

16 May 2019

NSW DEPARTMENT OF PLANNING & ENVIRONMENT
PO Box 1226
NEWCASTLE NSW 2300

Dear Sir/Madam

**Subject: MISC/259/2018/B - Nsw Department Of Planning And Environment -
Notification For Mandalong Southern Extension Project - Modification**
LOT 54 DP 9632 LOTS 5/6 8 & 10 DP 262159 ML 1443 & 1543 SURFACE
43.386Ha SUBSURFACE 3820.5Ha
12 Kerry Anderson Drive, MANDALONG NSW 2264

Council has reviewed the documentation provided regarding the Mandalong South Extension Project – Modification 8.

Council understands that this modification will involve:

- Increase in number of full –time personnel at the Mandalong Mine Access Site (MMAS) from 470 to 815;
- Upgrading of the MMAS' electrical substation; and
- Additional Car parking.

It was noted on review of the information provided no detailed plans of the proposed substation or the carpark were provided. Given this, it is difficult to determine the extent of the clearing required as opposed to proposed, whether sufficient/compliant car parking will be provided, whether vehicle circulation requirements will be achieved, whether stormwater will be appropriately managed or whether aesthetic values will be sufficiently maintained through landscaping. It is also not clear from the information provided how the proposed alterations will interact/impact on the other existing uses on site

Given this, Council objects to the development on grounds that sufficient information has not been provided to make an informed assessment of the application or clearly define what is being approved.

In addition to this Council raises concern with the statement:

any specific management activities associated with the modification will be incorporated into a construction environmental management plan (CEMP) or similar

This statement is vague and Council is concerned whether the impacts of the development would be appropriately intergraded into the CEMP. Council requests that the CEMP modifications be provided as part of this modification, or prior to operation of this modification to the Department's satisfaction.

The site is identified by Council's Local Environmental Plan 2014 as being within a Sensitive Aboriginal Cultural Landscape and is mapped in the Lake Macquarie Aboriginal Heritage Management Strategy. The application is accompanied by an Aboriginal Cultural Heritage Impact Assessment, which has been reviewed and determined to be appropriate. However, Council recommend reinforcing this document with appropriate conditions of consent including requiring:

- the person having benefit of the consent to notify any contractors or persons involved in undertaking the works that they may find Aboriginal objects and how to manage them appropriately; and
- Aboriginal Cultural Heritage Impact Assessment, be implemented and form part of a Project-specific Construction Environmental Management Plan (CEMP).

Table 5.2 of the SEE outlines matters for consideration under Clause 4.15(1) of the EP&A Act. Under Development Control plan, the table notes that there are no development control plans relevant to the modification however Council's Development Control Plan 2014 is applicable to the site and particularly outlines car parking, offsets, landscaping and the like which would be applicable to this type of development. Accordingly, Council request that this section be amended to address this.

In summary, Council is not supportive of the application as it does not provide adequate information to inform a determination by way of consent.

Should you require further information, please contact the undersigned on 4921 0256 or by e-mail on sholmes@lakemac.nsw.gov.au.

Yours faithfully

A handwritten signature in black ink, appearing to read 'S Holmes', with a long horizontal flourish extending to the right.

Sian Holmes
Development Planner
Development Assessment and Certification