

30 April 2012

Director-General
C/- Major Projects Assessment
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Attention: Chris Wilson

**RE: NEWCASTLE COAL INFRASTRUCTURE GROUP (NCIG)
COAL EXPORT TERMINAL (CET) – RAIL FLYOVER MODIFICATION**

Please find enclosed Newcastle Coal Infrastructure Group (NCIG)'s application to modify the approved Coal Export Terminal (Project Approval 06_0009). This application has been submitted on-line.

The proposed rail flyover modification is minor in nature as described in the Environmental Assessment (EA) included with the enclosed application.

NCIG request that the Project Approval (06_0009) be modified under Section 75W of the *Environmental Planning and Assessment Act, 1979*, consistent with prior correspondence with the Department (dated 20 January 2012).

An electronic copy of the EA has also been uploaded to the NCIG website.

Please do not hesitate to contact me on 0418 116 153 if you have any queries.

Yours Faithfully



Brian Cole
Project Manager - Newcastle Coal Export Terminal

Request to modify a major project



NSW GOVERNMENT
Department of Planning

Date duly made: 2/7/12

Modification No. MP 06-0009 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		ABN	
Newcastle Coal Infrastructure Group Pty Ltd		111 228 221	
<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	
Brian		Cole	
Position			
NCIG Project Manager			
STREET ADDRESS			
Unit/street no.		Street name	
		Cnr Egret and Raven Streets	
Suburb or town		State	Postcode
Kooragang Island		NSW	2304
POSTAL ADDRESS (or mark 'as above')			
Locked Bag 6003			
Suburb or town		State	Postcode
HRMC		NSW	2310
Daytime telephone		Fax	Mobile
02 4915 4955		02 4915 4915	0418 116 153
Email			
bcole@ncig.com.au			

3. Identify the land

STREET ADDRESS (where relevant)

Unit/street no.

Street or property name

Cormorant Road

Suburb, town or locality

Kooragang

Postcode

2304

Local government area(s)

Newcastle

State Electorate(s)

Port Stephens

REAL PROPERTY DESCRIPTION

Refer Figure 5 in supporting Environmental Assessment.

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

Construction and operation of a Coal Export Terminal on Kooragang Island and associated infrastructure for the export of up to 66 million tonnes per annum of coal, including:

- * dredging of three berths in the South Arm of the Hunter River to construct a serviceable port for the export of coal;
- * reuse of dredged sands as preload and engineering fill for construction;
- * disposal of unsuitable dredged sediments at sea in accordance with relevant sea dumping permits;
- * construction of wharf facilities and ship loaders;
- * construction of a coal storage area including stockpiles, transfer stations, conveyors, stackers and reclaimers;
- * remediation works including capping of selected areas of the existing Kooragang Island waste facility for the development of a rail spur and rail loops;
- * construction of a rail spur and two rail loops, road/ rail overpass, unloading stations and connecting conveyors;
- * installation of power supply, reticulation and control systems;
- * development of access roads and internal roads;
- * development of water management infrastructure including site drainage works, collection ponds and stockpile spray system; and
- * construction of administration and workshop buildings.

What was the original project application no.?

06_0009

What was the date of the approval?

13 April 2007

What was the original application fee?

\$956,888

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 development

Describe the proposed modification

Rail Flyover Modification, including:

- * grade separation of the approved northern rail spur;
- * minor realignments of the Kooragang Island Main Line; and
- * other associated ancillary infrastructure.

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).

\$28 million

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)

50

Operational jobs (FTE)

Nil

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

To be provided separately

Land

Signature

Signature

Name

Name

Date

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

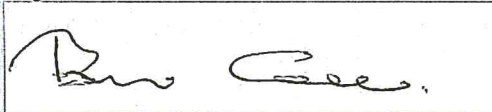
Note: For more details about political donations disclosure requirements, including a disclosure form, go to www.planning.nsw.gov.au/donations.

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



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

NCIG Project Manager

Name

Newcastle Coal
Infrastructure Group Pty Ltd

Name, if you are not the proponent

Brian Cole

Date

30 April 2012