

19 July 2018

Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001
~ by email ~

Dear Sir/Madam

**Subject: MP 06_0184 MOD 6 - Submission on Modification Request for Pasminco
Cockle Creek Smelter Remediation Project**

Thank you for your letter dated 3 July 2018 inviting Council to make a submission on the proposed modification to the Major Project approval for the remediation of the Pasminco Cockle Creek Smelter.

As you would be aware, remediation of the former smelter site at Pasminco is an important outcome for Lake Macquarie City. The site is located in the Lake Macquarie's North West Catalyst Area, which is the City's largest economic zone and a major growth centre for housing and employment within the Hunter.

Given the importance of the Pasminco site to realising the potential of the North West Catalyst Area, Council would like to see a resolution to outstanding issues around remediation of the site as soon as possible. Reaching a satisfactory agreement around long-term management of the containment cell is critical to the viability of redevelopment of the site and the long-term safety of the Lake Macquarie community and environment.

The proposed modification to Conditions 7.4 and 8.8, as proposed in the application, are not satisfactory to Council, as described below.

Condition 7.4

Condition 7.4 requires the preparation and implementation of an Environmental Management Plan that deals with: air quality, groundwater management, erosion and sediment management, noise and vibration and traffic management. The proponent has requested that the condition be modified such that the implementation of the Environmental Management Plan will cease upon completion of the earthworks on the site. The proponent states that all earthworks have now been completed.

The Pasminco site remains in an unfinished condition with large areas of bare earth remaining from the decontamination works. These areas have a high potential for the generation of dust and erosion. Council does not support the modification of Condition 7.4 until such time as the site is fully revegetated or made resistant to dust generation and

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erosion. The continuation of the operation of the Environmental Management Plan is the best process to ensure that dust and erosion on the site are managed in accordance with the relevant standards.

Condition 8.8

Condition 8.8 sets out requirements for the long-term ownership and management of the containment cell. Council objects to any modification to this condition until a satisfactory alternative ownership and management structure is identified.

The long-term ownership and management of the containment cell is one of the key issues to be finalised for the site. Council supports an ownership and management outcome that ensures that the site is managed in perpetuity with all necessary land maintenance, appropriate management of groundwater discharge and with appropriate insurances in place. Alternatives to community or strata title may be available to achieve this outcome.

Please don't hesitate to contact me on 4921 0220 if Council can be of any assistance in resolving outstanding barriers to the timely redevelopment of the Pasminco site.

Yours sincerely



Morven Cameron
Chief Executive Officer