

Contact: Anna Ferguson  
Phone: 4337 1213  
Fax: 4323 3960  
Email: [anna.ferguson@cma.nsw.gov.au](mailto:anna.ferguson@cma.nsw.gov.au)

File: Letter to DoP West Wallsend Coal EA.doc

Colin Phillips  
Major Development Assessment  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

Your Ref: MP 00\_0203  
Our Ref: A418770

Dear Mr Phillips

**Subject: MP 09\_0203 - West Wallsend Coal Project**

Thank you for the opportunity to comment on the above proposal and apologies for the delay in responding. The Hunter-Central Rivers Catchment Management Authority (CMA) has reviewed the information provided and offers the following comments for your consideration.

**Hunter-Central Rivers Catchment Action Plan (CAP)**

The Hunter-Central Rivers CAP is a whole-of government approach to natural resource management which has been endorsed by the NSW Government. The comments below are provided in the context of the impact of the project on the CAP, which is available on the CMA's website <http://www.hcr.cma.nsw.gov.au>

**CAP Guiding Principles**

The guiding principles are statements that outline the CMA position on how natural resources should be managed in the Hunter-Central Rivers region. They provide direction for all natural resource managers to achieve ecologically sustainable development and allow organisations to align their activities so that they are compatible with the CAP. This will ensure that the whole community (including government) can work towards a common goal.

The CAP contains specific guiding principles for mining and extractive operations which seeks to '*Minimise the impacts of mining and extractive operations on natural resources and ensure appropriate rehabilitation of affected land*'. The CMA has high expectations of mining and extractive operators and seeks to work with them and regulators to achieve world best practice in natural resource management.

**Native Vegetation**

CAP guiding principle; "*Where mining activities significantly impact natural resources, offsets should be considered with the intention of improving or maintaining environmental outcome*".

The CMA acknowledges that the impact on native vegetation is likely to be insignificant. There is, however, a small degree of uncertainty regarding the impact that subsidence and access provisions may have on native vegetation and that for this reason, "due diligence" has been included in the Statement of Commitments.

The Statement of Commitments for ecological considerations (section 6.4) also refers to Appendix 6 for "ecological assessment impact mitigation strategy" commitments to be included in a Biodiversity and Land Management Plan. It appears that the strategies in Appendix 6 are the same as those listed under "due diligence" in the Statement of Commitments section - the only notable difference is the inclusion of an undertaking to employ an ecologist to develop an offset strategy, with relevant government agencies, if required. This undertaking should be document in the Statement of Commitments directly.

### **Surface Water**

The CAP guiding principle regarding mining operations and surface water is that, *“Every precaution should be taken to ensure that surface water flows are not lost or diverted due to subsidence or geological cracking caused by extraction. Where surface water is lost or diverted, offsets or mitigating actions should be provided.”*

The report indicates that there is the possibility for several creeks to be diverted through surface cracking but are predicted to re-emerge further downstream. The impacts on waterways between the divergence underground and the re-emergence have not been adequately addressed. The report does not indicate the predicted length of stream that would be “dry”, nor for how long. These impacts need to be investigated and mitigated or offset as required.

### **Erosion and Sediment**

The report states that slope failure due to subsidence and surface cracking is a high risk, which has been downgraded to moderate due to vegetation cover. This risk, combined with increased erosion due to subsidence under creek lines, may increase sediment load to Lake Macquarie which is already experiencing accelerated sedimentation. Erosion sites (on slopes and waterways) and sediment movement need to be monitored and mitigated to ensure not net increase in sediment entering waterways or Lake Macquarie.

The CMA notes that increased erosivity within waterways is intended to be monitored, however, it is recommended that an Erosion and Sediment Control Plan be developed which includes erosion from steep slopes as well as downstream sediment loads.

In summary, the CMA recommends the above issues be addressed prior to any approval being granted or included in conditions for approval.

If you require any further information please do not hesitate to contact Anna Ferguson, the CMA's Regional Catchment Coordinator on 4337 1213.

Yours sincerely



Glenn Lyons  
Program Manager for  
Fiona Marshall  
**General Manager**

2 September 2010