

21 November 2013

THE DIRECTOR  
MAJOR INFRASTRUCTURE ASSESSMENTS  
DEPARTMENT OF PLANNING AND INFRASTRUCTURE  
GPO Box 39  
SYDNEY NSW 2001

Dear Sir/Madam,

**Subject Pasminco & Incitec Consolidated Remediation**

This correspondence is in reference to the Department of Planning's correspondence in relation to the above application lodged under Part 3A of the Environmental Planning and Assessment Act, 1979.

Council officers have prepared this submission which has been endorsed by Council. The concerns expressed in the attached Schedule are therefore the collective views of Lake Macquarie City Council.

The Department is requested to report these concerns to the Minister when seeking a decision under Part 3A of the Environmental Planning and Assessment Act, 1979 and State Environmental Planning Policy (Major Projects) 2005.

Should you require further information, please contact the undersigned on 4921 0388 or by e-mail on [briangibson@lakemac.nsw.gov.au](mailto:briangibson@lakemac.nsw.gov.au).

Yours faithfully



Brian Gibson  
**Senior Development Planner**  
**Development Assessment and Compliance**

## **Schedule Of Issues**

### **Application for an increase in the volume and height of the onsite Pasminco & Incitec Containment Cell – Lake Macquarie City Council Submission**

A review of the application and supporting documentation including the Environmental Assessment (EA) dated 22 October 2013 has been undertaken with the following comments provided.

#### **Contamination Cell**

There are no objections to the proposed increase in volume and height of the approved Containment Cell from a contamination viewpoint provided the capping layer conforms to the approved specification, and/or the agreed modification, which Council reviewed and commented upon to Department of Planning and Infrastructure (DoP&I) in February 2012 (see attached).

#### **Visual Impact**

A 3D visual assessment of the comparing the mass and scale of the existing cell with the proposed cell indicates that the proposal would not significantly increase the visual mass and scale of the existing containment cell from distant views. Closer to the cell, the proposed height increase is more visually apparent, however, the visual impact will not be significantly different from the existing cell height

## Attachment



10 February 2012

Mr Chris Ritchie  
Manager - Industry Major Development Assessment  
NSW Planning and Infrastructure  
GPO Box 39  
Sydney NSW 2001

Dear Mr Ritchie

**Subject: Pasminco Cockle Creek Remediation (06\_0184 Mod 3)**

Thankyou for the opportunity to comment on the proposed modification to the Pasminco containment cell.

Golder and Associates have indicated that a modified Environmental Management Plan (EMP) will be prepared, which Council considers essential to the project, particularly when the capping layers are being altered and a future use as an active recreation is contemplated.

The EMP must address the potential for breaching the capping layer during any future building construction (if contemplated), or landscaping and restrictions to use of the site.

In this regard, site excavations to accommodate amenity buildings, lighting, and goal post construction may require breaching the capping layer, so the EMP will need to incorporate comprehensive work method statements for reference by construction personnel.

There will be, in addition to the capping layer, drainage layer, 600mm of subsoil and 150mm of topsoil, which will support vegetative coverage and shrubs etc, however it is Council's understanding that trees will be precluded due to the potential for their root systems to breach the capping layer and infiltrate the encapsulated contaminants.

It would be shortsighted at this stage to overlook the landscaping potential of this area, and for that reason, an inclusion within the audit statement may clarify their position on allowing or precluding flora.

Council raises no objection to the provision of a composite capping layer to the remainder of the containment cell, but on the following understanding:-

Formal approval and certification for the placement and completion is received from the Contaminated Site Auditor overseeing the remediation and validation of the site.

A revised EMP is prepared by the contaminated site consultant and approved by the Contaminated Site Auditor.

A scaled site survey plan of the cell is produced which accurately identifies and delineates both the existing 600mm and proposed composite capping layer on completion.

A schedule of approved plant species is provided in, or attached to the EMP for future landscaping of the site (in case any landscaping is contemplated), or alternatively, is addressed by the auditor who may require future approval of a qualified horticulturalist

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Our Ref: F2010/02489 Your Ref: 10/21869

prior to planting.

I realise that whilst there may be pending strategy changes for the future use and management of the site, a "crystal ball" approach may address some contingencies arising in the long term environmental management of this area.

I trust that Council has contributed positive and workable feedback for your consideration, and should you require further information or assistance, please contact me on 4921 0307.

Yours faithfully

Chris Baker  
**Principal Environmental Officer - Environment  
Waste, Environment & Rangers Department**