

MARK E.

*copy sent to [unclear]*



# Department of Planning

## ILLAWARRA & MACARTHUR REGIONAL OFFICE

23 DEC 1994  
EST 0068

Mr. J. Stewart  
Managing Director  
Kembla Coal and Coke  
P.O. Box 1770  
WOLLONGONG NSW 2500

State Office Block  
84 Crown Street  
Wollongong, 2500  
P.O. Box 61  
Wollongong East, 2520

Telephone : (042) 268111 Ext:

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Contact :

Our Reference :

Your Reference **W91/01178/z02**

*→ Dave Oke*

D47-0029

Dear Mr. Stewart

Application to modify the conditions of consent for Tahmoor Colliery

I refer to your application to the Director of Planning under section 102 of the Environmental Planning and Assessment Act to modify the conditions of consent for a coal preparation plant and ancillary washery and reject area for Tahmoor Colliery.

The Director of Planning has agreed to modify the conditions of consent for the colliery. A copy of the new condition of consent is attached.


The modified condition clearly establishes the routes by which the coal can be road hauled and the times in which the coal can be hauled. These conditions have been placed on the road haulage to protect the residential amenity of Tahmoor and Bargo. The new condition also enables the company to seek temporary approval in other emergency situations.

The Director has also approved the temporary road haulage of coal from Tahmoor Colliery to the Corrimal and Illawarra (Coalcliff) Cokeworks. Her approval has been given until 28 February, 1995. I understand that the Westcliff Colliery should be operational by this time.

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Please contact either myself, or Brett Whitworth on (042) 268 120 for further information on this matter.

Yours sincerely

  
D. Ouma-Machio  
Manager (Illawarra/Macarthur)

Encl.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

MODIFICATIONS OF DETAILS OF CONSENT DATED 23 AUGUST, 1979, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 102 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979.

APPLICANT'S NAME AND ADDRESS:

Kembla Coal and Coke  
Crown Central  
Corner Crown and Keira Streets  
Wollongong NSW 2500

WHEREAS:

- (a) The then New South Wales Planning and Environment Commission (hereinafter called "the commission") gave a direction (hereinafter called "the direction") in writing in accordance with Section 342V(3) of the Local Government Act, 1919 to the Council of the Shire of Wollondilly (hereinafter called "the Council") to refer to the Commission for determination by it all development applications of the kind referred to in the direction;
- (b) A development application (hereinafter called "the application") for the development of a coal preparation plant and ancillary washery and reject area (hereinafter called "the development") on certain land and being an application to which the direction applied was received by the Council and referred to the Commission;
- (c) The application was determined by the Commission of 23 August, 1979, by granting consent subject to conditions (hereinafter called "the consent") which was amended under Section 102 on 16 September, 1985 and 8 July, 1988;
- (d) by letter dated 17 October, 1994, the applicant has sought a modification of the details of the consent;
- (e) Pursuant to Section 6 and clause 20 of Schedule 3 of the Miscellaneous Acts (Planning) Repeal and Amendment Act 1979, the reference in the consent to the Commission is to be construed as a reference to the Director of Planning; and
- (f) In pursuance of clause 8(c) of the Miscellaneous (Act) Savings and Transitional Provisions Regulations 1980,

Now, I, Director of Planning, being satisfied that the development to which the consent as modified relates is substantially the same development as described in the application, in pursuance of Section 102 of the Environmental Planning and Assessment Act, 1979, do hereby modify the details of the consent by inserting the following condition 5(c):

5(c) Upon a written notification by the applicant that the Westcliff Colliery is unable, for a stipulated period, to produce sufficient coal to maintain the operation of the Corrimal and Illawarra (Coalcliff) Cokeworks, the Director may approve the transport of coal by road from the site to these Cokeworks. Transport of coal under this condition is subject to:

- (i) the Director of Planning approving the road haulage of coal from Tahmoor;
- (ii) the movement of any trucks, whether empty or full, to and from the site through Bargo and Tahmoor being restricted to the hours of 7.00 a.m. to 5.00 p.m., Monday to Friday; and
- (iii) road haulage being along the routes indicated in Schedule I, and all trucks shall be clean and loads covered at all times to avoid nuisance from wind blown dust.

*Gabrielle Kibble*

*13/12/94.*

G. Kibble  
Director

## SCHEDULE 1

Roads to be used in the transport of coal and return to Tahmoor Colliery in accordance with Condition of Consent 5(c).

### Tahmoor to Corrimal Cokeworks

Old Hume Highway - Avon Dam Road - F5 Freeway - Picton Road - Mount Ousley Road (to junction with the Princes Highway Fairy Meadow) - Princes Highway (to North Wollongong Interchange) - Northern Distributor - Railway Street, Corrimal.

### Tahmoor to Illawarra (Coalcliff) Cokeworks

Old Hume Highway - Avon Dam Road - F5 Freeway - Picton Road - Mount Ousley Road (to Bulli Tops), Princes Highway (to Helensburgh), Lawrence Hargrave Drive (via Stanwell Park to Coalcliff).