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By email: jack.murphy@planning.nsw.gov.au

Peppertree Quarry – Modification 5 (PA 06_0074 MOD 5): Response to Request for Advice

Dear Jack,

I refer to the Department of Planning and Environment – Resources Assessments (DPE – Resources & Assessment) email dated 1 November 2018 inviting the Resources Regulator to provide advice regarding Modification 5 to the Peppertree Quarry Development Consent (PA 06_0074 MOD 5).

Development Details

The Peppertree Quarry is an open cut operation located at Marulan South, NSW. The Peppertree Quarry – Modification 5 (PA 06_0074 MOD 5) involves the following:

- clearing approximately 28 ha of endangered ecological community;
- developing a new overburden area (South-west Overburden Emplacement – SWOE);
- extending the approval boundary to the south to encompass the SWOE;
- constructing a new haul road from the existing pit to the SWOE;
- constructing a new intersection at Marulan South Road to link the new haul road with the SWOE;
- amending the design of the Western Overburden Emplacement;
- removing the Western Earth Bund from the approval; and
- relocating a powerline which runs through the proposed SWOE site.

Environment and Rehabilitation

The Resources Regulator notes that Peppertree Quarry extracts granodiorite which is not a mineral prescribed under the *Mining Act, 1992*. As such, the Peppertree Quarry does not require a Mining Lease and the Resources Regulator does not regulate environmental or rehabilitation aspects of the Quarry.

The Resources Regulator also notes that the Peppertree Quarry is located north of the Marulan South Limestone Mine and that both the existing and proposed consent boundary extend over parts of the Marulan South Limestone Mine operation.

The Resources Regulator does regulate environmental and rehabilitation aspects of the Marulan South Limestone Mine and there is a current Mining Title (Consolidated Mining Lease (CML) 16) over this operation.

It is understood that the Marulan South Limestone Mine is subject to a forthcoming Development Consent application (SSD 7009) which will also cover the Peppertree Quarry SWOE. It is expected this will be submitted to DPE by the end of November or early December 2018.

A Mining Lease application is also proposed which will include a Mining Lease covering the SWOE. At present, the existing CML16 covers a very small section of the proposed SWOE, whereas the proposed new Mining Lease will cover the full extent of the SWOE.

Summary of Advice


The Resources Regulator has no specific comments to provide regarding environmental and rehabilitation aspects of the **Peppertree Quarry – Modification 5** application.

A detailed review of the forthcoming Marulan South Limestone Mine Development Consent application (SSD 7709) will be undertaken when received.

In the event the Peppertree Quarry SWOE construction is approved and proposed to commence in areas covered by CML 16 prior to approval of the Marulan South Limestone Mine Development Consent, the Marulan South Limestone Mine Mining Operations Plan (MOP), required as a Condition of CML16, would need to be amended to incorporate activities in the areas covered by the Mining Lease.

For enquiries regarding this matter please contact Greg Kininmonth, Manager Environmental Operations (Southern) on (02) 4276 7428 or minres.environment@planning.nsw.gov.au

Yours sincerely



On behalf of
Matthew Newton
Director Compliance Operations
Resources Regulator
NSW Department of Planning and Environment

26 November 2018