

13<sup>th</sup> October, 2012

Mr Phil Jones  
NSW Dept of Planning & Infrastructure  
Sydney.

Dear Sir,

Ref: HVO South Project - Modifications 4 & 5

We refer to the Coal & Allied letter dated 26 September, 2012 to your department seeking amendments to Modification 2, from February, 2012.

We object to the proposed amendments for the following reasons:-

1. The haste with which the application was prepared, and dealt with by DOPI casts doubt on the independence and integrity of the Department.
2. We find it incredible that the proponents of the land swap, your department that reviewed the modification and the PAC that approved it could have overlooked the obligation to properly determine an alternate offset area.
3. The local Community including the original objectors to Modification 2 has been denied the opportunity to properly respond to the proposed modification.
4. We consider that the 140 ha of land to be acquired at Goulburn River is not like for like with the Archerfield sands area leaving HVO South Project with no acceptable offset area.
5. We are concerned that the repealed Section 75W of the EPA Act continues to apply even after mining approval has been granted by your Department.

yours sincerely

Marie & Stewart Mitchell