



28 January 2020

Mr Stephen O'Donoghue
Director Resource Assessments
Department of Planning, Industry and Environment

By email: stephen.odonoghue@planning.nsw.gov.au

Dear Mr O'Donoghue,

Glendell Mine MOD 4 (DA 80/952)

In its consideration of the abovementioned application, the Independent Planning Commission (the **Commission**) has identified a number of matters which would be assisted by further clarification. These matters were outlined in general terms during the Commission's meeting with the Department of Planning, Industry and Environment (the **Department**) on Thursday 23 January 2020.

The Commission seeks clarification from the Department on the following:

- 1) The number of dwellings in Camberwell that are not under mining ownership;
- 2) Provision of a table of Camberwell properties with/without acquisition rights (including under which consent and whether the consent is operational);
- 3) With respect to the draft recommended instrument ([Glendell Mod 4 Instrument of Modification Draft Revised to IPC Jan 2020](#)), clarification of the intent and effect of the following:
 - a) The request of the Resource Regulator to include “/or” in Schedule 2, Condition 5 – specifically in relation to that amendment potentially allowing the Resource Regulator to be satisfied as to the provision of offsets;
 - b) The replacement of “Note:” with “a” in Schedule 2, Condition 14 – specifically as to how the “a” will relate to (b) of that condition;
 - c) The need for notes ^a and ^b in Schedule 3, Condition 37C;
 - d) Whether Schedule 3 Condition 38 needs to be retained or amended in light of the Note at the end of the Condition;
 - e) Whether the conditions effectively operate to require a revision of the existing Aboriginal Cultural Heritage Management Plan (under Schedule 3 Condition 44 of the Consolidated Consent) to accommodate Mod 4. If this is not the case, the Panel proposes an addition to Condition 44 similar to the following:
“(b1) be updated and resubmitted to the Secretary for approval prior to any disturbance of land approved by Modification 4”; and
 - f) The proposal to remove Schedule 3 Condition 51 and replace it with a new Condition 23A in the same Schedule when Condition 51 appears to have a more comprehensive set of requirements related to reducing greenhouse gas emissions from the site.



New South Wales Government
Independent Planning Commission

The Commission would be grateful if the Department could provide a response to these matters by the close of business on **Monday 3 February 2020**.

If you have any questions, please contact Brad James, Senior Planning Officer, on 9383 2165 or at bradley.james@ipcn.nsw.gov.au.

Yours sincerely,

Stephen Barry
Director
Independent Planning Commission