



Kate Jackson  
Senior Planning and Development Manager  
Boral Resources (NSW) Pty Ltd  
PO Box 6041  
North Ryde NSW 2113

  
Dear Ms Jackson

**Peppertree Quarry Modification 5 (PA 06\_0074 MOD 5)  
Request for Response to Submissions**

The public exhibition of the Environmental Assessment (EA) for Peppertree Quarry concluded on Thursday 6 December 2018.

In response to the exhibition, the Department received one submission from a member of the community, no submissions from special interest groups and eight submissions from government agencies. The Department notes that the community submission was in the form of an objection. The submissions can be viewed on the Department's website [www.majorprojects.planning.nsw.gov.au](http://www.majorprojects.planning.nsw.gov.au).

The Department is also expecting additional submissions from the Environment Protection Authority, Department of Industry – Lands & Water and the Local Land Services. The Department will make these submissions available to you as soon as possible once they are received.


The Department now requests that you prepare and submit a Response to Submissions (RTS) report, detailing your responses to all issues raised in the submissions. The Department requests that you give particular consideration to the matters outlined in **Attachment A**, including any requests for clarification and/or further information.

As you are aware, the Department is seeking to deal with all remaining applications made under section 75W of the *Environmental Planning & Assessment Act 1979* (the Act) as soon as possible. The Department therefore requests that the RTS report be submitted to the Department by no later than **14 January 2019**.

If you consider this timeframe is not achievable, please contact the Department to discuss the possibility of transitioning PA 06\_0074 to State Significant Development, with the modification request proceeding under section 4.55(2) of the Act.

If you wish to discuss this matter further, please contact Jack Murphy at the details above.

Yours sincerely,

  
Howard Reed 10.12.18  
**Director**  
**Resource Assessments**

## **Attachment A**

### **1. Biodiversity**

- The Department notes that Boral has been liaising with OEH over the adequacy of the Biodiversity Assessment Report (BDAR) provided in the EA. The Department requests that Boral provides a revised BDAR, prepared in consultation with OEH.
- Please provide detailed discussion regarding impacts on Koala habitat, having regard to *State Environmental Planning Policy No 44 - Koala Habitat Protection*, in particular how it was determined that the site does not contain 'core Koala habitat'.

### **2. Traffic and Transport**

- The Department requests that Boral provides a map which clearly indicates the positioning of the proposed intersection scenarios.
- The Traffic Impact Assessment (TIA) refers to 'existing traffic generated by the Limestone Mine and Peppertree Quarry'. However, the assessment does not quantify current traffic volumes for either operation, please provide further information.
- Please provide an update on the progress of consultation with Council regarding the purchase and deregistration of Marulan South Road.
- Condition 7 of Schedule 2 of the Project Approval states that quarry products must not be transported from the site by road, except with the written approval of the Secretary. The Department routinely grants approval for the donation of scalp material to neighbours and for use in local community projects. The Department recommends that you consider establishing a weekly or daily cap for such vehicle movements, to avoid the need to seek written approval for each donation. However, the Department notes that these vehicle movements would need to be included in the TIA.

### **3. Surface Water**

Section 5.2 of the Surface Water Assessment Report (Appendix F), notes that 'discharges from Dam 1 may occur after heavy rainfall exceeding the design capacity of the basins, when significant runoff and dilution can be expected from other parts of the landscape'. Please provide further information concerning the ability of this dilution to prevent water quality impacts outside the project area.

### **4. Noise**

Condition 5 of Schedule 3 provides voluntary acquisition rights to three privately-owned receivers (R2, R3 and R8) in the event that noise generated by the quarry exceeds the criteria specified in Table 2 of the Project Approval. As the proposed modification would remove these rights, the Department is seeking to ascertain whether the acquisition rights have previously been triggered by the project. The Department requests a summary of noise monitoring conducted for the last two years with respect to these three receivers.