



06 February 2020

Mr Joel Herbert  
Department of Planning, Industry and Environment  
GPO Box 39  
SYDNEY NSW 2001

Your Ref: 165-7-2005 Mod 3

Dear Mr Herbert

**Proposed Modification to an Approved Extractive Industry – 165-7-2005 Mod 3  
Lot 170 DP 664766, Lot 170 DP 664767, Lots A and B DP 407341 and Lots 176, 177  
and 216 DP 752039, Haerses Road, Maroota**

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I refer to the above Modification Application and your request for comments.

The proposed modification has been reviewed and concerns are regarding the proposed increase in the scale of the extractive operation, particularly in regard to production (tonnes per annum) and truck movements in respect to the use of Section 4.55 of the EP and A Act. The modified proposal, from its original approval, proposes an increase in production from 250,000 tonnes per annum to 495,000 tonnes per annum and an increase in truck movements from 56 truck movements per day (as modified in 2018) to 180 truck movements per day. An increase of this nature indicates that the proposal is not substantially the same development as was originally proposed. It is also noted that the modification application approved in January 2018 did not increase production. As such, it is considered that a new Development Application is required to substantiate the proposed increase.

The proposal also refers to the modification to the buffers/setbacks to the northern boundary. Any reduction in buffers/setback would need to ensure that impacts such as acoustic and visual impacts are appropriately managed.

Please note that the above matters were raised in an email to Umwelt on 25 March 2019.

Should you have any questions or wish to discuss the matter further please contact me at [kmckenzie@thehills.nsw.gov.au](mailto:kmckenzie@thehills.nsw.gov.au) or on 9843 0319.

Yours faithfully

A handwritten signature in black ink, appearing to be 'KM', with a large, sweeping flourish extending to the right.

**Kristine McKenzie**  
**PRINCIPAL EXECUTIVE PLANNER**