

10 May 2019

Paul Hensley – Walker Quarries- Sitegoal Pty Ltd
191 Main St
Lithgow NSW 2790

Dear Paul

**Consent for
development
comprising:
Crown Land
Crown reserve
Parish
County**

Expansion of ML 1633

Lot 7322 DP 1149335
Reserve 751651 for future public requirements
Lidster
Cook

Consent is granted by the Minister for Water, Property and Housing to the lodgement of applications for approval under the *Environmental Planning and Assessment Act 1979*, and other associated applications required under other legislation, for the development proposal described above.

The Land Owner Consent is granted conditional to the following:

1. Land Owner Consent will expire after a period of 12 months from the date of this letter if not acted on within that time. Extensions of this consent may be sought
2. You are required to forward a copy of the approval to the NSW Department of Industry - Lands and Water ("the Department") after approval and prior to commencing works.
3. You are required to ensure that the approval provided is consistent with this Land Owner Consent.
4. You must apply to the Department for authority to occupy the Crown land. Crown land cannot be occupied prior to this authority being granted.
5. The Land Owner Consent is provided for the works detailed on the plans provided by you and retained by the Department as DOC19/085246.

Land Owner Consent is granted in accordance with the following:

- Land Owner Consent is given without prejudice so that consideration of the proposed development may proceed under the *Environmental Planning and Assessment Act 1979* and any other relevant legislation;
- The grant of this Land Owner Consent does not guarantee that any subsequent authority to occupy will be granted;
- Land Owner Consent does not imply the concurrence of the Minister for Water, Property and Housing for the proposed development and does not provide authorisation under the *Crown Land Management Act 2016* for this proposal;
- The issue of Land Owner Consent does not prevent the Department from making any submission commenting on, supporting or opposing an application;

- The Minister reserves the right to issue Land Owner Consent for the lodgement of applications for any other development proposals on the subject land concurrent with this Land Owner Consent;
- Any changes made to the proposal, including those imposed by the consent authority, must be consistent with the Land Owner Consent and therefore if modifications are made to the proposed development details must be provided to the Department for approval;
- Land Owner Consent also allows application to any other approval authority necessary for this development proposal.

This letter should be submitted to the relevant consent or approval authority in conjunction with the Statement of Environmental Effects - development application and any other application. You are responsible for identifying and obtaining all other consents, approvals and permits required under NSW and Commonwealth laws from other agencies for the proposed development.

It is important that you understand your obligations relating to Condition 3. If any alterations are made to the application (whether in the course of assessment, by conditions of consent, or otherwise), it is your responsibility to ensure the amended or modified development remains consistent with this Land Owner Consent. If there is any inconsistency or uncertainty you are required to contact the Department before undertaking the development to ensure that the Department consents to the changes. A subsequent LOC application may incur additional application fees.

It is advised that the Department will provide NSW Planning and Lithgow City Council a copy of this Land Owner Consent and will request that both notify the Department of the subsequent development application, for potential comment, as part of any public notification procedure.

Authority to occupy Crown land in this instance refers to the Right under *the Crown Lands Management Act 2016* to either use or manage the land. Your current application for Licence 598097 only authorises your occupation as an Interim measure. Your proposed mining activity under ML1633 will be properly authorised when a Section 265 Compensation Agreement under the *Mining Act 1992* is executed.

During the assessment of your proposal it was noted that Native Title has not been extinguished on the subject land and that the proposal may require notification under the Native Title Act in order to afford any claimants or potential claimants procedural rights. It is also noted that your application falls within the boundaries of the Warrabinga-Wirajuri Native title claim #7.

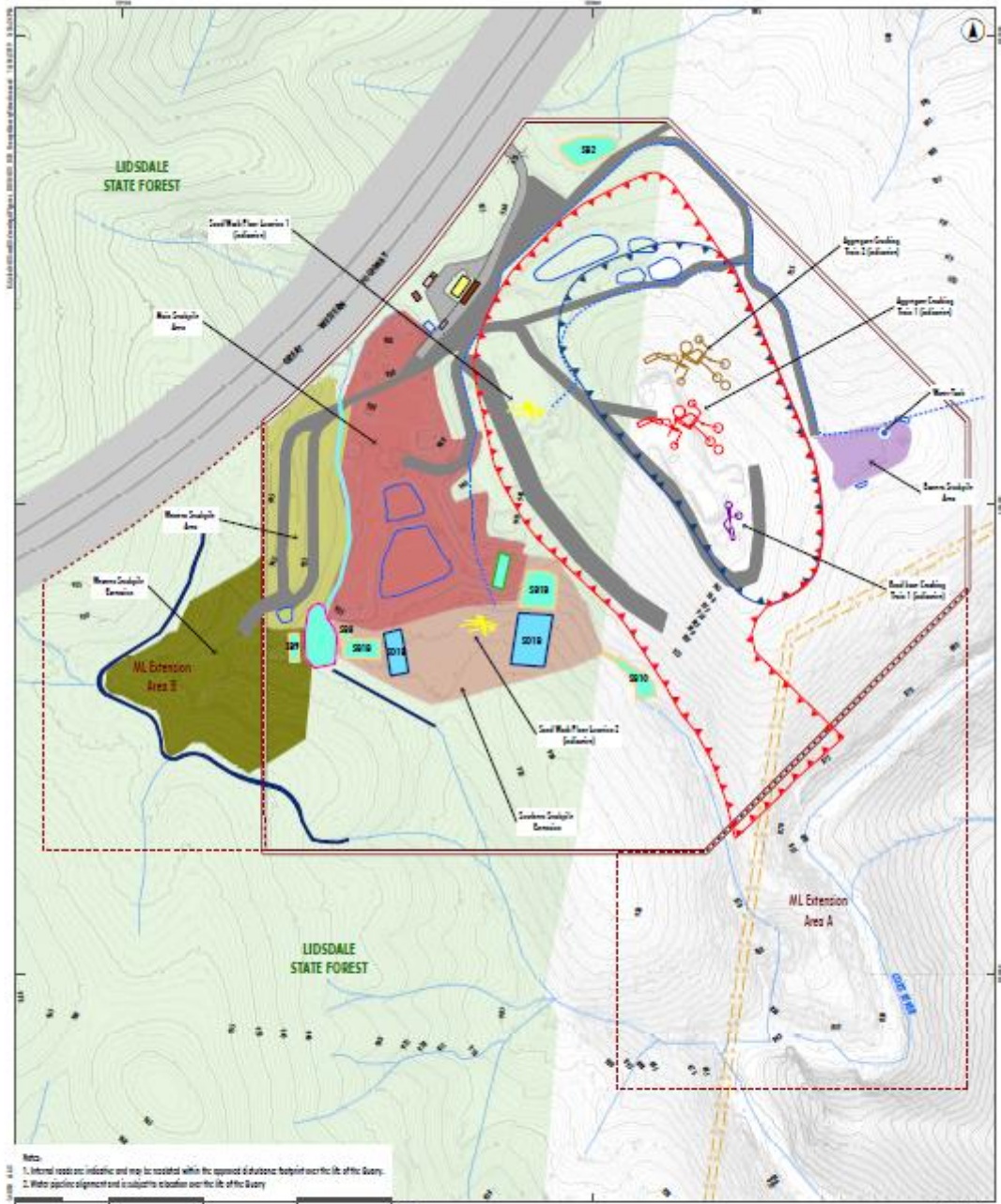
During the assessment the Department conducted an Aboriginal Heritage Information Management System (AHIMS) search. There are natural landscape features that indicate the potential presence of Aboriginal heritage in or near the proposed development site. You are required to undertake the due diligence process to identify if any Aboriginal heritage is present at or nearby the proposal site and should seek further advice from NSW Office of Environment and Heritage (OEH).

For further information, please contact Steve Pearson via the details given in the letter head.

Yours sincerely



Steve Pearson
Senior NRM officer
Department of Industry – Crown Lands and Water, Orange



Notes:
 1. Internal roads are indicative and may be installed within the approved disturbance footprint over the life of the Quarry.
 2. Water pipeline alignment and is subject to location over the life of the Quarry.

Legend		Water Management Infrastructure (Proposed)	
Quarry Site (M/1400)	Quarry Site Extension	Sewer Pipe Culvert	Clean Water Diversion
Watercourse	Biodiversity Intermediary Line	Flow Through Dam	Sediment Basin
Ditch/Fence	Site Infrastructure:	Sediment Ponds	Storage Dam
Amenities	Site Hoisting Room	Water Tank	Basking Dams & Sediment Basins
Site Office	Site Workshop	Water Pipeline (Indicative)	
Site Workshop	Vehicle Washdown Area		
Weighbridge	Coarse Internal Roads		
Indicative Internal Roads			
Indicative Main Infrastructure Locations:			
Aggregate Crushing Inlet 1			
Aggregate Crushing Inlet 2			
Road Base Crushing Inlet 1			
Sand Wash Plant			
Approved & Proposed Quarry Layout:			
Approved Extraction Area			
Proposed Extraction Area			
Main Storage Area (750m AHD)			
Southern Storage Area (745m AHD)			
Western Storage Area			
Western Storage Extension (740m AHD)			
Eastern Storage Area			

FIGURE 2.1
Modified Quarry Site Layout

Data sources: Walker Quarries (2019), Umwelt (2019), NSW L1 DTDR (2019)

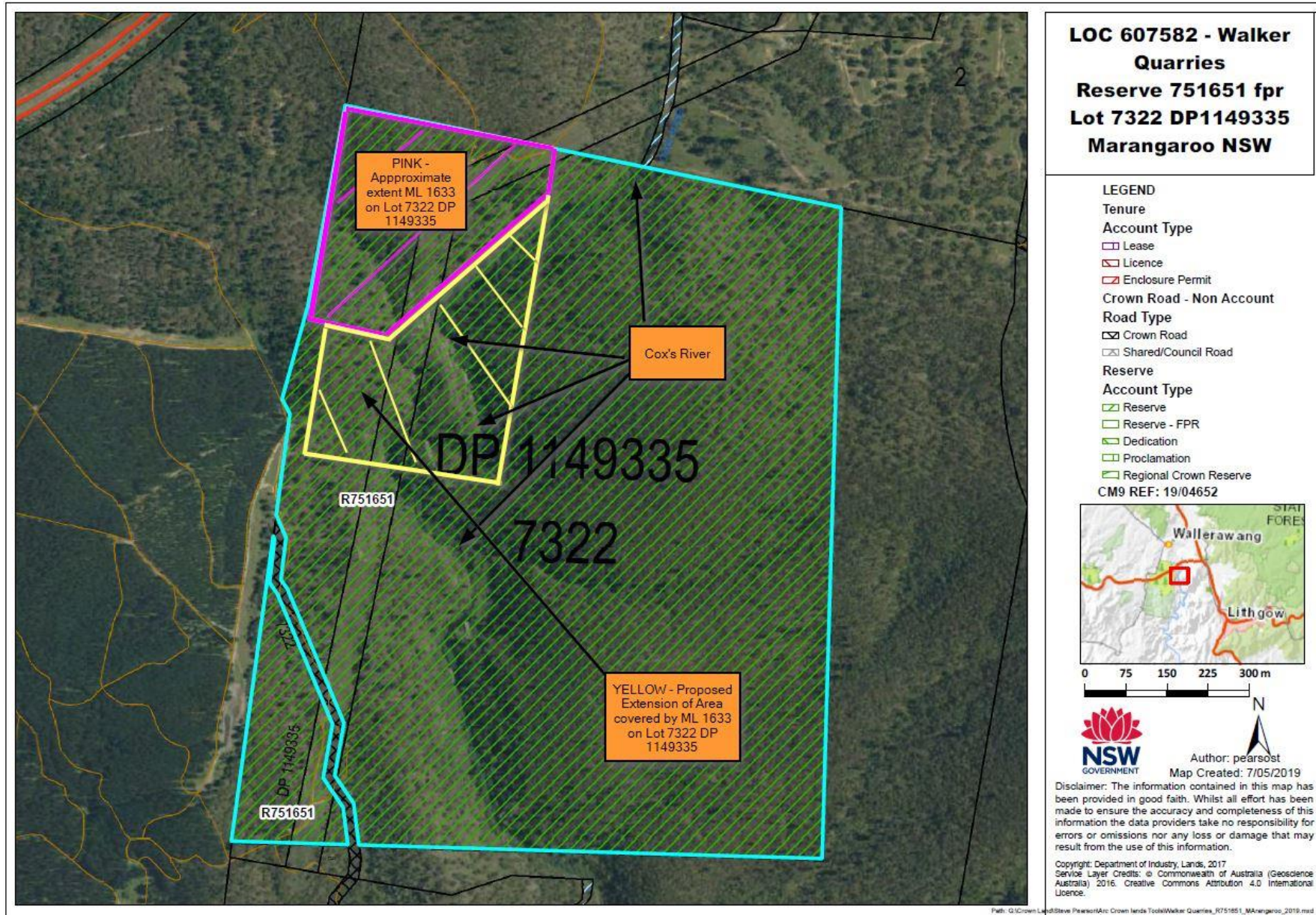


Figure 1: Location of ML1633 Walkers Quarry on Lot 7322 DP 1149335 at Wallerawang