

Appendix 2

Correspondence to the Department of Planning and Environment

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Secretary
Department of Planning and Environment
GPO 39
SYDNEY NSW 2001

Attention: Mr Oliver Holm

Dear Sir/Madam

Re: Amended Rocky Hill Coal Project – SSD 5156

Gloucester Resources Limited (**GRL**) is the applicant for the Rocky Hill Coal Project being the subject of State Significant Development Application SSD 5156 dated 13 December 2012 (**Rocky Hill DA**).

In June 2015, during the assessment period of the Rocky Hill DA, GRL submitted a request that the Department of Planning (**DPE**) place the assessment of the Rocky Hill DA on hold given GRL was in commercial negotiations with Yancoal Australia Limited (**Yancoal**) regarding the use of a range of the infrastructure at the nearby Stratford Mining Complex rather than constructing and operating this infrastructure specifically for the Rocky Hill Coal Project. Yancoal is the parent company of the Stratford Coal Pty Ltd, the owner of the Stratford Mining Complex.

A commercial agreement has since been reached between GRL and Yancoal whereby it is proposed that sized Run-of-Mine (**ROM**) coal would be transported from the Rocky Hill Mine Area to the Stratford Mining Complex via a private haul road and processed in the Stratford CHPP before being loaded onto rail for transportation to the Port of Newcastle.

In accordance with clause 55 of the *Environmental Planning and Assessment Regulation 2000* (**Regulation**), GRL applies to amend the Rocky Hill DA to reflect the commercial agreement reached between GRL and Yancoal.

In particular, in accordance with Schedule 1, Part 1 of the Regulation, GRL seeks to amend the Rocky Hill DA as follows:

- 1 The details for the applicant to be changed to Brian Clifford, Director and Chief Operating Officer of GRL who has replaced Grant Polwarth. Mr Clifford can be contacted at bclifford@amci.com.au;
- 2 The formal particulars of title, of the land on which the development is to be carried out is to be updated as per the **attached** Table A2.1 to remove the titles relating to the former overland conveyor corridor and rail load-out facility and add the titles relating to the private haul road;
- 3 The description of the development (as amended) is to be updated as follows: 'To develop and operate the Rocky Hill Coal Mine over a period of 21 years involving the mining of up to 2 million tonnes of run-of-mine (ROM) coal per year, sizing the ROM coal using an on-site rotary breaker and transportation of the sized ROM coal to the approved Stratford Mining Complex for washing, at, and dispatch from that facility,' and the Capital Investment Value (CIV) of the development is to be varied to \$90.3 million, collectively referred to as the **Amended Rocky Hill DA**.



An environmental impact statement has been prepared in relation to the Amended Rocky Hill DA. **Attached** are two hard copies and ten USBs of an Environmental Impact Statement relating to, and accompanying the Amended Rocky Hill DA (**EIS**) including supporting Specialist Consultant Studies Compendium.

Given the amendment of the Rocky Hill DA results in a change to the proposed development, the applicant must comply with clause 55(2) of the Regulation which states '*If an amendment or variation results in a change to the proposed development, the application to amend or vary the development application must have annexed to it written particulars sufficient to indicate the nature of the changed development*'. The particulars required by clause 55(2) are included in the attached EIS.

GRL seeks the Minister's agreement to amend the Rocky Hill DA under clause 55 of the Regulation as described in the attached EIS. Whilst it is GRL's view that exhibition of the Amended Rocky Hill DA and EIS is not required pursuant to section 89F(4) of the *Environmental Planning and Assessment Act 1979*, we do not object to the Amended Rocky Hill DA being exhibited pursuant to section 89F(1). Subject to the Minister's agreement, we would appreciate if you can proceed with the exhibition of the attached documents and the subsequent determination of the Amended Application.

If you have any questions regarding the supplied documentation, please don't hesitate to contact GRL's Environmental Manager, Bob Corbett or our lead consultant, Rob Corkery.

Yours sincerely

A handwritten signature in black ink, appearing to read 'B. Clifford'.

Brian Clifford
Director and Chief Operating Officer

4/8/16



**Table A2.1
Site Land Titles**

Mine Area	Private Haul Road	Power Line Corridors [#]
Lots 1 and 2 DP 868581	Lot 129 DP 979859	Northern Corridor
Lot 2 DP 234517	Lot 10 DP 1112778	Lots 10 & 11 DP 1191691
Lot 21 DP 1048749	Lot 911 DP 748573	Lot 891 DP 1134032
Lot 26 DP 1112877	Lots 1 & 3 DP 868581	Lot 1 DP 195431
Lot 129 DP 979859	Lot 3 DP 868501	Lot 2 DP 234517
Lot 222 DP 1061235	Lot 21 DP 1048749	Waukivory Road
Lot 251 DP 785579	Lot 293 DP 137520	
Lots 252 and 253 DP 785579	Lot 78 DP 979859	Southern Corridor
Lot 301 DP 864518	Fairbairns Road	Lot 20 DP1048749
Lots 302 to 304 DP 864518	Council Road Reserve	Lot 21 DP1048749
Lot 911 DP 748573		Fairbairns Road
Council Public Road and Road Reserves		
# External to the Mine Area		

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