

Notice of decision

Lidsdale Siding Coal Loader – Modification 1

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development modification
Application number and project name	08_0223 MOD 1 - Lidsdale Siding Coal Loader Modification 1
Applicant	Ivanhoe Coal Pty Limited
Consent Authority	Minister for Planning and Public Spaces

Decision

The Director – Resource Assessments, under delegation from the Minister for Planning and Public Spaces has, under section 4.55(2) of the *Environmental Planning and Assessment Act 1979* (**the Act**), modified the consent subject to the recommended conditions.

The instrument of modification and conditions and the Department of Planning, Industry and Environment's (Department's) Assessment Report are available at <https://www.planningportal.nsw.gov.au/major-projects/project/14771>.

Date of decision

23 August 2019

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the reasons given by the consent authority for the grant of the original consent;
- the objects of the Act;
- all information submitted with the modification application during the assessment and information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report;
- the submissions made concerning the modification; and
- the views of the community about the project, which includes one submission in support and no objections.

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The decision maker was satisfied that the development to which the consent as modified relates is substantially the same development as the development authorised by the consent.

The key reasons for granting the modification are as follows:

- the modification would provide an alternative coal supply to the Mount Piper Power Station in the short to medium term;
- the modification is permissible with consent, and is consistent with NSW Government policies;
- the impacts to the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards;
- the Department exhibited the modification application from 10 to 23 July 2019 (14 days) and received no objections; and
- weighing all relevant considerations, the modification is in the public interest.