

File No: SC323  
29 November 2022

Attn: Director – Resource Assessments  
Planning and Assessment,  
Department of Planning, Industry and Environment  
Locked Bag 5022  
PARRAMATTA NSW 2124

Dear Sir/Madam,

**RE: TOMINGLEY GOLD OPERATIONS PTY LTD – MOD 7 – PAE-50679971 - SUBMISSION**

Thank you for the opportunity to provide comment on the proposal to modify the existing approval. It is acknowledged that the modification seeks to construct a northern access ramp for the approved 'Wyoming 1 Open Cut'.

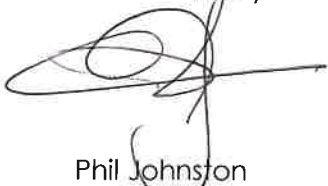
Council does not have any objection to the modification, where the proposal does not have any significant change to the traffic impacts off-site. The village of Tomingley, located on the Newell Highway, is the southern access point for the Tomingley/Narromine/Gilgandra loop, which is an important road freight corridor in NSW. Having a clear indication of impacts to visual amenity and road impacts is important. Council's Department of Infrastructure and Engineering Services should be directly engaged with to discuss any changes proposed to the road use and off-site transportation.

It is acknowledged the Modification Report details (with supporting studies), that the proposed modification does not exceed noise criteria and air quality criteria. Council is satisfied visual amenity is addressed. Overall, it is requested the proposed modification and identified mitigation measures are addressed in conditions and amended impact to landform is included in rehabilitation plans. Council does not raise any other significant areas of concern.

Further it is noted the Report does not comment in depth on the Planning Agreement with Council. Council is obligated under the Agreement (clause 19) during the term of this agreement, to review and amend the agreement, if a new development application or modification of an existing planning consent is required for the development. It is requested that clarification be provided, that no change is sought to the Planning Agreement and as to whether contributions under sections 7.11 or 7.12 are excluded by the agreement (previous section 94 or 94A).

Please contact Emma Yule, Manager Planning on 6889 9999 if you have any queries or would like to discuss the future application further.

Yours faithfully



Phil Johnston  
**Director Community & Economic Development**