



08 August 2023

Paul-James Caruana
Department of Planning and Environment
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2150

Sent by email to:
paul-james.caruana@dpie.nsw.gov.au

Uploaded via Major Project Portal

Dear Paul-James

**Re: New Berrima Clay/Shale Quarry (MP 08_0212)
Response to Request for Information on the Water Management Plan**

Further to your letter dated 25 July 2023, please see from page 2 below a table providing responses to the requested information / clarifications for the New Berrima Clay/Shale Quarry Water Management Plan submitted 20 September 2022.

If you would like to further discuss any matter, please don't hesitate to contact Mr Peter Young-Whitford (0412 611 714) or myself (0437 858 511).

Yours sincerely

Scott Hollamby
Senior Environmental Consultant

Copy: Austral Bricks

Requirement	Comment / Action	Response
Condition 18, Schedule 3 – Water Management Plan		
The Proponent must prepare a Water Management Plan for the project to the satisfaction of the Secretary. This plan must be prepared in consultation with the EPA, WaterNSW and DPI – Water by suitably qualified and experienced persons whose appointment has been approved by the Secretary, and be submitted to the Secretary for approval prior to the construction the Visibility Barriers on site.	No evidence of consultation with EPA.	The Water Management Plan was submitted via the Major Project Portal 8 July 2022 for consultation utilising the Major Project Portal's consultation feature. Unfortunately, the Major Project Portal does not provide a record of these submissions and in the future Austral Bricks will take screen captures as evidence of consultation. It is understood from discussions with the Department that there are also no records that the Department holds to demonstrate consultation with EPA on the updated WMP via the Portal. Notwithstanding that EPA was previously consulted in the preparation of the original WMP, a copy of the updated WMP has been emailed to EPA 8 August 2023 with a request for feedback by 22 August 2023.
Agency Advice – DPE Water		
That the proponent determine baseline groundwater level and quality by analysing 3 years of monitoring data which is understood to be available by November 2022. This is requested to be completed and provided to the department for review by end of January 2023.	Baseline data was forecasted to be available from November 2022. Please include a commitment in the plan to: - establish baseline data on groundwater levels, yield and quality by January 2024; and - update the plan within 3 months of establishing this baseline.	As explained in the response to this comment in Appendix A of the WMP, Schedule 3 Condition 18A of Project Approval 08_0212 requires that groundwater monitoring bores are installed prior to the pit floor reaching 660m AHD. No extraction has reached this depth or is likely to reach this depth in the foreseeable future. As such, there is no conditional requirement for any groundwater monitoring to be undertaken at this point in time. Furthermore, in the event the bores were installed once extraction reached 660m AHD there would have been several years of 'baseline' data collection after that point. As such the dates suggested by DPE Water for 'baseline monitoring data' to be available are arbitrary. Whilst data has been collected 'setting' baseline levels prior to extraction exceeding 660m AHD is premature, will potentially set misleading expectations, and is less rigorous than continuing to collect baseline data. Section 10.2.3 of the WMP provides a summary of the baseline data collected to the date of the WMP preparation. This summary will continue to be updated during further revisions of the WMP and a 'baseline' set of data finalised once extraction reaches / exceeds 660m AHD. This is considered the most appropriate regulatory and scientific approach.
That the proponent establish final Trigger Action Response Plan (TARP) parameters and provide to the department for review by end of January 2023.	Please include a commitment in the plan to: - finalise TARP parameters by January 2024; and - update the plan within 3 months of finalising TARP	As discussed above, setting TARPs prior to the conditional need for any groundwater monitoring is premature and potentially problematic. If the Department requires TARPs to be specified prior to the conditional requirement for groundwater monitoring to have commenced justification for this is requested.