



**NSW  
Resources  
Regulator**

ARR0001103

# **BRINGELLY CLAY MINE ANNUAL REHABILITATION REPORT**

Friday 1 July 2022 to Friday 30 June 2023



# Contents

Summary table.....	3
Important.....	3
Mine details.....	4
Project description.....	4
Life of mine.....	4
Current development consents, leases and licences.....	4
Changes to land ownership and land use.....	4
Surface disturbance and rehabilitation activities during the reporting period.....	5
Disturbance and rehabilitation statistics.....	7
Current disturbance and rehabilitation progression.....	7
Rehabilitation key performance indicators (KPIs).....	7
Progressive achievement of established rehabilitation.....	8
Variation to the rehabilitation schedule.....	8
Rehabilitation monitoring and research findings.....	9
Rehabilitation monitoring.....	9
Status of performance against rehabilitation objectives and rehabilitation completion criteria.....	9
Outcomes of rehabilitation research and trials.....	11
Attachment 1 – Reporting Definitions.....	13
Attachment 2 – Definitions.....	16
Attachment 3 – Rehabilitation Complaints.....	22
Attachment 4 – Stakeholder consultation.....	22
Attachment 5 – Plans.....	24

## Summary table

DETAIL	
Mine	Bringelly Clay Mine
Reference	ARR0001103
Annual report period commencement date	Friday 1 July 2022
Annual report period end date	Friday 30 June 2023
Forward program	FWP0001004
Mining leases	ML 1731 (1992)
Lease holder(s)	PGH Bricks & Pavers Pty Ltd
Contact	Georgina Thompson
Date of submission	Wednesday 30 August 2023

## Important

The department may make the information in your report and any supporting information available for inspection by members of the public, including by publication on its website or by displaying the information at any of its offices. If you consider any part of your report to be confidential, please communicate this to the department via the message function on this submission within the NSW Resources Regulator Portal.

## Mine details

### Project description

PGH Bricks & Pavers Pty Ltd Bringelly Clay / Shale Mine located off Greendale Road, in the Camden Council Government Area, Bringelly NSW. The site is approximately 18km west of Liverpool. The site is constituted of the active mine and brickworks, situated on Lot 100, DP 1203966. The mine and associated brickworks are freehold owned and operated by PGH Bricks & Pavers Pty Ltd.

### Life of mine

43 years

### Current development consents, leases and licences

Development consents granted under the *Environmental Planning and Assessment Act 1979*

SSD6484MOD1  
SSD6484MOD1  
SSD6484MOD1  
SSD6484MOD1  
SSD6484MOD1  
SSD6484MOD1  
SSD6484MOD1

Authorisations covering the mining area granted under the *Mining Act 1992*

ML 1731 (1992)

Any other approvals, licences, or authorities issued by government agencies that are relevant to the progress of mining operation and rehabilitation activities

EPL1808

Summary of the scope and/or purpose of the new applications or modifications to existing approvals (if applicable)

N/A

### Changes to land ownership and land use

N/A

# Surface disturbance and rehabilitation activities during the reporting period

## Surface disturbance and rehabilitation activities that were conducted and an analysis of the progress against the rehabilitation schedule

During the reporting period, a noise bund was constructed adjacent to the northern boundary of the extraction area as required by Section 4 of the Bringelly Brickworks Development Consent, 2015 (SSD\_5684). An additional bund was constructed parallel with the western site boundary. Topsoil stripped from the expansion of the north western raw material stockpile area was spread over the noise bund and will be seeded with appropriate native grassland species.

## Rehabilitation planning activities that were conducted, including any specialist studies

No specific rehabilitation planning activities or specialist studies were conducted during the reporting period.

## Overview of subsidence repair and/or remediation works undertaken

Not applicable for this site.

## Overview of rehabilitation management and maintenance activities

Rehabilitation areas as identified on Plan 1A were sprayed for priority weeds (*Olea europaea* subsp. *cuspidata* & *Bryophyllum daigremontianum*) during the reporting period. Ongoing rehabilitation management of these areas will involve regular visual assessment of weed coverage and recurrent spraying if deemed necessary.

## Details of any rehabilitation actions taken as required by any letters, notices or directions issued by government agencies, including the NSW Resources Regulator

No letters, notices or directions were received by any agency during the reporting period.

## Details of any rehabilitation areas that have achieved the final land use

No rehabilitation areas have yet reached their final land use.

## Key production milestones

MATERIAL	UNIT	FWP0001004 YEAR 1		THIS REPORT
<b>Stripped topsoil</b> <small>(if applicable)</small>	(m <sup>3</sup> )		760	3,571
<b>Rock/overburden</b>	(m <sup>3</sup> )		16,000	0
<b>Ore</b>	(Mt)		0.17	0.12
<b>Reject material<sup>1</sup></b>	(Mt)		0	0
<b>Product</b>	(Mt)		0	0

<sup>1</sup> This includes coarse rejects, tailings and any other wastes resulting from beneficiation.

## Disturbance and rehabilitation statistics

### Current disturbance and rehabilitation progression

ELEMENT	UNIT	THIS REPORT
A Total surface disturbance footprint	(ha)	23.83
B Total active disturbance	(ha)	20.19
C Land prepared for rehabilitation	(ha)	3.63
D Ecosystem and land use establishment	(ha)	0
E Ecosystem and land use development	(ha)	0
F Rehabilitation completion	(ha)	0

### Rehabilitation key performance indicators (KPIs)

ELEMENT	UNIT	THIS REPORT
G Total new active disturbance area	(ha)	NA - this value will display after 2nd year ARR submission as calculation relies on comparison between sequential yearly ARR data
H New rehabilitation commenced during annual reporting period	(ha)	NA - this value will display after 2nd year ARR submission as calculation relies on comparison between sequential yearly ARR data
I Established rehabilitation	(ha)	0
J Annual rehabilitation to disturbance ratio	%	NA - this value will display after 2nd year ARR submission as calculation relies on comparison between sequential yearly ARR data
K Rehabilitated land to total mine footprint	%	0

## Progressive achievement of established rehabilitation

ELEMENT	UNIT	THIS REPORT
L Established rehabilitation - agricultural final land uses	%	0
M Established rehabilitation - native ecosystem final land uses	%	0
N Established rehabilitation - other/non-vegetated final land uses	%	0

## Variation to the rehabilitation schedule

Identify the components of the most recent forward program that were not achieved

N/A

Key factors that delayed progressive rehabilitation

N/A

Outline actions that will be included in the forward program and carried out to minimise disturbance and undertake progressive rehabilitation as far as reasonably practical

N/A



# Rehabilitation monitoring and research findings

## Rehabilitation monitoring

The rehabilitation monitoring carried out in the annual reporting period

No rehabilitation monitoring has been undertaken.

## Status of performance against rehabilitation objectives and rehabilitation completion criteria

The monitoring program that has been implemented

Rehabilitation progression is annually evaluated against the expectations & goals contained within the approved rehabilitation objectives, rehabilitation completion criteria and final landform and rehabilitation plan.

**Are all rehabilitation areas in Landform Establishment phase or higher represented in the monitoring program to assess performance against the rehabilitation objectives and approved or, if not yet approved rehabilitation completion criteria and final landform and rehabilitation plan?**

NO

**Year rehabilitation areas will be included as part of the monitoring program**

2024

**An appraisal of whether rehabilitation is moving towards achieving the proposed rehabilitation objectives, approved or, if not yet approved, rehabilitation completion criteria and final landform and rehabilitation plan as soon as reasonably practicable.**

Rehabilitation is occurring progressively in line with the approved RMP and associated rehabilitation objectives.

**Appraisal description**

Rehabilitation is moving towards achieving the final land use as soon as reasonably practicable.

**Rehabilitation monitoring program findings**

No rehabilitation monitoring has been undertaken as no active rehabilitation areas have yet reached the Ecosystem and Land Use Establishment phase as per the DPE RMP. During the next reporting period, elements of the Rehabilitation Establishment Inspection Regime (Table 19, DPE RMP) will commence, including Topsoil/Subsoil suitability testing and topsoil/subsoil depth measurements at relevant frequencies as specified within the plan.

**Performance issues and their causes including identification of any knowledge gaps that must be addressed**

Nil

## Outcomes of rehabilitation research and trials

RRT NUMBER	PROJECT/TRIAL NAME	OBJECTIVE OF TRIAL/PROJECT	METHODOLOGY	EXPECTED DATE OF COMPLETION	UPDATED DATE OF COMPLETION	STATUS	ON TRACK?	ON TRACK UPDATE
------------	--------------------	----------------------------	-------------	-----------------------------	----------------------------	--------	-----------	-----------------

ARR000110

3

**Outcomes of completed trials and research**

N/A

## Attachment 1 – Reporting Definitions

REPORTING CATEGORY	DEFINITION
<b>A1</b> Total disturbance footprint – surface disturbance	<p>All areas within a mining lease that either have at some point in time or continue to pose a rehabilitation liability due to surface disturbance activities.</p> <p>The total disturbance footprint is the sum of the total active disturbance, decommissioning, landform establishment, growth medium development, ecosystem and land use establishment, ecosystem and land use development and rehabilitation completion (see definitions below).</p> <p>Underground mining operations should not include the footprint of underground mining areas/subsidence management areas in the total disturbance footprint.</p>
<b>A2</b> Underground Mining Area	<p>Underground mining operations areas/subsidence management areas.</p>
<b>B</b> Total active disturbance	<p>Includes on-lease exploration areas, stripped areas ahead of mining, infrastructure areas, water management infrastructure, sewage treatment facilities, topsoil stockpile areas, access tracks and haul roads, active mining areas, waste rock emplacements (active/unshaped/in or out-of-pit), tailings dams (active/unshaped/uncapped) and temporary stabilised areas (e.g. areas sown with temporary cover crops for dust mitigation and temporary rehabilitation).</p>
<b>C</b> Rehabilitation – land preparation	<p>Includes the sum of all disturbed land within a mining lease that have commenced any, or all, of the following phases of rehabilitation – decommissioning, landform establishment and growth medium development.</p> <p>Refer to the glossary of terms in this document for the definition of these phases of rehabilitation.</p>

REPORTING CATEGORY	DEFINITION
<b>D</b> Ecosystem and land use establishment	<p>Includes the area which has been seeded/planted with the target vegetation species for the intended final land use. However, vegetation has not matured to a stage where it can be demonstrated that it will be sustainable for the long term and or require only a maintenance regime consistent with target reference/analogue sites.</p> <p>Typically, rehabilitation areas would be in this phase for at least two years (and usually more) before rehabilitation can be classified as being in the ecosystem and land use development phase. This phase does not apply to infrastructure areas that are being retained as part of final land use for the site.</p>
<b>E</b> Ecosystem and Land Use Development	<p>Rehabilitation has matured to a level where target revegetation outcomes are on a trajectory towards meeting the final rehabilitation objectives and rehabilitation completion criteria (as verified by monitoring).</p> <p>This phase includes infrastructure areas that are to be retained for an approved post mining land use, following completion of all necessary measures to render the infrastructure fit for this purpose (for example structural integrity).</p>
<b>F</b> Rehabilitation Completion	<p>The NSW Resources Regulator has determined in writing that the mining area has achieved the approved rehabilitation objectives and approved rehabilitation completion criteria and final landform and rehabilitation plan following the submission of <i>Form: ESF2 Rehabilitation completion and/or review of rehabilitation cost estimate and/or notification of mine or petroleum site closure</i>.</p>
<b>G</b> New active disturbance area	<p>The area of any new active disturbance that has been created during the annual reporting period (definition A1 in Table 5).</p>
<b>H</b> New rehabilitation commenced during annual reporting period	<p>The sum of any new rehabilitation commenced in the annual reporting period. These areas may be in the rehabilitation land preparation phase or the ecosystem &amp; land use establishment phase (definitions C and D in Table 5).</p>
<b>I</b> Established rehabilitation (hectares)	<p>The total area of land that is verified to be within either the ecosystem and land use development phase or the rehabilitation completion phase (definitions E &amp; F in Table 5).</p>

REPORTING CATEGORY	DEFINITION
<b>J</b> Annual rehabilitation to disturbance ratio	The rehabilitation to disturbance ratio (H/G) indicates how many hectares of new rehabilitation are undertaken for each hectare of land disturbed during the year. A ratio of 1/1 indicates that the area of new rehabilitation and disturbance in that year are the same.
<b>K</b> % Rehabilitated land to total mine footprint	The proportion of the total mine footprint (area of land that has been disturbed by past or present surface disturbance activities) that has established rehabilitation ( $I/A1 \times 100$ ). For open cut mining, the proportion of the total mine footprint verified to be “established rehabilitation” should substantially increase as an operation progresses towards mine closure.
<b>L</b> Established rehabilitation for agricultural final land uses (hectares)	The percentage of total area of land that is verified to be within either the ecosystem and land use development phase or the rehabilitation completion phase (definitions E & F in Table 5) that have been returned to an agricultural final land use.
<b>M</b> Established rehabilitation for native ecosystem final land uses (hectares)	The percentage of total area of land that is verified to be within either the ecosystem and land use development phase or rehabilitation completion phase (definitions E & F in Table 5) that have been returned to native ecosystem final land use.
<b>N</b> Established rehabilitation for other/non-vegetated final land uses (hectares)	The percentage of total area of land that is verified to be within either the ecosystem and land use development phase or the rehabilitation completion phase (definitions E & F in Table 5) that have been returned to other/non-vegetated final land use.

## Attachment 2 – Definitions

WORD	DEFINITION
<b>Active</b>	In the context of rehabilitation, land associated with mining domains is considered 'active' for the period following disturbance until the commencement of rehabilitation.
<b>Active mining phase of rehabilitation</b>	In the context of rehabilitation, the active mining phase of rehabilitation constitutes the rehabilitation activities undertaken during mining operations such as salvaging and managing soil resources, salvaging habitat resources, and native seed collection. This phase also includes management actions taken during operations to manage risks to rehabilitation and enhance rehabilitation outcomes such as selective handling of waste rock and management of tailings emplacements.
<b>Analogue site</b>	In the context of rehabilitation, an analogue site is a 'reference site' that represents an example of the defining characteristics (such as vegetation composition and structure or agricultural productivity) of the final land use. Characteristics of analogue sites can be assessed to develop the rehabilitation objectives and completion criteria for final land use domains.
<b>Annual rehabilitation report and forward program</b>	As described in the Mining Regulation 2016.
<b>Annual reporting period</b>	As defined in the Mining Regulation 2016.
<b>Closure</b>	A whole-of-mine-life process, which typically culminates in the relinquishment of the mining lease. It includes decommissioning and rehabilitation to achieve the approved final land use(s).
<b>Decommissioning</b>	The process of removing mining infrastructure and removing contaminants and hazardous materials.
<b>Decommissioning Phase of Rehabilitation</b>	Activities associated with the removal of mining infrastructure and removal and/or remediation of contaminants and hazardous materials. In the context of the rehabilitation management plan this phase of rehabilitation may also include studies and assessments associated with decommissioning and demolition of infrastructure or works carried out to make safe or 'fit for purpose' built infrastructure to be retained for future use(s) following lease relinquishment.



WORD	DEFINITION
<b>Department</b>	The Department of Regional NSW.
<b>Disturbance</b>	See Surface Disturbance.
<b>Disturbance area</b>	<p>An area that has been disturbed and that requires rehabilitation.</p> <p>This may include areas such as on-licence exploration areas, stripped areas ahead of mining, infrastructure areas, water management infrastructure, sewage treatment facilities, topsoil stockpile areas, access tracks and haul roads, active mining areas, waste emplacements (active/unshaped/in or out-of-pit), tailings dams (active/unshaped/uncapped), and areas requiring rehabilitation that are temporarily stabilised (i.e. managed to minimise dust generation and/or erosion).</p>
<b>Domain</b>	<p>An area (or areas) of the land that has been disturbed by mining and has a specific operational use (mining domain) or specific final land use (final land use domain). Land within a domain typically has similar geochemical and/or geophysical characteristics and therefore requires specific rehabilitation activities to achieve the associated final land use.</p>
<b>Ecosystem and Land Use Development</b>	<p>This phase of rehabilitation consists of the activities to manage maturing rehabilitation areas on a trajectory to achieving the approved rehabilitation objectives and completion criteria.</p> <p>For vegetated land uses this phase may include processes to develop characteristics of functional self-sustaining ecosystems, such as nutrient recycling, vegetation flowering and reproduction, and increasing habitat complexity, and development of a productive, self-sustaining soil profile.</p> <p>This phase of rehabilitation may include specific vegetation management strategies and maintenance such as tree thinning, supplementary plantings and weed management.</p>
<b>Ecosystem and Land Use Establishment</b>	<p>This phase of rehabilitation consists of the processes to establish the approved final land use following construction of the final landform.</p> <p>For vegetated land uses this rehabilitation phase includes establishing the desired vegetation community and implementing land management activities such as weed control. This phase of rehabilitation may also include habitat augmentation such as installation of nest boxes.</p>
<b>Exploration</b>	Has the same meaning as that term under the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

WORD	DEFINITION
<b>Final landform and rehabilitation plan</b>	As defined in the Mining Regulation 2016.
<b>Final land use</b>	As defined in the Mining Regulation 2016.
<b>Form and way</b>	Means the form and way approved by the Secretary. Approved form and way documents are available on the Department's website.
<b>Growth Medium Development</b>	<p>This phase of rehabilitation consists of activities required to establish the physical, chemical and biological components of the substrate required to establish the desired vegetation community (including short lived pioneer species).</p> <p>This phase may include spreading the prepared landform with topsoil and/or subsoil and/or soil substitutes, applying soil ameliorants to enhance the physical, chemical and biological characteristics of the growth media, and actions to minimise loss of growth media due to erosion.</p>
<b>Habitat</b>	Has the same meaning as that term under the <i>Biodiversity Conservation Act 2016</i> and the <i>Fisheries Management Act 1994</i> (as relevant).
<b>Indicator</b>	An attribute of the biophysical environment (e.g. pH, topsoil depth, biomass) that can be used to approximate the progression of a biophysical process. It can be measured and audited to demonstrate (and track) the progress of an aspect of rehabilitation towards a desired completion criterion (i.e. defined end point). It may be aligned to an established protocol and used to evaluate changes in a system.
<b>Land</b>	As defined in the <i>Mining Act 1992</i> .
<b>Landform Establishment</b>	<p>This phase of rehabilitation consists of the processes and activities required to construct the final landform.</p> <p>In addition to profiling the surface of rehabilitation areas to the approved final landform profile this phase may include works to construct surface water drainage features, encapsulate problematic materials such as tailings, and prepare a substrate with the desired physical and chemical characteristics (e.g. rock raking or ameliorating sodic materials).</p>
<b>Large mine</b>	As defined in the Mining Regulation 2016.
<b>Lease holder</b>	The holder of a mining lease.

WORD	DEFINITION
<b>Life of mine</b>	The timeframe of how long a mine is approved to mine, from commencement to closure.
<b>Mine rehabilitation portal</b>	<p>Means the NSW Resources Regulator's online portal that lease holders must use (via a registered account) to:</p> <ul style="list-style-type: none"> <li>■ upload rehabilitation geographical information system (GIS) spatial data</li> <li>■ develop rehabilitation GIS spatial data (using online tracing functions)</li> <li>■ generate rehabilitation plans and rehabilitation statistics using the map viewer and Rehabilitation Key Performance Indicator functionalities.</li> </ul> <p>Data submitted to the mine rehabilitation portal is collated in a centralised geodatabase for use by the NSW Resources Regulator to regulate rehabilitation performance of lease holders.</p>
<b>Mining area</b>	As defined in the <i>Mining Act 1992</i> .
<b>Mining domain</b>	A land management unit with a discrete operational function (e.g. overburden emplacement), and therefore similar geophysical characteristics, that will require specific rehabilitation treatments to achieve the final land use(s).
<b>Mining land</b>	As defined in the <i>Mining Act 1992</i> .
<b>Native vegetation</b>	Has the same meaning as that term under section 60B of the <i>Local Land Services Act 2013</i> .
<b>Overburden</b>	Material overlying coal or a mineral deposit.
<b>Performance indicator</b>	An attribute of the biophysical environment (for example pH, slope, topsoil depth, biomass) that can be used to demonstrate achievement of a rehabilitation objective. It can be measured and audited to demonstrate (and track) the progress of an aspect of rehabilitation towards a desired completion criterion, that is, a defined end point. It may be aligned to an established protocol and used to evaluate changes in a system.

WORD	DEFINITION
<b>Phases of rehabilitation</b>	<p>The stages and sequences of actions required to rehabilitate disturbed land to achieve the final land use. The phases of rehabilitation are:</p> <ul style="list-style-type: none"> <li>■ active mining</li> <li>■ decommissioning</li> <li>■ landform Establishment</li> <li>■ growth medium development</li> <li>■ ecosystem and land use establishment</li> <li>■ ecosystem and land use development.</li> </ul>
<b>Progressive rehabilitation</b>	The progress of rehabilitation towards achieving the approved rehabilitation completion criteria. This may be described in terms of domains, phases, performance indicators and rehabilitation completion criteria.
<b>Rehabilitation Completion</b>	The final phase of rehabilitation when a rehabilitation area has achieved the approved rehabilitation objectives and rehabilitation completion criteria for the final land use. Rehabilitation areas may be classified as complete when the NSW Resources Regulator has determined in writing that the relevant rehabilitation obligations have been fulfilled following submission of <i>Form ESF2 Rehabilitation completion and/or review of rehabilitation cost estimate</i> application by the lease holder.
<b>Rehabilitation Completion criteria</b>	As defined in the Mining Regulation 2016.
<b>Rehabilitation cost estimate</b>	As defined in the Mining Regulation 2016.
<b>Rehabilitation management plan</b>	As defined in the Mining Regulation 2016.
<b>Rehabilitation objectives</b>	As defined in the Mining Regulation 2016.
<b>Rehabilitation risk assessment</b>	As defined in the Mining Regulation 2016.
<b>Rehabilitation schedule</b>	The defined timeframes for progressive rehabilitation set out in the forward program.

WORD	DEFINITION
<b>Relevant stakeholders</b>	<p>Means any persons or bodies who may be affected by the mining operations, including rehabilitation, carried out on the lease land, and includes:</p> <ul style="list-style-type: none"> <li>■ the relevant development consent authority</li> <li>■ the local council</li> <li>■ the relevant landholder(s)</li> <li>■ community consultative committee (if required under the development consent) or equivalent consultative group</li> <li>■ affected land holder(s)</li> <li>■ government agencies relevant to the final land use</li> <li>■ affected infrastructure authorities (electricity, telecommunications, water, pipeline, road, rail authorities)</li> <li>■ local Aboriginal communities, and</li> <li>■ any other person or body determined by the Minister to be a relevant stakeholder in relation to a mining lease.</li> </ul>
<b>Risk</b>	The effect of uncertainty on objectives. It is measured in terms of consequences and likelihood (AS/NZS ISO 31000:2009).
<b>Secretary</b>	The Secretary of the Department.
<b>Security deposit</b>	An amount that a mining lease holder is required to provide and maintain under a mining lease condition, to secure funding for the fulfilment of obligations under the lease (including obligations that may arise in the future).
<b>Surface disturbance</b>	Includes activities that disturb the surface of the mining area, including mining operations, ancillary mining activities and exploration.
<b>Tailings</b>	A combination of the fine-grained solid material remaining after the recoverable metals and minerals have been extracted from the mined ore, and any process water <sup>2</sup> .
<b>Waste</b>	Has the same meaning as that term under the <i>Protection of the Environment Operations Act 1997</i> .

<sup>2</sup> Commonwealth of Australia (DITR), 2007. *Tailings Management*.

## Attachment 3 – Rehabilitation Complaints

DATE	COMPLAINANT	COMPLAINT DETAILS	RESPONSE DETAILS	STATUS OF RESPONSE	DATE RESPONSE COMPLETED (IF APPLICABLE)
------	-------------	-------------------	------------------	--------------------	--

## Attachment 4 – Stakeholder consultation

DATE	STAKEHOLDER	CONSULTATION ACTIVITIES AND FORMS	MATTERS SUBJECT TO CONSULTATION	ACTIONS TAKEN
------	-------------	--------------------------------------	---------------------------------	---------------

## Attachment 5 – Plans

Plan 1A V1.pdf

Plan 1B.pdf

Annual Report (LARGE MINE) v1.6