



Ref: NICS Letter to Deerubbin LALC.docx

2 August 2016

Mr Kevin Cavanagh
Chief Executive Officer
Deerubbin Local Aboriginal Land Council
PO Box 40
Penrith NSW 2751

Dear Mr Cavanagh,

Proposed Stockpiling at 2470 Elizabeth Drive Luddenham

I have given written authority from both the proponent being Epic Mining Pty Limited (ABN 86 144 713 931) and the land owner being Access Property Holdings Pty Ltd (ACN 602 434 140) to communicate with relevant Government and non-Government organisations in relation to planning and environmental matters associated with the proposed relocation of the stockpiling activities.

For your information, the proposal is to re-locate existing approved stockpiling activities from the Commonwealth leased land to a new site located at 2470 Elizabeth Drive, Luddenham. The activities are stockpiling of clay and shale extracted from the approved Luddenham quarry. The Aboriginal community was consulted during the planning stage of the Luddenham quarry and the input was taken into consideration at that time by all Government authorities. Relevant conditions were included in the Development Consent.

The proposed new site has been developed and was used for residential, dairy, cropping and grazing for over 50 years (some information states 120 years). The site was also excavated tens or could be hundreds of times before. The site is extremely disturbed for over 50 (or 120) years.

I have communicated with the NSW Aboriginal Land Council and discussed the matter with Mr Phil Duncan in February 2016. Mr Duncan has advised me to communicate with your Aboriginal Land Council being the responsible Aboriginal Land Council for the Luddenham area.

I have communicated with your office verbally on three occasions:

- ❖ 18 February 2016 – I was advised to send you an email introducing myself to start the communication. So I did sent the email in accordance with the email address included in your website. No response was received for over two (2) months.
- ❖ 19 April 2016 – (twice on that day). My email of 18 February 2016 was not received for unknown reasons. I was advised to send another email about the proposal and was given a different email address. An email was sent to you on that day. Again, we waited for over two (2) months but no response was received.

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I understand from discussions with Dr Jodie Benton, Director of OzArk Environmental & Heritage Management Pty Ltd that you are very busy with many important projects and pressing matters in the West.

I also understand that the site is extremely disturbed and has been subjected to several developments in the last 120 years; however, it will be greatly appreciated if we could receive your comments on any potential Aboriginal interest for the site. If we do not receive your comments within 10 days from the date of this letter, we can assume that there is no Aboriginal interest for this site.

If you wish to discuss the matter further, please contact me on either my mobile 0421 776 003, my email address 20nicolas15@gmail.com or my postal address at PO Box 150 SEVEN HILLS NSW 1730.

Yours Sincerely

Nicolas Israel
Director
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