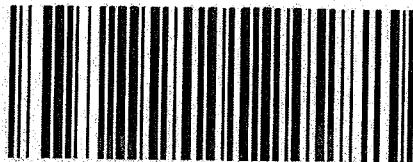




Environment, Climate Change & Water

Your Ref: 10/20993
Our reference: DOC11/8641 FIL10/8298
Contact: Peter Jamieson
(02) 49086 818



PCU019730

Mr Chris Ritchie
Manager - Industry
Major Development Assessment
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Dear Mr Ritchie

Sandvik Machine Manufacturing and Maintenance Project at Heatherbrae Modification (MP 10_0073 MOD 1)

Thank you for your letter dated 9 February 2011 inviting the Department of Environment, Climate Change and Water (DECCW) to make a written submission on the modification application from Sandvik Mining and Construction Australia Pty Ltd to modify the development consent to incorporate a temporary concrete batch plant.

On 27 August 2010 DECCW provided comments to the Department of Planning on this proposal. DECCW noted in this letter that "based on the information provided by the proponent, the proposal does not appear to be scheduled under the Protection of the Environment Operations Act 1997 (POEO Act). As such Port Stephens Council are the appropriate regulatory authority for environmental matters under the POEO Act for the proposed development. Accordingly DECCW have not reviewed the proposal in respect of POEO Act related matters."

Please be advised that the above position remains the same and we will not be making any comments on the proposed temporary concrete batch plant.

Yours sincerely


PETER JAMIESON

Head Regional Operations Unit - Hunter Region
North East Branch
Environment Protection and Regulation

16-2-11

Department of Planning
Received
21 FEB 2011
Scanning Room