

Our Reference: DA2022/0107
Planning Panel Reference Number: PPSNTH-141

28 April 2022

R & S Contracting Pty Ltd
1465 Bentley Road
Bentley NSW 2480

Via Email: ben.luffman@ghd.com

Attention: Mr Ben Luffman

Development Application No. DA2022/0107
Proposed Designated and Integrated Development - Extractive Industry
Lot 2 DP 1196757, 1465 Bentley Road, Bentley

Dear Ben,

I refer to your request for information response dated 18 March 2022, which was forwarded to Water NSW for review and consideration.

Pursuant to clause 54 of the *Environmental Planning and Assessment Regulation 2000*, we require the provision of additional information relating to the application. This information is considered essential to allow proper consideration of the application in accordance with clause 4.15 of the *Environmental Planning and Assessment Act 1979*.

Further information is requested in response to the attached correspondence from Water NSW, dated 27 April 2022. Water NSW indicate that it is still unclear how the proposal meets the exemptions from requiring a Work Approval under Section 90 of the Water Management Act and potential surface water WAL (or Water Access Licence).

It is noted that Water NSW believes the additional information provided on 18 March 2022 adequately addressed that the proposal is exempt from requiring a groundwater WAL.

Please note further requests may be made pending outstanding referral comments, following submission of the information and assessment of the application. You are requested to submit this information within 21 days from the date hereon to enable a timely determination of your application.

Should you require any further information regarding this matter, please contact the undersigned on 02 6674 5001 or alternatively via email at rachel@planitconsulting.com.au

Yours sincerely,



Rachel Heath
Planit Consulting Pty Ltd



Contact: Kristin Blain
Phone: 02 9849 9927
Email: kristin.blain@waternsw.com.au
Our ref: A-37988/CNR-32400
Your ref: DA2022/0107

General Manager
Richmond Valley Council
ATTN: Cherie Smith and Georgia Campbell

Via planning portal and email:
cherie.smith@richmondvalley.nsw.gov.au
georgia.campbell@richmondvalley.nsw.gov.au

27 April 2022

Dear Cherie and Georgia,

RE: DA2022/0107 - 1465 BENTLEY ROAD BENTLEY 2480- Integrated development referral - Request for advice

I have reviewed the additional information letter received on the 31/03/2022.

The additional information addressed that the application is exempt from requiring a groundwater Water Access Licence(WAL) provided they comply with the rules of the exemption for groundwater WAL, i.e. this means the water can only be used for dust suppression. If at any time during the life of the proposed quarry, they can't comply with the exemptions a Groundwater Water Access Licence will be required.

Based on the information provided, in my opinion, the applicant has not address how they meet the exemptions from requiring a Work Approval under Section 90 of the Water Management Act and potential surface water WAL.

If the applicant believes they are compliant with the exemptions, it is upon them to ensure that all aspects of the Water Management Act and Regulations are meet and provide such justification to the Natural Resource Access Regulators (NRAR).

Please note: pg49 section 7.2.2 states that to make up the deficit of water required on site it may be sourced from "nearby farm dams". Water can be taken from dams on the same property but at no time can water be taken from dams outside the property without the appropriate work and/or use approvals.

Please feel free to contact me should you require any further information.

Yours faithfully

A handwritten signature in black ink, appearing to read "Kristin Blain".

Kristin Blain
Water Regulation Specialist