DOP 060824

24 August, 2006

Mr Howard Reed Principal Adviser, Mining & Extractive Industries Department of Planning PO Box 39 Sydney NSW 2001

Also by email: Howard.Reed@planning.nsw.gov.au

Dear Sir,

TAHMOOR MOD 67-5-2006 Your email of 21 August, requesting further information

Thank you for your detailed email drawing attention to the implications for the area referred to as "Area 3".

You correctly point out a difficulty with the language in Section 4.1.3.2 of the SEE. Whilst we believe the comment contained therein "not due to any limiting surface factors" is relevant to the other five areas, we concede that the location of the tunnel structure within Area 3 is likely to have had influence on the mine design in 1998.

In this respect, and given the additional detail and assessment Area 3 would command in order for it to be grouped with the other five areas for the Department's consideration at this time, we acknowledge the difficulty you face in advancing the matter as drafted.

In order to overcome this difficulty, we hereby withdraw Area 3 from the group of six discrete areas listed within Section 4.1.3 of the SEE.

Your attention is drawn to the final paragraph of Section 4.1.2 of the SEE. This paragraph mentions areas marked "for future investigation". We believe that Area 3 is more appropriately grouped with these areas and propose that it be so grouped. SEE Plan PC2201 would require alteration so that Area 3 is changed from the red colour to green with black hatch. We have attached a revision of Plan PC2201 (revision date 24/08/06) reflecting this change and trust this will assist.

We thank you again for your attention to this matter and remain available to offer further clarification as necessary.

Regards, TAHMOOR COAL PTY LTD

Mitchell Geddes

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TECHNICAL SERVICES MANAGER

Encl. Revised Plan PC2201 (24/08/06)

