



**Planning &
Environment**

Planning Services

Resource Assessments

Contact: Joel Herbert

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Our Ref: DA 315-7-2003

Mr Richard Albarran & Mr Brent Kurujina
Hall Chadwick
c/o Epic Mining Pty Ltd
Level 40, 2 Park Street
SYDNEY NSW 2000

Dear Mr Albarran and Mr Kurujina

Luddenham Clay/Shale Quarry (DA 315-7-2003) Modification 4

I refer to the Department's previous letter dated 16 May 2019, outlining the Department's intent to no longer deal with the Modification 4 of the Luddenham Clay/Shale Quarry.

The Department outlined that the options going forward included:

- providing the previously requested outstanding information and proceeding with the modification under section 75W;
- withdrawing the modification application; or
- for the Department to no longer deal with the modification application.

The Department requested that Epic Mining provide this information no later than 30 May 2019.

For the reasons set out in the Department's letter dated 16 May 2019, I advise that the Secretary is of the opinion that insufficient information has been provided to deal with the modification request and that, from the date of this letter, the request will no longer be dealt with under section 75W, in accordance with Section 3BA(4)(b) of the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*.

If you wish to discuss this matter further, please contact Mr Joel Herbert on the details listed above.

Yours sincerely,

Howard Reed

5.6.19

**Director, Resource Assessments
Planning Services**
as delegate of the Planning Secretary