

SINGLETON SHIRE COUNCIL

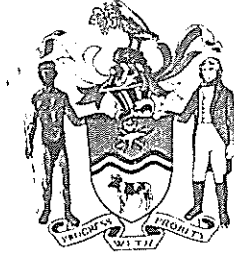
Address all correspondence
to the Shire Clerk

Verbal Enquiries to:

..... Mrs F Stewart-Butcher

Your Ref:

Our Ref: DA 51/90



CIVIC CENTRE
SINGLETON, N.S.W. 2330

P.O. Box 314, DX 7063 Singleton

FAX (065) 72 4197
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FORM 7

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

NOTICE TO APPLICANT OF DETERMINATION OF A DEVELOPMENT APPLICATION

To: Bloomfield Collieries P/L, of PO Box 4, East Maitland, being the applicant in respect of development application No. DA 51/90, to establish a stockpile and rail loading facility for coal from Rix's Creek Colliery including road haulage and a bridge over the rail line.

Pursuant to Section 92 of the Act notice is hereby given of the determination by the consent authority of the development application No. DA 51/90 relating to the land described as follows:-

Part Portion 83, Portion 139 and 137, Parish of Darlington, Rix's Creek.

The development application has been determined by granting of consent subject to the conditions specified in this notice.

The conditions of the consent are set out as follows:-

- (i) That emergency access be allowed through the lease from Camberwell and Maitland Main.
- (ii) That the applicant adopt the water management plan, as outlined in the Statement of Environmental Effects, for the waters associated with the stockpile, roads and coal handling facilities.
- (iii) That the applicant suitably supplement existing vegetative growth and treat the exterior of the load bin with coloured cladding which will assess in the assimilation of the proposal into the natural surroundings.
- (iv) Topsoil will be stripped from all disturbed areas and stockpiled for replacement on:-

- (a) Downstream batters of dam walls and all dam batters above top water level;
 - (b) Diversion channels; and
 - (c) Other disturbed areas prone to soil erosion including haul road batters, drains.
- (v) All disturbed areas mentioned above to be revegetated immediately after topsoiling.
 - (vi) All vegetation on dam in-flow and below spillway areas are to be left undisturbed.
 - (vii) That all matters contained in the "Statement of Environmental Effects" regarding water quality be strictly adhered to.
 - (viii) Bloomfield Collieries Pty Ltd/Rix's Creek making formal application to the SRA for approval to construct the new bridge over the SRA main line tracks.
 - (ix) The proposed bridge being designed and constructed to meet all SRA Engineering, Technical and other requirements.
 - (x) All costs associated with the design and construction of the proposed bridge shall be met by the company.
 - (xi) Bloomfield Collieries Pty Ltd/Rix's Creek shall execute a standard formal legal agreement covering the construction and use of the proposed bridge all cost to be at the company expense.
 - (xii) Construction not commencing or continuing on SRA property without formal written approval.
 - (xiii) The company shall provide full indemnity to SRA covering all matters associated with construction and use of the bridge by any persons whether approved or not by the Company.
 - (xiv) The bridge when constructed being available for use by authorised SRA personnel in the normal course of their business.
 - (xv) Once constructed the original design loadings on the bridge shall not be exceeded without prior approval from the SRA, Regional General Manager, North.

The reasons for the imposition of the conditions are set out as follows:-

- (i) The impact of the development on the Environment.
- (ii) The effect of the development on the landscape or scenic quality of locality.
- (iii) The adequacy of the proposed means of entrance to and exit from the development and the land to which the development application relates and the adequacy of provisions made for the loading, unloading, manoeuvring and parking of vehicles within the development or on the land.
- (iv) The adequacy of provisions made for the landscaping of the land to which the development application relates and the preservation of any trees or other vegetation worthy of such preservation.
- (v) Whether that development is likely to cause soil erosion.
- (vi) Representations made by public authority in relation to the development application or to the development of the area.

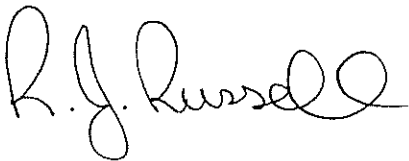
Endorsement of date of consent: 18 October 1990

NOTES:

- (1) To ascertain the date upon which the consent becomes effective refer to section 93 of the Act.
- (2) To ascertain the extent to which the consent is liable to lapse refer to section 99 of the Act. Section 99 of the Act generally provides that a development application lapses after 2 years from the date on which the consent becomes effective, unless the development is commenced. A further 12 month extension of consent may be granted upon application being made prior to the lapse of consent.
- (3) Section 97 of the Act confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court exercisable within 12 months after receipt of this notice.

(4) You are advised:-

- (i) That the above conditions have been imposed pursuant to Section 90, Subsections 1 (b), (c), (i), (m), (m1) and (n) of the Environmental Planning and Assessment Act, 1979.
- (ii) Where subdivision consent is conditional upon engineering works being undertaken (e.g. roads, access crossings, water supply, sewerage, drainage etc.), applicants should consult with Council's Technical Services Division prior to the commencement of any works.
- (iii) That the land is located within a Mine Subsidence District and that the approval of the Mine Subsidence Board to the development will be required.



R J Russell
for GENERAL MANAGER

Date: 18 October 1990

FS-B\L