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via email

Re: DA 15-291 - 80 Tourle St Mayfield - clarifications

Dear Damian

I am writing to you on behalf of Benedict Industries Pty Ltd regarding the proposed Mayfield West Recycling Facility (DA 15-291) (the proposal).

The proposal is described in the Environmental Impact Statement (EIS) prepared by EMGA Mitchell McLennan (26 March 2015). This letter is to clarify that it is only proposed to undertake works as part of the proposal within the parcel of land legally described as Lot 1 in DP 874109 ('the site').

The easement over Lot 16 DP 270249 will be used to access the site. There is an existing road within the property that is suitable for accessing the proposal. No works are required, or are proposed, in Lot 16 DP 270249 as part of DA 15-291. A site layout is attached that clarifies that the lockable gate at the southern end of the road in Lot 16 DP 270249 is not part of the site. This should be used in place of Figure 2.1 in the main EIS report.

The existing lockable gate at the southern end of the road in Lot 16 DP 270249 is described in the text (EIS Section 2.2.6). Installation of a new gate at this location is not part of DA 15-291. If this gate was to be removed by the landowner (Ausgrid), access to the site will still be restricted by the existing gate on the site. As such, there would be no changes to the impacts described in the EIS.

As noted in my letter to you of 16 June 2015, "[a]pproval is not sought to produce biochar at this time. Should it be proposed in the future, a separate development application will be submitted."

In Section 10 of the Development Application form (signed 25 March 2015), the box was ticked to indicate that an integrated approval under Sections 89, 90 and 91 of the *Water Management Act 2000* may be required. The Department of Primary Industries, Office of Water, has since stated that "a controlled activity approval is not required and no further assessment by this agency is necessary." and "[b]ased on the information provided, there are no water licensing requirements that apply to the proposal" (Letter of 6 May 2015, Alison Collaros, Office of Water to Damian Jaeger, Newcastle City Council). Therefore, the application does not require an integrated approval in respect to the Water Management Act.

Yours sincerely



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