



Mr Roger Bailey  
General Manager  
Lithgow City Council  
PO Box 19  
LITHGOW NSW 2790

16/13848  
SEAR 1105

Dear Mr Bailey

**Waste Management Facility  
Bell Quarry, Sandham Road, Newnes Junction (Part Lot 23 in DP 751631)  
Secretary's Environmental Assessment Requirements (SEAR) 1105**

For your information, I have attached a copy of the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the above proposal, which have been provided to the Applicant.

If a development application (DA) and EIS are subsequently lodged with Council, please forward one physical copy and one copy to the Director, Industry Assessments, Department of Planning and Environment, prior to the commencement of the public exhibition period. This will allow the Department to exhibit the document in its head office concurrently with Council's exhibition.

Following the exhibition period, Council must send the Department a copy of all the submissions it has received, in accordance with Clause 81 of the *Environmental Planning and Assessment Regulation 2000*. **If the Department does not respond within 21 days, Council may proceed to determine the application.**

In addition, it would be appreciated if Council would forward the Department a copy of the determination of the DA.

Should you have any enquiries regarding the above, please contact me on (02) 9274 6273.

Yours sincerely

18/11/2016

Patrick Copas  
**Student Planner  
Industry Assessments**



**Industry Assessments**

Contact: Patrick Copas

Phone: (02) 9274 6273

Email: [patrick.copas@planning.nsw.gov.au](mailto:patrick.copas@planning.nsw.gov.au)

Mr Karl Rosen  
GHD  
Level 15, 133 Castlereagh Street  
SYDNEY NSW 2000

16/13848  
SEAR 1105

Dear Mr Rosen

**Waste Management Facility  
Bell Quarry, Sandham Road, Newnes Junction (Part Lot 23 in DP 751631)  
Secretary's Environmental Assessment Requirements (SEAR) 1105**

Thank you for your request for the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the above development proposal. I have attached a copy of these requirements.

In support of your application, you indicated that your proposal is both designated and integrated development under Part 4 of the *Environmental Planning and Assessment Act 1979* and requires an approval under the *Water Management Act 2000*.

In preparing the SEARs, the Department has consulted with Water NSW, the Environment Protection Authority and the Department of Primary Industries. A copy of their requirements for the EIS are attached. The Department has also consulted with the Office of Environment and Heritage (OEH). Unfortunately, OEH was unable to respond in time, and you are required to consult with them directly in relation to further requirements for the EIS.

The Department has also consulted with the Roads and Maritime Services as required by Schedule 3 of *State Environmental Planning Policy (Infrastructure) 2007* and attaches its requirements for the EIS.

If other integrated approvals are identified before the Development Application (DA) is lodged, you must undertake direct consultation with the relevant agencies, and address their requirements in the EIS.

If your proposal contains any actions that could have a significant impact on matters of National Environmental Significance, then it will require an additional approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to any approvals required under NSW legislation. If you have any questions about the application of the EPBC Act to your proposal, you should contact the Commonwealth Department of the Environment on (02) 6274 1111.

Should you have any further enquiries, please contact Patrick Copas, Planning Services, at the Department on (02) 9274 6273.

Yours sincerely

  
Chris Ritchie  
Director  
Industry Assessments  
*as delegate of the Secretary*  
18/11/16.

# Environmental Assessment Requirements

Section 78A (8) of the *Environmental Planning and Assessment Act 1979*.

## Designated Development

<b>SEAR Number</b>	1105
<b>Proposal</b>	Rehabilitation of the former Bell Quarry through the importation of approximately 1.5 million tonnes of VENM, ENM and other clean fill, with a vehicle haulage rate of up to 140,000 tonnes per annum.
<b>Location</b>	Bell Quarry, Sandham Road, Newnes Junction (part Lot 23 in DP 751631).
<b>Applicant</b>	Bell Quarry Rehabilitation Project Pty Ltd
<b>Date of Issue</b>	November 2016
<b>General Requirements</b>	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i> .
<b>Key Issues</b>	<p>The EIS must include an assessment of all potential impacts of the proposed development on the existing environment (including cumulative impacts if necessary) and develop appropriate measures to avoid, minimise, mitigate and/or manage these potential impacts. As part of the EIS assessment, the following matters must also be addressed:</p> <ul style="list-style-type: none"> <li>• <b>strategic context</b> – including: <ul style="list-style-type: none"> <li>– a detailed justification for the proposal and suitability of the site for the development;</li> <li>– a demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, development control plans (DCPs), or justification for any inconsistencies; and</li> <li>– a list of any approvals that must be obtained under any other Act or law before the development may lawfully be carried out.</li> </ul> </li> <li>• <b>waste management</b> – including: <ul style="list-style-type: none"> <li>– details of the type, quantity and classification of waste to be received at the site;</li> <li>– details of the resource outputs and any additional processes for residual waste;</li> <li>– details of how the proposal would meet the EPAs Excavated Natural Material Order and Exemption 2014 if relevant;</li> <li>– details of waste handling including, transport, identification, receipt, stockpiling and quality control; and</li> <li>– the measures that would be implemented to ensure that the proposed development is consistent with the aims, objectives and guidelines in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-21</i>.</li> </ul> </li> <li>• <b>air quality</b> – including: <ul style="list-style-type: none"> <li>– a description of all potential sources of air and odour emissions;</li> <li>– an air quality impact assessment in accordance with relevant Environment Protection Authority Guidelines; and</li> <li>– a description and appraisal of air quality impact mitigation and monitoring measures.</li> </ul> </li> <li>• <b>noise and vibration</b> – including: <ul style="list-style-type: none"> <li>– a description of all potential noise and vibration sources during construction and operation, including road traffic noise;</li> <li>– a noise and vibration assessment in accordance with the relevant Environment Protection Authority Guidelines; and</li> <li>– a description and appraisal of noise and vibration mitigation and</li> </ul> </li> </ul>

	<p>monitoring measures.</p> <ul style="list-style-type: none"> <li>• <b>soil and water</b> – including: <ul style="list-style-type: none"> <li>– a description of local soils, topography, drainage and landscapes;</li> <li>– an assessment of potential impacts on the quality and quantity of surface and groundwater resources;</li> <li>– details of fill material to be imported to the site, including quantity and its waste classification;</li> <li>– details of sediment and erosion controls;</li> <li>– a detailed site water balance;</li> <li>– details of the proposed stormwater and wastewater management systems (including sewage), water monitoring program and other measures to mitigate surface and groundwater impacts; and</li> <li>– a description and appraisal of impact mitigation and monitoring measures.</li> </ul> </li> <li>• <b>traffic and transport</b> – including: <ul style="list-style-type: none"> <li>– details of road transport routes and access to the site;</li> <li>– road traffic predictions for the development during construction and operation; and</li> <li>– an assessment of impacts to the safety and function of the road network; and the details of any road upgrades required for the development.</li> </ul> </li> <li>• <b>biodiversity</b> – including: <ul style="list-style-type: none"> <li>– accurate predictions of any vegetation clearing on site or for any road upgrades;</li> <li>– a detailed assessment of the potential impacts on any threatened species, populations, endangered ecological communities or their habitats, groundwater dependent ecosystems and any potential for offset requirements; and</li> <li>– a detailed description of the measures to avoid, minimise, mitigate and offset biodiversity impacts.</li> </ul> </li> <li>• <b>visual</b> – including an impact assessment at private receptors and public vantage points.</li> <li>• <b>heritage</b> – including Aboriginal and non-Aboriginal cultural heritage.</li> </ul>
<b>Environmental Planning Instruments and other policies</b>	<p>The EIS must assess the proposal against the relevant environmental planning instruments, including but not limited to:</p> <ul style="list-style-type: none"> <li>• <i>State Environmental Planning Policy (Infrastructure) 2007</i>;</li> <li>• <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>;</li> <li>• <i>State Environmental Planning Policy No. 33 Hazardous and Offensive Development</i>;</li> <li>• <i>State Environmental Planning Policy No. 55 Remediation of Land</i>;</li> <li>• <i>Lithgow Local Environmental Plan 2014</i>; and</li> <li>• relevant development control plans and section 94 plans.</li> </ul>
<b>Guidelines</b>	<p>During the preparation of the EIS you should consult the Department's Register of Development Assessment Guidelines which is available on the Department's website at <a href="http://planning.nsw.gov.au">planning.nsw.gov.au</a> under Development Proposals/Register of Development Assessment Guidelines. Whilst not exhaustive, this Register contains some of the guidelines, policies, and plans that must be taken into account in the environmental assessment of the proposed development.</p>
<b>Consultation</b>	<p>During the preparation of the EIS, you must consult the relevant local, State and Commonwealth government authorities, service providers and community groups, and address any issues they may raise in the EIS. In particular, you should consult with the:</p> <ul style="list-style-type: none"> <li>• Environment Protection Authority;</li> <li>• Office of Environment and Heritage;</li> <li>• Department of Primary Industries;</li> <li>• Roads and Maritime Services;</li> <li>• Water NSW;</li> <li>• NSW National Parks and Wildlife Services;</li> </ul>

	<ul style="list-style-type: none"> <li>• Lithgow City Council;</li> <li>• holder of Mining Lease 1654 and Mineral Exploration Licence 7674 (Kaolin Pty Ltd);</li> <li>• holder of Coal Authorisation 307 (Hartley Vale Coal Pty Ltd);</li> <li>• holder of Mining Lease 1583 (Coalex Pty Ltd); and</li> <li>• the surrounding landowners and occupiers that are likely to be impacted by the proposal.</li> </ul> <p>Details of the consultation carried out and issues raised must be included in the EIS.</p>
<b>Further consultation after 2 years</b>	<p>If you do not lodge an application under Section 78A (8) of the <i>Environmental Planning and Assessment Act 1979</i> within 2 years of the issue date of these SEARs, you must consult with the Secretary in relation to any further requirements for lodgement.</p>



Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Notice Number 1546196  
File Number DOC16/536449-01  
Date 08-Nov-2016

Dear Mr Copas

**Rehabilitation of former Bell Quarry, Sandham Road, Newnes Junction (SEAR 1105)  
Secretary Environmental Assessment Requirements**

I refer to your e-mail to the Environment Protection Authority (EPA), dated 24 October 2016, seeking Secretary Environmental Assessment Requirements (SEARs) for an Environmental Impact Statement (EIS) for the proposed rehabilitation of the former Bell Quarry located at Sandham Road Newnes Junction.

The EPA notes that the FORM A Request for Secretary's Requirements attached with the Preliminary Environmental Assessment did 'not' mark the relevant box acknowledging that the project may need approval i.e., licensing under the *'Protection of the Environment Operations Act 1997 (the POEO Act)'*. In addition, dot point 1 of Section 3.1 Overview, states that *"where the material is not VENM it would meet the requirements of Part 9 of the POEO (Waste) Regulation 2014 and not be subject to either licensing or the waste levy under the POEO Act"*. It therefore appears that proponent does not consider the activity to be a Scheduled Activity and as such will not require an Environment Protection Licence (EPL).

Further, the EPA notes that the activity proposes to "rehabilitate" the site through the importation of virgin excavated natural material (VENM), excavated natural material (ENM), and other clean fill material sourced from major infrastructure projects across Sydney and the local regional area. On this matter, the EPA requires clarification on the material to be classified as "other" and the relevant exemptions to be applied in the proposed context.

While the proposed activity may not be Scheduled Activity and not requiring licensing with the EPA, SEARs are provided below. The EPA will however review the EIS to determine that the activity is not Scheduled Activity and that environmental impacts have been identified and adequately addressed.

The EPA has reviewed the document titled *"Bell Quarry Rehabilitation - Preliminary Environmental Assessment"*, October 2016, prepared by GHD and has identified the information that it requires to adequately assess the proposal in Attachment 1.

General Guidance material is provided in Attachment 2. In summary, the EPA's key information requirements for the proposal include an adequate assessment of:

- water and soil management
- air quality impacts;
- waste and resource recovery, and
- noise impacts

Should you have any queries in relation to this matter please contact Mr Nino Di Falco at the Central West (Bathurst) Office of the EPA by telephoning (02) 6332 7609.



Yours sincerely

A handwritten signature in blue ink, appearing to read "Darryl Clift".

.....  
**DARRYL CLIFT**  
**Head Central West Unit**  
**Environment Protection Authority**  
**(by Delegation)**

Enclosures: Attachment 1 - EPA requirements for Rehabilitation of former Bell Quarry  
Attachment 2 - General guidance material

## ATTACHMENT 1: EPA REQUIREMENTS FOR REHABILITATION OF FORMER BELL QUARRY

### 1. Environmental impacts of the project

Environmental Impact Statements (EIS) should address the specific requirements outlined under each heading below and assess impacts in accordance with the relevant guidelines mentioned. A full list of guidelines is provided in **Attachment 2**.

### 2. Water and soils

#### 2.1 Soils

The EIS should include:

1. An assessment of potential impacts on soil and land resources should be undertaken, being guided by *Soil and Landscape Issues in Environmental Impact Assessment* (DLWC 2000). The nature and extent of any significant impacts should be identified. Particular attention should be given to:
  - a. Soil erosion and sediment transport - in accordance with *Managing urban stormwater: soils and construction*, vol. 1 (Landcom 2004) and vol. 2 (A. Installation of services; B. Waste landfills; C. Unsealed roads; D. Main Roads; E. Mines and quarries) (DECC 2008).
  - b. Mass movement (landslides) – in accordance with *Landslide risk management* guidelines presented in Australian Geomechanics Society (2007).
  - c. Urban and regional salinity – guidance given in the Local Government Salinity Initiative booklets which includes *Site Investigations for Urban Salinity* (DLWC, 2002).
2. A description of the mitigation and management options that will be used to prevent, control, abate or minimise identified soil and land resource impacts associated with the project, in particular soil and surface water management procedures in order to protect downstream rivers and creeks from any impacts resulting from quarry operations. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented.

#### 2.2 Water management

The EIS should:

1. Describe water usage for the proposal including the position of any intakes and discharges, volumes, water quality and frequency of all water discharges.
2. Demonstrate that all practical options to avoid discharge have been implemented and environmental impact minimised where discharge is necessary.
3. Where relevant include a water balance for the development including water requirements (quantity, quality and source(s)) and proposed storm and wastewater disposal, including type, volumes, proposed treatment and management methods and re-use options.
4. Describe existing surface and groundwater quality. An assessment needs to be undertaken for any water resource likely to be affected by the proposal.
5. State the Water Quality Objectives for the receiving waters relevant to the proposal. These refer to the community's agreed environmental values and human uses endorsed by the NSW Government as goals for ambient waters (<http://www.environment.nsw.gov.au/ieo/index.htm>). Where groundwater may be impacted the assessment should identify appropriate groundwater environmental values.



6. State the indicators and associated trigger values or criteria for the identified environmental values. This information should be sourced from the ANZECC (2000) Guidelines for Fresh and Marine Water Quality (<http://www.environment.gov.au/water/quality/publications/australian-and-new-zealandguidelines-fresh-marine-water-quality-volume-1>).
7. State any locally specific objectives, criteria or targets which have been endorsed by the NSW Government.
8. Describe the nature and degree of impact that any proposed discharges will have on the receiving environment.
9. Assess impacts against the relevant ambient water quality outcomes. Demonstrate how the proposal will be designed and operated to:
  - a. protect the Water Quality Objectives for receiving waters where they are currently being achieved; and
  - b. contribute towards achievement of the Water Quality Objectives over time where they are not currently being achieved.
10. Where a discharge is proposed that includes a mixing zone, the proposal should demonstrate how wastewater discharged to waterways will ensure the ANZECC (2000) water quality criteria for relevant chemical and non-chemical parameters are met at the edge of the initial mixing zone of the discharge, and that any impacts in the initial mixing zone are demonstrated to be reversible.
11. Describe how stormwater will be managed both during and after construction.
12. Describe how predicted impacts will be monitored and assessed over time.

### 3. Air issues

The EIS should include a detailed air quality impact assessment (AQIA). The AQIA should:

1. Identify all potential discharges of fugitive and point source emissions of pollutants including dust for all stages of the proposal and assess the risk associated with those emissions. All processes that could result in air emissions must be identified and described. Sufficient detail to accurately communicate the characteristics and quantity of all emissions must be provided. Assessment of risk relates to environmental harm, risk to human health and amenity.
2. Justify the level of assessment undertaken on the basis of risk factors, including but not limited to:
  - a. proposal location;
  - b. characteristics of the receiving environment; and
  - c. type and quantity of pollutants emitted.
3. Describe the receiving environment in detail. The proposal must be contextualised within the receiving environment (local, regional and inter-regional as appropriate). The description must include but need not be limited to:
  - a. meteorology and climate;
  - b. topography;
  - c. surrounding land-use; receptors; and
  - d. ambient air quality.
4. Include a consideration of 'worst case' emission scenarios and impacts at proposed emission limits.
5. Account for cumulative impacts associated with existing emission sources as well as any currently approved developments linked to the receiving environment.

6. Include air dispersion modelling where there is a risk of adverse air quality impacts, or where there is sufficient uncertainty to warrant a rigorous numerical impact assessment. Air dispersion modelling must be conducted in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (2005) <http://www.environment.nsw.gov.au/resources/air/ammodelling05361.pdf>.

Demonstrate the proposal's ability to comply with the relevant regulatory framework, specifically the *Protection of the Environment Operations (POEO) Act (1997)* and the *POEO (Clean Air) Regulation (2010)*.

Detail emission control techniques/practices that will be employed by the proposal.

#### 4. Waste and Resource Recovery

The EIS should specify the following:

1. The source of the VENM and ENM that is proposed to be transported to the facility and note that ENM can only be applied to land as engineering fill or for use in earthworks.
2. Specify what "other clean fill material" that is proposed to be imported to the site and why this material would not be classified as waste or specify which Resource Recovery Exemption will be used to permit its use as quarry rehabilitation.
3. Demonstrate why this activity is not considered a waste disposal activity as defined in the POEO Act Schedule 1. and therefore a scheduled activity requiring an environment protection licence.
4. Identify options and strategies for waste minimisation; reuse and recycling across all activities and processes during both construction and operational stages and appropriate avoidance, recycling, reuse and disposal options.
5. Any options or strategies must be in line with current NSW Government legislation/policy/guidance on waste minimisation etc.

#### 5. Noise and vibration

In relation to noise, the following matters should be addressed (where relevant) as part of the Environmental Assessment.

1. Construction noise associated with the proposed development should be assessed using the *Interim Construction Noise Guideline* (DECC, 2009). <http://www.epa.nsw.gov.au/resources/noise/09265cng.pdf>.
2. Operational noise from all industrial activities (including private haul roads and private railway lines) to be undertaken on the premises should be assessed using the guidelines contained in the *NSW Industrial Noise Policy* (EPA, 2000) and *Industrial Noise Policy Application Notes*. <http://www.epa.nsw.gov.au/noise/applicnotesindustnoise.htm>

Noise on public roads from increased road traffic generated by land use developments should be assessed using the guidelines contained in the *NSW Road Noise Policy* (DECCW, 2011). <http://www.epa.nsw.gov.au/resources/noise/2011236nswroadnoisepolicy.pdf>

Noise from new or upgraded public roads should be assessed using the *NSW Road Noise Policy* (DECCW, 2011). <http://www.epa.nsw.gov.au/resources/noise/2011236nswroadnoisepolicy.pdf>.



## ATTACHMENT 2: GENERAL GUIDANCE MATERIAL

Title	Web address
<b>Relevant Legislation</b>	
<i>Contaminated Land Management Act 1997</i>	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+140+1997+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+140+1997+cd+0+N</a>
<i>Environmentally Hazardous Chemicals Act 1985</i>	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+14+1985+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+14+1985+cd+0+N</a>
<i>Environmental Planning and Assessment Act 1979</i>	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N</a>
<i>Protection of the Environment Operations Act 1997</i>	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N</a>
<b>Licensing</b>	
EPA Guide to Licensing	<a href="http://www.epa.nsw.gov.au/licensing/licenceguide.htm">http://www.epa.nsw.gov.au/licensing/licenceguide.htm</a>
<b>Air Issues</b>	
<b>Air Quality</b>	
Approved methods for modelling and assessment of air pollutants in NSW (2005)	<a href="http://www.environment.nsw.gov.au/resources/air/ammodelling05361.pdf">http://www.environment.nsw.gov.au/resources/air/ammodelling05361.pdf</a>
POEO (Clean Air) Regulation 2002	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/subordleg+642+2002+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/subordleg+642+2002+cd+0+N</a>
<b>Noise and Vibration</b>	
Interim Construction Noise Guideline (DECC, 2009)	<a href="http://www.epa.nsw.gov.au/resources/noise/09265cng.pdf">http://www.epa.nsw.gov.au/resources/noise/09265cng.pdf</a>
Assessing Vibration: a technical guideline (DEC, 2006)	<a href="http://www.epa.nsw.gov.au/resources/noise/vibrationguide0643.pdf">http://www.epa.nsw.gov.au/resources/noise/vibrationguide0643.pdf</a>
Australian and New Zealand Environment Council – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration (ANZEC, 1990)	<a href="http://www.epa.nsw.gov.au/resources/noise/ANZECBlasting.pdf">http://www.epa.nsw.gov.au/resources/noise/ANZECBlasting.pdf</a>
Industrial Noise Policy Application Notes	<a href="http://www.epa.nsw.gov.au/noise/applicnotesindustnoise.htm">http://www.epa.nsw.gov.au/noise/applicnotesindustnoise.htm</a>
NSW Road Noise Policy (DECCW, 2011)	<a href="http://www.epa.nsw.gov.au/resources/noise/2011236nswroadnoise policy.pdf">http://www.epa.nsw.gov.au/resources/noise/2011236nswroadnoise policy.pdf</a>
Rail Infrastructure Noise Guidelines (EPA, 2013)	<a href="http://www.epa.nsw.gov.au/resources/noise/20130018eparng.pdf">http://www.epa.nsw.gov.au/resources/noise/20130018eparng.pdf</a>

Environmental assessment requirements for rail traffic-generating developments	<a href="http://www.planning.nsw.gov.au/planningsystem/pdf/guide_infra_dev_railroadcorridors_interim.pdf">http://www.planning.nsw.gov.au/planningsystem/pdf/guide_infra_dev_railroadcorridors_interim.pdf</a>
<b>Waste, Chemicals and Hazardous Materials and Radiation</b>	
<b>Waste</b>	
Environmental Guidelines: Solid Waste Landfills (EPA, 1996)	<a href="http://www.environment.nsw.gov.au/resources/waste/envguidlns/solidlandfill.pdf">http://www.environment.nsw.gov.au/resources/waste/envguidlns/solidlandfill.pdf</a>
Draft Environmental Guidelines - Industrial Waste Landfilling (April 1998)	<a href="http://www.environment.nsw.gov.au/resources/waste/envguidlns/industrialfill.pdf">http://www.environment.nsw.gov.au/resources/waste/envguidlns/industrialfill.pdf</a>
Waste Classification Guidelines (EPA, 2014)	<a href="http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm">http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm</a>
EPA Resource recovery exemptions	<a href="http://www.epa.nsw.gov.au/wasteregulation/recoveryexemptions.htm">http://www.epa.nsw.gov.au/wasteregulation/recoveryexemptions.htm</a>
<b>Water and Soils</b>	
<b>Soils – general</b>	
Soil and Landscape Issues in Environmental Impact Assessment (DLWC 2000)	Available for purchase at - <a href="http://www.shop.nsw.gov.au/pubdetails.jsp?publication=839">http://www.shop.nsw.gov.au/pubdetails.jsp?publication=839</a>
Managing urban stormwater: soils and construction, vol. 1 (Landcom 2004) and vol. 2 (A. Installation of services; B Waste landfills; C. Unsealed roads; D. Main Roads; E. Mines and quarries) (DECC 2008)	Vol 1 – <a href="http://www.environment.nsw.gov.au/resources/water/BlueBookVol1.pdf">http://www.environment.nsw.gov.au/resources/water/BlueBookVol1.pdf</a> Vol 2 <a href="http://www.environment.nsw.gov.au/resources/stormwater/08208soilsconststorm2e.pdf">http://www.environment.nsw.gov.au/resources/stormwater/08208soilsconststorm2e.pdf</a>
Landslide risk management guidelines	<a href="http://www.australiangeomechanics.org/resources/downloads/">http://www.australiangeomechanics.org/resources/downloads/</a>
Site Investigations for Urban Salinity (DLWC, 2002)	<a href="http://www.environment.nsw.gov.au/resources/salinity/booklet3siteinvestigationsforurbansalinity.pdf">http://www.environment.nsw.gov.au/resources/salinity/booklet3siteinvestigationsforurbansalinity.pdf</a>
Local Government Salinity Initiative Booklets	<a href="http://www.environment.nsw.gov.au/salinity/solutions/urban.htm">http://www.environment.nsw.gov.au/salinity/solutions/urban.htm</a>
<b>Water</b>	
Water Quality Objectives	<a href="http://www.environment.nsw.gov.au/ieo/index.htm">http://www.environment.nsw.gov.au/ieo/index.htm</a>
ANZECC (2000) Guidelines for Fresh and Marine Water Quality	<a href="http://www.environment.gov.au/water/quality/publications/australian-and-new-zealand-guidelines-fresh-marine-water-quality-volume-1">http://www.environment.gov.au/water/quality/publications/australian-and-new-zealand-guidelines-fresh-marine-water-quality-volume-1</a>
Applying Goals for Ambient Water Quality Guidance for Operations Officers – Mixing Zones	<a href="http://deccnet/water/resources/AWQGuidance7.pdf">http://deccnet/water/resources/AWQGuidance7.pdf</a>
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	<a href="http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf">http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf</a>



28 October 2016

SF2016/234040; WST16/00165

The Manager  
Industry Assessments  
Department of Planning & Environment  
GPO Box 39  
SYDNEY NSW 2001

**Attention: Mr Patrick Copas**

Dear Mr Copas

**SEAR ID 1105: Lot 23 DP 751631; Sandham Road, Newnes Junction;  
Rehabilitation of former Bell Quarry;  
Request for input into Secretary's Environmental Assessment Requirements (SEARs)**

Thank you for your email on 24 October 2016 requesting input into SEARs from Roads and Maritime Services for the above-mentioned development proposal.

Roads and Maritime has reviewed the submitted documentation and has identified the following key issues to be addressed in the Environmental Impact Statement being prepared in support of the project:

- A traffic impact study prepared in accordance with the methodology set out in Section 2 of the *RTA's Guide to Traffic Generating Developments 2002* and including:
  - Road transport volumes and vehicle types broken down into:
    - origin and destination.
    - travel routes.
    - peak hours.

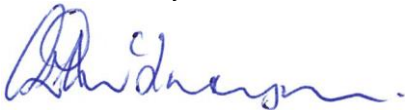
**Roads and Maritime Services**



- The study is to provide details of projected transport operations including:
  - traffic volumes, both proposed and cumulative.
  - materials to be transported and vehicle types used for transport.
  - physical constraints, risks and hazards on the haulage route(s).
  - measures to be employed to ensure a high level of safety for all road users interacting with construction and haulage traffic.
- Any over size and over mass vehicles and loads expected for the project.
- Staff numbers (including employees and contractors) and staff parking arrangements for the duration of the project.
- Measures to be employed to ensure traffic efficiency and safety on the public road network are maintained for the duration of the project. This includes an assessment of the cumulative impacts of existing and proposed quarry rehabilitation related traffic and existing background traffic at the intersection of Sandham Road and Bells Line of Road (MR184) and the intersection of Bells Line of Road and Darling Causeway.
- Local climate conditions that may affect road safety during construction and operation of the project (e.g. fog, wet weather, etc) and appropriate measures to mitigate the impacts of such conditions.
- Details of vehicular access, location and treatment(s) servicing the proposed quarry operations. Vehicular access treatments are to be identified and in accordance with *Austroads Guide to Road Design*, including Safe Intersection Sight Distance (SISD).

Roads and Maritime appreciates the opportunity to contribute to the SEARs and requests that a copy of the SEARs be forwarded to Roads and Maritime at the same time they are sent to the applicant. If you require further information please contact the undersigned on 02 6861 1453.

Yours faithfully



Andrew McIntyre  
Manager Land Use Assessment  
Western

Via email: [patrick.copas@planning.nsw.gov.au](mailto:patrick.copas@planning.nsw.gov.au)

Department of Planning & Environment  
Industry Assessments  
GPO Box 39  
SYDNEY NSW 2001

Contact: Wayne Conners

Phone: 02 8838 7531

Fax: 02 8838 7554

Email: [wayne.conners@watarnsw.com.au](mailto:wayne.conners@watarnsw.com.au)

Your ref: SEAR 1105

Our ref: V16/7030#2

**Attention: Partick Copas**

Dear Mr Copas,

**Request for Secretary's Environmental Assessment Requirements – SEAR 1105 –  
Rehabilitation of former Bell Quarry – Sandham Road Newnes Junction (Part Lot 23  
DP 751631)**

Thank you for your email of 24 October 2016 concerning the request for Secretary's Environmental Assessment Requirements for the above project.

Water NSW on behalf of DPI Water has reviewed the supporting documentation accompanying the request for Secretary's Environmental Assessment Requirements (SEAR's) and provides the following comments below, and further detail in **Attachment A**.

It is recommended that the EIS be required to include, where applicable:

- Annual volumes of surface water and groundwater proposed to be taken by the activity (including through inflow and seepage) from each surface and groundwater source as defined by the relevant water sharing plan.
- Assessment of any volumetric water licensing requirements (including those for ongoing water take following completion of the project).
- The identification of an adequate and secure water supply for the life of the project. Confirmation that water can be sourced from an appropriately authorised and reliable supply. This is to include an assessment of the current market depth where water entitlement is required to be purchased.
- A detailed and consolidated site water balance.
- Assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts.
- Full technical details and data of all surface and groundwater modelling.

- Proposed surface and groundwater monitoring activities and methodologies.
- Assessment of any potential cumulative impacts on water resources, and any proposed options to manage the cumulative impacts.
- Consideration of relevant policies and guidelines.
- A statement of where each element of the SEARs is addressed in the EIS (i.e. in the form of a table).

Should you have any enquiries about this matter, please contact Wayne Conners at Water NSW's Parramatta office on (02) 8838-7531.

Yours sincerely

*Wayne Conners*

**Wayne Conners**  
Senior Water Regulation Officer  
Water Regulation Coastal  
7 November, 2016

## ATTACHMENT A

### Water NSW General Assessment Requirements for general projects

The following detailed assessment requirements are provided to assist in adequately addressing the assessment requirements for this proposal.

For further information visit the DPI Water website, [www.water.nsw.gov.au](http://www.water.nsw.gov.au)

#### Key Relevant Legislative Instruments

This section provides a basic summary to aid proponents in the development of an Environmental Impact Statement (EIS), and should not be considered a complete list or comprehensive summary of relevant legislative instruments that may apply to the regulation of water resources for a project.

The EIS should take into account the objects and regulatory requirements of the *Water Act 1912* (WA 1912) and *Water Management Act 2000* (WMA 2000), and associated regulations and instruments, as applicable.

#### *Water Management Act 2000 (WMA 2000)*

Key points:

- Volumetric licensing in areas covered by water sharing plans
- Works within 40m of waterfront land
- SSD & SSI projects are exempt from requiring water supply work approvals and controlled activity approvals as a result of the *Environmental Planning & Assessment Act 1979* (EP&A Act).
- No exemptions for volumetric licensing apply as a result of the EP&A Act.
- Basic landholder rights, including harvestable rights dams
- Aquifer interference activity approval and flood management work approval provisions have not yet commenced and are regulated by the *Water Act 1912*
- Maximum penalties of \$2.2 million plus \$264,000 for each day an offence continues apply under the *WMA 2000*

#### *Water Act 1912 (WA 1912)*

Key points:

- Volumetric licensing in areas where no water sharing plan applies
- Monitoring bores
- Aquifer interference activities that are not regulated as a water supply work under the *WMA 2000*.
- Flood management works
- No exemptions apply to licences or permits under the *WA 1912* as a result of the EP&A Act.
- Regulation of water bore driller licensing.

#### *Water Management (General) Regulation 2011*

Key points:

- Provides various exemptions for volumetric licensing and activity approvals
- Provides further detail on requirements for dealings and applications.

*Water Sharing Plans* – these are considered regulations under the *WMA 2000*

*Access Licence Dealing Principles Order 2004*

*Harvestable Rights Orders*

### **Water Sharing Plans**

It is important that the proponent understands and describes the ground and surface water sharing plans, water sources, and management zones that apply to the project. The relevant water sharing plans can be determined spatially at [www.ourwater.nsw.gov.au](http://www.ourwater.nsw.gov.au). Multiple water sharing plans may apply and these must all be described.

The *Water Act 1912* applies to all water sources not yet covered by a commenced water sharing plan.

The EIS is required to:

- Demonstrate how the proposal is consistent with the relevant rules of the Water Sharing Plan including rules for access licences, distance restrictions for water supply works and rules for the management of local impacts in respect of surface water and groundwater sources, ecosystem protection (including groundwater dependent ecosystems), water quality and surface-groundwater connectivity.
- Provide a description of any site water use (amount of water to be taken from each water source) and management including all sediment dams, clear water diversion structures with detail on the location, design specifications and storage capacities for all the existing and proposed water management structures.
- Provide an analysis of the proposed water supply arrangements against the rules for access licences and other applicable requirements of any relevant WSP, including:
  - Sufficient market depth to acquire the necessary entitlements for each water source.
  - Ability to carry out a “dealing” to transfer the water to relevant location under the rules of the WSP.
  - Daily and long-term access rules.
  - Account management and carryover provisions.
- Provide a detailed and consolidated site water balance.
- Further detail on licensing requirements is provided below.

### **Relevant Policies and Guidelines**

The EIS should take into account the following policies (as applicable):

- State Environmental Policy (Sydney Drinking Water Catchment) 2011
- NSW Guidelines for Controlled Activities on Waterfront Land (NOW, 2012)
- NSW Aquifer Interference Policy (NOW, 2012)
- Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW, 2012)
- Australian Groundwater Modelling Guidelines (NWC, 2012)
- NSW State Rivers and Estuary Policy (1993)
- NSW Wetlands Policy (2010)



- NSW State Groundwater Policy Framework Document (1997)
- NSW State Groundwater Quality Protection Policy (1998)
- NSW State Groundwater Dependent Ecosystems Policy (2002)
- NSW Water Extraction Monitoring Policy (2007)

The EIS will need to ensure that the project is consistent with Controlled Activity Approval guidelines and that any Controlled Activity Approval requirements are addressed. Guidelines for instream works on waterfront land can be found at:

[http://www.water.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0020/547040/licensing\\_approvals\\_controlled\\_activities\\_instream\\_works.pdf](http://www.water.nsw.gov.au/__data/assets/pdf_file/0020/547040/licensing_approvals_controlled_activities_instream_works.pdf)

DPI Water policies can be accessed at the following links:

<http://www.water.nsw.gov.au/Water-management/Law-and-policy/Key-policies/default.aspx>

<http://www.water.nsw.gov.au/Water-licensing/Approvals/Controlled-activities/default.aspx>

An assessment framework for the NSW Aquifer Interference Policy can be found online at:

<http://www.water.nsw.gov.au/Water-management/Law-and-policy/Key-policies/Aquifer-interference>.

## **Licensing Considerations**

The EIS is required to provide:

- Identification of water requirements for the life of the project in terms of both volume and timing (including predictions of potential ongoing groundwater take following the cessation of operations at the site – such as evaporative loss from open voids or inflows).
- Details of the water supply source(s) for the proposal including any proposed surface water and groundwater extraction from each water source as defined in the relevant Water Sharing Plan/s and all water supply works to take water.
- Explanation of how the required water entitlements will be obtained (i.e. through a new or existing licence/s, trading on the water market, controlled allocations etc.).
- Information on the purpose, location, construction and expected annual extraction volumes including details on all existing and proposed water supply works which take surface water, (pumps, dams, diversions, etc).
- Details on all bores and excavations for the purpose of investigation, extraction, dewatering, testing and monitoring. All predicted groundwater take must be accounted for through adequate licensing.
- Details on existing dams/storages (including the date of construction, location, purpose, size and capacity) and any proposal to change the purpose of existing dams/storages
- Details on the location, purpose, size and capacity of any new proposed dams/storages.
- Applicability of any exemptions under the *Water Management (General) Regulation 2011* to the project.

Water allocation account management rules, total daily extraction limits and rules governing environmental protection and access licence dealings also need to be considered.

The Harvestable Right gives landholders the right to capture and use for any purpose 10% of the average annual runoff from their property. The Harvestable Right has been defined in terms of an equivalent dam capacity called the Maximum Harvestable Right Dam Capacity (MHRDC). The MHRDC is determined by the area of the property (in hectares) and a site-specific run-off factor. The MHRDC includes the capacity of all existing dams on the property that do not have a current water licence. Storages capturing up to the harvestable right capacity are not required to be licensed but any capacity of the total of all storages/dams on the property greater than the MHRDC may require a licence.

For more information on Harvestable Right dams, including a calculator, visit:

<http://www.water.nsw.gov.au/Water-licensing/Basic-water-rights/Harvesting-runoff/Harvesting-runoff>

## **Dam Safety**

Where new or modified dams are proposed, or where new development will occur below an existing dam, the NSW Dams Safety Committee should be consulted in relation to any safety issues that may arise. Conditions of approval may be recommended to ensure safety in relation to any new or existing dams.

See [www.damsafety.nsw.gov.au](http://www.damsafety.nsw.gov.au) for further information.

## **Surface Water Assessment**

The predictive assessment of the impact of the proposed project on surface water sources should include the following:

- Identification of all surface water features including watercourses, wetlands and floodplains transected by or adjacent to the proposed project.
- Identification of all surface water sources as described by the relevant water sharing plan.
- Detailed description of dependent ecosystems and existing surface water users within the area, including basic landholder rights to water and adjacent/downstream licensed water users.
- Description of all works and surface infrastructure that will intercept, store, convey, or otherwise interact with surface water resources.
- Assessment of predicted impacts on the following:
  - flow of surface water, sediment movement, channel stability, and hydraulic regime,
  - water quality,
  - flood regime,
  - dependent ecosystems,
  - existing surface water users, and
  - planned environmental water and water sharing arrangements prescribed in the relevant water sharing plans.

## Groundwater Assessment

To ensure the sustainable and integrated management of groundwater sources, the EIS needs to include adequate details to assess the impact of the project on all groundwater sources.

Where it is considered unlikely that groundwater will be intercepted or impacted (for example by infiltration), a brief site assessment and justification for the minimal impacts may be sufficient, accompanied by suitable contingency measures in place in the event that groundwater is intercepted, and appropriate measures to ensure that groundwater is not contaminated.

Where groundwater is expected to be intercepted or impacted, the following requirements should be used to assist the groundwater assessment for the proposal.

- The known or predicted highest groundwater table at the site.
- Works likely to intercept, connect with or infiltrate the groundwater sources.
- Identification of any predicted impacts on groundwater resulting from proposed earthworks at the construction phase.
- Any proposed groundwater extraction, including purpose, location and construction details of all proposed bores and expected annual extraction volumes.
- Bore construction information is to be supplied to DPI Water by submitting a "Form A" template. DPI Water will supply "GW" registration numbers (and licence/approval numbers if required) which must be used as consistent and unique bore identifiers for all future reporting.
- A description of the watertable and groundwater pressure configuration, flow directions and rates and physical and chemical characteristics of the groundwater source (including connectivity with other groundwater and surface water sources).
- Sufficient baseline monitoring for groundwater quantity and quality for all aquifers and GDEs to establish a baseline incorporating typical temporal and spatial variations.
- The predicted impacts of any final landform on the groundwater regime.
- The existing groundwater users within the area (including the environment), any potential impacts on these users and safeguard measures to mitigate impacts.
- An assessment of groundwater quality, its beneficial use classification and prediction of any impacts on groundwater quality.
- An assessment of the potential for groundwater contamination (considering both the impacts of the proposal on groundwater contamination and the impacts of contamination on the proposal).
- Measures proposed to protect groundwater quality, both in the short and long term.
- Measures for preventing groundwater pollution so that remediation is not required.
- Protective measures for any groundwater dependent ecosystems (GDEs).
- Proposed methods of the disposal of waste water and approval from the relevant authority.
- The results of any models or predictive tools used.

Where potential impact/s are identified the assessment will need to identify limits to the level of impact and contingency measures that would remediate, reduce or manage potential impacts to the existing groundwater resource and any dependent groundwater environment or water users, including information on:

- Any proposed monitoring programs, including water levels and quality data.
- Reporting procedures for any monitoring program including mechanism for transfer of information.
- An assessment of any groundwater source/aquifer that may be sterilised from future use as a water supply as a consequence of the proposal.
- Identification of any nominal thresholds as to the level of impact beyond which remedial measures or contingency plans would be initiated (this may entail water level triggers or a beneficial use category).
- Description of the remedial measures or contingency plans proposed.
- Any funding assurances covering the anticipated post development maintenance cost, for example on-going groundwater monitoring for the nominated period.

### **Groundwater Dependent Ecosystems**

The EIS must consider the potential impacts on any Groundwater Dependent Ecosystems (GDEs) at the site and in the vicinity of the site and:

- Identify any potential impacts on GDEs as a result of the proposal including:
  - the effect of the proposal on the recharge to groundwater systems;
  - the potential to adversely affect the water quality of the underlying groundwater system and adjoining groundwater systems in hydraulic connections; and
  - the effect on the function of GDEs (habitat, groundwater levels, connectivity).
- Provide safeguard measures for any GDEs.

### **Watercourses, Wetlands and Riparian Land**

The EIS should address the potential impacts of the project on all watercourses likely to be affected by the project, existing riparian vegetation and the rehabilitation of riparian land. It is recommended the EIS provides details on all watercourses potentially affected by the proposal, including:

- Scaled plans showing the location of:
  - wetlands/swamps, watercourses and top of bank;
  - riparian corridor widths to be established along the creeks;
  - existing riparian vegetation surrounding the watercourses (identify any areas to be protected and any riparian vegetation proposed to be removed);
  - the site boundary, the footprint of the proposal in relation to the watercourses and riparian areas; and
  - proposed location of any asset protection zones.
- Photographs of the watercourses/wetlands and a map showing the point from which the photos were taken.
- A detailed description of all potential impacts on the watercourses/riparian land.
- A detailed description of all potential impacts on the wetlands, including potential impacts to the wetlands hydrologic regime; groundwater recharge; habitat and any species that depend on the wetlands.
- A description of the design features and measures to be incorporated to mitigate potential impacts.

- Geomorphic and hydrological assessment of water courses including details of stream order (Strahler System), river style and energy regimes both in channel and on adjacent floodplains.

### **Landform rehabilitation**

Where significant modification to landform is proposed, the EIS must include:

- Justification of the proposed final landform with regard to its impact on local and regional surface and groundwater systems;
- A detailed description of how the site would be progressively rehabilitated and integrated into the surrounding landscape;
- Outline of proposed construction and restoration of topography and surface drainage features if affected by the project; and
- An outline of the measures to be put in place to ensure that sufficient resources are available to implement the proposed rehabilitation.

### **Stream rehabilitation**

The Environmental Impact Statement should include:

- A Stream Rehabilitation Plan and Vegetation Management Plan with details on how the watercourse and riparian corridor within the site would be progressively rehabilitated to mimic a natural system from the local area. The riparian corridor should be planted with suitable native species from the local vegetation community.
- An outline of measures to minimise erosion and sedimentation impacts to the local stream environment,
- An outline of measures to minimise impacts to bed and bank stability.
- An outline of measures to be put in place to ensure that sufficient resources are available to implement the proposed stream rehabilitation.
- Guidelines for Vegetation Management plans on waterfront land can be found at:

[http://www.water.nsw.gov.au/\\_data/assets/pdf\\_file/0010/547219/licensing\\_approvals\\_controlled\\_activities\\_veg\\_mgt\\_plans.pdf](http://www.water.nsw.gov.au/_data/assets/pdf_file/0010/547219/licensing_approvals_controlled_activities_veg_mgt_plans.pdf)

### **Consultation and general enquiries**

General licensing enquiries can be made to Advisory Services: [water.enquiries@dpi.nsw.gov.au](mailto:water.enquiries@dpi.nsw.gov.au), 1800 353 104.

Assessment or state significant development enquiries, or requests for review or consultation should be directed to the Strategic Stakeholder Liaison Unit, [water.referrals@dpi.nsw.gov.au](mailto:water.referrals@dpi.nsw.gov.au).

A consultation guideline and further information is available online at:

[www.water.nsw.gov.au/water-management/law-and-policy/planning-and-assessment](http://www.water.nsw.gov.au/water-management/law-and-policy/planning-and-assessment)

**End Attachment A**



7<sup>th</sup> November 2016

Patrick Copas  
Student Planner – Industry Assessments  
Department of Planning & Environment  
GPO Box 39  
Sydney NSW 2001

Your Reference: EARs ID No.1105  
Our Reference: OUT16/41967

Emailed: [patrick.copas@planning.nsw.gov.au](mailto:patrick.copas@planning.nsw.gov.au)

Dear Mr Copas

**Re: Request for Secretary's Environmental Assessment Requirements -  
Rehabilitation of former Bell Quarry, Newnes Junction - SEARs ID No. 1105**

I refer to your letter of 24<sup>th</sup> October 2016 requesting advice on issues concerning the preparation of Secretary's Environmental Assessment Requirements for the above project. Thank you for the opportunity to provide advice on the above matter. This is a response from the NSW Department of Industry – Geological Survey of NSW (GSNSW). The Department of Primary Industries (incorporating advice from Agriculture and Fisheries) and the Forestry Corporation of NSW may respond separately.

**Mineral Resources Requirements**

Identification and assessment of impacts on other land users is required as a critical component of the Environmental Assessment (EA) process. Specifically, the EA must consider the potential for the project to impact upon any significant mineral resources, including metallic minerals, industrial and extractive minerals, petroleum, gas and coal resources. A significant aspect of mineral resource evaluation and development in regards to land use planning is that the locations of mineable deposits cannot always be predicted. This makes it imperative that known resources are protected from sterilisation by inappropriate zoning or development, and that access to land for mineral exploration should be maintained over as much of the project area as possible.

As such, the GSNSW requires the proponent to conduct an assessment as part of the EA, regarding the potential impacts of the project on any significant mineral resources, including:

- **Any operating mines, extractive industries or known mineral or petroleum resources.**
- **Exploration activities in the vicinity of the proposed development.**
- **Access for future exploration in the area.**

## **General Information**

Please note that identification of the following title holders is to make the consent authority aware that there are other stakeholders with interests in the region.

Mining Lease (ML) 1654 held by Newnes Kaolin Pty Ltd is positioned adjacent to the northern parcel of the rehabilitation area. Additionally, Mineral Exploration License (EL) 7674 also held by Newnes Kaolin Pty Ltd exists over a broad regional area including the entire subject site. The titleholders should be consulted regarding active exploration in the vicinity of the proposed development, with a record of consultation included in the EIS.

The contact details (that GSNSW currently has on record) for the above title holders are as follows:

Contact: Ron Goldbery, Director  
P: 0298691627 & 0410692404  
E: [rongoldbery@optusnet.com.au](mailto:rongoldbery@optusnet.com.au)

GSNSW notes that Coal Authorisation (AUTH) 307, held by Hartley Vale Coal Pty Ltd and Mining Lease (ML) 1583, held by Coalex Pty Ltd (both part of Centennial Coal), overlap the greater subject area (refer to Figure 1). As part of the stakeholder engagement GSNSW would recommend consultation with the operators of AUTH 307 and ML 1583.

The contact details (that GSNSW currently has on record) for the above title holders are as follows:

### **ML 1583**

Contact: Gavin Slade (mine geologist)  
P: 0263538042  
E: [gavin.slade@centennialcoal.com.au](mailto:gavin.slade@centennialcoal.com.au)

### **AUTH 307**

Contact: David Sullivan (mine geologist)  
P: 0263538042  
E: [david.sullivan@centennialcoal.com.au](mailto:david.sullivan@centennialcoal.com.au)

## **Geoscience Information Services**

The GSNSW has a range of online data related to mineral exploration, land use and general geoscience topics:

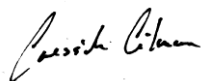
<http://www.resources.nsw.gov.au/geological/online-services>

The location of current exploration and mining titles in NSW, explanations of mining and production titles and the roles of community and government in the decision making process for mining/resource projects may be accessed by the general public using the following online utilities:

<http://commonground.nsw.gov.au>

Queries regarding the above information, and future requests for advice in relation to this matter, should be directed to the GSNSW Land Use team at [landuse.minerals@industry.nsw.gov.au](mailto:landuse.minerals@industry.nsw.gov.au).

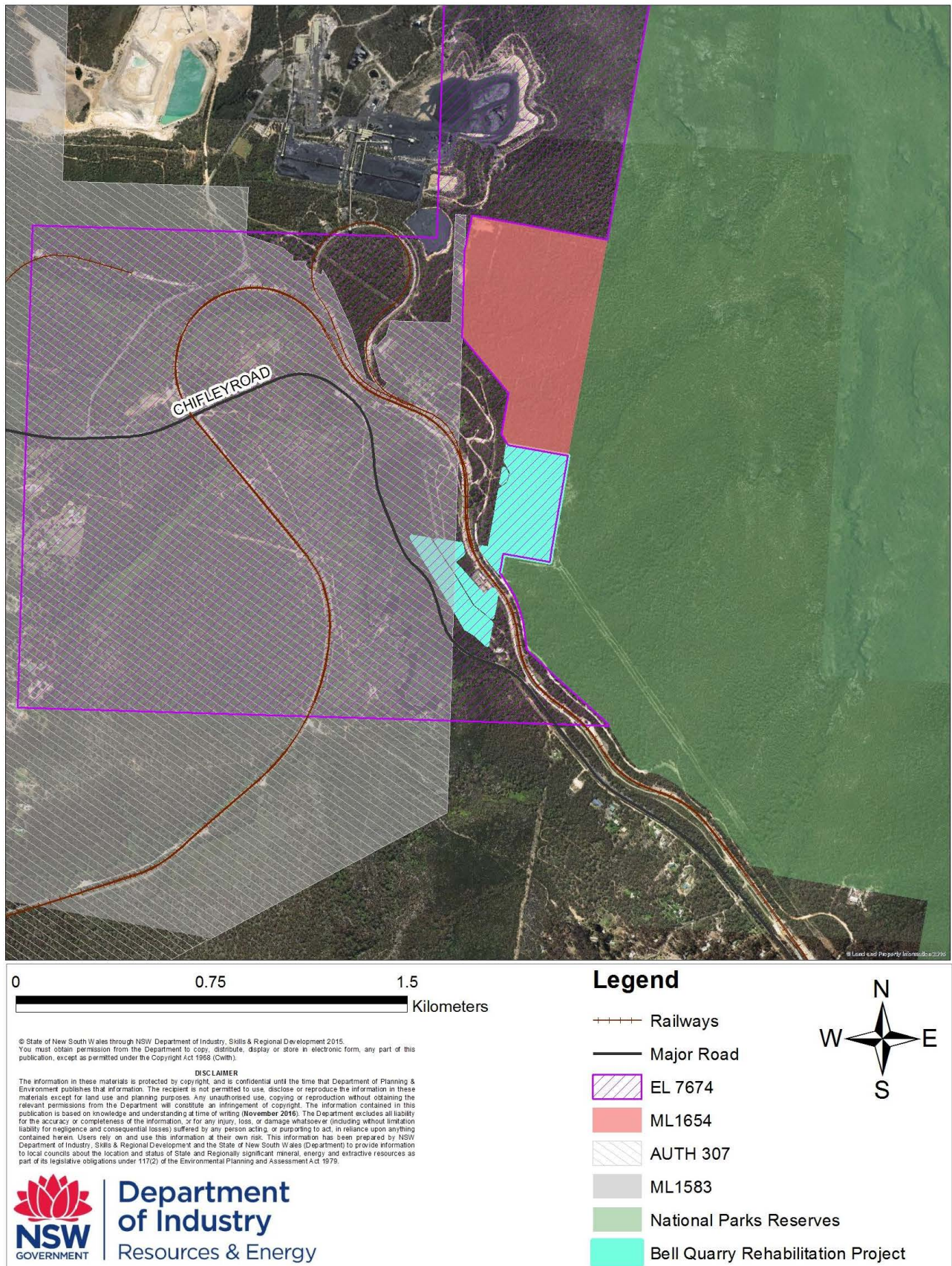
Yours sincerely



Cressida Gilmore  
Manager - Land Use



Figure 1 – Mineral & Coal title stakeholders proximity to the Bell Quarry rehabilitation area.



## Brief

### Topic

The Department of Planning and Environment (DPE) has requested DoI – Lands to provide Secretary Environmental Assessment Requirements in accordance with Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* for the Rehabilitation of the Bell Quarry at Newnes Plateau near Lithgow NSW.

### Analysis

Crown land Lots 7031 and 7032 DP 1066257 and Lot 7005 DP1020664 have the potential to be impacted by the rehabilitation of the quarry due to high walls abutting the adjacent Crown land.

Access to the Bell Quarry consists of traversing Clarence Colliery Rd (partial Crown road), Crown Reserves and Sandham Rd (partial Crown road). Legal access issues require addressing with the impacted Crown roads and Crown Reserves being transferred to the relevant authority or easements applied.

## Recommendations

### 1 Respond to the request as follows.

- a. Crown land Lots 7031 and 7032 DP 1066257 and Lot 7005 DP1020664 have the potential to be impacted by the rehabilitation of the quarry due to high walls abutting the adjacent Crown land. The sequencing of the backfilling of the quarry and the final surface water management flows would be required to be described in detail to ensure that there is no impact on Crown land.
- b. Long term access to the Newnes Plateau area has been by Clarence Colliery Road and Sandham Road which traverses partially on Crown roads and Crown Reserves that are either under tenure with the *Crown Lands Act 1989* or the *Mining Act 1992*. This access issue needs to be addressed, in consultation with tenure holders, to ensure legal access together with the ability to undertake road maintenance to the Bell Quarry and other landholders / commercial operations in the area.



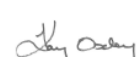
## Key reasons

Crown land Lots 7031 and 7032 DP 1066257 and Lot 7005 DP1020664 have the potential to be impacted by the rehabilitation of the quarry due to high walls abutting the adjacent Crown land. Rehabilitation of the high walls may require extensive earth works and change in water flow directions. The Applicant would need to demonstrate that this can be completed without having any impact on Crown land.

There have been several past attempts to resolve the legal access issues within the Newnes Plateau locality without any success. This access issue needs to be addressed to ensure legal access and the negotiation of impacted Crown Reserves and Crown roads be transferred to the relevant authority or easements applied for continuing road maintenance works.



## Departmental approvals

Position	Signature	Date
Coordinator officer: Kerry Ede, Coordinator Client Services,	Kerry Ede	4/11/16
Approving officer: Grant Marsden, Area Manager South West		7-Nov-16
Endorsing officer: Daryl Lawrence, Group Leader		03/11/2016
Recommending officer: Kay Oxley, Senior Natural Resource Management Officer		3 November 2016

## Background

The Department of Planning and Environment (DPE) has requested DoI – Lands to provide Secretary Environmental Assessment Requirements in accordance with Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* for the Rehabilitation of the Bell Quarry at Newnes Plateau near Lithgow NSW (**Attachment A**).

The Project involves the importation, by road at a rate of up to 140,000 tpa, of VENM (Virgin Excavated Natural Material), ENM (Excavated Natural Material) and other clean fill material generated from major infrastructure projects across Sydney and the local regions.

This material will be placed in existing quarry voids, compacted and shaped to closely represent the pre-quarry landform (**Attachment B**). The Applicant has committed to developing a water management system to control surface water discharges (flow to the east) and also will revegetate the site with locally endemic species.

The Newnes and Clarence locality consists of many Crown reserves and roads with multiple licences. This includes the Clarence Colliery, Hanson's Quarry, the proposed Newnes Kaolin Project, and a licence application for the Wolgan Walking Track (**Attachment C**).

Access to the Bell Quarry consists of traversing Clarence Colliery Rd (partial Crown road) that is utilised by the above mentioned operations. The access for the Bell Quarry deviates to the east along partial Crown Reserve and Crown Road known as Sandham Road (**Attachment D**).

The Crown Reserves surrounding the Bell Quarry mainly consists of Crown reserves for 'village purposes'. This locality was the original settlement supporting the construction of the Zig Zag Railway line in the late 1800s. A number of private freehold houses remain in the locality. **Table 1** lists and **Attachment E** illustrates the relevant Crown Reserves and roads that may be impacted by the proposal.

**Table 1 Crown Reserves and Crown Roads**

Crown Land	Purpose	Tenure Holder
Lot 7031 DP1066257	Village Purposes	
Lot 7032 DP1066257	Village Purposes	
Lot 7005 DP1020664	Licence for extraction of sand	Kaolin Pty Ltd
Crown Road (partial Sandham Road), Crown Road (partial Clarence Colliery Rd) (see		



Attachment D)		
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Crown land Lots 7031 and 7032 DP 1066257 and Lot 7005 DP1020664 have the potential to be impacted by the rehabilitation of the quarry due to high walls abutting the adjacent Crown land. The sequencing of the backfilling of the quarry and the final surface water management flows would be required to be described in detail to ensure that there is no impact on Crown land. The Applicant has provided a preliminary description of final surface water flows to the east of the quarry land. (**Attachment B**).

Additionally, consultation should also be undertaken with Kaolin Pty Ltd, tenure holders of Lot 7005 DP 1020664.

## Sensitive Issues

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Historical access to the Newnes Plateau Village has been by Clarence Colliery Road which is dissected by privately owned land of Zig Zag Railway Co-operation which has a compensation agreement with Clarence Colliery. The access turns east at Sandham Road which traverses Crown Reserve under tenure to Hansons Quarry through private freehold land and Crown Reserve that is tenured to Clarence Colliery under the *Mining Act 1992* (see Attachment D).

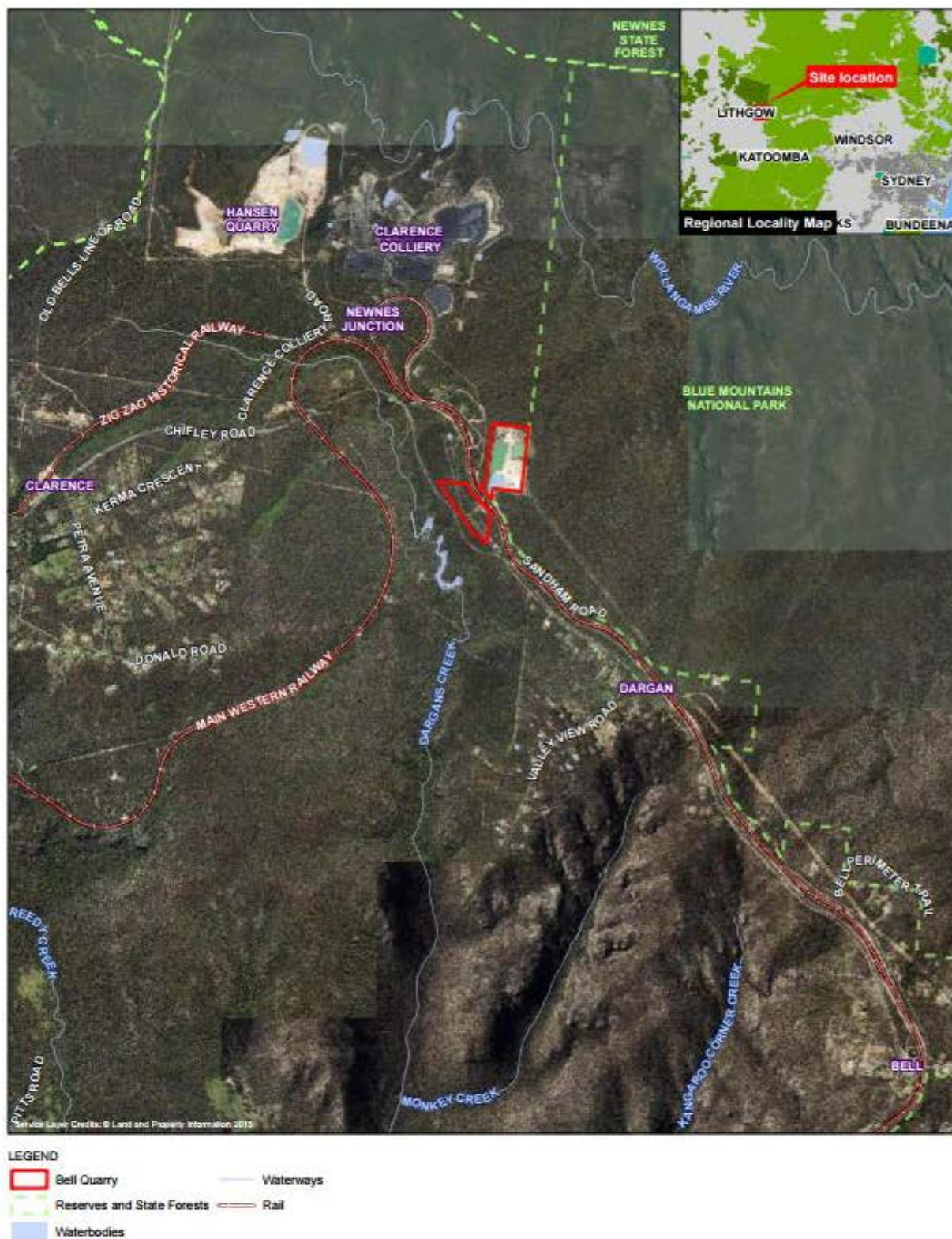
This arrangement has been ongoing for numerous years. It is a complex issue and there have been several attempts to resolve the legal access issues without any success. This access issue needs to be highlighted to ensure there is legal access and the negotiation of impacted Crown Reserves and Crown roads be transferred to the relevant authority or easements applied.

## Attachments

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Attachment	Title
A	Locality Figure
B	Quarry landform and pre-existing contours figures
C	Newnes Plateau Figure
C	Crown Road Figure
D	Crown Reserve Figure

## Attachment A





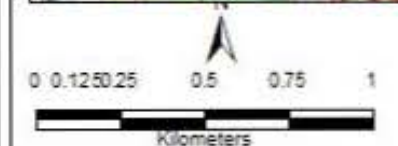




## Newnes Plateau Crown Land

### Legend

- Lot
- Plan
- Tenure**
- Account Type**
- Lease
- Licence
- Enclosure Permit
- Reserve**
- Account Type**
- Reserve
- Reserve - FPR
- Dedication
- Proclamation
- Regional Crown Reserve



Projection: Lambert Conformal Conic (LPI NSW)  
Datum: GDA84

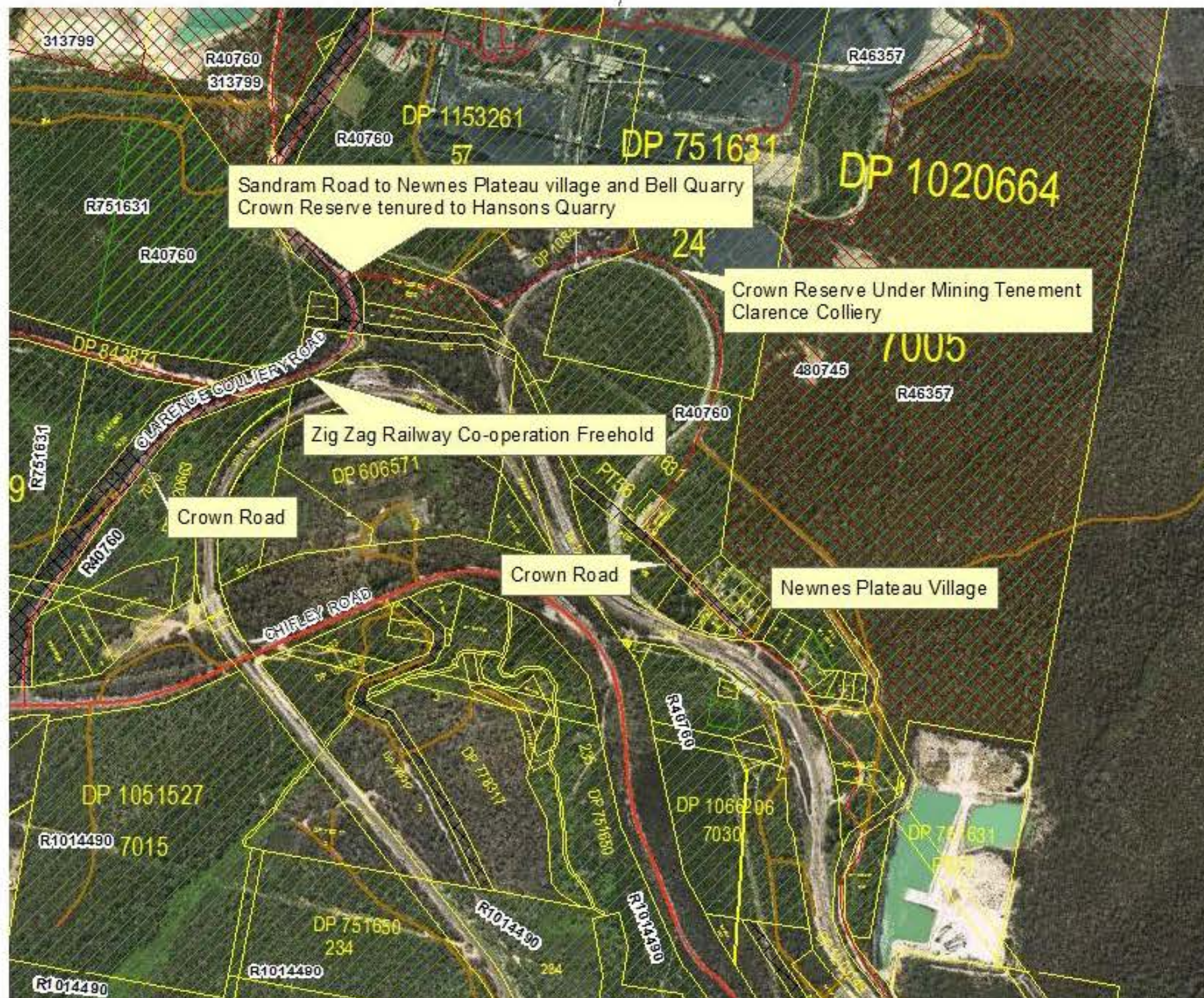
Prepared By: Kay Oxley



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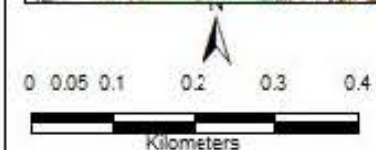




**Clarence  
Colliery Rd**

Legend Access Issue

- ☐ Lot  
☐ Plan  
**Tenure**  
**Account Type**  
☐ Lease  
☐ Licence  
☐ Enclosure Permit  
**Reserve**  
**Account Type**  
☐ Reserve  
☐ Reserve - FPR  
☐ Dedication  
☐ Proclamation  
☐ Regional Crown Reserve  
**Crown Road - Non Account**  
**Road Type**  
☐ Crown Road  
☐ Shared/Council Road



Projection: Lambert Conformal Conic (LPI NSW)  
Datum: GDA94

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[illegible]



## Newnes Plateau

### Crown Reserves

#### Legend

- Lot
- Plan
- Tenure**
- Account Type**
- Lease
- Licence
- Enclosure Permit
- Reserve**
- Account Type**
- Reserve
- Reserve - FPR
- Dedication
- Proclamation
- Regional Crown Reserve



00.01 0.025 0.05 0.075 0.1

Kilometers

Projection: Lambert Conformal Conic (LPI NSW)  
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