

Enquiries
Please ask for Steve McDonald
Direct 02 6549 3700
Our references
Your reference

13 June 2014

**Ms Carolyn McNally
Acting Secretary
Department of Environment and Planning
GPO Box 31
SYDNEY NSW 2001**

Dear Ms McNally,

Reply to Response to Submissions: Bengalla Continuation Project

I refer to the Response to Submissions provided by the Bengalla Mining Company ("the proponent") with respect to the Application for the Bengalla Continuation Project. Council appreciates the opportunity to provide its reply to the Response to Submissions prepared by the proponent, and apologises for the delay in responding.

Council submits as follows:

1. Except insofar as 2 is concerned, Council is supportive of the application.
2. Council notes that it will be the consent authority for any road closure and accordingly, does not propose to comment on the merit or otherwise of the proposal to close and realign Bengalla Link Road. It is noted, however, that the proposed alignment, in Council's preliminary view, is unlikely to be successful given the substantial impact on the efficiency of the local road network. Council notes recent traffic counts already disclose unanticipated movements on Wybong Road east of the present alignment of Bengalla Link Road. In Council's view the proponent should provide a statement of commitments to review the mine plan and its approvals framework following the finalisation of the Mine Affected Roads Network Plan and Strategy. Such commitment may require a modification to its present consent concerning the proposed realignment of Bengalla Link Road. With respect to any s138 application under the *Roads Act* to dig up or disturb the surface of Bengalla Link Road, along its existing alignment, it is Council's preliminary view that while the application is likely to be successful, it would be conditional on the reconstruction of the road along the present (or more favourable) alignment post-mining and require the provision of an alternative road prior to disturbing the surface of the road.
3. Council has no objection to the recently lodged Part 3A Modification for geotechnical investigation.

Thank you for the opportunity to comment.

Yours faithfully,



Steve McDonald

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