

Ms Megan Dawson
Planning Officer
Resource Assessments
NSW Department of Planning & Environment
GPO BOX 39 SYDNEY NSW 2001

Megan.dawson@planning.nsw.gov.au

Dear Ms Dawson

Luddenham Clay/shale Quarry Modification 4 (DA 315-7-2002) Environmental Assessment Exhibition

I refer to your email of 14 September 2016 requesting comments from the Division of Resources & Energy (the Division) relating to an application for modification to the Luddenham Clay/shale Quarry (the Project) from Epic Mining Pty Limited (the Proponent).

As clay/shale is a prescribed mineral under the Mining Act 1992, the proponent is required to hold appropriate mining titles from the Division in order to mine this mineral. The Proponent has lodged Mining Lease (Mineral Owner) Application No.3 (pending approval) with the Division for the proposed mining activities.

The Division has reviewed the document Environmental Assessment Report Luddenham Clay & Shale Quarry Epic Mining Pty Limited 275 Adams Road Luddenham NSW dated August 2016 and understands the proponent proposes to modify its existing consent DA No 315-7-2003 to relocate a clay and shale stockpile to an adjacent site.

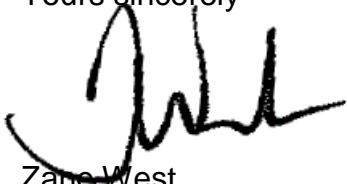
As the proposed stockpiling area is not within the boundaries of the Proponent's proposed mining lease and is outside the area of the original resource and given the temporary nature of both the proposed stockpiling and composting activities, the Division has assessed minimal of potential resource sterilisation.

It is recommended that a final land use plan be provided to the Division prior to this Modification being determined or, alternatively that a condition of approval be "that a final land use plan that addresses the site (Lot 281 DP 571171 - Northern Stockpile Area) be submitted and approved to the satisfaction of the Division".

The Division does not object to the approval of the Project provided the above recommendations are taken into account and implemented.

Should you have any enquires regarding this matter please contact Steve Cozens, Senior Project Officer, Royalty & Advisory Services on 9842 8573.

| Yours sincerely

A handwritten signature in black ink, appearing to read 'Zane West', with a stylized, cursive script.

Zane West

Manager Royalties & Advisory Services