

Ms Mandana Mazaheri
Principal Planning Officer
Department of Planning and Environment
Via the Major Projects Portal and to mandana.mazaheri@planning.nsw.gov.au

13 October 2022

Dear Ms Mazaheri

Response to Amendment Report for the Kurri Kurri Lateral Pipeline Project (SSI-22338205)

On 4 October 2022 the Department of Planning provided the Environment Protection Authority (EPA) the Amendment Report for the Kurri Kurri Lateral Pipeline Project (SSI-22338205).

On 12 April and 3 May 2022 the EPA provided advice that it has no comments to provide on this project as the construction and operation of the proposed pipeline does not constitute a Scheduled Activity under the Protection of the *Environment Operations Act 1997* (POEO Act) nor is it being undertaken by or on behalf of a NSW Public Authority. Hence, the EPA is not the appropriate regulatory authority (ARA) for the proposed activities and we recommended the Department needed to contact Cessnock City, City of Maitland and City of Newcastle Councils as the respective ARAs under the POEO Act for the project. This situation remains.

If the project is approved, the proponent must take all necessary actions to prevent, control, abate or mitigate pollution and protect human health and the environment from harm during the construction and operational phases.

If you have any further questions about this issue, please contact Mark Doran on 02 9995 6762 or at info@epa.nsw.gov.au.

Yours sincerely

PETER JAMIESON
Unit Head - Regulatory Operations
Environment Protection Authority