



Eagleton Rock Syndicate Pty Ltd v Independent Planning Commission (Land and Environment Court proceedings 2024/00328102)

Monday 14 October 2024

A Class 1 merits appeal has been filed in the Land and Environment Court against the Independent Planning Commission's 8 July 2024 grant of development consent to the Eagleton Quarry Project (SSD 7332). See the Commission's website at <https://www.ipcn.nsw.gov.au/cases/2024/04/eagleton-quarry> for documents relating to the development consent.

The Eagleton Quarry Project involves the development of a new hard rock quarry to extract, process and transport up to 600,000 tonnes per annum of hard rock material over a 30-year period at Barleigh Ranch Way, Eagleton.

This appeal has been commenced by the applicant for the Project and seeks amendment of conditions A10 and B34 as imposed by the Commission, relating to transport matters. A copy of the amendments sought by the applicant to those conditions is available on the Commissions website [here](#).

On appeal, the Court exercises the functions and discretions of the consent authority. Prior to listing the appeal for hearing, the Court generally requires that the parties participate in a conciliation conference to see if they can resolve, or narrow, the issues in the appeal (see the Commission's [Section 34 Conciliation Conference Policy](#) for more detail).

Status of the proceedings

The Court has listed this appeal for a first directions hearing on 14 October 2024.

At the first directions hearing the Court will typically list the matter for a conciliation conference to be facilitated by a Commissioner of the Court.

You will be provided with further notice of the date and location for the conciliation conference once it is listed by the Court.

There will be a public part of the conciliation conference where the public may attend and a number of objectors have an opportunity to make verbal submissions. After the conclusion of any verbal submissions, the parties to the proceedings have confidential conciliation discussions facilitated by a Commissioner of the Court. Participation in those discussions is limited to the parties and their representatives.

Options for objector involvement

Objectors to the application have the following options of involvement in the appeal:

1. Attend the public part of the conciliation conference and/or attend the hearing as an observer. There is no need to notify us if you wish to attend as an observer.
2. Make an oral submission at the conciliation conference and/or the hearing. See further steps you may wish to take below.
3. May apply to the Court to be heard at the hearing of the appeal as a party to the appeal. See below.

In addition, if the Court seeks to review submissions (including objections) already made in respect of the application before its determination, the Commission will make all of those submissions available to the Court.

Making a submission at the conciliation conference

If you wish to make a submission at the conciliation conference, please send an expression of interest, including the following information:

- Your contact details (email, phone number, home address).
- Whether you represent any other person or group.
- A copy of the objection you made regarding the application.

Please send your expression of interest by email to campbell.green@dpie.nsw.gov.au with “Eagleton Rock Syndicate v IPC” in the subject heading by **13 November 2024**.

We will inform the Court of these expressions of interest. We will contact those who make an expression of interest after that date to confirm arrangements, noting that typically the Court limits the number of objectors giving submissions at the conciliation conference to six people.

Objectors may be heard at the hearing

A person who made an objection during the public exhibition of the application may be entitled to be heard at a hearing as if a party to this appeal, on application made in writing to the Land and Environment Court within 28 days of the date of this notice (see [section 8.12\(3\) of the Environmental Planning and Assessment Act 1979](#)).

If you wish to apply to exercise this right, the Court’s details are as follows:

The Land and Environment Court of NSW
Level 4, 225 Macquarie Street
Windeyer Chambers
Sydney NSW 2000
Phone: + 61 2 9113 8200 Facsimile: + 61 2 9113 8222

You may also wish to obtain your own legal advice if you are considering exercising this right or otherwise applying to join the proceedings as a party.

Updates

Updates and further information about the appeal will be placed on the Commission’s website at the following address:

<https://www.ipcn.nsw.gov.au/cases/2024/04/eagleton-quarry>

If you do not wish to receive any further correspondence in this matter, please advise us in writing at ipcn@ipcn.nsw.gov.au