

Application to modify a development consent



Date received: ___/___/___ DA modification no: _____

You can use this form to apply to modify a development consent given by the Minister of Infrastructure, Planning and Natural Resources. If the changes you propose mean the development will not be substantially the same as that originally approved, please do not use this form. You will need to submit a new development application.

To complete this form, please place a cross in the boxes and fill out the white sections as appropriate. To minimise delay in receiving a decision about your application, please ensure you submit all relevant information to us. When your application has been assessed, you will receive a notice of determination.

1. Details of the applicant

NAME

Mr Ms Mrs Dr

Other

First name

Fellowes

Family name

Matthew

Company/organisation

Austar Coal Mine Pty Ltd

ABN

6711191082

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STREET ADDRESS

Unit/street no.

Street name

Middle Road

Suburb or town

Paxton

State

NSW

Postcode

2325

POSTAL ADDRESS (or mark 'as above')

Locked Bag 806

Suburb or town

Cessnock

State

NSW

Postcode

2325

CONTACT DETAILS

Daytime telephone

0249937200

Fax

02 49937302

Mobile

Email

mfellowes@austarcoalmine.com.au

2. Identify the land

Unit/street no. (or lot no. for Kosciuszko ski resorts)

Street or property name

Suburb, town or locality

Postcode

Local government area

Lot/DP or Lot/Section/DP or Lot/Strata no. ⁽¹⁾⁽²⁾

Please ensure that you put a slash (/) between lot, section, DP and strata numbers. If you have more than one piece of land, you will need to separate them with a comma eg 123/579, 162/2.

See attached table

(1) Note: You can find the lot, section, DP or strata number on a map of the land or on the title documents for the land, if title was provided after 30 October 1983. If you have documents older than this, you will need to contact Department of Lands for updated details.

(2) Note: If the subject land is located within the Kosciuszko ski resorts area, DP and strata numbers do not apply.

3. Details of the original development consent

Describe what the original consent allows

Extension of mining into Bellbird south, production up to 3 Mtpa using retreat longwall mining between 3.5m and 4.5m in the Greta seam. Coal transported by u/g conveyor to surface, stockpiles, wash, transport product coal to Port of Newcastle by rail, and reject emplacement.

What is the development application no.?

N91/00241/004

What is the date of consent?

14/02/1996

What was the original estimated cost of development (including GST)?

Extension of an existing mine with revenue of \$90Mpa for 21 years

4. Describe the modification you propose to make

Please indicate the type of modification you propose to make by placing a cross in the appropriate box below.

You need to submit with your application form a full description of the expected impacts of the modifications proposed, including relevant plans, drawings and compliance with relevant controls.

- A modification to correct a minor error, misdescription or miscalculation

Describe the error, misdescription or miscalculation

(Refer to section 96(1) of the *Environmental Planning and Assessment 1979* (EP&A) Act)

- A modification that will have minimal environmental impact

Describe the modification and its expected impact
(Refer to section 96(1A) of the EP&A Act)

Use of longwall top coal caving system to extract up to 6.5m of Greta seam. Impacts assessed as substantially the same as approved mine. There will be no changes to the approved surface infrastructure, coal handling or transport systems.

- Any other modification

Describe the modification and its expected impact
(Refer to section 96(2) of the EP&A Act)

Will the modified development be substantially the same as the development that was originally approved?

- No Please submit a new development application.
- Yes Please provide evidence that the development will remain substantially the same. (If you need to attach additional pages, please list below the material attached).

Refer to Statement of Environmental Effects

If your proposal is within Kosciuszko ski resorts area, please attach a copy of the Interim Lease Variation Approval received from the National Parks and Wildlife Service to your application.

5. Number of jobs to be created

Please indicate the number of jobs this will create. This should be expressed as a proportion of full time jobs over a full year. (e.g. a person employed full-time for 6 months would equal 0.5 of a full-time equivalent job; six contractors working on and off over 2 weeks equate to 2 people working full-time for 2 weeks, which equals approximately 0.08 of an FTE job.)

Construction jobs (full-time equivalent)

N/A

Operation jobs (full-time equivalent)

Continued employment for 200 people and plans to increase to 270 at full production

6. Application fee

For development that involves a building or other work, the fee for your application is based on the estimated cost of the development.

Clause 258 of the Environmental Planning and Assessment Regulation 2000 and the table attached to that clause set out how to calculate the fee for an application for modification of a consent.

If your development needs to be advertised to the public you may also need to include an advertising fee. Clause 258 of the regulations includes details on these fees.

Note: Advertising fees attract GST, all other fees do not. Contact us if you need help to calculate the fee for your application.

Estimated cost of the development

\$8.5 million

Total fees lodged

\$4937.00

7. Signatures

The owner(s)* of the land being developed must sign the application.

If you are not the owner of the land, you must ask the owner(s) of the land to sign the application. If the land is Crown land, an officer of the Department of Infrastructure, Planning and Natural Resources (previously known as Department of Land and Water Conservation) must sign the application.

As the owner(s)* of the above property, I/we consent to this application:

Signature

Name

Date

Signature

Name

Date

* Note: For applications within the Kosciuszko ski resorts area, the approval of the lessee rather than owner is required.

The applicant, or the applicant's agent, must sign the application.

Signature

Name, if you are not the applicant

Date

In what capacity are you signing if you are not the applicant?

8. Privacy policy

The information you provide in this application will enable us, and any relevant state agency, to assess your application under the *Environmental Planning and Assessment Act 1979* and other applicable state legislation. If the information is not provided, your application may not be accepted. If your application is for designated development or advertised development, it will be available for public inspection and copying during a submission period. Written notification of the application will also be provided to the neighbourhood. You have the right to access and have corrected information provided in your application. Please ensure that the information is accurate and advise us of any changes

Table 1 Property Description

PROPERTY DESCRIPTION	LAND OWNER
Lot 42 DP850188	TM and VG Allan
Lot 30 DP849031	PD McGreevy & PFJ Malou
Lot 21 DP1052169	TA Duckworth
Lot 22 DP1052169	TA Duckworth
Lot 2 DP819222	TA Duckworth
Lot 1 DP819222	Bukan Main Pty Limited
Lot 102 DP255530	Bukan Main Pty Limited
Lot 103 DP255530	Bukan Main Pty Limited
Lot 100 DP25530	AS Morphett
Lot 101 DP25530	AS Morphett
Lot 104 DP25530	SJ & CL Duff
Lot 2 DP873717	AV Lansley
Lot 973 DP804896	MA Newton & CT Bradstreet
Lot 96 DP755254	BD Murray
Lot 1 DP873717	GL & K Walker
Lot 2 DP828916	FJ & N Muxlow