Department of Primary Industries

OUT17/10971

Ms Megan Dawson
Resource Assessments
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

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Dear Ms Dawson

Eagleton Quarry (SSD 7332)
Comment on the Environmental Impact Statement (EIS)

I refer to your email of 2 February 2017 to the Department of Primary Industries (DPI) in respect to the above matter. Comment has been sought from relevant divisions of DPI. Views were also sought from NSW Department of Industry - Lands that are now a division of the broader Department and no longer within NSW DPI.
Any further referrals to DPI can be sent by email to landuse.enquiries@dpi.nsw.gov.au.

DPI has reviewed the EIS and provides the following recommendations with further detailed comments at **Attachment A**:

- All works to be carried out on waterfront land should be done so in accordance with the DPI Water *Guidelines for Controlled Activities on Waterfront Land (2012)*.
- The proponent should consult directly with DPI Water (water.referrals@dpi.nsw.gov.au) on the following management plans for the construction and operational phases of the project:
    - Water Management Plan, including:
        - Surface Water Management Plan
        - Groundwater Management Plan
        - Sediment and Erosion Control Plans
    - Landform and Rehabilitation Plan
    - Biodiversity Management Plan/Flora and Fauna Management Plan
- The proponent should ensure that all necessary entitlement and licensing for water take for the project are available and obtained prior to commencement of take.

Yours sincerely

Mitchell Isaacs
Director, Planning Policy & Assessment Advice
21 March 2017

DPI appreciates your help to improve our advice to you. Please complete this three minute survey about the advice we have provided to you, here:
https://goo.gl/o8TXWz

Attachment A

Eagleton Quarry (SSD 7332) - Comment on the Environmental Impact Statement (EIS)
Detailed comments – DPI Water

Waterfront Land

- DPI supports the inclusion of riparian corridor buffers from the watercourses on site, however it is recommended the riparian corridors be designed and implemented in accordance with the Guidelines for Controlled Activities on Waterfront Land, including riparian corridor widths as specified in Table 1 of the Guidelines for Riparian Corridors on Waterfront Land.
- Vegetated riparian corridors are to be measured from watercourse top of bank, not the watercourse centreline.
- The Biodiversity Management plan should include the following:
    - high resolution photographs of watercourses on site from both an up and downstream perspective. These photographs should be oriented (location and direction) on a sketch plan, the top of bank clearly identified and the GPS location of the photo points provided;
    - an updated plan showing the Vegetated Riparian Corridor to be maintained in relation to the watercourses and the proposed area of operation consistent with the Guidelines for Controlled Activities on Waterfront Land, including identification of the top of bank;
    - detailed information regarding the area of impacted riparian vegetation, including proposed removal of Hunter Valley Moist Forest and proposed offset area; and
    - specific monitoring strategies and a Trigger Action Response Plan for the Hunter Valley Moist Forest GDE, including specific triggers for water level and quality.

Licensing

- The predicted groundwater extraction peak for the project is 8 ML. As such the proponent must obtain 8 shares in the New England Fold Belt Coast Groundwater Source prior to the commencement of operations and groundwater take.
- The proposed dams have a combined capacity of 57 ML. It should be considered that these dams are exempt from licensing requirements provided they are constructed and used for the purpose of capture, containment and recirculation of potentially contaminated (e.g. sediment laden) water from disturbed areas. Capture of clean runoff from undisturbed areas will require the proponent to obtain entitlement in the Newcastle Water source to account for the take of water from these structures, for the volume exceeding the maximum harvestable right for the property.
- According to Table 6.1 in the Water Resource Assessment the catchment area will be restored in the final landform however there will also be some permanent ponding in the south east corner of the void. The Water Management Plan should provide further detail regarding the volume of permanent water holding proposed in the final landform to determine licensing requirements. It should also be considered that the 13.5 ML reduction in groundwater recharge from this landform will require accounting via the appropriate Water Access License.

- Table 4.3 of the Water Resource Assessment indicates the proponent will require a combined approval under the *Water Management Act 2000*. Under section 89J of the *Environmental Planning and Asessment Act 1979* approvals are exempt from this requirement however all required Water Access License(s) must be obtained.
- Section 7.8.5 of the EIS refers to a Water Access License application submitted to DPI Water. The proponent should note that shares must be purchased from existing users or via a controlled allocation order.

Monitoring and Management

- The development of surface and groundwater monitoring and management strategies must be cognisant of the sensitive location of the proposed operations within the Grahamstown Dam drinking water catchment. DPI recommends close consultation with Hunter Water and the EPA in determining appropriate strategies, during both construction and operations.
- The Water Management Plan (WMP) for the site should include make-good provisions for potentially impacted private users, including a proposed mechanism for determining impacts.
- The EIS indicates some monitoring bores will be destroyed as resource is extracted. It is recommended that additional permanent bores are considered to ensure continuity in monitoring data. This should include monitoring down-gradient of the area of operation in the gravelly sands aquifer currently monitored by GWB03 and GWB05. The proponent should also investigate the possibility of a data share arrangement to include monitoring results from the nearby Boral Quarry.
- The Water Management Plan should outline a Trigger Action Response Plan for the investigation and management of groundwater impacts beyond those predicted in the EIS and Water Resources Assessment. This should include a procedure for updating the groundwater model to incorporate all available monitoring data.
- All water transfers should be metered and recorded for reporting in the Annual Review to facilitate assessment of water licensing requirements and compliance.

End Attachment A