



Office of
Environment
& Heritage

DOC18/992665
DA 165-7-2005 MOD 2

Mr Rob Beckett
Environmental Assessment Officer
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Beckett

Hearses Road Quarry – DA 167-7-2005

I refer to the email dated 7 December 2018 from the Department of Planning and Environment (DPE) requesting comments from the Office of Environment and Heritage (OEH) on a proposed modification to the above project.

OEH has reviewed the information provided from Umwelt supporting the proposed modification and understands it had been submitted to address an issue with a section of the eastern boundary of the approved 'modification disturbance area' and the application of a 40m buffer. Umwelt recommends this issue be addressed by applying a 10m 'adjoining property boundary' extractive industries setback specified in The Hills Shire Council (THSC) Development Control Plan (DCP) as:

- the adjoining land (Lot 7308 DP1163424 [Lot 7308]) is no longer Maroota State Forest and is now owned by The Hills Shire Council (and therefore the minimum 40m 'National Park, State Forest or Crown Lands boundary' setback is not applicable).
- the Hearses Road easement over Lot 7308 is not used as a public road (and therefore the minimum 30m 'Public road' setback is not applicable).

OEH notes, however, that Lot 7308 remains public land which is most likely 'community land' managed by THSC as bushland. The change in ownership has, therefore, not affected the conservation status (or biodiversity values) of Lot 7308.

OEH considers the rationale for maintaining a 40m buffer zone on the approved development to assist in ameliorating the indirect impacts of the quarrying activities on the biodiversity values of Lot 7308 remain valid. The proposed modification is therefore not supported.

Should you have any queries regarding this advice, please contact Richard Bonner on 9995 6917 or richard.bonner@environment.nsw.gov.au.

Yours sincerely

S. Harrison 02/01/19

SUSAN HARRISON
Senior Team Leader Planning
Greater Sydney
Communities and Greater Sydney Division