



Tuesday, 12<sup>th</sup> October, 2021

Attention: Jessie Evans Director – Resource Assessments  
Joel Herbert - Planner

Department of Planning, Industry and Environment  
4 Parramatta Square, 12 Darcy Street  
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**Boral**

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Dear Jessie

**SSD 7009: Marulan South Limestone Mine Continued Operations Project – staging of management plans**

On 19 August 2021, the Department of Planning, Industry and Environment (DPIE), issued development consent to Boral Cement Limited (Boral) under Section 4.36 of the Environmental Planning and Assessment Act 1979 (EP&A Act), for SSD 7009, the Marulan South Limestone Mine Continued Operations Project (the consent).

Condition A27 (a) of the consent allows Boral to:

[prepare and submit any strategy, plan or program required by this consent on a staged basis \(if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program\)](#)

The approved development included two main components as shown in Appendix 2 of the consent:

1. The limestone mine; and
2. Marulan Creek Dam – a 118 megalitre water storage dam on Marulan Creek to the north of the mine.

As outlined in the Environmental Impact Statement and Response to Submissions Report, construction of the Marulan Creek Dam is not required in the earlier stages of the 30-year mine operations, as mine water demand will continue to be met from sources currently used by the mine including on-site water storage dams, Tallong dam via the Tallong water pipeline and groundwater production wells.

Therefore, it is proposed that the initial Water Management Plan required under Condition B45, will not include the Marulan Creek Dam or address any conditions of consent associated with the Marulan Creek Dam. The revised site water balance (as required under Condition B45 (e)(i), when complete, will identify when in the future the Marulan Creek Dam is required to meet the mine's water demand. Boral will ensure the Water Management Plan is updated to include the Marulan Creek Dam and is approved by the Planning Secretary prior to the commencement of construction of the dam.



Water management and mine water supply at a mine changes substantially over the life of its 30 year consent.. Therefore, Boral proposes that the initial Water Management Plan covers the first two stages (stages 1 and 2) of the development. Boral will ensure the Water Management Plan is updated to include the second two stages (stages 3 and 4) of the development and is approved by the Planning Secretary prior to the commencement of Stage 3.

Boral also requests that the assessment of the women's cultural heritage site along Marulan Creek as required under condition B60 (e) is not included in the initial Aboriginal Cultural Heritage Management Plan, as this condition is directly related to potential impact and mitigation associated with alteration of the flow regime of Marulan Creek from the construction of the Marulan Creek Dam. Boral will ensure the Aboriginal Cultural Heritage Management Plan is updated to address condition B60 (e) and is approved by the Planning Secretary prior to the commencement of construction of the Marulan Creek Dam.

Boral requests approval of the above approach by the Planning Secretary.

Please don't hesitate to contact me if any of the above requires clarification or you require additional information.

Yours Sincerely,

A handwritten signature in black ink, appearing to read "Les Longhurst".

Les Longhurst

Marulan Program manager

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