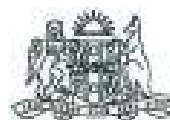


Major Projects application



NSW GOVERNMENT
Department of Planning

Date received: 24, 3, 06

Project Application No. 06-0108

1. Before you lodge

This form is required to apply for the approval of the Minister to carry out a Project to which Part 3A of the *Environmental Planning and Assessment Act, 1979* (the Act) applies.

Before lodging this application, it is recommended that you first consult with the Department of Planning (the Department) concerning your Project.

Please be aware that you may need to conduct a Planning Focus Meeting before lodging this application involving the Department, relevant agencies, Council or other groups identified by the Department. If you are required to conduct a Planning Focus Meeting, you will need to provide details and outcomes arising from the meeting.

To ensure that your application is accepted as being duly made, you must

- complete ALL parts of this form, and
- submit all relevant information required by this form.

All applications must be lodged with the Director-General, by courier or mail.

Ground floor, 23-33 Bridge Street, SYDNEY NSW 2000
GPO Box 39 SYDNEY NSW 2001
DX 10181 Sydney Stock Exchange
t: 02 9228 8111
f: 02 9228 6455

2. Details of the proponent

Company/organisation/agency

Hunter Valley Energy Coal Pty Ltd

ABN

062 894 464

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

Stephen

Family name

David

STREET ADDRESS

Unit/street no.

Street name

Thomas Mitchell Drive

Suburb or town

Muswellbrook

State

NSW

Postcode

2333

POSTAL ADDRESS (or mark 'as above')

Private Mail Bag 8

Suburb or town

Muswellbrook

State

NSW

Postcode

2333

Daytime telephone

6542 4800

Fax

6542 4801

Mobile

Email

Stephen.G.David@bhpbilliton.com

3. Identify the land you propose to develop

STREET ADDRESS

Unit/street no.

Street or property name

Suburb, town or locality

Postcode

Local government area

REAL PROPERTY DESCRIPTION

OR: detailed description of land attached: ☒

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 Major Project applies to more than one piece of land, please use a comma to distinguish between each real property description.

Where the Major Project is subject to Clause 8F of the *Environmental Planning and Assessment Regulation 2000* and in lieu of completing the above, a description or detailed plan of the land affected must be included with the documents required with Part 4 below.

4. Proposed Major Project – Description and other Requirements

Provide a brief title for your Project that includes all significant components. If the application relates to only part of a Project, include a clear title that describes the relevant part.

Proposed extension of the existing Mt Arthur Coal South Pit at Mt Arthur Coal open cut coal mining operations south of Muswellbrook.

Is the application related only to a part of a Project? ☐ Yes ☒ No

You are also required to provide a Project Description Report and address any matters required by the Director-General in accordance with 75E of the Act. Failure to do so may lead to your application being rejected.

Is a Project Description attached:

Hard copy:

☒ Yes ☐ No

Electronic version:

☒ Yes ☐ No

(NB: An electronic copy is required as all applications must be provided on the Department's website. You should contact the Department on the correct electronic format).

Is the Project Description Report consistent with the requirements of any Guideline produced by the Department (including any draft)? ☒ Yes ☐ No

Does the Project Description Report include additional matters required by the Director-General, such as evidence of a Planning Focus Meeting and consultation? ☒ Yes ☐ No

CONCEPT APPROVAL

If you are applying for a concept approval, the Department's *Concept Approval Guideline* should be consulted and the matters identified therein must be addressed as part of your application.

Does the Project Description Report submitted address the relevant guidelines for Concept Approvals? ☐ Yes ☐ No

FULL TIME EQUIVALENT JOBS

Please indicate the number of jobs created by the proposed Major Project. This should be expressed as a proportion of full time jobs over a full year.

Construction jobs (full-time equivalent)

0

Operational jobs (full-time equivalent)

0

5. Approvals from state agencies

Does the proposed Major Project require any of the following: (tick all appropriate)

- ☐ an aquaculture permit under section 144 of the *Fisheries Management Act 1994*
- ☐ an approval under section 15 of the *Mine Subsidence Compensation Act 1961*
- ☐ a mining lease under the *Mining Act 1992*
- ☐ a production lease under the *Petroleum (Onshore) Act 1991*
- ☒ an environment protection licence under Chapter 3 of the *Protection of the Environment Operations Act 1997* (for any of the purposes referred to in section 43 of that Act)
- ☒ a consent under section 138 of the *Roads Act 1993*

6. Application fee

You are required to pay a fee for the assessment of a Major Project. This fee is based on the estimated cost of the Major Project.

The Department requires that you pay a proportion of the total fee with this application and you should consult with the Department before lodging this application to determine the proportion to be paid.

Estimated Project Cost

\$500,000

7. Owner's Consent

As the owner(s) of the above property, I/we consent to this application being made on our behalf by the Proponent:

Signature

Name

Date

Signature

Name

Date

Note: The Department will not accept an application for a Major Project without having the signature of the owner of the land, unless the Major Project is subject to Clause 8F of the *Environmental Planning and Assessment Regulation 2000*.

8. Proponent's Signatures

As the proponent(s) of the proposed Major Project and in signing below, I/we hereby:

- provide a description of the proposed Project and address all matters required by the Director-General pursuant to Section 75E of the Act, and
- apply, subject to satisfying Clause 8D of the *Environmental Planning and Assessment Regulation 2000*, for the Director-General Environmental Assessment Requirements pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979*, and
- declare that all information contained within this application is accurate at the time of signing.

Signature



Name

Stephen David

Date

3/3/06

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

Chief Operating Officer

Name, if you are not the proponent



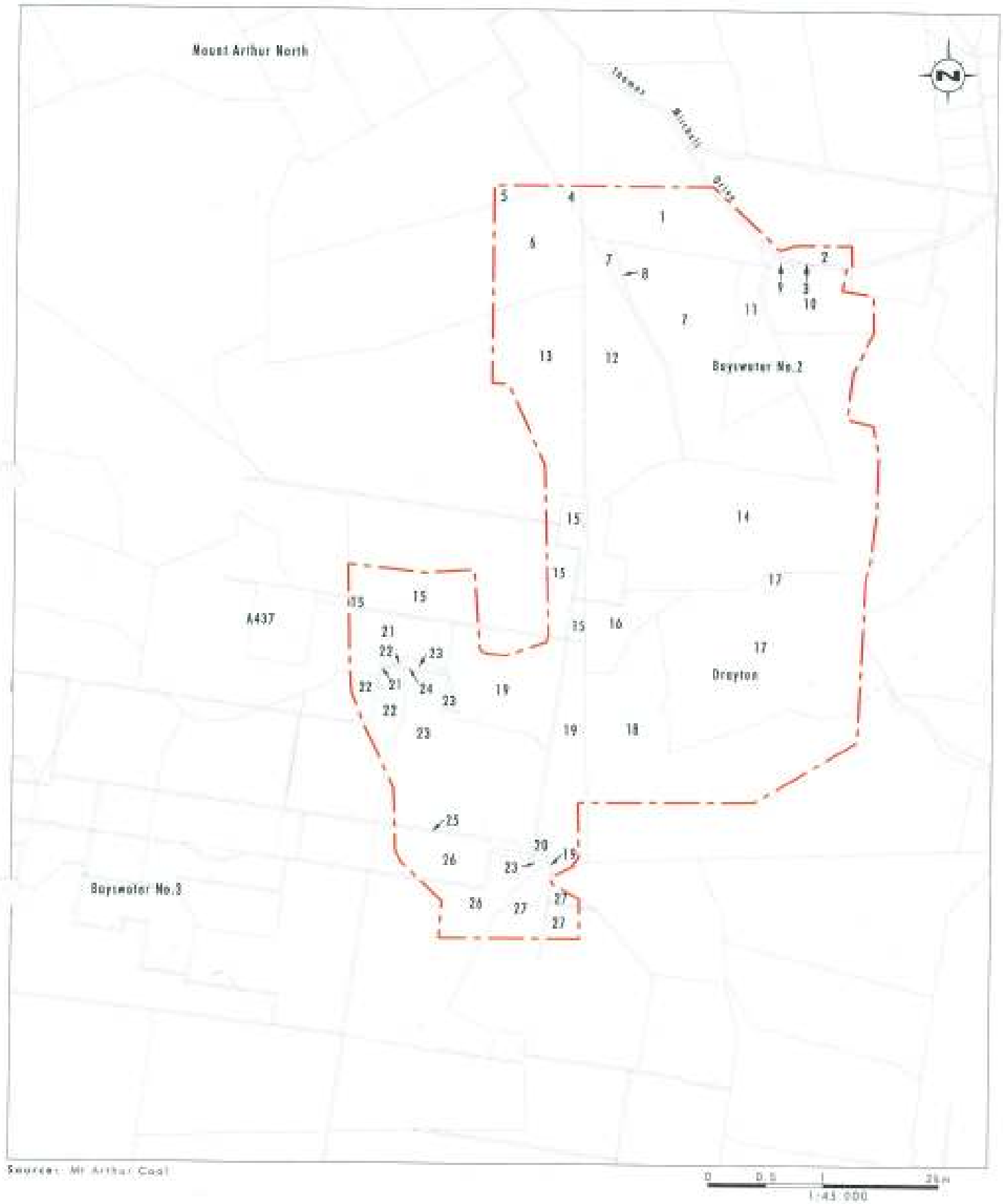
Source: Mt Arthur Coal

Legend

- Project Application Area
- Mining and Exploration Lease Boundary

FIGURE 1

Project Application Area



Source: Mt Arthur Coal

Legend

- Project Application Area
- Mining and Exploration Lease Boundary

FIGURE 2

Project Application Area and
Schedule of Lands

Schedule of Land

Property ID	Lot	DP	Owner
1	11	632691	The State of NSW
2	1	701496	Hunter Valley Energy Coal
3	2	701496	Electricity Commission of NSW
4	10	632691	Hunter Valley Energy Coal
5	4	390143	Hunter Valley Energy Coal
6	605	802124	Hunter Valley Energy Coal
7	63	752449	Hunter Valley Energy Coal
8	5	726248	Hunter Valley Energy Coal
9	5	701496	Hunter Valley Energy Coal
10	10	783428	The State of NSW
11	110	727767	Hunter Valley Energy Coal
12	66	850818	Hunter Valley Energy Coal
13	604	802124	Hunter Valley Energy Coal
14	201	842045	Hunter Valley Energy Coal
15	3	843634	Hunter Valley Energy Coal
16	66	850818	Hunter Valley Energy Coal
17	64	850818	Drayton Coal Pty Limited
18	65	850818	Drayton Coal Pty Limited
19	4	843634	Hunter Valley Energy Coal
20	12	29950	Hunter Valley Energy Coal
21	607	802124	Hunter Valley Energy Coal
22	6	29950	Hunter Valley Energy Coal
23	12	29950	Hunter Valley Energy Coal
24	4	48776	Hunter Valley Energy Coal
25	3	48776	Hunter Valley Energy Coal
26	10	29950	Hunter Valley Energy Coal
27	11	29950	Hunter Valley Energy Coal