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**Boral Limited**

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12 October 2023

Director, Social and Infrastructure Assessments  
NSW Planning  
Department of Planning and Environment  
Locked Bag 5022  
PARRAMATTA NSW 2124

**ATTENTION: Patrick Nash**

Dear Patrick

**STATE SIGNIFICANT DEVELOPMENT APPLICATION SSD-57064458 – NEW SHELLHARBOUR HOSPITAL, LOT 10 DP1281639, 86 DUNMORE ROAD, DUNMORE**

Thank you for the opportunity to make a submission regarding the above application.

Boral Resources (NSW) Pty Ltd owns and operates Dunmore Hard Rock Quarry, around 2.5km west-south-west of the land to which the application relates. Additionally, Dunmore Sand and Soil Pty Limited operates the Dunmore Lakes Sand Extraction Project around 1.5km south-west of the land. Both Boral Resources (NSW) Pty Ltd and Dunmore Sand and Soil Pty Limited are subsidiaries of Boral Limited (Boral).

Dunmore Quarry has been operating for some 100 years. The fourth largest quarry in NSW and Boral's second largest NSW quarry, it currently operates under State significant development consent DA470-11-2003. The quarry produces various rock aggregate products of rare quality, suitable for demanding uses such as high strength concrete and asphalt for airport runway construction and other major infrastructure projects. The Department is currently considering application DA470-11-2003-Mod-13 to modify development consent DA470-11-2003; details of the currently proposed modification, as well as current and previous iterations of the consent, are available on the Department's Major Projects website at <https://www.planningportal.nsw.gov.au/major-projects/projects/modification-13-dunmore-quarry-pit-extension>.

The first stage of the Dunmore Lakes Sand Extraction Project commenced in 2000, having been approved by the Minister for Urban Affairs and Planning. In 2005 the Minister for Infrastructure and Planning granted development consent DA195-8-2004 for further stages of the project; this is the project's current operating approval. The project significantly contributes to satisfaction of strong demands for high quality construction sand products in the Illawarra and Greater Sydney regions, as well as development of key infrastructure including strategic roads, Sydney's second airport and the planned growth of key satellite cities in western Sydney, Newcastle and Wollongong. Details of the current and previous iterations of development consent DA195-8-2004 are available on the Department's Major Projects website at <https://www.planningportal.nsw.gov.au/major-projects/projects/dunmore-lakes-quarry-mod-2>.

Section 4.40 of the *Environmental Planning and Assessment Act 1979* (the Act) renders section 4.15 of the Act applicable in the Department's determination of development application SSD-57064458. Section 4.15 (1) (a) (i) specifies the Department – as the consent authority – is to consider the provisions of any environmental planning instrument that are relevant to the proposed development in determining the application. One such provision is section 2.19 of *State Environmental Planning Policy (Resources and Energy) 2021* (the Policy):

**2.19 Compatibility of proposed development with mining, petroleum production or extractive industry**

- (1) *This section applies to an application for consent for development on land that is, immediately before the application is determined—*
- (a) *in the vicinity of an existing mine, petroleum production facility or extractive industry, or*



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- (b) *identified on a map (being a map that is approved and signed by the Minister and copies of which are deposited in the head office of the Department and publicly available on the Department's website) as being the location of State or regionally significant resources of minerals, petroleum or extractive materials, or*
  - (c) *identified by an environmental planning instrument as being the location of significant resources of minerals, petroleum or extractive materials.*
- (2) *Before determining an application to which this section applies, the consent authority must—*
- (a) *consider—*
    - (i) *the existing uses and approved uses of land in the vicinity of the development, and*
    - (ii) *whether or not the development is likely to have a significant impact on current or future extraction or recovery of minerals, petroleum or extractive materials (including by limiting access to, or impeding assessment of, those resources), and*
    - (iii) *any ways in which the development may be incompatible with any of those existing or approved uses or that current or future extraction or recovery, and*
  - (b) *evaluate and compare the respective public benefits of the development and the uses, extraction and recovery referred to in paragraph (a)(i) and (ii), and*
  - (c) *evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a)(iii).*

Boral recognises the likely public benefit of the proposed development and broadly supports it. However, given the above, Boral urges the Department to carefully consider the proposed development with respect to section 2.19 (2) (a), (b) and (c) of the Policy, giving particular regard to:

- The current extraction, processing and transport allowances applicable to Dunmore Quarry and the Dunmore Lakes Sand Extraction Project under their respective State significant development consents DA470-11-2003 and DA195-8-2004, including potential noise and vibration impacts of blasting and other lawfully permitted activities on hospital activities such as operation of sensitive medical equipment
- Surface water management to ensure post-development flows from the proposed development site through the Dunmore Lakes Sand Extraction Project site will not exceed pre-development flows
- Measures proposed by the applicant to ensure ongoing operations at Dunmore Quarry and the Dunmore Lakes Sand Extraction Project will not negatively impact the proposed hospital's operations in such a way as to necessitate measures to curtail the quarry's and project's operations.

Boral trusts the Department will duly consider the above comments in its determination of the development application.

Please contact Boral's Planning and Approvals Manager (NSW/ACT) Roly Wong on 0401 897 893 if you need more information or wish to discuss this matter.

Yours faithfully

Roly Wong  
Planning and Approvals Manager (NSW/ACT)