



EXCEL

Wilpinjong Coal Pty Limited
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Sydney NSW 2000

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Director-General of the Department of Planning
C/o - Office of Major Projects
23-33 Bridge St
Sydney NSW 2000

Attn: Mr David Kitto

9 September 2005

Dear Madam

Wilpinjong Coal Project

Application for project approval

Wilpinjong Coal Pty Ltd applies under section 75E of the *Environmental Planning and Assessment Act* 1979 (EP&A Act) for project approval for the Wilpinjong Coal Project.

Project description

The Wilpinjong Coal Project consists of the:

- Development and operation of an open cut coal mine to produce coal for domestic electricity generation and export markets;
- Selective highwall mining of the Ulan Coal Seam;
- A coal handling and preparation plant;
- Water management infrastructure including the relocation of Cumbo Creek;
- Water supply bores and associated pump and pipeline system;
- Placement of mine waste rock;
- Placement of tailings within a combination of out-of-pit and in-pit tailings storages;
- Development and rehabilitation of final mine landforms, and establishment of woodland vegetation in areas adjacent to the Project;
- A mine access road, temporary construction camp access road, internal access roads and haul roads;
- Closure of Wilpinjong Road and Burgullia Road;
- Re-alignment of two sections of Ulan-Wollar Road (including the relocation of two road-rail crossings);
- Relocation of the existing 11 kV electricity transmission line;
- An on-site temporary construction camp to accommodate up to 100 people during the construction phase;
- A rail spur and rail loop;
- Coal handling and train loading infrastructure; and
- Transportation of product coal to market via train.



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The proponent's details are as follows:

Wilpinjong Coal Pty Ltd
Level 9, 1 York Street
SYDNEY NSW 2000
PO Box H287
Australia Square
SYDNEY NSW 1215

Ph: 02 9247 2900
Fax: 02 9247 2099

Attached to this application is a schedule indicating the land to which this application relates.

Accreditation of Part 4 processes

The Wilpinjong Coal Project has already undergone various steps under Part 4 of the unamended EP&A Act including the preparation of an Environmental Impact Statement and the lodgement of a development application.

The proponent has withdrawn the Part 4 development application to ensure this long term project, if approved, is conducted in accordance with the planning regime appropriate to major projects.

The project the subject of this application is identical to the development the subject of the part 4 application. The environmental effects of the development have been assessed in the Environmental Impact Statement and the Environmental Impact Statement has been exhibited for public comment.

The proponent therefore requests the Director-General to exercise her discretion under clauses 8J(1), (2) and (3) of the *Environmental Planning and Assessment Regulation 2000* to:

- Adopt the Director-General's Requirements for the Project dated 10 June 2004 as the environmental assessment requirements for the Project.
- Accept the environmental impact statement (EIS) for the Project dated 20 May 2005 as an environmental assessment for the Project.
- Accept the period of public exhibition of the above EIS from June 2005 to July 2005 as a period of public availability of the environmental assessment for the Project.

If the Director-General exercises her discretion to accept the EIS as an environmental assessment for the Project, we request that the date of that acceptance be taken to be the date of the submission of the environmental assessment for the purpose of s75H of the EP&A Act.

Fee

An application for development consent has been previously lodged for this Project and was accompanied by the relevant fee. We request that this fee be taken to be the fee for the purpose of this application for project approval.

Yours faithfully
WILPINJONG COAL PTY LIMITED

Peter Doyle
Project Manager

**APPENDIX 1
SCHEDULE OF LAND**

Freehold Land

Property	Owner	Property	Owner
Lot 10 DP 703223	Cumbo Coal Pty. Ltd.	Lot 1 DP 727117	Cumbo Land Pty. Ltd.
Lot 123 DP 755425	Cumbo Coal Pty. Ltd.	Lot 100 DP 755454	Cumbo Land Pty. Ltd.
Lot 124 DP 755425	Cumbo Coal Pty. Ltd.	Lot 109 DP 755454	Cumbo Land Pty. Ltd.
Lot 2 DP 720305	Cumbo Coal Pty. Ltd.	Lot 110 DP 755454	Cumbo Land Pty. Ltd.
Lot 3 DP 583254	Cumbo Coal Pty. Ltd.	Lot 116 DP 755425	Cumbo Land Pty. Ltd.
Lot 3 DP 755425	Cumbo Coal Pty. Ltd.	Lot 12 DP 755425	Cumbo Land Pty. Ltd.
Lot 5 DP 703225	Cumbo Coal Pty. Ltd.	Lot 128 DP 755425	Cumbo Land Pty. Ltd.
Lot 90 DP 755425	Cumbo Coal Pty. Ltd.	Lot 13 DP 755425	Cumbo Land Pty. Ltd.
Lot 93 DP 755425	Cumbo Coal Pty. Ltd.	Lot 14 DP 755425	Cumbo Land Pty. Ltd.
Pt. Lot 237 DP 724588	Cumbo Coal Pty. Ltd.	Lot 142 DP 755425	Cumbo Land Pty. Ltd.
Lot 1 DP 724617	Cumbo Creek Pastoral	Lot 143 DP 755425	Cumbo Land Pty. Ltd.
Lot 1 DP 728756	Cumbo Creek Pastoral	Lot 144 DP 755425	Cumbo Land Pty. Ltd.
Lot 105 DP 755425	Cumbo Creek Pastoral	Lot 145 DP 755425	Cumbo Land Pty. Ltd.
Lot 11 DP 703223	Cumbo Creek Pastoral	Lot 146 DP 755425	Cumbo Land Pty. Ltd.
Lot 122 DP 755425	Cumbo Creek Pastoral	Lot 148 DP 755425	Cumbo Land Pty. Ltd.
Lot 125 DP 755425	Cumbo Creek Pastoral	Lot 149 DP 755425	Cumbo Land Pty. Ltd.
Lot 133 DP 755425	Cumbo Creek Pastoral	Lot 150 DP 755425	Cumbo Land Pty. Ltd.
Lot 134 DP 755425	Cumbo Creek Pastoral	Lot 151 DP 755425	Cumbo Land Pty. Ltd.
Lot 135 DP 755425	Cumbo Creek Pastoral	Lot 152 DP 755425	Cumbo Land Pty. Ltd.
Lot 136 DP 755425	Cumbo Creek Pastoral	Lot 153 DP 755425	Cumbo Land Pty. Ltd.
Lot 137 DP 755425	Cumbo Creek Pastoral	Lot 156 DP 755425	Cumbo Land Pty. Ltd.
Lot 138 DP 755425	Cumbo Creek Pastoral	Lot 157 DP 755425	Cumbo Land Pty. Ltd.
Lot 139 DP 755425	Cumbo Creek Pastoral	Lot 158 DP 755425	Cumbo Land Pty. Ltd.
Lot 140 DP 755425	Cumbo Creek Pastoral	Lot 160 DP 755425	Cumbo Land Pty. Ltd.
Lot 141 DP 755425	Cumbo Creek Pastoral	Lot 183 DP 755425	Cumbo Land Pty. Ltd.
Lot 161 DP 755425	Cumbo Creek Pastoral	Lot 184 DP 755425	Cumbo Land Pty. Ltd.
Lot 18 DP 755425	Cumbo Creek Pastoral	Lot 186 DP 755425	Cumbo Land Pty. Ltd.
Lot 25 DP 755425	Cumbo Creek Pastoral	Lot 187 DP 755425	Cumbo Land Pty. Ltd.
Lot 27 DP 755425	Cumbo Creek Pastoral	Lot 188 DP 755425	Cumbo Land Pty. Ltd.
Lot 35 DP 755425	Cumbo Creek Pastoral	Lot 194 DP 755425	Cumbo Land Pty. Ltd.
Lot 40 DP 755425	Cumbo Creek Pastoral	Lot 195 DP 755425	Cumbo Land Pty. Ltd.
Lot 50 DP 755425	Cumbo Creek Pastoral	Lot 196 DP 755425	Cumbo Land Pty. Ltd.
Lot 53 DP 755425	Cumbo Creek Pastoral	Lot 26 DP 755425	Cumbo Land Pty. Ltd.
Lot 54 DP 755425	Cumbo Creek Pastoral	Lot 31 DP 755454	Cumbo Land Pty. Ltd.
Lot 66 DP 654143	Cumbo Creek Pastoral	Lot 34 DP 755425	Cumbo Land Pty. Ltd.
Lot 71 DP 755425	Cumbo Creek Pastoral	Lot 35 DP 755454	Cumbo Land Pty. Ltd.
Lot 75 DP 755425	Cumbo Creek Pastoral	Lot 37 DP 755425	Cumbo Land Pty. Ltd.
Lot 76 DP 755425	Cumbo Creek Pastoral	Lot 41 DP 583255	Cumbo Land Pty. Ltd.
Lot 79 DP 755425	Cumbo Creek Pastoral	Lot 42 DP 583255	Cumbo Land Pty. Ltd.
Lot 9 DP 755425	Cumbo Creek Pastoral	Lot 43 DP 583255	Cumbo Land Pty. Ltd.
Lot 94 DP 755425	Cumbo Creek Pastoral	Lot 44 DP 583255	Cumbo Land Pty. Ltd.
Lot 95 DP 755425	Cumbo Creek Pastoral	Lot 44 DP 755425	Cumbo Land Pty. Ltd.
Pt. Lot 132 DP 755425	Cumbo Creek Pastoral	Lot 45 DP 755425	Cumbo Land Pty. Ltd.
Lot 1 DP 112124	Cumbo Land Pty. Ltd.	Lot 45 DP 755454	Cumbo Land Pty. Ltd.
Lot 1 DP 583254	Cumbo Land Pty. Ltd.	Lot 46 DP 755454	Cumbo Land Pty. Ltd.
Lot 49 DP 755425	Cumbo Land Pty. Ltd.	Lot 48 DP 755454	Cumbo Land Pty. Ltd.