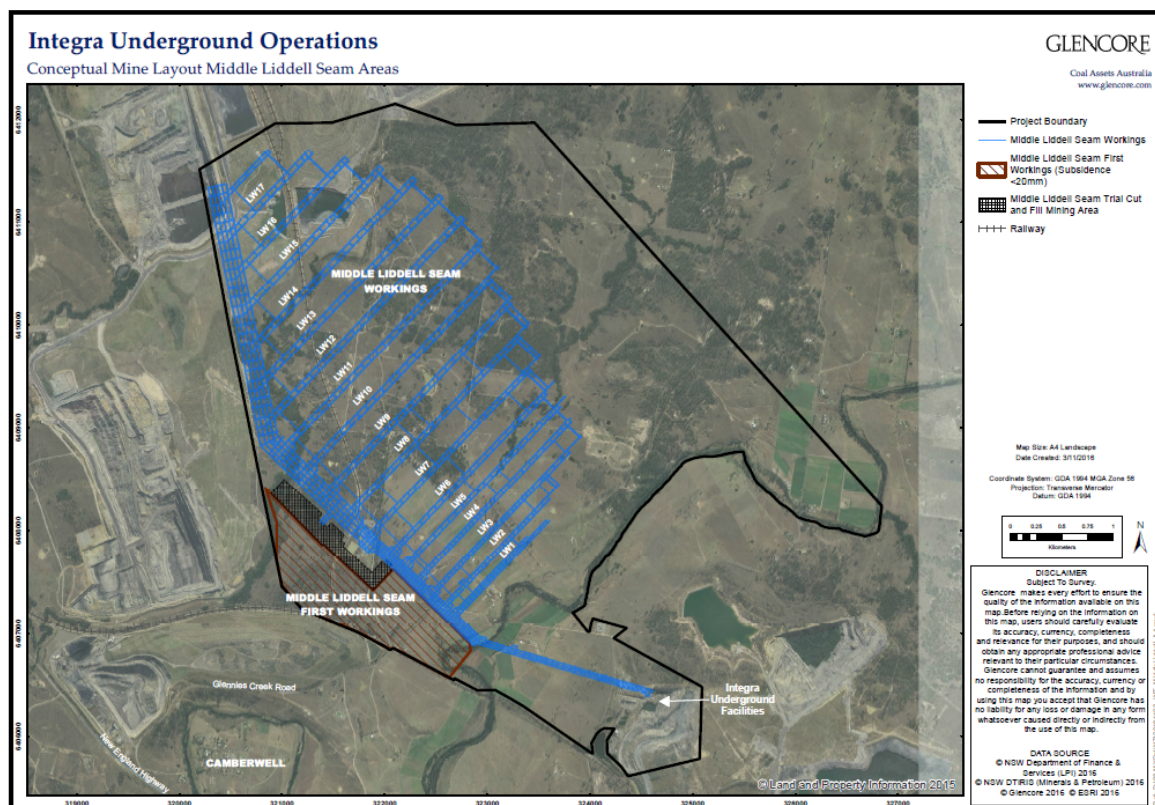


Figure 6: Proposed Site Layout Plan (Middle Liddell Seam Area)

### 3. STATUTORY CONTEXT

#### 3.1 Section 75W

The Integra Underground Project was approved under the now repealed Part 3A of the *Environmental Planning & Assessment Act 1979* (EP&A Act). The project remains a 'transitional Part 3A project' under Schedule 6A of the EP&A Act and the modification must be determined under the former section 75W of the Act.

The proposed modification is of a minor administrative nature. Consequently, the Department is satisfied that the proposed modification is within the scope of section 75W, and may be determined accordingly.

#### 3.2 Approval Authority

The Minister for Planning is the approval authority for the application. However, the Planning Assessment Commission must determine the application under the Minister's delegations of 14 September 2011 and 16 February 2015 as HVCC has declared reportable political donations by a related company, Glencore Australia Holdings Pty Ltd.

#### 3.3 Environmental Planning Instruments

A number of environmental planning instruments apply to the modification, including:

- *State Environmental Planning Policy (SEPP) (Mining, Petroleum Production and Extractive Industries) 2007*;
- *SEPP (Infrastructure) 2007*;
- *SEPP (State and Regional Development) 2011*;
- *SEPP No. 33 – Hazardous and Offensive Development*;
- *SEPP No. 44 – Koala Habitat Protection*;
- *SEPP No. 55 – Remediation of Land*; and
- *Singleton Local Environmental Plan 2013*.

The Department has assessed the proposed modification against the relevant provisions of these instruments. Based on this assessment, the Department is satisfied that the proposed modification can be carried out in a manner that is consistent with the aims, objectives and provisions of these instruments.

### 4. CONSULTATION

Due to the administrative nature of the proposed modification, the Department considered that public exhibition was not required. However, the application was placed on the Department's website. No submissions have been received.

### 5. ASSESSMENT

The Department has assessed the merits of the proposed modification in accordance with the relevant objects and requirements of the EP&A Act. In assessing these merits, the Department has considered the:

- Environmental Assessment (EA) for the original project application;
- conditions of approval for the original project application, as amended by subsequent modifications;
- the modification application (MOD 6); and
- relevant environmental planning instruments, policies and guidelines.

The Department is satisfied that the proposed modification is of an administrative nature, and would have no identifiable environmental impacts.

The modified layout plans in **Figures 5** and **6** are consistent with the previously approved project layout plans (see **Figures 3** and **4**) which formed part of the project approval prior to the determination of Modification 5. The modified plans also reflect the current project boundary, which was approved as part of Modification 5. As such, the proposed layout has already been subject to detailed assessment in accordance with the requirements of the EP&A Act.

Moreover, following a review of the Modification 5 EA, and the Department's Assessment Report, it is clear that Modification 5 was not intended to in any way alter the layout of approved mine workings.

The Department is therefore satisfied that the project layout plan was put forward by HVCC and included in the MOD 5 Notice of Modification in error, and should be modified as proposed.

## 6. RECOMMENDED CONDITIONS

The Department has drafted a recommended Notice of Modification (see **Appendix B**) and a consolidated version of the consent as it is proposed to be modified (see **Appendix C**). The Department considers that the environmental impacts of the project can otherwise continue to be managed through the existing conditions of consent.

However, the Department has taken the opportunity to make some minor administrative changes to update the existing conditions, and reflect the Department's current drafting standards.

HVCC has considered a copy of the recommended conditions and has not raised any objections.

## 7. CONCLUSION

The Department has assessed the merits of the proposed modification in accordance with the requirements of the EP&A Act. This assessment has concluded that the recently approved project layout plan can be amended without any adverse environmental impacts. The proposed modification would simply correct a previous administrative error. The Department is therefore satisfied that the proposed modification is in the public interest and is approvable, subject to conditions.

## 8. RECOMMENDATION

It is recommended that the Planning Assessment Commission, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report, noting that the Department considers that the modification is approvable, subject to conditions;
- **determines** that the proponent's request is a modification under section 75W of the EP&A Act; and
- if the Commission determines to modify the approval, **signs** the attached Notice of Modification (**Appendix B**).



Howard Reed  
Director  
Resource Assessments

13.12.16



Oliver Holm  
Executive Director  
Resource Assessments and Compliance

## **APPENDIX A – ENVIRONMENTAL ASSESSMENT**

Refer to the Department's website:

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=8069](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8069)

## **APPENDIX B – NOTICE OF MODIFICATION**



## **APPENDIX C – CONSOLIDATED PROJECT APPROVAL**