
Appendix C

Statutory Consultation Responses

Facsimile Message

TO:	Name	Jenny Walsh	
	Company	Waste Service NSW	
	Facsimile	02 9934 7185	Telephone 02 9934 7046
FROM:	Steve Mackowski		
Pages (including this Cover Page)		1	Date: 27 August 2004
Note: The information in this facsimile is confidential and may be privileged or subject to copyright. It is intended for the addressee only. If you have received this facsimile in error please call the sender on (02) 9241 5155 immediately and return it by mail to the above address. The unauthorised use of this information may result in liability for breach of confidentiality, privilege or copyright.			

Dear Jenny,

Sydney Gas has reviewed your proposed waste treatment facility at Jacks Gulley and its impact on the footprint and activities of our coal seam methane wells in that area.

Sydney Gas has no concerns providing that the facility does not impact on our space requirements.

Sydney Gas request to be kept informed of your works and its phases of development.

Yours sincerely,



Steve Mackowski
Manager, SEQ Compliance.

Sydney Gas Operations Pty Ltd ABN 57 079 838 136 Level 11, 1 O'Connell Street, Sydney NSW 2000 T 612 9253 5555 F 612 9241 5155 E office@sydneygas.com www.sydneygas.com

sydneygas



THE COUNCIL OF CAMDEN

(Incorporated 1889 - Reconstituted 1949)

ABN 31 117 341 764

All communications to be addressed to:
General Manager, Box 183, P.O. Camden 2570



Council Office,
17 John Street,
Camden, N.S.W.

DX 25807
Camden

Telephone: (02) 4654 7777
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(OUR REF.): GREEN:GG:6525.930

(YOUR REF.): JXW04-16283214

7 August, 2004

Waste Service NSW
Locked Bag 7699
CHATSWOOD NSW DC 2067

FIN		I & T J-W	
BS		M & BD	
OPS		ENV	
LT			
FILE No.	F2779	DOC No.	44754

Dear Madam,

RE: PROPOSED AWT FACILITY

I refer to your letter 7 July, 2004 seeking comments regarding the construction of an Advanced Waste Technology facility. You are advised that should Waste Service be successful in the tendering process soon to be commenced by the Macarthur Group of Councils then Camden Council would expect that the following issues are taken into account as well as those already flagged by both Department of Infrastructure and Planning and Department of Environment and Conservation.

- Health Impacts: the EIS must address potential health impacts on nearby residential communities. These impacts could be from odour, emission of air toxics or changes in atmospheric concentrations as a result of the operation of the facility.
- Transport: the route to be traveled by delivery vehicles should not traverse residential areas. Appropriate levels of investigation must be undertaken to assess the impacts of heavy vehicles on the constituents of the area.
- Any facility should not compromise access to the M5 and should if anything facilitate the movement of traffic away from residential areas to major transport networks.

Whilst Council provides this information in response to your request, I must remind you of Council's position in relation to the use of Jacks Gully for waste disposal. In this regard, Council resolved on 22 October, 2001 that Council:

- enter into discussions with Waste Service NSW regarding the future of the Jacks Gully Waste Management Facility with the following three primary objectives:*
 - The ongoing operation of Jacks Gully as a commercially viable waste disposal facility serving the Macarthur region; and*
 - To minimise the impact of continued use of this facility on the current and future Camden residents living near to the facility; and*
 - To ensure that all of the issues relating to proposed urban releases are satisfactorily resolved;*



(ii) *that further reports be placed before Council at the appropriate times before decisions are made.*

In view of the above, Council would not support the establishment of a facility at the site unless its primary purpose was for the disposal of municipal waste from the Macarthur Region.

Yours sincerely

G GREEN
MANAGER
ENVIRONMENT & HEALTH BRANCH



NSW DEPARTMENT OF
PRIMARY INDUSTRIES

Now incorporating Department of Mineral Resources
ABN 51 734 124 190-003

Jenny Walsh
Waste Service NSW
Locked Bag 7699
Chatswood DC 2067



Our reference: L98/0425
Your reference: JXW04-16300060

Dear Ms Walsh

**PROPOSED AWT FACILITY, JACKS GULLY
CONSULTATION FOR PREPARATION OF EIS**

Thank you for your correspondence of 7 July 2004 that concerns the above proposal.

The Jacks Gully Waste Management Centre is situated on the eastern margin of the Elderslie construction sand deposit and overlies coal seams of the Illawarra Coal Measures that have economic potential for underground extraction. The most important coal seams underlying the site are the Bulli Seam, which is about 710 m deep and has a working thickness of about 3.3 m, and the underlying Balgownie Seam, which is about 730 m deep and has a working thickness of about 2.2 m. The Jacks Gully facility is near the northern extension of two coal authorisations held by BHP that may be converted to a mining lease in the near future, and longer term coal exploration and mining in this region will probably involve the Jacks Gully area.

The proposed Alternative Waste Management Facility (AWT) should have no adverse impact on sand extraction operations on the Elderslie sand deposit. Although it appears unlikely at this time that the Jacks Gully site will be included in any underground coal mining proposal at least during the lower, estimated operational life of the AWT, it is recommended that surface subsidence potentially associated with extraction be taken into account during the design of the landfill gas collection system, leachate collection system and associated facilities.

If you require clarification of this letter or if you need additional information, please contact Mr John Whitehouse, Geologist, Geological Survey on telephone 9901 8513 or by email using john.whitehouse@minerals.nsw.gov.au.

Yours faithfully

IBL Paterson
Acting Manager
Industrial Minerals and Land Use.

27.07.04

FIN		I&T J.W	
BS		M & BD	
OPS		ENV	
LT			
FILE No. F2779	DOC No. 44520		



Department of
Infrastructure, Planning and Natural Resources

Contact: Trevor Flewin
Phone: (02) 9895 7519
Fax: (02) 9895 7501
Email: trevor.flewin@dipnr.nsw.gov.au

Jenny Walsh
Waste Service NSW
812 Pacific Highway
Chatswood NSW 2067

30 August 2004

Dear Ms Walsh

FIN		I & T J.W.	
BS		M & BD	
OPS		ENV	
LT			
FILE No. F2179	DOC No. 44853		

Our ref: ERM2004/005216
Your ref: JXW04-16298752
File: ERM2004005216 Jacks Gully.doc

Subject: Proposed AWT Facility, Jacks Gully - Consultation for preparation of EIS

Thank you for the opportunity to provide additional comments for the above-proposed Environmental Impact Statement (EIS) as recommended by DIPNR's Major Development Assessment Unit in their letter of 28 June 2004. DIPNR's Sydney Metropolitan Office (Natural Resources) provides the following comments in regard to Natural Resource Management Issues. Attached (see attachment A) is a broader description of natural resource management issues that may be relevant to the development. Key issues of the DIPNR's response include:

- The EIS should outline if the works are occurring within or adjacent to a watercourse or riparian corridor. If works are required within 40 m of a watercourse the EIS should outline how the proposed works will ensure sound riparian management. The EIS should demonstrate consistency with the requirements of the **Rivers and Foreshores Improvement Act (1948)**, and principles of the **NSW Rivers and Estuaries Policy**.
- The EIS should ensure sound native vegetation management outcomes, and rehabilitation of disturbed sites. The EIS should identify the extent of clearing required and if any clearing of endangered ecological communities are to occur. The area identified on the map supplied appears to be within an area gazetted as State Protected Land (Category A). Under the **Native Vegetation Conservation Act, 1997**, a permit to clear vegetation within State protected land may be required. The EIS should clarify whether or not the proposed works are exempt from the NVC Act.
- The EIS should address the implications of the proposed works on soil erosion, sedimentation and land degradation (during and after the construction phase). The EIS should outline appropriate management practices such as erosion and sediment controls to mitigate potential erosion and sedimentation and land degradation.
- The EIS should address the potential impacts of salinity on the development and the impact of the development on potential salinity processes that may be occurring. The Department notes that the site is mapped on the "Salinity Potential in Western Sydney 2002" Map (DLWC 2002) as having a High Salinity potential in Jacks Gully creek, and a Moderate Potential Salinity in the vicinity of Jacks Gully.

I trust that these comments will be useful in the preparation of the EIS. Should you have any questions or require further information please contact Michael White on (02) 9895 7784.

Yours sincerely

for
Peter Dixon
A/Sydney Landscape Manager
Office of Sydney Metropolitan Region



Attachment A

Putrescible Waste Treatment, Processing and Recycling Facility – Jacks Gully, Spring Farm, Camden

The Natural Resource Comments below are broad in nature to cover a variety of circumstances. Some of these comments may not be fully relevant to your proposal.

As part of the EIS you will need to demonstrate how this proposal will meet the requirements of the various Acts and Policies outlined.

Rivers and Foreshores Improvement Act (1948).

The Department is responsible for administering the Rivers and Foreshores Improvement (R&FI) Act (1948).

If there is any creek, drain, channel (artificial or natural), depression, etc. which conveys water, or there is a foreshore, a Part 3A Permit may be required from the Department under the Act to:

- (1) **Excavate** or remove material from the bank, shore or bed of any stream, estuary or lake, or land that is not more than 40 metres from the top of the bank or shore of protected waters (measured horizontally from the top of the bank or shore). "**Protected waters**" as defined under section 22A of the Act means a river, lake into or from which a river flows, coastal lake or lagoon (including any permanent or temporary channel between a coastal lake or lagoon and the sea).
- (2) **Build erosion control works** and other **structures** in a river, estuary or lake.
- (3) **Place any fill material** in a river, estuary or lake.

When assessing developments that require a Part 3A permit under the R&FI Act, the Department will consider whether the proposal is consistent with State Government policy, including the NSW State Rivers and Estuaries Policy. A condition of consent to a Part 3A permit may include the establishment of a native vegetation riparian zone along a "river". The Department is unlikely to issue a Part 3A Permit for works that degrade watercourses and their environment.

It is the Departments aim that an adequate native vegetation riparian zone be kept or established on either side of any "river" or wetland area. A minimum native vegetation riparian zone of 20 meters, from the top of the bank is generally required, however a greater width may be required, depending upon the site and the surrounding area.

Bushfire protection must consistent with the requirements of the Rural Fires Act and the new policy "Planning for Bushfire Protection", which requires provision of Asset Protection Zones if the site is regarded as being within a Bushfire Hazard Area. The department requires that when planning the siting of structures, that the provision of asset protection zones be considered, and appropriate setbacks from the riparian corridors are provided, so that any asset protection zone does not adversely impact on the riparian area and its functions.

On-line or in-stream water quality structures such as water quality ponds, trash racks and gross pollutant traps (GPT's) are strongly discouraged, as they will affect the continuity and corridor function of streams and result in the loss of riparian vegetation and habitat.

The channelisation, piping and/or relocation of streams and the construction of on-line or in-stream structures and culverts for stream road crossings are also strongly discouraged. Developments that propose such actions must have the necessary approval of DSNR and are unlikely to receive support

Works that are undertaken by Public Authorities (not including business ventures such as state-owned corporations or commercial undertakings), or works on Crown Land, do not require a 3A permit prior to commencing works. However, all works undertaken still need to comply with Government policy, and if it is deemed that they could degrade the protected lands of the watercourse, the Department can require works to cease and issue a remedial notice to repair any damage.

Please note that the definition of a "river" in the Rivers and Foreshores Improvement Act is different to the definition in the Water Act and must be considered separately.

NSW State Rivers and Estuaries Policy - General.

The NSW Government has a policy to encourage sustainable development of the natural resources of the State's rivers, estuaries, wetlands and adjacent riverine plains. This is to reduce and where possible halt;

- declining water quality,
- loss of riparian vegetation,
- damage to river banks and channels,
- loss of biodiversity, and
- declining natural flood mitigation;

and to encourage projects and activities which will restore the quality of the river and estuarine systems such as;

- rehabilitating remnant habitats,
- re-establishing vegetation buffer zones adjacent to streams and wetlands,
- restoring wetland areas,
- rehabilitating of estuarine foreshores, and
- ensuring adequate streamflows to maintain aquatic and wetland habitats.

This includes ensuring the construction of any wetland or detention structure off-line, so as not to degrade the functions of that natural resource.

Watercourse Crossings for Roads.

For proposals that will involve crossing of watercourses. The Department generally require the crossing to be bridged.

The following considerations for any bridge design and construction, to enable the following;

(1). Minimise site disturbance

- Minimise the number of crossings.
- Road widths are to be as narrow as possible.
- Crossing at right angles to the flow, rather than an oblique angle.
- Minimise removal of existing native vegetation, particularly outside the road corridor.
- No piers within the bed or banks of the watercourse.

(2). Accommodate natural flow regimes and geomorphic processes.

- Retain the natural streambed and bank profile.
- Avoid the use of fill.
- Prevent scour and erosion to the streambed and banks in storm events.
- Do not inhibit bankfull or floodplain flows,
- Do not inhibit sediment transport.
- Do not increase water levels upstream.
- Do not inhibit movement of natural woody debris.

(3). Avoid detrimental impacts on ecological processes and wildlife corridors.

- Provide adequate height beneath the structures to allow growth of local native shrubs and ground covers.
- Provide adequate lighting to enable growth of the local native shrubs and ground covers and assist in fish passage.
- Provide adequate moisture to enable growth of the local native shrubs and ground covers.
- Provide adequate span widths to ensure a suitable riparian width is maintained and to enable passage for fauna and flora.
- Provide protection for migrating fauna.
- Demonstrate consistency with the NSW Fisheries Bridges, Roads, Causeways and Culverts Policy and Guidelines.

It is strongly recommended that a site inspection of all watercourse crossings be conducted to negotiate the above and suitable methods for minor watercourses as well, before plans are progressed in any substantial manner.

NSW Wetlands Policy - General

The NSW Government has a policy to encourage projects and activities, which will restore the quality of the States wetlands. The following principles will be applied in reviewing any proposal,

- Water regimes needed to maintain or restore the physical, chemical and biological processes of wetlands will have formal recognition in water allocation and management plans.
- Land use and management practices that maintain or rehabilitate wetland habitats and processes will be encouraged.
- New developments will require allowances for suitable water distribution to and from wetlands.
- Water entering natural wetlands will be of sufficient quality so as not to degrade the wetlands.
- The construction of purpose-built wetlands on the site of viable natural ones will be discouraged.
- Natural wetlands should not be destroyed, but when social or economic imperatives require it, compensation through the rehabilitation or construction of a wetland will be required.
- Degraded wetlands and their habitats and processes will be actively rehabilitated as far as is practical.
- Wetlands of regional or national significance will be conserved, and
- The adoption of a stewardship ethos and co-operative action between land and water owners and managers, government authorities, non-government agencies and the general community is necessary for effective wetland management.

Surface Water License Issues

The Department is responsible for administering the Water Act (1912), which is for the managing and regulating the use of surface water resources. Water extraction is governed by the Water Administration Act (1986). The new Water Management Bill will consolidate these and other existing Acts. The new legislation is designed to provide better ways for the equitable distribution of water with an emphasis on environmental protection. Therefore any proposal that may take several years to be implemented may be impacted by changes to the new legislation.

Surface water Licences are issued for authorised works which:-

- Are connected with or which affect the quantity or use of water in a "river" or "lake". A "river" is defined as:- any 3rd or higher order watercourse, as shown on topographic maps.
any "permanent" flowing stream irrespective of stream order.

Please note that the definition of a "river" in the Water Act is different to the definition in the Rivers and Foreshores Improvement Act and must be considered separately.

- Capture rainfall runoff, and are located on hillsides, gullies or minor non-permanent watercourses. (refer to the Farm Dams Policy below).

Authorised works can include one or a number (or variations on these structures) of the following:-

* Pumps	* Regulators	* Off river storage
* Pipes	* Channels	* Turkeys nest storage
* Dams	* Drains	* Floodplain harvesting storages
* Weirs	* Cuttings	* Tailwater storages
* Locks	* Excavations	* Retentions basins
* Barrages	* Training banks	

A licence is issued for a particular purpose and can include one or a combination of the following:

a. General

- | | |
|--|--|
| * Irrigation | * Augmentation of a watercourse |
| * Stock supply | * Prevention of inundation |
| * Domestic supply | * Experimental/research purposes |
| * Town water supply | * Drainage |
| * Conservation of water | * Changing the course of a watercourse |
| * Recreation | * Recirculation |
| * Horticulture (<i>citrus, nuts, grapes</i>) | * Farming purposes (<i>dairy, washing/preparing produce for market etc. See also processing produce under Industrial</i>). |
| * Pisciculture (<i>fish farming</i>) | * Firefighting |
| * Aquaculture (<i>crustaceans</i>) | * Regulation of flow |
| * Soil conservation | |
- * The capacity of the dam is greater than 7.0 megalitres. Dams less than 7.0 megalitres and for stock and domestic purposes only, form part of a riparian right and are not required to be licensed. However these dams will require a Part 3A Permit under the R&FI Act.

b. Industrial/Commercial

- | | |
|--|--------------------|
| * Power generation | * Industrial |
| * Mining | * Abattoir |
| * Industrial-sand and gravel | * Cannery |
| * Hotel | * Motel |
| * Caravan park | * Boarding house |
| * Intensive breeding (feedlot) | * Dust suppression |
| * Processing produce (<i>eg. poultry, fruit vegetables etc</i>). | |

Details of the proposal are required, including design, layout, pumping and storage capacities, volumes of water to be used, all associated earthworks and infrastructure works etc. Also to be included are environmental impact management reports such as fauna and flora reports, geotechnical reports for salinity or acid sulfate soils etc. The EIS will need to demonstrate the commercial, environmental benefits and sustainability of the proposal.

The licensing process includes advertising which the consent body must undertake. Licenses are generally issued for 5 years.

There will be separate fees, including an application fee and other charges based on the capacity of the work, the purpose, the volumetric allocation or the area to be irrigated. Surface water licenses are also subject to annual charges as determined by IPART. The license must be obtained before any licensable works can be constructed.

Ground Water License Issues.

The Water Act states that all works connected to a source of underground water and used for water supply, waste disposal, or any other commercial or industrial purpose, must be licensed. A work includes any of the following: bore, well, excavation, shaft trench, collector system, spearpoint, artesian bore temporary dewatering of construction sites, or variations on these basic structures. The term bore is used throughout this section to describe any of the above works.

When there has been an artificial improvement work carried out on a natural spring and it is used for water supply, a licence is also required. A natural spring where there has been no improvement of the original feature does not require a licence.

Licences are issued for a commercial, industrial etc purposes. There is a requirement to fit a meter and report water usage to the Department.. Licences are subject to distance conditions as follows:

- At least 200 metres from a property boundary.
- At least 400 metres from the nearest irrigation bore.
- At least 500 metres from a town water supply bore.
- At least 40 metres from the bank of a river or defined creek.

Exemptions are sometimes possible for small properties and where practical considerations lead neighbours to agree on more closely spaced bores.

In assessing the groundwater license, the Department will consider if the proposal is consistent with The NSW Groundwater Policy Framework Document.

Any dewatering a development site in order to lower the local water table to permit the construction of subsurface areas eg. a basement level underground carpark etc. is also a licensable work under Part V of the Water Act.. Temporary dewatering may be authorised provided there are no adverse environmental or resource management impacts associated with the proposal.. Permanent dewatering, however, is considered to be unsustainable and accordingly will Not be APPROVED.

Details of the proposal are required, including design, layout, pumping and storage capacities, volumes of water to be extracted all associated earthworks and infrastructure works etc. Also to be included are environmental management reports such as water quality assessments (particularly in urban areas, and areas of known or suspected contaminated groundwater locations), a hydrogeological report showing the impacts on the groundwater and other users of the water, a fauna and flora report, a geotechnical report for salinity or acid sulfate soils etc. The EIS will need to demonstrate the commercial, environmental benefits and sustainability of the proposal.

There will be separate fees, including an application fee and other charges based on the capacity of the work, the purpose, or the area to be irrigated. The water license is also subject to annual charges as determined by IPART

The bore licence must be obtained prior to construction of the any licensable works you must supply the name of the licensed driller before work commences.

The NSW Groundwater Policy Framework Document - General

The NSW Government recognises the need to manage the State's groundwater resources so that they can sustain environmental, social and economic uses for the people of NSW.

It is to encourage the ecological sustainable management of the groundwater resources so as to:

- Slow and halt, or reverse any degradation of groundwater resources.
- Ensure long term sustainability of the systems ecological support characteristics.
- Maintain the full range of beneficial uses of these resources.
- Maximise economic benefit to the Region, State and nation.

The following principles will be applied to any proposal:

- An ethos for the ecologically sustainable management of groundwater resources to be encouraged in all agencies, communities and individuals that own, manage or use these resources, and its practical application facilitated.
- Non-sustainable resource uses to be phased out.
- Significant environmental and/or social values dependent on groundwater to be accorded special protection.
- Environmentally degrading processes and practices to be replaced with more efficient and ecologically sustainable alternatives.
- Where possible, environmentally degraded areas to be rehabilitated and their ecosystem support functions restored.
- Where appropriate, the management of surface and groundwater resources should be integrated.
- Groundwater management should be adaptive, to account for both increasing understanding of resource dynamics and changing community attitudes and needs.
- Groundwater management should be integrated with the wider environmental and resource management framework, and also with other policies, dealing with human activities and land use, such as urban development, agriculture, industry, mining, energy, transport and tourism.

The proponent will need to demonstrate how this strategy will be met.

Floodplain Management - General

Any development on flood prone land should be considered in accordance with the NSW Government's Flood Policy and the Floodplain Management Manual (2001). The primary objective of the State Government's Flood Policy is to reduce the impact of flooding and flood liability on individual owners and occupiers, and to reduce the private and public losses resulting from all levels of potential flooding. As outlined in the Manual the Policy is merits based, in which the impacts of flooding are balanced against planning, social, environmental and economic issues. The consent authority needs to check that all considerations in the Manual are adequately addressed in making decisions.

The management of flood prone land is primarily the responsibility of local government. The State Government provides technical assistance and, in association with the Federal Government, financial assistance for flood related studies, mitigation works etc.

In assessing any development proposal, consideration needs to be given, where appropriate, to the potential impacts of flooding on the proposed development; the impact of the proposed development on flood behaviour both upstream and downstream of the site; and the possible impacts of flooding on residents and other users of the floodplain. Particular attention should also be given to availability of safe access and egress from the site in times of flood. In this regard, the full range of potential flood events, up to the probable maximum flood (PMF) should be considered.

Impacts from development in isolation can be small. However, when considered in combination with other future development the impact might be significant. It is therefore prudent to assess the cumulative impacts of all likely development. A floodplain management study is an effective way of assessing these cumulative impacts.

Under the Government's Flood Policy, the determination of the acceptability of any afflux arising from proposed development should be merits based and would normally be a matter for the relevant consent authority. However, it should be noted that in some communities an afflux as small as 10 mm has needed to be addressed by way of providing some compensatory flood mitigation.

NSW Biodiversity Strategy

The NSW Government has a strategy for protecting the native biodiversity of NSW and for maintaining ecological processes and systems. The following principles will be applied in reviewing any proposal;

- Ensuring that the proposal does not decrease native biodiversity of either individual species or communities of the site or area.
- Ensuring that the proposal is not part of any threatening process to the native biodiversity of the site or area.
- Determining if the proponent has been guided by the precautionary principle to show careful evaluation to avoid, wherever possible, serious or irreversible damage to native biodiversity, through an assessment of risk-weighted consequences of various options.

The proponent will need to demonstrate how this strategy will be met.

Soil Conservation Act (1938)

The Soil Conservation Act (1938) and amendments provides for the conservation of soil and farm water resources and for the mitigation of erosion within NSW. Any land use activity that disturbs a vegetative ground cover creates an erosion hazard, which requires measures to minimise environmental degradation.

In relation to soil erosion, sedimentation and land degradation in general the Department advises that the EIS should address at least, but not be limited to the following issues:-

- ⇒ topography
- ⇒ landform
- ⇒ soil type

- ⇒ soil erodibility
- ⇒ site capability
- ⇒ potential for salinity problems.
- ⇒ vegetation management
- ⇒ erosion and sediment control strategy including techniques

Salinity-General requirements

Any study for salinity needs to demonstrate understanding of salinity processes, implications of any development, and outline management techniques prior to detailed design of infrastructure, roads and subdivision layout. Failure to adequately address these issues may lead to premature or unnecessary repairs and maintenance to infrastructure and buildings.

A Water cycle management study will be required to assess that conflicting issues such as encouraging infiltration and controlling groundwater rise are solved prior to the need for expensive remediation or retro fitting. This includes avoiding water-holding structures in areas that may lead to increased infiltration (eg. pervious pavements).

Minimise variation to subsoil drainage across the site through cut and fill, compaction or change in materials. Where it is unavoidable alternative drainage and construction methods should be investigated and their impact upslope monitored.

Implement a groundwater monitoring and reporting system with clear lines of on-going responsibility and on-going funding.

It should be noted that conditions are subject to change over time whether or not development is undertaken, and that the results of any tests do not provide any guarantee that salinity will not become a land management issue in the future.

Integration of all natural resource management issues is necessary for salinity management.

The following publications have been produced by this Department as part of the Local Government Salinity Initiative in understanding and managing Salinity: -

- Introduction to Urban Salinity
- Indicators of Urban Salinity
- Broad scale Resource for Urban Salinity Assessment
- Site Investigations for Urban Salinity
- Roads and Salinity
- Building in a Saline Environment
- Waterwise Parks and Gardens

Copies can be obtained by contacting the Department.

In addition the Western Sydney Regional Organisation of Councils (WSROC) has developed a *Salinity Code of Practice for Western Sydney*. The document has been developed in consultation with and for the use of the 13 Councils within Greater Western Sydney.

Also available from DIPNR is the Departments "Salinity potential in Western Sydney 2002" Map and supporting guidelines.

Erosion and Sediment control Plan

An integrated site development plan needs to be prepared, incorporating an Erosion and Sediment Control Plan, for the EIS. This plan shall cover the life of the proposed site extension, rehabilitation and closure, and ensure that the site land is stabilised to standards of the *Managing Urban Stormwater, Soils and Construction*. NSW Dept of Housing, 2004, 4 Ed, and Consent Authority (whichever is the greater). The plan at the EIS stage should be detailed enough to enable any reviewer to determine that the concepts for control are sound and practical. The sizes and location of control works should be according to design and the accepted policies, and the revegetation/ landscape plan will enhance the native vegetation biodiversity of the site.

Native Vegetation Conservation Act

Management of native vegetation within NSW is administered by the Department under the Native Vegetation Conservation Act 1997. The Act aims to improve and increase vegetation cover by preventing inappropriate clearing, establishing new areas of vegetation and educating the community in the conservation of native vegetation. While areas of non-State Protected Land within most Sydney metropolitan local government areas are excluded from the Act, the Department strongly promotes the aims objectives of the Act in such areas to protect significant stands of native vegetation.

The Department is the consent authority for clearing proposals made under the Native Vegetation Conservation Act. This could be a separate consent to other consents required for the proposal. An approval under the Native Vegetation Conservation Act may be required if it is intended to "clear" native or other vegetation, and there is;

- Steep lands (18 degrees or more), and mapped as "protected land".
- A major creek or river, and listed as "protected land".
- Lands mapped as "regional protected land" (these lands only occur in certain rural areas).

If the area of clearing is zoned residential (not rural residential), village, township, industrial or business then a permit is not required.

Native Vegetation Conservation Strategy.

The Commonwealth and NSW Governments have a strategy for protecting native vegetation. The performance indicator for this strategy is the concept of no net loss.

No net loss is the enhancement of both the quality and extent of native vegetation in the long term as a result of retention and adequate offsets for losses across a specified area.

To offset an activity means to compensate for the negative impacts of that activity, by taking a separate action with equal or greater positive impacts.

The proponent will need to demonstrate how this strategy will be met.

Vegetation - Cumberland Plains areas.

All developments occurring on the soils derived from the shales on the Cumberland Plain should not remove or harm native vegetation from the site. This is before checking whether the vegetation is the Endangered Ecological Community called the Cumberland Plain Woodland, and the appropriate authority issued by the National Parks and Wildlife Service.

Should you have any questions or require further information please contact Michael White on (02) 9895 7784.



Jenny Walsh
 Waste Service NSW
 Level 4, Zenith Centre
 821 Pacific Highway
 CHATSWOOD NSW 2067

13 August 2004

Proposed AWT Facility, Jack's Gully - EIS Consultation

Thank you for your fax dated 9 August 2004 requesting comment on the preparation of the Environmental Impact Statement for the proposed Jack's Gully Alternative Waste Treatment (AWT) Facility.

It is understood that the project would involve the construction and operation of an AWT facility on the site of the existing Jack's Gully Waste Management Centre. The facility would treat, process and recycle approximately 160,000 tonnes of putrescible waste per annum. Through the biological treatment and resulting biogas production, electricity would be generated.

As the operator of the electricity network in south west Sydney, it is requested that the EIS address the following issues:

- peak or maximum energy demand (MVA and MWh) in terms of import and export;
- voltage required in network connection;
- proposed upgrades/modifications to the network;
- measures to reduce peak demand;
- energy conservation measures (base load energy savings in addition to overall energy savings);

Should any significant changes be required to the electricity network, it is preferred that consultation is undertaken prior to the submission of a Development Application.

Thank you for the opportunity to provide input into the proposal.

Yours faithfully



Richard Powis
 Chief Executive Officer
 In reply please quote file no.: 040813_WSNOW

FIN		I & T	
BS		M & BD	
OPS		ENV J.W	
LT			
FILE NO.	f 2771	DOC No.	44748



M/s Jenny Walsh
Waste Service NSW
Locked Bag 7699
CHATSWOOD DC NSW 2067

FIN		I & T J.W.	
BS		M & BD	
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LT			
FILE No.	12779	DOC No.	44537

30 July 2004

Dear Ms Walsh

Re: Proposed AWT Facility at Jacks Gully and EIS requirement

I refer to your letter of 7 July 2004 whereby you have requested Landcom's remarks on the preparation of an EIS by Waste Service NSW to support the construction of an Alternative Waste Treatment (AWT) facility at Jacks Gully Waste Management Centre (WMC).

I thank you for the opportunity to comment and have identified the following environmental issues of importance to Landcom regarding the proposal (but not necessarily limited to).

Landcom respectfully requests that the EIS addresses or confirms:

- That putrescible (Class 1) waste will not be utilised for landfilling of Jacks Gully WMC, notwithstanding that it is proposed to be separated, treated, processed and recycled within the AWT;
- That infrastructure systems and site management controls such as (but not necessarily restricted to) a fully enclosed facility for all composting, processing and transfer activities; best practice bio-filters; dust control sprinklers etc will contain all odour emissions and other environmental impacts within Jacks Gully WMC;
- In particular, that the proposed AWT facility and its operation will have zero odour and dust impacts on adjoining and proposed residential development areas;

- That the identified Study Area within Jacks Gully WMC is of a realistic sustainable size and the best available location option in terms of potential and unanticipated odour plumes, seasonal odour inversion, heavy vehicle access, bio-gas and electricity production and associated environmental and risk of harm impacts (even if control systems are envisaged to fully mitigate); and
- That heavy vehicle movements associated with all operations at Jacks Gully WMC will comply with applicable noise controls (including Australian Standards) and otherwise will not adversely impact upon residential development in the vicinity.

I also wish to flag the Jacks Gully Odour Reduction Agreement, Deed of Variation and Supplementary Agreement that has been executed by our respective organizations and would appreciate Waste Service NSW confirming that the design and operation of the proposed AWT facility, and your Part 5A application, is consistent with the terms and conditions therein.

In particular I note that Waste Service NSW is required to implement certain restricted on-site activities at Jacks Gully when the Odour Reduction Plan is in effect (Section 6) and that future landfilling activities are restricted to Class 2 non-putrescible materials (Section 7).

If you have any queries regarding the aforementioned comments please contact Mathew Causley on phone 9841 8601.

Yours sincerely



per Russell McKinnon
Development Director
Urban Development South

CC:

Scott Jeffries, A/g Manager, Manufacturing & Rural Industries, Major Development Assessment, DIPNR



SENDER TO KEEP
CN7887354

Reference:
OQ Ref: JXW04-21573477

6 September 2004

David White
Senior Town Planner
GHD Consulting
10 Bond St
Sydney, NSW 2000

Dear David

The requirements of the Director-General of the Department of Infrastructure, Planning and Natural Resources required Waste Service NSW to consult the following organisations / groups regarding the preparation of an Environmental Impact Statement for the proposed Alternative Waste Treatment Facility at Jacks Gully:

- Camden Council
- Campbelltown Council
- Roads and Traffic Authority
- DIPNR, Sydney Metropolitan Office
- Sydney Water
- Sydney Catchment Authority
- Landcom
- Integral Energy
- Department of Mineral Resources (now Dept Primary Industries)
- Sydney Gas
- Local community

Please find attached, for your information, responses from all organisations, apart from the local community. The local community was informed of the proposed facility by way of the Jacks Gully Community Monitoring Committee. The Committee was provided with the opportunity to provide input into the preparation of the Environmental Impact Statement. The Community Monitoring Committee has not responded to the request for input and several members of the Committee expressed their preference to comment on the proposed facility at the Environmental Impact Statement exhibition stage.

The Department of Environment and Conservation (former National Parks and Wildlife Service) was also consulted regarding the preparation of the Environmental Impact Statement. I have been verbally advised that the Department of Environment and Conservation will provide their generic requirements for the preparation of an Environmental Impact Statement, however I am yet to receive this correspondence.

Yours sincerely



Jenny Walsh

WASTE SERVICE NSW

Zenith Centre, Level 4, 821 Pacific Highway Chatswood NSW 2067, Locked Bag 7699, Chatswood DC 2067

Phone: (02) 9934 7000 Fax: (02) 9934 7185

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3 September 2004

Jenny Walsh
Waste Service NSW
Locked Bag 7699
CHATSWOOD DC 2067



Dear Ms Walsh,

PROPOSED AWT FACILITY, JACKS GULLY

I refer to your letter dated 7 July 2004 advising of your proposal to construct an Alternative Waste Treatment Facility adjacent to the existing landfill at Jacks Gully and to your invitation to Council to participate in the preparation of the EIS.

Council requests that the EIS appropriately examine and demonstrate that the proposal would:

- Have an acceptable environmental impact upon the locality in terms of potential odour, noise, visual and aquatic impacts.
- Not limit or compromise the potential for further urban development within the Menangle Park locality.
- Detail all truck routes and the volume of traffic that would occur on local roads.
- Detail the proposal's consistency or otherwise with Resource NSW waste strategy for waste minimisation and reduction.
- Detail proposed hours of operation of the facility.

Thank you for inviting Council to participate in the process. Should you require any further information, please contact me on (02) 4645 4616.

Yours faithfully


Scott Phillips
MANAGER DEVELOPMENT SERVICES
Ref: F74150/sp-kw

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FILE No.	F 2779	DOC No.	44932

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Email council@campbelltown.nsw.gov.au Web www.campbelltown.nsw.gov.au

ABN 31 459 914 087



Elise.Stocker@npws.nsw.gov.au

08/09/2004 12:23

To: jenny.walsh@wasteservice.nsw.gov.au
cc:
Subject: Jacks Gully

Jenny

I refer your letter, dated 10 August 2004, requesting comments from the Department of Environment and Conservation (DEC) prior to the preparation of an EIS for the proposed construction of an AWT Facility adjacent to the existing landfill at Jacks Gully.

In response to your request I have attached the DEC (former NPWS) Environmental Assessment guidelines.

Due to the limited information provided in your letter with regards to the existing environment on site and the anticipated degree of impact on flora and fauna and Aboriginal heritage the DEC can offer no further comment at this stage. However, the DEC anticipates that comprehensive flora and fauna and Aboriginal heritage assessments will be undertaken prior to the proponent seeking approval for this activity.

Should you wish to discuss the attached guidelines further please do not hesitate to contact Elise Stocker, Conservation Planning Officer on (02) 9585 6575.

Regards

Elise Stocker
Conservation Planning Officer
Conservation Programs and Planning
Environment Protection and Regulation Division
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Ph (02) 9585 6575
Fax (02) 9585 6442
elise.stocker@npws.nsw.gov.au

This message is intended for the addressee named and may contain confidential information.

If you are not the intended recipient, please notify the sender and then delete the message. Views expressed in this message may be those of the individual sender, and are not necessarily the views of the NSW Department of Environment and Conservation.



Eia-guid (Jan 2003).doc



NSW NATIONAL PARKS AND WILDLIFE SERVICE

GENERAL GUIDELINES FOR IMPACT ASSESSMENT

The National Parks and Wildlife Service (NPWS) has an interest in the potential impacts of proposals on the following:

- areas of native vegetation;
- areas of potential value as habitat for native fauna;
- sites and places of Aboriginal cultural heritage, including areas of archaeological potential; and
- land dedicated under the *National Parks and Wildlife Act 1974 (NP&W Act)*.

If these attributes are anticipated to be present in your study area and / or likely to be impacted, it is recommended that assessments by a suitably qualified person be undertaken to determine the extent of impact. The NPWS suggests that the following basic details be included in the assessments:

- the qualifications and experience of the person undertaking the work; and
- a detailed description of survey methodology including survey design, sampling methods, weather conditions, time and duration of surveys and location of any survey sites and transect lines.

Specific issues that are recommended to be addressed by the assessments are detailed below.

General information

- description of the proposal and the way in which the environment will be modified;
- map(s) placing the proposal in a regional and local setting;
- applicability of Local Environmental Plans, Regional Environmental Plans and State Planning Policies to the proposal;
- information on the current and past land uses of the site and that of the surrounding area; and

on the *TSC Act* which may be obtained by contacting the NPWS Information Centre on (02) 9585 6333.

Concurrence provisions

Where a consent authority determines that a proposal is likely to have a significant effect on threatened species or their habitats, a species impact statement (SIS) must be prepared in accordance with the requirements of the Director-General of the National Parks and Wildlife Service. If, after considering the SIS, a consent authority intends to grant approval to a proposal that will have a significant effect on threatened species or their habitats then the concurrence of the NPWS is required. If the Minister for Urban Affairs and Planning is the consent authority the concurrence of the NPWS is not required, but consultation must occur with the Minister for the Environment before development consent is granted.

The process and timeframes for development applications that require concurrence are detailed in Division 2 of the *Environmental Planning and Assessment Regulation 1998*.

Aboriginal heritage

General issues

For the purposes of these guidelines Aboriginal heritage is considered to include "Aboriginal objects" and places of significance to Aboriginal communities.

Under the *NPW Act*, an 'Aboriginal object' is defined as any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains. Aboriginal objects are confined to physical evidence. Aboriginal objects are commonly referred to as Aboriginal sites.

An "Aboriginal place" is a place which has been declared so by the Minister for the Environment because he or she believes that the place is or was of special significance to Aboriginal culture. It may or may not contain physical Aboriginal objects.

It should also be noted that there are places in the landscape which have particular meaning for Aboriginal people, for example, spiritual areas or natural mythological areas. Although these areas are not protected under the *NPW Act*, unless they contain physical remains of Aboriginal occupation or have been declared an 'Aboriginal place', it is recommended that the potential impact of proposals on such places also be considered in the assessment process.

- Aboriginal cultural heritage assessment which involves consultation with the Aboriginal community groups. The NPWS is committed to working in partnership with the Aboriginal community groups in the management of Aboriginal sites and requires community assessment of any Aboriginal site management; and
- Archaeological assessment which involves the assessment of Aboriginal sites and their management based on archaeological heritage criteria.

Environmental impact statements

Where an environmental impact statement (EIS) is required to be prepared for an integrated development, the Director-General of the Department of Urban Affairs and Planning (DUAP) must request each approval body to provide their requirements in relation to the EIS. If the approval body does not provide those requirements within 14 days then the Director-General of DUAP must inform the applicant and the applicant must consult with the approval body to obtain its requirements for the EIS.

If an EIS is to be prepared for an integrated development that involves a Section 90 approval under the *NP&W Act*, the NPWS will be requested to provide its requirements for the EIS. In this situation, the NPWS requirements for the EIS are the same as for any IDA proposal that requires a Section 90 approval under the *NP&W Act*. These requirements are detailed in the attached guidelines.

Databases

The NPWS has two GIS databases which may provide information of use to you if you proceed to undertake further assessment. These are:

- Atlas listing of fauna and flora records in NSW;
- Aboriginal Heritage Information Management System.

The material from these databases is available upon written application and the receipt of the appropriate fee. If you are interested in obtaining access to the Atlas database, please contact the Data Licensing Officer, GIS Division, on (02) 9585-6684. Records from the Aboriginal Sites register may be obtained upon written application to the Registrar, Cultural Heritage Conservation Division, on (02) 9585-6471.



29 JUL 2004

Ms J Walsh
Waste Service NSW
Locked Bag 7699
CHATSWOOD NSW 2067

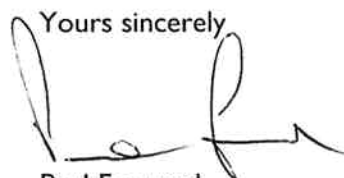
Dear Ms Walsh

I refer to your letter (Ref: JXW04-16298108) concerning the proposed AWT Facility, Jacks Gully - consultation for preparation of an Environmental Impact Statement (EIS).

The RTA would like to see the following issues addressed in an EIS for the subject site:

1. The proposed means of vehicular access to/from the site;
2. Likely daily and peak traffic movements generated by the development and the potential increase in the level and type of traffic associated with the proposal;
3. Impact of development on surrounding arterial road intersections and the need for upgrading or improvement work;
4. Consideration of the need for the preparation of a Local Area Traffic Management plan;
5. An assessment of the likely impact of truck traffic upon nearby residential areas;
6. Details of the anticipated route of trucks through the metropolitan and local road network;
7. An assessment of the potential increase in toxicity levels of loads transported on arterial and local roads and consequently, the preparation of an Incident Management Strategy for accidents, if relevant.

Please refer further queries to Tricia Zapanta-Mostyn on 8814 2577.

Yours sincerely

Paul Forward
Chief Executive

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FILE No. 62779		DOC 44510	





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Ref: D2004/06949

Your Ref: OQ Ref: JXW04-16299558

Mr K Kanofski
Chief Executive
Waste Service NSW
Level 4 Zenith Centre
821 Pacific Highway
CHATSWOOD NSW 2067

Attention: Jenny Walsh

Dear Mr Kanofski

Proposed AWT Facility, Jacks Gully – consultation for preparation of EIS

I refer to the above and the Service's letter dated 7 July 2004. The subject proposal would have no implications for the Sydney Catchment Authority. The Authority therefore has no comments and need not be consulted any further on this proposal.

If you wish to discuss this matter please contact Malcolm Hughes on 47252139.

Yours sincerely

LEE MORGAN
Manager Statutory Planning

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6 August 2004

Jenny Walsh
Waste Service NSW
Locked Bag 7699.
CHATSWOOD DC 2067



Sydney
WATER

FIN	File	I & T J-w Ref No: 2004/03688F	
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FILE No. F2779	DOC No. 44646		

Dear Ms Walsh

**RE: Proposed Alternative Waste Treatment (AWT) Facility, Jacks Gully
– Consultation for Preparation of EIS**

I refer to your letter dated 7 July 2004 seeking comments from Sydney Water regarding the preparation of an Environmental Impact Statement (EIS) for the proposed AWT facility at Jacks Gully. The following are some of the issues that Sydney Water believes will need to be addressed in the preparation of the EIS.

1.0 Trade Waste

A Sydney Water Trade Waste Permit is required for the disposal of wastewater to a Sydney Water Sewer from any future industrial or commercial development, including the above AWT facility. A Trade Waste Permit must be obtained before discharge into the sewer can commence. Compliance with a Trade Waste Permit helps ensure that Sydney Water can discharge or reuse wastewater in a way that protects the environment and complies with regulatory requirements. Application for a Trade Waste Permit can be made to Sydney Water at the Section 73 Certificate application stage (See Section 5.0 below). The applicant can contact Customer Services Division, Rockdale (Sales and Service South Unit) on 9551 4620 for assistance with applying for a trade waste permit.

2.0 Sydney Water Requirements – General Comments for the EIS

The following are a list of general comments that Sydney Water recommends are considered in the EIS.

- The proponent should clearly identify the footprint of the property and the study area so that Sydney Water is able to assess if any of its assets are likely to be affected physically by the construction or operation of the AWT facility. (i.e. Sydney Water owned water mains, wastewater mains and pumping stations in the vicinity).
- Sydney Water requires information on the AWT facility's servicing needs. The AWT facility must specify the quantity of potable water that it requires from Sydney Water (including peak and average daily demand) and quantity of wastewater which it proposes to discharge to the sewer.
- The site is not currently connected to the sewer. If the proponent plans to discharge treated trade wastewater to sewer, the quantity and quality of the pre-treated wastewater should be assessed in light of the requirements of the receiving sewer. The AWT facility would discharge to a sewer which flows to West Camden Sewage Treatment Plant (STP). This STP is in the process of being upgraded to allow for extensive reuse of treated effluent for agricultural irrigation. Total Dissolved Solids (TDS) may therefore be a limiting factor in the effluent from the AWT facility. As there is residential development in

the vicinity of the AWT site, any wastewater pre-treatment facility may have to be fully enclosed to reduce odour and visual impacts.

3.0 Sydney Water Requirements – Specific Issues to be Considered in the EIS

3.1 Water Issues

- Volume of potable water required (including average and maximum daily demand).
- The proposed AWT facility is located approximately five kilometres to the west of West Camden (STP). Sydney Water has identified a number of sites in the Camden area which could potentially be supplied with recycled water from the STP. One of the sites identified by Sydney Water is Mount Annan Gardens. Due to the AWT's proximity to Mount Annan Gardens, there may be the potential for the AWT facility to also access this recycled water supply. The proponent should assess the potential for recycled water use, including average daily and maximum demand.
- Specify how the facility will harvest rain water for use in the process.
- Provide information on how the Backflow Prevention (BFP) requirements of AS/NZS 3500 will be met.
- Supply details of the water efficiency of the selected AWT process, when compared with alternative processes and/or sites.

3.2 Wastewater Issues

- Specify the quantity and quality of leachate and how it will be managed from the tip.
- Specify how the facility will treat and manage its wastewater.
- Supply details on how the domestic wastewater from the proposal will be managed.

3.3 Other Water Cycle Issues

- Supply details of any pre-existing contamination of the site and how this contamination will be managed.

4.0 Supporting Documentation

Sydney Water supports the attachment (dated 28th June 2004) to the letter submitted by Waste Service NSW (dated 7th July 2004), regarding the waste management issue outlined by the Department of Infrastructure, Planning and Natural Resources (DIPNR)

DIPNR quotes,

Waste management: the EIS must identify the quantity, nature and likely sources of waste that would be recycled at the facility and describe how this waste would be stored, separated and handled on site.

Sydney Water also supports the documentation (dated 8th March 2004) provided by the New South Wales Environment Protection Authority (EPA), also attached to Waste Service NSW original letter (dated 7th July 2004), regarding, stormwater and wastewater management outlined in the 'Generic EIS Requirements'.

5.0 Section 73 Compliance Certificate

The developer is required to obtain a Section 73 Compliance Certificate from Sydney Water. Sydney Water recommends that Council stipulate that the proponent secures a Section 73 Certificate from Sydney Water as a condition of consent. Issuing of the Certificate will confirm that the proponent has met Sydney Water's detailed requirements, which include:

- Correctly sized water and wastewater mains; extensions or amplifications to existing water and wastewater systems (if necessary);
- Building over/adjacent to Sydney Water's existing water, sewerage or stormwater infrastructure;
- Payment of Sydney Water charges; and
- The completion of any other requirements.

Adjustments to existing Sydney Water systems resulting from developer activity will be charged to the particular development. Developers are advised to engage the services of a Water Servicing Coordinator (WSC) to obtain a Section 73 Certificate and manage the servicing aspects of their projects. Details are available from any Sydney Water Customer Centre on 13 20 92 or Sydney Water's website at www.sydneywater.com.au.

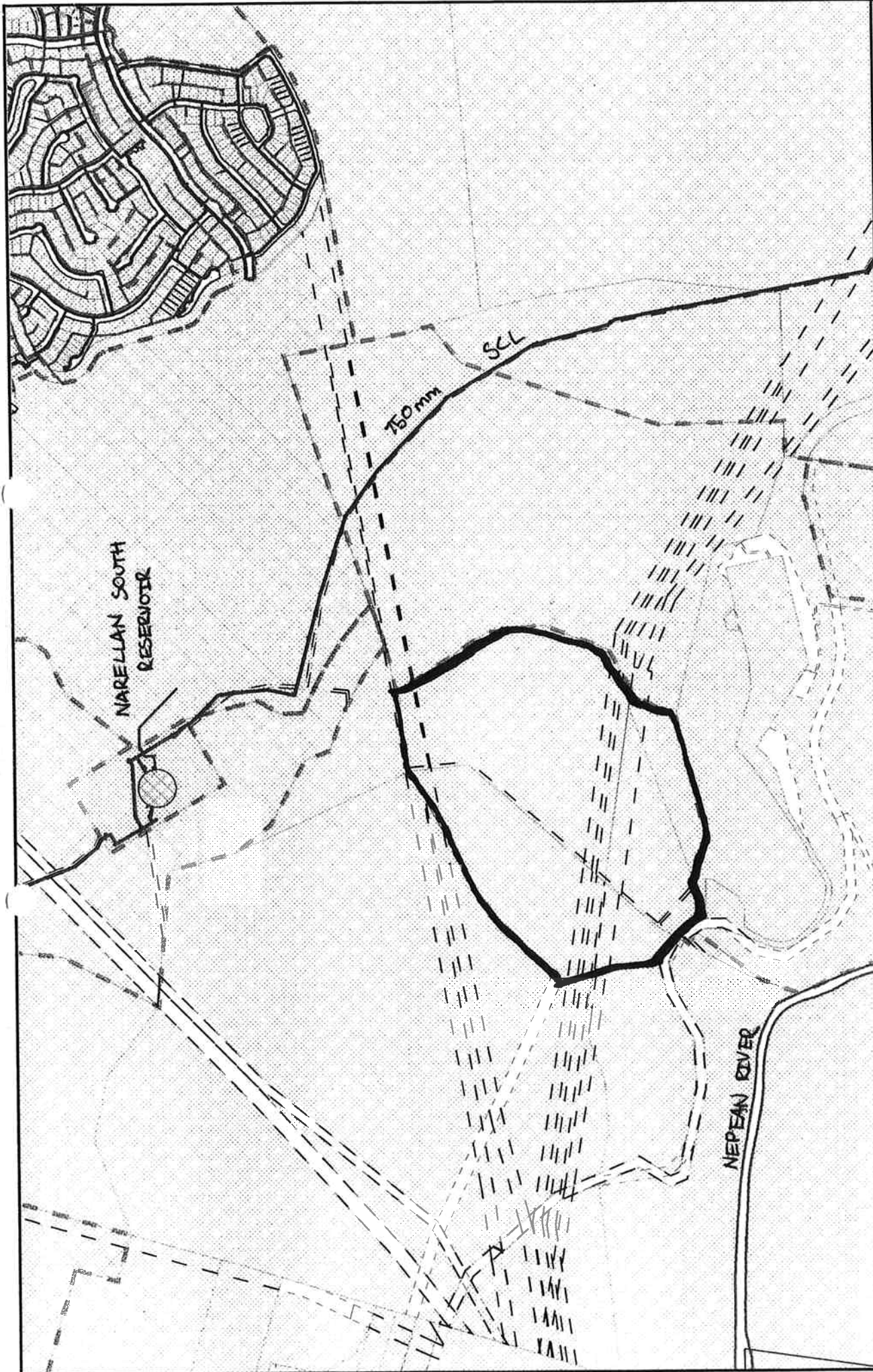
If you have any queries or require further information, please contact the Urban Growth Branch:

Nick Chapman (02) 9350 6648 or email nick.chapman@sydneywater.com.au or
Glenn Dawes (02) 9350 6207 or email glenn.dawes@sydneywater.com.au

Yours sincerely



Tom Gellibrand
Manager, Urban Growth Branch



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Jacks Gully Waste Management Facility
 Mount Annan
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