



OUT12/3879
23 February 2012

Mr Howard Reed
A/Director
Major Development Assessment
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Dear Mr Reed

**Moolarben Coal Project Stage 2
Preferred Project Report**

I refer to your request to review the Moolarben Coal Project Stage 2 Preferred Project Report. NSW Trade & Investment, Regional Infrastructure & Services, Division of Resources & Energy (DRE) has no objection to the preferred project as outlined in the supporting documents provided by the proponent.

DRE provides the following comments which are directed at specific areas of DRE's responsibility for this proposal.

MINING TITLE

As coal is a prescribed mineral under the *Mining Act 1992*, the proponent is required to hold appropriate mining titles from DRE in order to mine this mineral.

The proponent holds Mining Lease (ML) 1606 and ML 1628 and has submitted mining lease applications (MLA), MLA317 and MLA331 for the project. DRE notes that while the proposed diversion of the Ulan-Wollar Road is within the Moolarben Coal Stage 2 Project Area it is held under coal title by the neighbouring operator. Should the proponent require a ML over this area in the future the written consent of the title holder would be required.

Should you have any enquires regarding this matter please contact Steve Cozens, Senior Project Officer, Industry Coordination on (02) 8289 3932.

Yours sincerely



William Hughes
A/Director Minerals Operation