

GLENCORE

7 August 2013

General Manager
Lithgow City Council
PO Box 19
LITHGOW NSW 2790

By email: council@lithgow.nsw.gov.au

Dear Sir,

REF: LEP 2013 – Objection of Proposed Listing of Property as Local Heritage Item Property: McDonalds Hole Road, Running Stream (Lot 6 DP665679) & Proposed Listing of Heritage Conservation Area C01 – Capertee Heritage Conservation Area (Lot 8 DP755757, Lot 6 DP665680, Lot 6 DP665679, Lot 17 DP755757, Lot 25 DP665681, Lot 25 DP665682 and Lot 92 DP755757)

We refer to the letter issued by Lithgow City Council (**Council**) to Coalex Holdings Pty Ltd (**Glencore**) regarding Lot 6 DP665679 at McDonalds Hole Road, Running Stream (**Property**), for the listing of McDonalds Hole Cottage as a Local Heritage Item. It should firstly be noted that in Schedule 2 of the Draft 2013 LEP; the reference to the Lot DP for the Property is incorrectly identified as Lot 6 DP668679. The correct Lot DP reference for the Property should be Lot 6 DP665679.

Further to the listing of McDonalds Hole Cottage on the Local Heritage Register, we also note that other lands owned by Glencore have been identified within the Heritage Conservation Area of C01 – Capertee Heritage Conservation Area (**Conservation Area**). The Conservation Area includes the following lands owned by Glencore- Lot 8 DP755757, Lot 6 DP665680, Lot 6 DP665679, Lot 17 DP755757, Lot 25 DP665681, Lot 25 DP665682 and Lot 92 DP755757.

As the owner of the Property and land within the proposed Capertee Conservation Area, Glencore objects to the addition of the Property being listed as a Local Heritage Item and our lands being included in the Conservation Area in the 2013 Draft LEP on the following grounds:

1. The addition of McDonalds Hole Cottage as a Local Heritage Item and the listing of other Glencore owned lands as Heritage Conservation Areas will constrain future development on the land.
2. Diminution in the value of our property and land impacted by the listings and ability to sell the property in future as a result of the proposed Heritage listing.

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Glencore Coal Assets Australia Pty Limited ACN 163 821 298

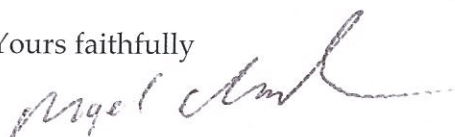
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3. The Property and Conservation Area fall within Assessment Lease 12 (AL 12) held by Glencore, as granted by the NSW Department of Trade & Investment, Regional Infrastructure and Services (DTIRIS). The Lease affords Glencore the right to explore for coal over an area where a significant deposit has been identified. The Property and surrounding areas within AL12 are currently under investigation for future mining potential.

Accordingly, for the reasons stated above, Glencore respectfully objects to the Councils proposal to list the Property as a Local Heritage Item and the listing of other Glencore owned lands as Heritage Conservation Areas in the Draft LEP2013.

Should you wish to discuss this matter further please contact me on 0407 231785.

Yours faithfully



Nigel Charnock
Manager- Land and Property
Coal Assets Australia
Glencore