



Ms Rachael Snape
Senior Property Planning and Approvals (NSW/ACT)
Boral Property Group
Level 18, 15 Blue Street
North Sydney, NSW 2060

30/11/2021

Dear Ms Snape

**Peppertree Quarry (MP06_0074)
Transport Operating Conditions – Extension of Time**

I refer to your request (MP06_0074-PA-29) for an extension of time to construct and operate a new haul road and traffic-controlled intersection with Marulan South Road, as permitted under condition B43 of Schedule 2 of the consent for the Peppertree Quarry (MP06_0074).

The Department notes that Boral has not commenced construction works to date due to the consultation requirements and protracted negotiations with several stakeholders comprising:

- Goulburn Mulwaree Council (Council) for the purchase, deregistration and closure of relevant sections of Marulan South Road;
- Crown Lands who objected to the closure of Marulan South Road due to the resulting fragmentation of adjoining Morrice Street, which allows access to Crown Reserve land (Lot 7010 DP1029596) to the east of the quarry, and the resulting need for Boral to identify an alternate access point to this land; and
- Pejar Local Aboriginal Land Council (Pejar LALC) who are awaiting an outcome on its Aboriginal Land Claim application under the *Aboriginal Land Rights Act 1983* on Lot 7010 DP1029596.

The Department understands that for Boral to progress with the purchase of sections of Marulan South Road and Morrice Street and to apply for the associated road closures to Council and Crown Lands, it still requires:

- formal agreement from Pejar LALC; and
- to complete a survey of Boral's proposed alternate access and establish legal right of way to Lot 7010 DP1029596;

The Department further understands that Crown Lands has advised Boral that processing of road closure applications could take 10 to 11 months. Based on this information, the Department considers Boral's request for the extension of time for the construction and operation of the haul road to transport overburden material permitted under condition B43 to 30 June 2023 is appropriate. Boral must provide to the Department a progress report on its negotiation with Pejar LALC and road closure applications to Crown Lands and Council by 30 June 2022.

Accordingly, the Planning Secretary has granted an extension of time until 30 June 2023 for the Transport Operating Conditions under condition B43 of Schedule 2 of the consent MP06_0074.

If you wish to discuss the matter further, please contact Nagindar Singh on 8289 6873.

Yours sincerely

Jessie Evans
Director
Resource Assessments

As nominee of the Planning Secretary

