



Our Ref: DOC19/113590  
SF19/12422

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**Peppertree Quarry – Modification 5 (PA 06\_0074 MOD 5): Preliminary Response to Submissions (RTS)**

Dear Jack,

I refer to the Department of Planning and Environment – Resources Assessments (DPE – Resources & Assessment) email dated 4 February 2019 inviting the Resources Regulator to provide advice on the Preliminary Response to Submissions for 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) proposes to:

- clear approximately 28 ha of endangered ecological community;
- develop a new overburden area (South-west Overburden Emplacement – SWOE);
- extend the approval boundary to the south to encompass the SWOE;
- construct a new haul road from the existing pit to the SWOE;
- construct a new intersection at Marulan South Road to link the new haul road with the SWOE;
- amend the design of the Western Overburden Emplacement;
- remove the Western Earth Bund from the approval; and
- relocate a powerline which runs through the proposed SWOE site.

The Resources Regulator has previously provided the following advice:

- *Response to Request for Advice (Our Reference: DOC18/891819), dated 26 November 2018.*

**Environment and Rehabilitation**

The Compliance Operations unit within the Resources Regulator has responsibility for providing strategic advice for environmental issues pertaining to the proposed project in so far as they relate to or affect rehabilitation.

The Resources Regulator provided the following advice in our Response to Request for 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".*

The Resources Regulator advises the Department of Planning and Environment – Resource Assessments that the information provided in the *"Peppertree Quarry Modification 5, Environmental Assessment, Preliminary Response to Submissions, February 2019"*, dated 1 February 2019, adequately addresses the issues raised in the 'Response to Request for Advice' submission from the Resources Regulator dated 26 November 2019.

Specifically, it is noted that the Preliminary Response to Submissions states:

- *"Boral will forward this comment to Marulan South Limestone Mine's management team for consideration during the continued operations environmental impact assessment process".*

The Resources Regulator has determined that sustainable rehabilitation outcomes can be achieved as a result of the project and that any identified risks or opportunities can be effectively regulated through the conditions of mining authorities issued under the *Mining Act 1992*.

### **Mine Safety**

The Resources Regulator Mine Safety Operations is responsible for ensuring mine operators manage the risk to worker health and safety through compliance with the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and the subordinate mining legislation. In particular the effective management of risk associated with the principal hazards as specified in the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*.

The Resource Regulator Mine Safety Operations have not identified any risk that would require comment in relation to this matter.

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

Yours sincerely



On behalf of  
Matthew Newton

**Director Compliance Operations**  
**Resources Regulator**  
**NSW Department of Planning and Environment**  
15 February 2019