



Record of Minister's opinion for the purposes of Clause 6(1) of State Environmental Planning Policy (Major Development) 2005

As the Minister for Planning, I have formed the opinion that the development described in the Schedule below is development of a kind that is described in Schedule 1, Group 8 of the *State Environmental Planning Policy (Major Development) 2005*, namely clause 22(1), development for the purpose of port facilities, shipping berths or terminal or wharf-side facilities that has a capital investment value of more than \$30 million, and is thus declared to be a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* applies for the purpose of section 75B of that Act.

Schedule

Development of a new coal terminal at Kooragang Island, within the Newcastle local government area, comprising of a rail loop, stockyard, conveyor system, shipping berths, coal loading infrastructure and facilities, as generally described in the document titled *The Terminal 4 Project, Preliminary Environmental Assessment Report*, dated November 2010, and prepared by EMGA/MitchellMcLennan.

The Hon Anthony Kelly MLC
Minister for Planning

Date: 20 DEC 2010