



Department of Industry

OUT18/10774

Philip Nevill
Environmental Assessment Officer
Resource & Energy Assessments
NSW Department of Planning and Environment

philip.nevill@planning.nsw.gov.au

Dear Mr Nevill

**Rix's Creek North Open Cut Project (PA 08_0102) - Modification 8
Statement of Environmental Effects**

I refer to your email of 11 July 2018 to the Department of Industry (DoI) in respect to the above matter. Comment has been sought from relevant branches of Lands & Water and Department of Primary Industries. Any further referrals to Department of Industry can be sent by email to landuse.enquiries@dpi.nsw.gov.au.

The department provides the following comments for consideration in assessment of the proposal. Please note that DoI Water will provide comments when available.

Comments

Crown land and Crown roads within a Mining Lease must be subject to a Compensation Agreement issued under Section 265 of the *Mining Act 1992*, to be agreed and executed prior to any mining activity taking place and within 12 months of Project/ Modification Approval. The Compensation Agreement may include conditions requiring the Mining Lease Holder to purchase of any Crown land impacted on by mining activity.

Yours sincerely

Alison Collaros
A/Manager, Assessment Advice
Lands and Water - Strategy and Policy
2 August 2018