

Reference: LGS
Environment & Development Dept.



16 May 2014

Mining Projects
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Sir/Madam,

ANGUS PLACE EXTENSION PROJECT (SSD-5602)

I refer to the abovementioned project and your request for submissions for the development.

Council considers the Environmental Assessment adequately highlights the relevant issues, and has no objection to the project subject to the following conditions being considered to be attached in the consent:

General

1. That the development be carried out in accordance with the application, Statement of Environmental Effects, accompanying information, plans listed in the approval and any further information provided during the process unless otherwise amended by the following conditions.
2. Lithgow City Council is to be notified of any modifications and determinations.
3. The applicant is to prepare and submit Annual Reviews (formerly Annual Environmental Management Reports) to Lithgow City Council to review. The annual Review must include:
 - (a) Describe the development that was carried out in the previous calendar year;
 - (b) Include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, which includes a comparison of these results against:
 - The relevant statutory requirements, limits or performance measures, criteria,
 - The monitoring results of the previous years; and
 - The relevant predictions in the EIS,
 - (c) Identify any non-compliance over the last year and describe what actions were (or are being) taken to ensure compliance.

Planning Agreement/Contributions

4. Council would like the opportunity to enter into a Voluntary Planning Agreement for both projects. Council also has a Section 94A Contributions Plan which imposes a 1% Contribution on all development over \$200,000. Should the proponent not enter into a Voluntary Planning Agreement for the proposal then a condition should be placed on the consent requiring payment of a contribution in accordance with Council's Section 94A Contributions Plan.

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TO GENERAL MANAGER
PO BOX 19, LITHGOW NSW 2790

Building Construction Works

5. The applicant is to apply for a construction certificate with Lithgow City Council or Private Certifier for all building construction works.

Traffic

6. A Construction Management Plan is to be prepared in consultation with Lithgow City Council and implemented for the duration of the construction phase at each project site. This plan must address:

- (a) Management of wide loads,
- (b) Minimising inconvenience to the public, particularly during the construction of the Link Haul Road
- (c) Maintaining public safety.

7. A Traffic Management Plan be prepared in consultation with Lithgow City Council and implemented for the duration of the operational phase at each project site.

8. All construction heavy vehicle trips to/from the Newnes State Forest sites be undertaken during daylight hours, which would generally require them to occur between 6.00am and 6.00pm.

Limits on Consent

9. The applicant may carry out coal transpiration and processing operations on the site for up to 13 years from the date of this consent.

Rehabilitation works are able to proceed after this end date.

Coal Processing

The applicant shall:

10. Produce up to 4million tonnes of coal per year for up to 25 years.

11. Drill sites and associated access tracks are to be located where possible to:

- Avoid threatened flora species;
- Avoid hollow bearing trees;
- Avoid endangered ecological communities;
- Minimise clearing; and
- Avoid identified Aboriginal heritage site.

Noise monitoring and management

12. Noise monitoring and management should be implemented where possible and may include:

- Noise monitoring on site and within the community in accordance with the Angus Place Noise Monitoring Program,
- Refinement of onsite noise mitigation measures and plant operating procedures where practical,
- Incorporate clear signage at the site including relevant contact numbers site for community enquiries
- Prompt response to any community issues of concern

Protection of Aboriginal sites

13. The Applicant shall ensure that the development does not cause any direct or indirect impact on identified Aboriginal sites located outside of the approved disturbance area of the development on the site.

Rehabilitation Management Plan

14. A Rehabilitation Management Plan is to be prepared in consultation with Lithgow City Council and implemented for the project.

Please do not hesitate to contact Miss Lauren Stevens who is available between 8:15am and 10:30am Monday to Friday on (02) 63549999, in Council's Environment & Development Department should you have any queries in relation to this matter.

Yours sincerely



A C Muir

GROUP MANAGER OF ENVIRONMENT AND DEVELOPMENT