



16<sup>th</sup> November 2012

Stephen O'Donoghue  
Major Development Assessment,  
Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

Dear Sir,

**Cobbora Coal Project - Project Application 10-0001**

The Crown Lands Division (Dubbo Office) of the Department of Primary Industries has reviewed the environmental assessment for the Cobbora Coal Project and makes the following comments and recommendations:

Attached are the following documents:

1. Diagrams 1(a) to 9(a) showing Crown land (orange hatching) within the project boundary.
2. Diagrams 1 to 8 identifying Crown Roads, Council Roads and Enclosure Permits within the project boundary.
3. Excel Spreadsheet with Schedule of Crown Land within the project boundary.

The Cobbora Coal Project will impact on Crown land in the following manner:

A). Crown roads will be impacted on by:

- mining operations within the "extent of mine",
- pipeline routes,
- railway lines,
- diversion roads,
- powerlines, and
- biodiversity offset areas.

B). The following infrastructure will impact on or has the potential to impact on the corresponding Crown land parcels:

Pipe Line	Lot7300 DP 1148092 (reserve for future public requirements), Lot 54 DP 750780 (dedication for public recreation).
Diversion Road	Lot 7306 DP 1140964 (reserve for travelling stock & camping).
Haulage Road	Lot 7306 DP 1140964 (reserve for travelling stock & camping).
Railway	Lot 7 DP 750751 (reserve for camping & water supply).
Cudgegong River Pump Site	Crown land associated with the bed and bank of Cudgegong River.

### Project Conditions Sought

It is established that the Cobbora Coal Project will have an impact on Crown land. It is therefore requested that the following development conditions be included in any project approval granted by NSW Planning:

1. Where Crown roads are utilised for the purposes of the project or impacted on by the project activities, the applicant must within 12 months of project approval, obtain a License or Lease over the Crown road in accordance with the *Crown Lands Act 1989*.
2. Crown roads within holdings owned by Cobbora Holding Company Pty Limited or impacted on by projects activities as described above, may be included in a road closing application lodged by the applicant. Where Crown roads under application cannot be closed and purchased within a 12 month period following project approval, then Condition 1 above applies.
3. Where Crown land (other than Crown roads) is utilised for the purposes of the project, as identified in the table above and where later identified to be impacted on by project activities, the applicant must within 12 months of project approval, obtain a License or Lease over the Crown road in accordance with the *Crown Lands Act 1989*.
4. Where the purpose of any existing Crown land Licence or Lease, held or acquired by the applicant, is not compatible with the proposed project activities, the applicant must within 12 months of project approval, obtain a new License or Lease over the Crown road that reflects the proposed use of the land in accordance with the *Crown Lands Act 1989*.
5. Where the applicant fails to meet any of the above conditions, the applicant is subsequently not in compliance with the project approval, and all necessary enforcement from NSW Planning should come into effect.

If you have any further questions I can be contacted on 6883 3326.

Yours sincerely



David Baber  
Projects Manager, Regional Projects West  
Crown Lands, Dubbo