

Reference: LGS
Environment & Development Dept.



10 November 2014

Brendan Liew
Planning Officer
Mining and Industry Projects
NSW Department of Planning & Infrastructure
GPO Box 39
Sydney NSW 2001

Brendan.Liew@planning.nsw.gov.au

Dear Sir,

AUSTEN QUARRY EXTENSION (SSD 6084)

I refer to the abovementioned project and your invitation for submissions to the above development.

Council considers the Environmental Assessment adequately addresses the relevant issues and Council has no objection to the development subject to the following conditions being included on the consent if the development is approved:

General

1. Stage 1 of the development is to comply with 103/94DA approved conditions, is to be carried out generally in accordance with the development application and accompanying Environmental Impact Statement and all modifications of development consents issued by Lithgow City Council.
2. Lithgow City Council is to be notified of any modifications and determinations.
3. There is to be no quarrying, processing, loading or transportation on Sundays and Public Holidays.
4. This consent shall lapse 30 years from the date of endorsement.
5. The applicant is to prepare and submit Annual Reviews (formerly Annual Environmental Management Reports) to Lithgow City Council to review. The annual Review must:
 - (a) Describe the development that was carried out in the previous calendar year;
 - (b) Include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, which includes a comparison of these results against:
 - The relevant statutory requirements, limits or performance measures and criteria,
 - The monitoring results of the previous years; and
 - The relevant predictions in the EIS,

- (c) Identify any non-compliance over the last year and describe what actions were (or are being) taken to ensure compliance.

Section 94A Contribution

6. Council would like the opportunity to enter into a Voluntary Planning Agreement for this project. Council recently adopted a Section 94A Contributions Plan in accordance with the *Environmental Planning and Assessment Act 1979*, which imposes a 1% Contribution on all development over \$200,000. However, Council acknowledges that such a contribution may be inappropriate for projects of the type proposed by HyTec Industries.

Please note that Hy-Tec has commenced the initial stages of negotiating a Voluntary Planning Agreement with Lithgow City Council.

It is to be noted that Figures 4.9 and 4.10 are incorrect and possibly out of date.

Figure 4.12 displays Highway upgrades that are not committed to at anytime in the foreseeable future.

Please do not hesitate to contact Miss Lauren Stevens who is available between 8:15am and 10:30am Monday to Friday on (02) 63549999, in Council's Environment & Development Department should you have any queries in relation to this matter.

Yours sincerely



Mr P G Cashel

TEAM LEADER DEVELOPMENT PLANNER