

Our ref: OUT25/8157

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2 July 2025

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Subject: Hillview Hard Rock Quarry (SSD-70557215) – Environmental Impact Statement

Dear Jarrod Blane,

I refer to your request for advice sent on 21 May 2025 to the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) Water Group about the above matter.

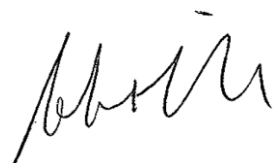
NSW DCCEEW Water Group has reviewed the Environmental Impact Statement and makes pre-determination recommendations in regard to:

- Demonstrating an adequate water supply is available and the ability to obtain entitlement where required.
- Assessing impacts of new water supply works.
- Assessing proposed dams against water legislation.

Please see **Attachment A** for more detail.

Should you have any further queries in relation to this submission please do not hesitate to contact the DCCEEW Water Assessments team at [water.assessments@dpie.nsw.gov.au](mailto:water.assessments@dpie.nsw.gov.au).

Yours sincerely



Rob Brownbill,  
Manager, Water Assessments, Knowledge Division  
NSW Department of Climate Change, Energy, the Environment and Water

## Attachment A

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### Detailed advice to DPHI Planning & Assessment regarding the Hillview Hard Rock Quarry (SSD-70557215) – EIS

#### 1.0 Water supply, impacts and licensing

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##### 1.1 Recommendation – pre determination

The Department of Planning, Housing and Infrastructure request the proponent to:

- Demonstrate adequate and viable water supply options to meet the maximum annual site water demands.
- Demonstrate the ability to obtain sufficient water entitlement to account for the maximum predicted water take.

##### Explanation

The information provided in the site water balance indicates a shortfall of inflows to outflows and includes 100ML of external water, the source of which has not been provided. This is shown in Table 22 and 23 of the surface water assessment representing average and extreme dry years. The shortfall of inflows to outflows indicates there is insufficient sources and/or entitlement to meet the site water demands. The site water balance also does not include Stage 7 therefore the water demands and the ability to meet those for this stage is uncertain.

Section 5.6 of the surface water assessment states that extra water could be sourced from a new Water Access Licence (WAL) under the Water Sharing Plan for the Karuah River Water Source 2003. The proponent needs to be aware this plan has been repealed and replaced with the Water Sharing Plan for the Lower North Coast Unregulated and Alluvial Water Sources 2022. The availability of entitlement in the relevant water source and a viable source to obtain this water has not been confirmed.

Section 6.5.1 of the EIS references 100L of water will be imported from groundwater bores to meet demands, however this is inconsistent with the surface water assessment which states 100ML. This inconsistency needs to be addressed.

The proponent needs to be aware that groundwater inflows must be accounted for under a WAL which is linked to the project. Linking a WAL to the project requires the applicant to complete a nomination of works dealing application to WaterNSW. In considering the use of a 100 unit WAL held by the proponent (WAL44439), any groundwater inflows would need to be subtracted from this WAL to understand available entitlement to be used for water take from external sources.

##### 1.2 Recommendation – pre determination

The Department of Planning, Housing and Infrastructure request the proponent to identify and assess the impacts of any new water supply works or any changes to existing water supply works.

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## Explanation

The proponent has referenced there may be additional water supply works (eg. bores or pumps) required to meet site water demands. These have not been identified or the impacts assessed as a part of this project application. The proponent must identify and assess the impacts of these works to meet section 4.41 of the EP&A Act 1979. Should these not be assessed a water supply work approval may be required which we cannot guarantee the outcome of the application assessment. Further assessment is therefore required to confirm the availability of water from any additional water supply works and the associated impacts of their construction and operation.

### 1.3 Recommendation – pre determination

The Department of Planning, Housing and Infrastructure request the proponent to review the proposed surface water structures to confirm the requirement for water licensing or where an exemption may apply. This is to include a review against:

- The excluded work provisions under Schedule 1(4) of the Water Management (General) Regulation 2018. Further information is available at: [https://water.dpie.nsw.gov.au/\\_data/assets/pdf\\_file/0008/554444/excluded-work-exemption-fact-sheet.pdf](https://water.dpie.nsw.gov.au/_data/assets/pdf_file/0008/554444/excluded-work-exemption-fact-sheet.pdf)
- Maximum harvestable rights dam capacity where dams are located on minor streams and capture runoff.
- The requirement for licensed entitlement where the water capture/use is not exempt or excluded, and to demonstrate this can be obtained in the relevant water source.

## Explanation

The proposal includes several dams/basins which need to be considered against the water licensing framework. This should consider the harvestable rights capacity, exclusions under Schedule 1 of the *Water Management (General) Regulation 2018* or the requirement to obtain entitlement. Figures 24-29 and 49 of the Surface Water Assessment show that an existing 'Farm Dam' is proposed to be converted to a sediment dam at the outlet of the quarry. This dam is on a third order stream so would not meet the definition of an excluded work under Schedule 1 of the WM (General) Regulation as it is not located on a minor stream.

Dams on third order watercourses do not meet the Departments Guidelines for Controlled Activities on Waterfront Land – Riparian Corridors. It is generally requested that water quality treatment occurs offline.

## 2.0 Water management

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### 2.1 Recommendation – post determination

The Department of Planning, Housing and Infrastructure (DPHI) requests the proponent to prepare a Water Management Plan which is to include:

- Sediment and Erosion Control Plan
  - Site Water Balance
  - Surface Water Management Plan
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- Groundwater Management Plan
- Dewatering Management Plan

#### Explanation

Management plans are required to outline the baseline conditions, potential impacts, monitoring requirements, and trigger and response criteria, including mitigating and reporting requirements.

The site water balance will be critical in informing water take predictions, and the ongoing reviews will inform any model updates and potential changes to licence requirements. This will need to include accurate metering of water captured, pumped and used, combined with modelled inputs and outputs where required.

The groundwater management plan will need to outline the groundwater level and quality monitoring and the method of reporting and analysis of data. Baseline groundwater level and quality data should be collected for a minimum of 2 years prior to any direct groundwater impacts. This is in order to characterise the development of groundwater level and quality objectives for the development of trigger and response criteria.

A monitoring and mitigation plan will also be required for the biodiversity habitats and plant species associated with potentially impacted groundwater dependent ecosystems such as the high value Lower Hunter Valley Dry Rainforest and Eucalypt River Flat Forest ecosystems.

## 2.2 Recommendation – post determination

The Department of Planning, Housing and Infrastructure (DPHI) requests the proponent to report on water take at the site each year (direct and indirect take) in the Annual Review.

#### Explanation

Reporting of water take is required to identify where a water licence is required and where an exemption applies. Where a water licence is required, the water take needs to be reviewed against existing water licences.

## 2.3 Recommendation – post determination

The Department of Planning, Housing and Infrastructure (DPHI) requests the proponent to ensure the detailed design of works within waterfront land, including crossings and rehabilitation of the final landform, should be in accordance with the Guidelines for Controlled Activities on Waterfront Land (DPE 2022).

#### Explanation

The proposal area includes a number of watercourses, including mapped 1<sup>st</sup> order, 2<sup>nd</sup> order, 3<sup>rd</sup> order and a 4<sup>th</sup> order watercourse (Double Creek). A number of watercourse crossings are required, and these will need to be designed in accordance with the Guidelines for Controlled Activities on Waterfront Land (DPE 2022). These guidelines also define vegetated buffer distances between watercourses and infrastructure.