

Your reference :
Our reference : 273132A1/03; DOC 06/51521
Contact : Karen Marler, 49086803

Caladines Town Planning Pty Ltd
1 Lynbrook Court
CASTLE HILL NSW 2154
Attention: Mr Allan Caladine

27 SEP 2006

Dear Mr Caladine

Walltech Project – Hunter Economic Zone, Spine Road, Kurri Kurri

I refer to your letter dated 25 September 2006 regarding the above proposal and its classification as a "Chemical Industry or Works" for the purposes of the *Protection of the Environment Operations (POEO) Act 1997*. I also refer to my previous letter dated 14 September 2006 which advised that the proposed Walltech Plant will be a Chemical Industry as described in Schedule 1 of the POEO Act.

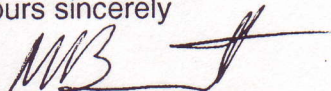
Upon further consideration, I confirm that the licensing category of "Chemical Industry or Works" does not apply to the proposed manufacture of plastic wall panels as described in your previous correspondence.

While It may be argued that mixing the chemicals in turn produces another substance, and that this may be regarded as commercial production of chemical substances, the DEC is of the opinion that because the mixture of the chemicals is used to make the wall panels (that is, the mixture is only an intermediate product, not the final product) this is not regarded as commercial production of chemical substances.

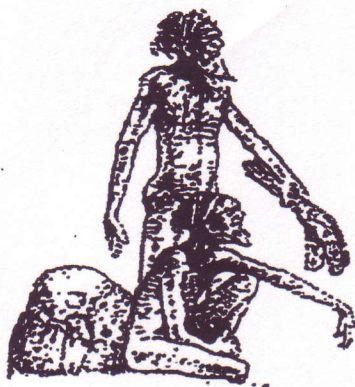
Given that there will not be commercial production of, or research into, chemical substances at the proposed plant, it will not fall within the chemical industry designation. The quantity of pentane used at the premises is no longer relevant.

If you have any further questions regarding this, please contact Karen Marler on 49086803.

Yours sincerely



MITCHELL BENNETT
Head Regional Operations Unit
North East Branch
Environment Protection and Regulation



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Mr Matthew Stevenson
Development Executive
Valad Property Group

Re: Walltech Site & Aged Care site

Dear Matt,

The above areas were inspected by representative of Mindaribba L.A.L.C.

The area was very poor visibility because of ground cover and vegetation on proposed sites.

Recommendations:

Prior to any construction of the roads or clearing that M.L.A.L.C have representative on site to observe that work to ensure no artefacts or sites are destroyed during this process.

It should be noted that statutory legislation protecting sites & places of significance section 90(1) of the national Parks & Wildlife act 1974 states that it is an offence to knowingly destroy, deface damage, or cause permit the destruction or defacement of or damage to, an object or Aboriginal place without first obtaining the consent of the Department of Environment @ Conservation.

Regards

Rick Griffiths
Rick Griffiths
General Manager
M.L.A.L.C.

c.c Cessnock City Council