



Our reference: EF13/9337:DOC15/186-13:MF
Contact: Matt Fuller (02) 4224 4100

Department of Planning and Environment
(Attention: Carl Dumbleton)
PO Box 39
SYDNEY NSW 2001

Dear Sir

PROPOSED SECTION 75W MODIFICATION (MP 08_0212 MOD)
NEW BERRIMA SHALE QUARRY – ENVIRONMENTAL ASSESSMENT

I am writing in response to the Department of Planning and Environment's (DPE) email dated 14 May 2015 seeking comments from the Environment Protection Authority (EPA) regarding the above development.

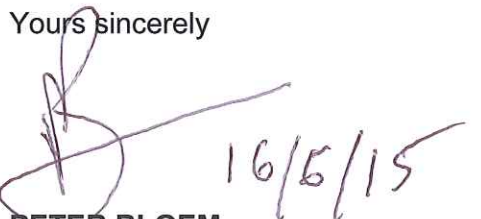
EPA previously provided conditions of approval and suggested Environment Protection Licence conditions to DPE on the proposed shale quarry dated 7 February 2011. EPA also subsequently provided its Environmental Assessment Requirements on the proposed Modification to DPE on 13 January 2015.

On the basis of a review of the Environmental Assessment documents for the Modification and the fact that the only proposed change is a realignment of the quarry footprint, EPA considers that matters regulated by the EPA for the purposes of the *Protection of the Environment Operations Act 1997* (POEO Act) can generally be addressed by the existing conditions of consent issued by DPE on 6 July 2012.

Should DPE decide to approve the modification, the proponent will need to ensure all construction and operational activities are undertaken in compliance with the POEO Act, specifically, Section 120 *prohibition of pollution of waters*, part 5.4 - *air pollution* and part 5.5 – *noise pollution*.

Should you have any questions regarding the above, please contact Mr Matt Fuller on (02) 4224 4100.

Yours sincerely


PETER BLOEM
Manager Illawarra
Environment Protection Authority