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EMAIL TRANSMISSION

TO: Jaclyn Burns EMAIL: jaclyn.burns@oberon.nsw.gov.au
ORGANISATION: Oberon Council DATE: 06 April 2011
COPY: Mudgee Stone Company REFERENCE: 709
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SUBJECT: Development Application for the Purpose of a Dwelling within Lot 12 DP 603429

Confidential Please Reply For Follow-up Urgent For your information

MESSAGE:

Dear Jaclyn,

As discussed, we have reviewed the submissions received from Oberon Council and Mr and Mrs Webb in relation to the proposed extension and increase in production at the Oberon White Granite Quarry (Project Application 07_0122). We believe that most issues raised which are relevant to Mr and Mrs Webb's Development Application 10.2011.1.1 have been covered within Mudgee Stone Company's submission dated 18 March 2011. We do, however, note the following comment within Oberon Council's submission to Project Application 07_0122 dated 11 January 2011.

"It is stressed that the proposed extension of the White Granite Quarry will have significant environmental harm in terms of noise pollution to the proposed dwelling on Lot 12 in DP 603429. The DoP needs to clearly understand this as it has the potential of creating a lot of unnecessary work for Council Health and Building Surveyors and other Council resources when Council receives noise complaints concerning the quarry operations."

Although Mudgee Stone Company does not believe that the proposed extension will result in significant environmental harm, it is agreed that, despite implementation of reasonable and feasible mitigation measures, noise levels received at the dwelling location as proposed by Mr and Mrs Webb would be unlikely to meet applicable noise criteria at all times. Both Council's and Mudgee Stone Company's position is therefore at odds with Umwelt's assertion that received noise at the proposed dwelling location would be acceptable.

As outlined within Section 4.1.4.3 of the *Environmental Assessment* accompanying Project Application 07_0122, it is accepted that a dwelling entitlement on Lot 12 DP 603429 has been approved under Development Consent DA 110/03. However, *Condition 3* of DA 110/03 requires that "the location and design of a dwelling on the land shall take into account the presence or potential presence, and the impacts or potential impacts, of any proposed or existing quarry operations on the adjoining lands".

As previously raised by Mudgee Stone Company, it is considered that other suitable locations are available within Lot 12 DP 603429 which would not be significantly affected (and therefore should not create unnecessary work for Council Health and Building Surveyors).

If you have any questions or would like to clarify any matter in relation to the above, please don't hesitate to contact Mr Rob Corkery or myself.

Kind regards
Scott Hollamby

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