



**EXCEL**

Wilpinjong Coal Pty Limited  
ACN 104 594 694  
Level 9, 1 York Street  
Sydney NSW 2000

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Sydney NSW 1215  
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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**

<b>Property</b>	<b>Owner</b>	<b>Property</b>	<b>Owner</b>
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.

Property	Owner	Property	Owner
Lot 49 DP 755454	Cumbo Land Pty. Ltd.	Lot 14 DP 755454	Cumbo Land Pty. Ltd.
Lot 55 DP 755425	Cumbo Land Pty. Ltd.	Lot 15 DP 755454	Cumbo Land Pty. Ltd.
Lot 56 DP 755425	Cumbo Land Pty. Ltd.	Lot 17 DP 755454	Cumbo Land Pty. Ltd.
Lot 57 DP 755425	Cumbo Land Pty. Ltd.	Lot 18 DP 755454	Cumbo Land Pty. Ltd.
Lot 57 DP 755455	Cumbo Land Pty. Ltd.	Lot 182 DP 755425	Cumbo Land Pty. Ltd.
Lot 59 DP 755425	Cumbo Land Pty. Ltd.	Lot 19 DP 755454	Cumbo Land Pty. Ltd.
Lot 70 DP 755425	Cumbo Land Pty. Ltd.	Lot 22 DP 755454	Cumbo Land Pty. Ltd.
Lot 72 DP 755454	Cumbo Land Pty. Ltd.	Lot 23 DP 755454	Cumbo Land Pty. Ltd.
Lot 83 DP 755425	Cumbo Land Pty. Ltd.	Lot 24 DP 755454	Cumbo Land Pty. Ltd.
Lot 95 DP 755455	Cumbo Land Pty. Ltd.	Lot 3 DP 755454	Cumbo Land Pty. Ltd.
Lot 96 DP 755455	Cumbo Land Pty. Ltd.	Lot 46 DP 755425	Cumbo Land Pty. Ltd.
Pt. Lot 1 DP 1078966	Cumbo Land Pty. Ltd.	Lot 47 DP 755454	Cumbo Land Pty. Ltd.
Pt. Lot 131 DP 755425	Cumbo Land Pty. Ltd.	Lot 5 DP 755454	Cumbo Land Pty. Ltd.
Pt. Lot 89 DP 755455	Cumbo Land Pty. Ltd.	Lot 52 DP 755425	Cumbo Land Pty. Ltd.
Pt. Lot 89 DP 755455	Cumbo Land Pty. Ltd.	Lot 58 DP 755425	Cumbo Land Pty. Ltd.
Pt. Lot 92 DP 755425	Cumbo Land Pty. Ltd.	Lot 6 DP 703225	Cumbo Land Pty. Ltd.
Lot 1 DP 703224	Cumbo Land Pty. Ltd.	Lot 6 DP 755454	Cumbo Land Pty. Ltd.
Lot 10 DP 755454	Cumbo Land Pty. Ltd.	Lot 78 DP 755425	Cumbo Land Pty. Ltd.
Lot 104 DP 755454	Cumbo Land Pty. Ltd.	Lot 80 DP 755425	Cumbo Land Pty. Ltd.
Lot 106 DP 755425	Cumbo Land Pty. Ltd.	Lot 87 DP 755425	Cumbo Land Pty. Ltd.
Lot 11 DP 755454	Cumbo Land Pty. Ltd.	Lot 88 DP 755425	Cumbo Land Pty. Ltd.
Lot 114 DP 42127	Cumbo Land Pty. Ltd.	Lot 9 DP 755454	Cumbo Land Pty. Ltd.
Lot 12 DP 703223	Cumbo Land Pty. Ltd.	Lot 1 DP 653565	M Bloom & R Behreit
Lot 12 DP 755454	Cumbo Land Pty. Ltd.	Pt. Lot 1 DP 755455	RWB & NU & DB Reid
Lot 13 DP 703223	Cumbo Land Pty. Ltd.	Pt. Lot 52 DP 755454	Ulan Coal Mines Limited
Lot 13 DP 755454	Cumbo Land Pty. Ltd.	Pt. Lot 68 DP 755454	Ulan Coal Mines Limited

**Crown Lands**

Property	Owner
Lot 115 DP 42127	Crown Land
Lot 147 DP 755425	Crown Land
Lot 233 DP 723412	Crown Land
Lot 234 DP 723412	Crown Land
Lot 235 DP 723412	Crown Land
Lot 77 DP 755425	Crown Land
Lot 84 DP 755425	Crown Land
Lot 91 DP 755425	Crown Land
Lot 97 DP 755425	Crown Land

**Other Lands**

Crown Roads, Council Roads and property under the control of the State Rail Authority have been identified and are shown on the attached plan (00567A).