

Request to modify a major project



NSW GOVERNMENT
Department of Planning

Date duly made: 18, 5, 10

Modification No. DA29/95 MOD 84

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	
Austar Coal Mine Pty Ltd		67111910822	
<input checked="" type="checkbox"/> Mr <input type="checkbox"/> Ms <input type="checkbox"/> Mrs <input type="checkbox"/> Dr <input type="checkbox"/> Other			
First name		Family name	
Adrian		Moodie	
Position			
Technical Services Manager			
STREET ADDRESS			
Unit/street no.		Street name	
		Middle Road	
Suburb or town		State	Postcode
Paxton		NSW	2325
POSTAL ADDRESS (or mark 'as above')			
Locked Bag 806			
Suburb or town		State	Postcode
Cessnock		NSW	2325
Daytime telephone	Fax	Mobile	
0249937200	0249937302		
Email			
amoodie@austarcoalmine.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

See Figure 3

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

- Coal extraction from the Greta Seam using a conventional retreat longwall extraction method to a height of up to 4.5 metres in the area shown in Figure 2
- Extraction of up to 3 million tonnes per annum of ROM coal
- Continued use of the existing infrastructure of the Austar Mine Complex (Figure 1) including the Ellalong Drift and associated infrastructure, Pelton Coal Handling and Preparation Plant and the Austar Railway Line
- Road transport of up to 60,000 tonnes of product coal per annum
- Reject emplacement at Pelton Open Cut, Aberdare Reject Emplacement Area (Figure 1) and other areas set out in the EIS

What was the original project application no.?

DA 29/95

What was the date of the approval?

14/02/1996

What was the original application fee?

\$9874

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

Austar seeks a modification to DA 29/95 to:

- increase the maximum allowable extraction height of coal within the area to be mined by Longwall A5a (see Figure 3) from 4.5 metres to 6.5 metres; and
- undertake coal extraction in Longwall A5a using Longwall Top Coal Caving technology.

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).

\$4.9M

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)

270
continued
employment
for current
Austar
employees

Operational jobs (FTE)

270

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



Name

Adrian Moodie

Date

5/5/2010

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

Name, if you are not the proponent