



# BALRANALD SHIRE COUNCIL

ALL COMMUNICATIONS  
MUST BE ADDRESSED TO  
THE GENERAL MANAGER

Contact:

JS:CH:624

70 Market Street, Balranald NSW 2715  
PO Box 120, Balranald NSW 2715

Tel: 03 5020 1300

Fax: 03 5020 1620

Email: [council@balranald.nsw.gov.au](mailto:council@balranald.nsw.gov.au)

Web: [www.visitbalranald.com.au](http://www.visitbalranald.com.au)

July 22<sup>nd</sup> 2013

Caitlin Elliott  
Senior Planner, Mining and Industry Projects  
NSW Dept Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

Dear Caitlin

**Re; Development Application from Cristal Mining Pty Ltd (Crystal Mining)**

Thank you for the opportunity to provide comments and conditions towards the DA from the above mining group for the Atlas Campaspe Mineral Sands Project (SSD-5012).

These developers have been in regular communications with Council for some time as has this Council with the Central Darling Shire Council on issues of common interest that is the haulage route (MR 67). It is Councils understanding that both Balranald and Central Darling now have formulated a common approach to the transport issues surrounding this mining operation.

Council at its most recent meeting resolved to advise the NSW Office of Planning and Infrastructure that the Development of the Atlas – Campaspe Open Cut Mineral Sands Project is only supported if the following issues referred to in the Council resolutions below are appropriately addressed.

- 1. That Council inform the Minister of Planning and Infrastructure that the EIS concerning the Atlas-Campaspe Mineral Sands Project does not adequately address the potential impact of the development on the Ivanhoe Balranald Road pavement and an assessment in this regard should be undertaken prior to determination of the subject application.*

2. *That in the event that the Minister does not require any additional investigation regarding impacts on road pavement that Council request the Minister of Planning and Infrastructure consider levying the development a monetary contribution at the rate of \$5.20/tonne for road maintenance works on the Ivanhoe Balranald Rd within the Balranald Shire Council LGA and negotiate with the developer to incorporate this requirement in a Voluntary Planning Agreement pursuant to Section 93F of the EP&A Act.*
3. *Council also requires the Voluntary Planning Agreement to address in a financial sense, the improvements to community infrastructure that would otherwise be covered in a Section 94 policy and contribution in addition to other enhancement of community facilities that are not covered by Section 94.*
4. *That Council in conjunction with Central Darling Shire Council engages suitable legal advice/resource to prepare a draft Voluntary Planning Agreement for the Ministers consideration in determination of the subject development application.*
5. *The developer is to submit a design for the reconstruction of a 37 km section of part Magenta – Wampo Rd, and part Hatfield-The Vale Rd between the mine site and the Main Rd 67 intersection, in accordance with figure 4 appendix D of the EIS, for Councils endorsement, prior to any upgrade.*
6. *The full cost of these local haulage route road upgrades, realignments and intersection treatments, will be borne by the developer.*
7. *Balranald Shire Council reserves the right to close these local haulage route roads when deemed impassable or unsafe due to a significant rain event, and in consultation with the developer, re-open the roads when pavements are suitable for use.*
8. *Regular watering of the local roads on the mine haul route is to be undertaken at the developers full cost, in dry times, to suppress dust hazards the resultant safety risk.*
9. *Pavement rutting, dusting, or other collapse from haulage patterns resulting in a surface difficult to traverse in light vehicles, on the local roads will be immediately rectified at the developers full cost, and to the satisfaction of Balranald Shire Council.*
10. *All construction proposals for the accommodation camp, including water supply, electricity, waste water disposal, on site sewerage treatment, vehicle parking, building construction detail and waste removal, is to be the subject of an approval, either by Balranald Shire Council or a suitably accredited private building certifier, prior to any works commencing.*

*11. Council will reserve the right to close the following local natural gravel standard roads in the vicinity of the mine in wet weather:*

- *Magenta - Wampo Road*
- *Marma - Box Creek Road*
- *D Block Link Road*
- *Hatfield – The Vale Road*
- *Melton Grove – Dockerty Road*
- *Boree Plains – Gol Gol Road*
- *Turlee – Leaghur Road*
- *Mildura – Ivanhoe Road.*

*12. Councils reserves the right to restore these roads at the developers full cost in the event that any access over these local roads to and from the mine causes damage to these local roads during or after inclement weather.*

Subject to the approach taken to Council's resolution 1 it and above resolutions 2 and 3 would best be dealt with by a Voluntary Planning Agreement (VPA). Council will progress already commenced discussions as to the quantum and other conditions relating to the community enhancement amounts in resolution 3.

Council envisages either entering into the VPA prior to the determination of the application in terms subject to the grant of an approval or by securing an 'offer to enter a VPA' by Crystal Mining to Council with any approval requiring the entry of the VPA with Council prior to the commencement of the development.

Resolutions 5, 6, 7, 8, 9, 11 and 12 would best be the subject of appropriately framed conditions of any approval. Resolution 10 may also be addressed in this way. Council proposes discussing resolution 10 with Crystal Mining.

Councils focus has been on the road network and its preservation. It is appreciated that there will also be considerable focus on conditions of consent surrounding many other issues of an environmental nature. It is trusted that your office will draw conclusions on these requirements based on the content of the EIS.

Thank you for the opportunity to participate however, council reiterates that it is of utmost importance to ensure that the subjects of the Council's resolutions be appropriately addressed and to preserve council's road network.

Please keep Council informed and direct any enquiries to Director Infrastructure & Development John Stevenson on 03 50201300.

Yours faithfully



Chris Littlemore  
**GENERAL MANAGER**