

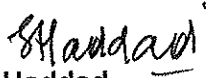


**Record of Minister's opinion for the purposes of Clause 6(1) of the State
Environmental Planning Policy (Major Projects) 2005**

I, the Director-General of the Department of Planning, as delegate of the Minister for Planning under delegation executed on 4 March 2009, have formed the opinion that the development described in the Schedule below, is development of a kind that is described in Schedule 1 of the *State Environmental Planning Policy (Major Projects) 2005* – namely Clause 23(1)(a), which includes development that has a capital investment value of more than \$30 million for the purpose of: *'heavy railway lines associated with mining, extractive industries or other industry'*, and is thus declared to be a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* applies for the purpose of section 75B of that Act.

Schedule

A proposal for the Maitland to Minimbah Third Road (track) and associated works from the west of Maitland Station to the east of Minimbah Bank, in the Maitland, Cessnock, and Singleton local government areas, and generally as described in the draft Preliminary Environmental Assessment dated 9 April 2009.


Sam Haddad
Director-General

Date: 27th April 2009.