



Department of  
Primary Industries



PCU037956

OUT12/22993

17 SEP 2012

Ms Elle Donnelley  
Mining & Industry Projects  
NSW Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001



Dear Ms Donnelley,

**Peppertree (Marulan South) Quarry (06\_0074 Mod.3)  
Response to exhibition of Environmental Impact Statement**

I refer to your letter of 23 August 2012 to the Department of Trade & Investment, Regional Infrastructure & Services (T&I) in respect to the above matter. Your letter has been referred to the Department of Primary Industries, a separate department within T&I, for response, as foreshadowed in the letter by the Resources & Energy Division of T&I to yourselves dated 3 September 2012.

The NSW Office of Water provides the following comments and recommended conditions for any proposed approval:

1. The environmental assessment (EA) identifies that there may be potential impacts on surface water during the construction of the rail passing line extension and the high voltage line. There is the potential for increased sediment loads in surface runoff due to ground disturbance during construction. The EA outlines sediment and erosion measures will be implemented during the construction phase to minimise impacts on the watercourses in the locality. The EA also outlines all disturbed areas will be stabilised and rehabilitated following construction of the rail passing line extension and high voltage line. The Office of Water supports the modification provided appropriate erosion and sediment control measures are implemented and all areas are rehabilitated once construction is completed.
2. It is unclear from the EA whether the works will be located within or within close proximity to a watercourse, however while approvals under Part 3A of the *Environmental Planning and Assessment Act 1979* do not require a separate Controlled Activity Approval under the *Water Management Act 2000*, any works within 40 metres of a watercourse should be consistent with State Policy and Guidelines. The NSW Office of Water's '*Guidelines for Controlled Activities (2010/2011)*' outline the management requirements for works within 40 metres of a watercourse. These guidelines can be found at: [www.water.nsw.gov.au](http://www.water.nsw.gov.au).

3. It is expected all works within the riparian areas will be undertaken with minimal disturbance, erosion and sediment control measures, provide adequate drainage, maintain hydrological flow regimes and all disturbed areas are revegetated and rehabilitated appropriately.

The following conditions are recommended for inclusion with any proposed approval:

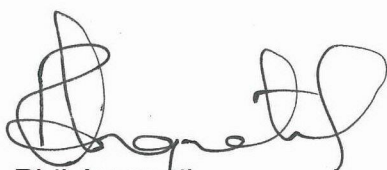
1. To aid in the protection of receiving water source quality, erosion and sedimentation control measures must be implemented during the construction of the works, and until all areas are rehabilitated.
2. All disturbed areas must be revegetated and rehabilitated immediately after works are completed.
3. Any works within riparian areas, including drainage lines, need to give consideration to the NSW Office of Water *Guidelines for Controlled Activities 2010/2011*.

For further information please contact Christie Jackson, Planning and Assessment Coordinator (Tamworth office) on 6701 9652 or at: [christie.jackson@water.nsw.gov.au](mailto:christie.jackson@water.nsw.gov.au).

For information, it is advised that no issues are raised to the proposal by Fisheries NSW and Agriculture NSW.

It is requested that further referral of this matter be made separately to both the Resources & Energy Division of T&I and to the Department of Primary Industries. Referral to the Department of Primary Industries should be to: [landuse.enquiries@industry.nsw.gov.au](mailto:landuse.enquiries@industry.nsw.gov.au).

Yours sincerely



Phil Anquetil

**Executive Director Business Services**