



Your reference: MP06_0074 MOD 3
Our reference: DOC12/35507; LIC09/706-03
Contact: Michael Heinze, (02) 6229 7002

Mining & Industry Projects
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Attention: Ms Felicity Greenway

21 September 2012

Dear Ms Greenway

RE: Modification to Peppertree Quarry Project (06_0074 Mod 3) – Exhibition of Environmental Assessment

I refer to your letter dated 23 August 2012 seeking comments from the Environment Protection Authority (EPA) in relation to the Environmental Assessment (EA) that has been prepared for the proposed modification (No. 3) of the Peppertree Quarry Project.

The EPA understands that the proposed modification includes the construction of a new high voltage electricity distribution line and an extension to the proponent's existing rail siding / passing line. The EPA has undertaken a review of the components of the EA which relate to potential air, noise and water impacts arising from the proposed modification. The EPA is satisfied that these potential impacts have been adequately addressed in the EA.

As you are aware, the EPA has issued Environment Protection Licence No. 13088 (EPL) to Boral Resources (NSW) Pty Ltd for the construction and operation of the Peppertree Quarry project. Should approval of the proposed modification be granted, the proponent will be required to undertake the construction activities in accordance with the current conditions of the EPL. This includes amongst other things the need to comply with Section 120 of the *Protection of the Environment Operations Act 1997* at all times as well as the specified noise limits in the EPL.

As you may be aware, on 29 February 2012 the EPA became a separate statutory authority and as such, the EPA no longer administers legislation relating to the management and regulation of native vegetation, threatened species and Aboriginal cultural heritage. Responsibility for these matters now rests with the Office of Environment and Heritage (OEH).

Accordingly, the EPA has referred your letter and accompanying EA to OEH for its review and separate response. The appropriate contact in OEH in relation to these matters is Ms Sandra Jones, A/Manager Landscape and Aboriginal Heritage Protection. Ms Jones can be reached on (02) 6229 7066.

Should you wish to discuss this matter further please contact Michael Heinze of the EPA's Queanbeyan office on 6229 7002.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Press'.

STEFAN PRESS
Acting Unit Head
NSW Environment Protection Authority