

THIS APPLICATION IS LODGED AS A MODIFICATION
TO THE EXISTING WILPINJONG COAL PROJECT APPROVAL

Major Project application



NSW GOVERNMENT
Department of Planning

Date received: 28/5/08

Project Application No. 05-0021 MOD 2

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.

A Planning Focus Meeting (PFM) may need to be held for this project involving the Department, relevant agencies, council or other groups identified by the Department. If a PFM is held, the Department will issue the Director-General's requirements for the Environmental Assessment following the meeting.

All applications must be lodged with the Director-General, by courier or mail. An electronic copy should also be emailed to the assessment contact officer assigned to the project.

NSW Department of Planning
Ground floor, 23-33 Bridge Street, Sydney NSW 2000
GPO Box 39 Sydney NSW 2001
DX 10181 Sydney Stock Exchange
Phone 1300 305 695

2. Details of the proponent

Company/organisation/agency

ABN

WILPINJONG COAL PTY LTD

87104594694

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

SHAUN

Family name

CLEARY

Position

ENVIRONMENT + COMMUNITY MANAGER

STREET ADDRESS

Unit/street no.

1434

Street name

WOLLAR ULAN RD

Suburb or town

WOLLAR

State

NSW

Postcode

2850

POSTAL ADDRESS (or mark 'as above')

PO BOX 2005

Suburb or town

MUDGEE

State

NSW

Postcode

2850

Daytime telephone

02 63702513

Fax

02 63734575

Mobile

0427698876

Email

sccleary@pearbody-energy.com.au

3. Identify the land you propose to develop

STREET ADDRESS (where relevant)

Unit/street no.

Street or property name

Suburb, town or locality

Postcode

Local government area(s)

State electorate(s)

REAL PROPERTY DESCRIPTION

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

OR detailed description of land attached. ☒

MAP: A map of the site and locality should also be submitted with this application.

4. Major Project description and other requirements

Provide a brief title for your project.

CONSTRUCTION OF A WATER SHARING PIPELINE
BETWEEN ULAN COAL MINES LTD AND THE
WILPINJONG COAL PROJECT.

PROJECT APPROVAL

If you are applying for approval of a project, include in the project title, all significant components for which approval is being sought. If the application relates to part only of a project, the project title should reflect this.

Is the application for approval of a project?

☒ Yes ☐ No

Is the application related to part only of a project?

☒ Yes ☐ No

CONCEPT PLAN APPROVAL

If you are applying for approval of a concept plan, include in the project title, all components for which approval 'in concept' is being sought. If the application also relates to approval of a project, a description of this should also be included in the project title.

Is the application for approval of a Concept Plan?

☐ Yes ☒ No

Is a project application being made concurrently for all or part of the project?

☐ Yes ☒ No

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

Is a Project Description attached?

☒ Yes ☐ No

Does the Project Description include any additional matters required by the Director-General under section 75E or section 75M of the Act?

☐ Yes ☒ No

Note: An electronic copy of the project description is also required as all applications must be provided on the Department's website. You should contact the Department on the correct electronic format.

ESTIMATED CAPITAL INVESTMENT VALUE

Please indicate the estimated capital investment value (CIV) of the project. The CIV includes all costs necessary to establish and operate the project, including the design and construction of buildings, structures, associated infrastructure and fixed or mobile plant and equipment (but excluding GST and land costs).

\$ 4 500 000

EQUIVALENT FULL-TIME JOBS

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

Construction jobs (full-time equivalent)

5

Operational jobs (full-time equivalent)

0.5

5. Approvals from State agencies

Does the project require any of the following: (tick all that are 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*
- ☐ a licence under the *Pipelines Act 1967*

6. Landowner's consent or notification

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

Land

Land

Signature

Signature

Name

Name

Date

Date

Note: Under clause 8F of the *Environmental Planning and Assessment Regulation 2000* (the Regulation), certain applications for approval under Part 3A of the Act do not require the consent of the landowner, however, the proponent is required to give notice of the application:

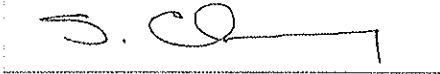
- in the case of linear infrastructure projects, by notice in a newspaper circulating in the locality prior to the commencement of the public consultation period,
- in the case of mining or petroleum production projects, by notice in a newspaper circulating in the locality within 14 days of this application being made,
- in the case of critical infrastructure projects, to the owner of the land within 14 days of this application being made, and
- in other cases, to the owner of the land at any time before the application is made.

7. Proponent's signature

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

- provide a description of the project and address all matters required by the Director-General pursuant to section 75E and/or section 75M of the Act, and
- apply, subject to satisfying clause 8D of the Environmental Planning and Assessment Regulation, for the Director-General's environmental assessment requirements pursuant to Part 3A of the Act, and
- declare that all information contained within this application is accurate at the time of signing.

Signature



Name

SHAWN CLEARY

Date

2/5/08

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

Name, if you are not the proponent



WILPINJONG COAL



Mr Mike Young
Department of Planning
GPO Box 39
SYDNEY NSW 2001

02 May 2008

Dear Mike,

PART 3A MODIFICATION FOR ULAN TO WILPINJONG PIPELINE

Wilpinjong Coal Pty Ltd (WCPL) wish to apply for a modification to the existing Project Approval 05-0021 in order to construct a water sharing pipeline from Ulan Coal Mines Ltd (UCML) to WCPL. Please find herewith a completed application form as part of the application for modification. This application has been lodged on a Major Project Application form as the Department of Planning advised that there is no major project modification form available at present.

BACKGROUND

The WCPL operation was approved in February 2006 and developed with the intention of sourcing mine site water requirements from water captured in mining voids and from a bore field located along Wilpinjong Creek to the north of the approved ML 1573. WCPL has since sought and obtained approval for the licencing of water extraction from the bore field from the Department of Water and Energy (formerly the Department of Natural Resources). Water was pumped from the bore field for around 2 months from April – June 2007. However the pumping was discontinued due to heavy rainfall in June 2007 and subsequent follow up events for the remainder of that year.

UCML is located approximately 12 kilometers west of WCPL and operates both open cut and underground coal mining operations. The UCML underground operation requires continuous dewatering in order to operate the mine. This means that UCML generate significant volumes of water over and above the requirements of the mining operation. This excess of water is stored on the UCML mine site and used for irrigation, evaporated or treated and discharged into the Goulburn River. These water management strategies are high cost and return little or no value to the local community or the state for such a valuable commodity.

MODIFICATION APPLICATION PROPOSAL

WCPL and UCML have jointly signed a Heads of Agreement for water transfer from UCML to WCPL in anticipation of the lodgment of this modification application. If this modification application is approved, WCPL propose to construct a below ground pipeline to facilitate water transfer.

The pipeline would be constructed along the existing 66kV Ulan to WCPL power easement. This easement was approved following detailed environmental and cultural heritage assessments as part of the Review of Environmental Factors for the easement.

Construction of the 66kV power line was then managed with reference to the Construction Environmental Management Plan which was developed for the easement area. The figure set out in Attachment 1 herewith shows the 66kV power line easement and therefore the proposed pipeline route.

The proposed UCML to WCPL water transfer requires UCML to deliver water to a staging dam (shown on Attachment 1) adjacent to the UCML lease boundary on UCML owned land. WCPL will use this staging dam as the main water pick up point for pumping of water to WCPL. Water will then be transferred to WCPL via a buried pipeline to a holding dam at the WCPL operation. Water will then be reticulated from the holding dam for use across the WCPL operation.

WCPL have discussed construction of the proposed pipeline within the 66kV power easement with Country Energy and have a verbal agreement. This will be formalized as part of the pipeline a number of pre development approvals should the proposed modification gain approval from the Department of Planning.

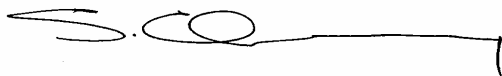
BENEFITS OF THE PROPOSED MODIFICATION

The following benefits of the proposed water transfer from UCML to WCPL include:

- Providing a high value use of the UCML excess water. The water is currently used for pasture irrigation or treated discharge into the Goulburn River. Other excess water is dispersed in open cut voids in an effort to enhance disposal by evaporation.
- Reducing aquifer drawdown around the WCPL operation. If the UCML water is used at the WCPL site this would reduce or eliminate the need for WCPL to operate a bore field. This in turn would reduce or eliminate any potential local ground water depletion impacts.
- Making best use of a limited natural resource. Using the excess UCML water to balance a short fall of water at WCPL means that the UCML water is used responsibly whilst reducing impacts from water discharge or ground water depletion.

Based on the description set out in this correspondence, WCPL seeks Director Generals requirements to progress this application and prepare an Environmental Assessment for consideration by the Department of Planning. If you require any further information in support of this application or would like to discuss please feel free to contact me on 02 63702513 or mobile 0427698876.

Yours sincerely



Shaun Cleary

ATTACHEMENT 1

