

6 December, 2018

Attention: Director - Resource Assessments
Planning Services
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2000

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**MP06_0074 MOD 5 - BORAL RESOURCES (NSW) PTY LTD - PEPPERTREE QUARRY
MARULAN SOUTH ROAD, MARULAN**

Reference is made to the application for a Modification (5) in respect of the Peppertree Quarry operated by Boral Resources (NSW) Pty Ltd. This submission is made on behalf of Gormen Pty Ltd who are the owners of a significant property known as 'Glenrock' being 248 Highland Way, Marulan. The 'Glenrock' is the largest private holding that abuts the Boral development which includes the Peppertree Quarry and Marulan South Limestone Mine. It is our understanding that the Modification for the Peppertree Quarry involves the following:

- Clearing approximately 28 hectares 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
- Construction of 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 SWOE
- Removing the Western Earth Bund from the approval and
- Relocating a powerline which runs through the proposed SWOE site

Our client has also met and had discussions with representatives of Boral in August of this year regarding the subject proposal. Our clients do not object to the development, however there is a matter that is pertinent to the Modification, that is an agreement was reached with Boral senior management in November 2011 and July 2013 that trees of an appropriate maturity would be planted along the ridgeline between the subject properties to create a physical visual barrier between the Boral project and the 'Glenrock' property. To date the planting of the appropriate mature trees has not taken place and accordingly it is requested that if the Department of Planning is of the view that the Modification should be approved a condition should be imposed upon the consent to ensure that the following is implemented:

- Boral Resources NSW Pty Ltd be responsible for planting of appropriate mature trees along the ridgeline of our client's property to create a physical visual barrier between Boral's Peppertree Quarry, the Marulan South Limestone Operation and the 'Glenrock' property being 248 Highland Way, Marulan.

Happy to discuss any matter with you on behalf of our client.



DENIS SMITH - DIRECTOR