



Your reference : DA298/18 Bell quarry rehabilitation project  
Our reference : SF17/45272; DOC19/29180-11  
Contact : Ms Alex McGuirk; (02) 6333 3800

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

Attention: Ms Lauren Stevens

15 October 2019

Dear Mr Faulkner

**BELL QUARRY REHABILITATION PROJECT DA294/18  
RESPONSE TO SUBMISSIONS MEETING 3 OCTOBER 2019**

I refer to the meeting held on 3 October 2019 between representatives from the Environment Protection Authority (EPA), Office of Environment and Heritage (OEH), Lithgow City Council (Council) and the proponent for the proposed Bell Quarry Rehabilitation Project (Project) to discuss the EPA's submissions dated 20 March 2019 and 2 September 2019.

In considering the Project against the objectives of the *Protection of the Environment Operations Act* 1997 and the *Environmental Planning and Assessment Act* 1979, the EPA notes the following with respect to the current status of the site:

1. The site has been rehabilitated consistent with the existing development approval (DA108/94) and the operating licence at the time, which was surrendered with EPA approval in 2014;
2. This rehabilitation included the provision to store water in the pit as a fire fighting resource;
3. The landform is stable;
4. Aside from slightly reduced flow rates, there is no impact to surface or groundwater within the UNESCO World Heritage listed Greater Blue Mountains Area (World Heritage Area) from the site.

The EPA notes the following with respect to the Project:

1. Inherent difficulty in managing waste over the fifteen-year life of the Project to ensure no contaminated waste is taken to the site;
2. Potential risks to surface and groundwater within the World Heritage Area downstream of the site;
3. Potential risk of erosion from discharges impacting on the receiving drainage line and an endangered ecological community located within the World Heritage Area;
4. No commitment to establishing a liner to reduce potential impacts to groundwater within the World Heritage Area;
5. Improvement to the aesthetic appeal of the site will only be achieved following the life of the Project and an undefined regeneration period; and

6. The environmental assessment does not demonstrate there will be an improved environmental outcome in the long-term, when compared to the current stabilised site.

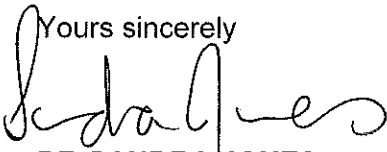
When assessing any proposal which involves the use of waste in accordance with the NSW resource recovery framework, the consent authority, like the EPA, must be satisfied it is a genuine re-use opportunity rather than simply a method of opportunistic waste disposal and does not cause harm to the environment or human health.

Recently the UNESCO World Heritage Committee (Forty-third session, 30 June - 10 July 2019) articulated concerns about mining projects and activities in the vicinity of the World Heritage Area which might cumulatively result in significant impact on the outstanding universal value of the World Heritage Area. The Committee specifically noted the World Heritage Area's increased vulnerability to edge effects as it does not have a formal buffer zone, and the need to assess the potential cumulative impacts of existing and planned mining projects in its vicinity.

Having regard to the legitimacy of the Project under the NSW waste framework, the principles of ecologically sustainable development including the precautionary principle, and the sensitivity of the World Heritage Area including its vulnerability to edge effects, the EPA does not support the Project and maintains its recommendation that the Project be refused.

Should you have any enquiries in relation to this matter please contact Ms Alex McGuirk at the EPA's Central West Bathurst Office by telephoning (02) 6333 3800 or email [central.west@epa.nsw.gov.au](mailto:central.west@epa.nsw.gov.au)

Yours sincerely



**DR SANDRA JONES**

**Manager Regional Operations - Central West  
Environment Protection Authority**