



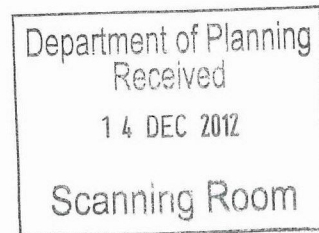
**Trade &
Investment**
Resources & Energy



OUT12/32368
FILE 09/1626

11/12/2012

Steve Czeref
Department of Planning & Infrastructure
GPO Box 39
Sydney NSW 2001



Dear Mr Czeref

Modification to Catherine Hill Bay Subdivision – Project Application MP 10-0204

The NSW Trade & Investment Mineral Resources Branch understands that the public exhibition of the above project application modification recently took place. The Mineral Resources Branch was not aware of the public exhibition until the submission period had closed. The Branch would like to bring previous advice, provided in correspondence in August 2011 (see attachment) by Mineral Resources on the proposed subdivision, to the attention of the Department of Planning & Infrastructure.

The quarry at Frazer Park, to the south of the Catherine Hill Bay subdivision envelope, is operated by HB Frazer Park Pty Ltd. The site is considered to contain significant construction material resources able to supply local markets for at least the next 20 years. The current consent - DC83/240, granted by Wyong Shire Council in 1983, allows for extraction by blasting. A number of proposed residential lots are located less than 1km to the north east of areas within the quarry consent area which may be subject to future blasting.


Correspondence from the Branch in August 2011 included a map showing the transition area for the quarry (1000m around consent area of quarry which may be subject to impacts associated with blasting) and suggested that options seeking to minimise potential future land use conflict should be explored. Options could include, amongst other things, notification via Section 149 planning certificates for relevant residential lots within the 1km transition area, or perhaps, staging of the subdivision development in a way that allows extraction in north eastern areas of the quarry to be completed prior to residential development.

The Branch reiterates the significance of the construction material resource at Frazer Park and the importance of maintaining access to such resources in order to supply the needs of local construction material markets.

Should you have any queries in relation to the issues raised above please contact Cressida Gilmore on 02 49316537 or email cressida.gilmore@industry.nsw.gov.au.

Yours sincerely

NSW Department of Trade and Investment, Regional Infrastructure and Services
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Cressida Gilmore
Team Leader Land Use

Cc Brian Bell - General Manager Lake Macquarie Council
Greg Thomson – VGT Pty Ltd



Resources & Energy

OUT11/14162

Michelle Cramsie
Planning & Infrastructure
GPO Box 39
Sydney NSW 2001

Dear Ms Cramsie,

Frazer Park Quarry, Lots 1 and 2 DP549905 and Portion 465

The Resources & Energy Division of NSW Trade & Investment is writing to the Department of Planning and Infrastructure (DP&I) in relation to HB Frazer Park Pty Ltd's quarry on the above subject lots in the Lake Macquarie LGA, and the adjacent major project development by Rosecorp at Catherine Hill Bay.

HB Frazer Park Pty Ltd obtained consent to extract conglomerate and sand from the subject lots in 1983. The site is considered to contain significant construction material resources able to supply local markets for at least the next 20 years.

The Resources & Energy Division provides local councils and DP&I with information on the location of state or regionally important, known and potential mineral resources which is supplied in relation to Section 117 Direction 1.3. The data is intended to inform the preparation of planning strategies, LEPs and land use decision making.

The identification of resources and transition areas by I&I NSW does not alter the existing zoning of the land in question, or the range of uses permitted under current zoning. Nor does it negate the existing rights of landowners. The purpose of the advice is simply to identify areas where proposed developments and land use changes may impact upon mineral and extractive operations or resources, and vice versa. These areas must be taken into consideration by council and DP&I when assessing development applications.

For operating and proposed quarries and mines, an adjacent "transition area" (formerly referred to as buffer zone) where development may conflict with current or future mining or quarrying operations is identified. These transition areas are indicative of the areas that may be subject to significant impacts from mining or quarrying operations. They are based upon criteria previously developed by the (then) Environmental Protection Authority as a guide to transition area requirements, where data on operational impacts needed to determine a site specific transition area is not available.

Transition area widths are 1000m for sites where blasting is, or would be used, and 500m for sites where blasting is not required. These distances may be reduced to take account of factors such as existing land uses (eg national parks) and the physical characteristics of individual sites.

The transition area relating to Frazer Park Quarry has previously been defined using information available which indicated that blasting was not an activity carried out in the subject area. As a result the transition area for the Frazer Park quarry was significantly less than 1000m in width. The Division was recently provided with an Environmental Impact Statement relating to the quarry by VGT Environmental Compliance Solutions, on behalf of the operator HB Frazer Park Pty Ltd.

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Wyong Shire Council granted DA83/240 in 1983 and the consent applies to Lots 1 and 2 DP549905 and Portion 465. Under this consent HB Frazer Park Ltd has consent for extraction by blasting. This is also reflected in the EPA licence held over the site.

Based on this additional information, the Resources & Energy Division of NSW Trade & Investment has modified the transition area to reflect the area which may be subject to impacts from the quarry operation, should blasting activities take place.

It should be noted that as a result of the modified mapping, the transition area (refer to Attachment A) now covers a significant number of proposed residential lots within Rosecorp's Catherine Hill Bay major project development area (MP-0204).

Whilst the Division understands that the major project has been granted approval, Trade & Investment would like to suggest that options to notify prospective residential land purchasers at Catherine Hill Bay about the proximity of the quarry and potential impacts should be explored, in order to avoid future potential land use conflict. One option would be identification of adjacent land uses, including the quarry, in Section 149 planning certificates relating to the relevant residential lots. Accordingly a copy of this letter has been sent to Lake Macquarie Council.

For further information regarding minerals issues please contact Cressida Gilmore, A/ Team Leader Land Use on 02 4931 6537 or email cressida.gilmore@industry.nsw.gov.au.

Yours sincerely



Cameron Ricketts

Manager - Minerals and Land Use Assessment

Cc Brian Bell - General Manager Lake Macquarie Council

Greg Thomson – VGT Pty Ltd

ATTACHMENT A



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