



Our reference: SF17/45272; DOC19/29180-10  
Contact: Ms Alex McGuirk; (02) 6333 3807

The General Manager  
Lithgow City Council  
PO Box 19  
LITHGOW NSW 2790

Attention: Ms Lauren Stevens

2 September 2019

Dear Ms Stevens

**BELL QUARRY REHABILITATION PROJECT DA294/18  
SUBMISSIONS REPORT – EPA COMMENTS**

I refer to the designated development application, DA294/18 (the Project), including the environmental impact statement (the EIS; GHD, August 2018), for the proposed rehabilitation project at the former Bell sand quarry (the Premises) referred to the NSW Environment Protection Authority (the EPA) by Lithgow City Council (Council) on 9 January 2019 (the Project). I refer more specifically to the submissions report (GHD, June 2019) referred to the EPA by Council on 3 July 2019 (the Report; GHD, June 2019).

The EPA notes DA294/18 proposes to receive a total of 2.2 million tonnes (1.2 million cubic metres) of waste at the Premises at up to 140,000 tonnes per year from earthworks projects across Sydney and the local regional area with application of that waste to existing quarry voids. The Report provides that the waste proposed to be applied to the existing quarry voids may be virgin excavated natural material (VENM), excavated natural material (ENM) or other “clean fill” material. Further, the Report clarifies that “clean fill” is currently undefined and refers to waste “specifically authorised at some point in the future by a site-specific resource recovery exemption”.

As you may be aware, the Premises is located adjacent to the Blue Mountains National Park / Greater Blue Mountains Area, which is included on the UNESCO World Heritage List and the National Heritage List. The Premises intersects an unnamed ephemeral tributary to the Wollangambe River, which is within the catchment of the declared wild river known as the Colo River, Greater Blue Mountains World Heritage Area.

The EPA and Office of Environment and Heritage (OEH) consider the Report does not provide the required high level of confidence that discharges related to the Project will not adversely impact the Wollangambe River and the Greater Blue Mountains World Heritage Area as minimal additional scientific information has been provided to establish the local water quality and local water quality criteria.

The national water quality guidelines (“ANEZECC guidelines”; both the 2000 version cited and the current 2018 version) emphasise the benefits of locally-derived guideline values rather than default guideline values. The EIS identifies that default values, rather than locally-derived values, were adopted because two years of contiguous monthly data is not available. The application for environmental assessment requirements for the Project was submitted in late 2016 and to date data for only one local sampling event (9 March 2017) has been provided.

Given the ecological sensitivity of the receiving environment, the EPA strongly recommends that local water quality and local water quality objectives are established consistent with the current ANZECC guidelines and contemporary guidance notes such as *Deriving site-specific guideline values for physico-chemical parameters and toxicants* (IESC, 2019).

Council should note the EPA is progressively working with licensees within the Wollangambe catchment, particularly Centennial Coal who holds environment protection licence no. 726 for the nearby Clarence colliery, to tighten local water quality discharge criteria (licence limits) and ultimately remove those discharges from the Wollangambe catchment in the short to medium term. The EPA considers that the Project, in proposing default water quality values and unlicensed discharges, is inconsistent with the significant environmental improvements underway in the Wollangambe catchment.

Based on the information provided in the EIS and the Report, the EPA still considers that insufficient local information has been provided to demonstrate with an appropriate level of certainty that the Project does not pose an unacceptable risk of water pollution to the declared wild river catchment / World Heritage Area.

The EPA would be pleased to meet with Council and the proponent to discuss this matter further.

Should you have any enquiries in relation to this matter or wish to arrange a meeting, please contact Ms Alex McGuirk at the Central West (Bathurst) Office of the EPA by telephoning (02) 6333 3807 or by emailing [central.west@epa.nsw.gov.au](mailto:central.west@epa.nsw.gov.au)

Yours sincerely



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