



4th April 2011

Department of Planning
GPO Box 39
Sydney NSW 2001

Attention: Mr Colin Phillips, Senior Planner, Mining and Industry

Dear Colin

Re: Rocglen Coal Extension Project (10_0015) EA Review

Thank you for the opportunity to comment on and review the Environmental Assessment (EA) for the Rocglen Coal Extension Project.

Namoi CMA advised the Department of Planning (DOP) on the 29th January 2010 of our requirements for inclusion and consideration in the DGRs for the Environmental Assessment. We also provided comment to the DOP on the 4th August 2010 on the adequacy of the EA for public exhibition.

In both of these pieces of correspondence to the DOP we requested that the Namoi CMA's Catchment Action Plan (CAP) and Extractive Industries Policy (EIP) be considered and addressed by the proponent. Both have been developed by Namoi CMA in conjunction with the Catchment community with the former being approved by the Minister in 2007.

It is pleasing to see that the EIP has been considered and adequately addressed by the proponent in the EA. Additionally, the CAP has been mentioned with the Catchment Targets briefly considered, however we would like the Catchment Targets to be considered in greater detail. Namoi CMA would like to know how the proposed development at Rocglen will improve and/or maintain the Catchment by either contributing and/or impacting on catchment assets, especially with regard to natural landscapes, native plants/animals and surface/groundwater systems.

It appears that the Rocglen development will result in changes to Namoi's CAP Management Targets especially with regard to changes in land capabilities and their resultant landuse. Additionally, there may be an interception of groundwater within the final void, while there appears to be a significant improvement in native vegetation extent. We would like the relevant Catchment and Management Targets contained in the Namoi CAP to be thoroughly considered and details provided on how they will be impacted and/or enhanced.

Beside the requirement to address the broader Catchment and Management Targets, Namoi CMA believes there are number of specific issues that need to be further addressed in the EA.

- **Soil Stripping and Stockpiling**

The following comments are made in relation to Section 5.4 Soil Stripping and Stockpiling, subsection 5.4.5 Soil Re-spreading.

Namoi CMA concurs with Whitehaven's general practice of placing a minimum of 100mm of subsoil on top of overburden prior to topsoiling to a minimum of 100mm. Notwithstanding this, we would like to see, where possible, the depth of subsoil and topsoil increased further. We would also recommend that the final batter grades within the void be subsoiled and topsoiled to at least the minimum standards.

- **Final Void**

The following comments are made in relation to Section 5.7 Rehabilitation and Decommissioning, subsection 5.7.7 Conceptual Post Mining Landform.

Namoi CMA is concerned that there will be a significant final void (65ha -18% of the anticipated disturbance area) left once mining is complete. The void will have batters ranging from 10° to 45° (18% to 100%) slopes. Furthermore, it is stated in the EA that the void will be around 65m deeper (AHD 220m) than the natural surface. This figure appears to be different to that provided in Figure 21 which indicates the void could be 85m deep (AHD 205m).

Also Namoi CMA believes that it is unacceptable to leave a 5ha high-wall with 45° batters. It is noted that the EA states in subsection 5.7.8, that the high-wall will be assessed by a geotechnical engineer to determine its post mining stability. However, the high wall may be assessed as being geotechnically sound in accordance with the factors listed on Page 56, but this does not mean that its long term land use and landscape function is acceptable.

As there was no void present prior to mining on this site, Namoi CMA seeks the following:

- that the void be minimised in area as much as possible.
- that the final batters on all slopes be no greater than 10° (18%).
- that the final void batters be topsoiled and rehabilitated to permanent pasture.
- that suitable soil conservation measures be installed within the void area to prevent soil erosion.

It is noted that the EA states that it is un-achievable and un-economic to back-fill the void to reduce the depth of the void and improve void stability, however this is considered less than satisfactory as there is plenty of overburden material in the "out of pit emplacements" especially given the final void will exist forever following the cessation of mining.

- **Post Mining Landuse**

The following comments are made in relation to Section 5.7 Rehabilitation and Decommissioning, subsection 5.7.9 Conceptual Post-Mining Land Use.

Namoi CMA believes that the post mining land uses are acceptable, especially if the above final void recommendations are adhered to and that no high wall exists in the final landform.

As stated in the EA, 58% anticipated disturbance area will be returned to rehabilitated bushland, which as depicted in Figure 21 will stretch around the northern reaches of the final void area and towards Wean Road. Namoi CMA would like to see a defined link between this rehabilitated bushland and the Whitehaven Regional Biobanking Site. It appears from Figure 21 that this link will consist of a narrow road and riparian corridor. We recommend that a 400m wide corridor centred on the existing road corridor be established to ensure connection between Vickery State Forest (Vickery CCA) and Kelvin State Forest (Kelvin CCA) and the Whitehaven Regional Biobanking Site. This 400m wide corridor would potentially add significantly to Whitehaven's Biodiversity Offset Strategy especially if the area was revegetated to White Box Grassy Woodland.

The following comments are made in relation to Section 5.7 Rehabilitation and Decommissioning subsection 5.7.10 Conceptual Post-Mining Land Use Options for the Final Void.

As specified above, Namoi CMA recommends that the final void batters be flattened and topsoiled with the result being a shallower void. A shallower void would have other long term post mining advantages in that it could be used for grazing as well as preventing any saline groundwater being intercepted by the void and subsequently evaporating resulting in a saline scald.

- **Land Resources**

The following comments are made in relation to Section 7.1 Land Resources, subsections 7.1.1 Land Capability Assessment and 7.1.2 Agricultural Suitability Assessment.

Table 21 indicates that there is significant downgrading of land capability and hence landuse as a consequence of the mining activity at Rocglen. As commented above, Namoi CMA believes that it is unacceptable to have a significant area left as a steep unusable void. If the above recommended treatments for the final void are accepted then the land capability for the void area could be reassessed as Class VI land. The final rehabilitated area of Class VI land would be 292ha (63%) with no Class VII or Class VIII land which would be deemed as being acceptable.

Figure 21 in the EA currently indicates that the final void area (65ha) would be returned to 'Rehabilitated Pasture'. However, as this area has been currently assessed in the EA as being Class VII and Class VIII post mining then the recommended landuse for Class VII land is 'green timber' while the Class VIII lands

should not be grazed. These land capability classes and land uses are converse to the proposed landuse of 'Rehabilitated Pasture'.

Similar to the logic applied for the Land Capability Assessment comments, the same logic can be applied to the Agricultural Suitability Assessment. For example, with a lower slope and shallower void the post mining suitability would be Class IV with no Class V.

- **Surface and Groundwater**

With reference to Sections (7.5 and 7.6) Namoi CMA believes the assessment of the existing environment, water qualities, modelling procedures, safeguards and mitigation measures, and proposed monitoring activities are acceptable.

Subsection 7.6.6 Mine Closure refers to groundwater quality and quantity within the EA planned void; however, if the above recommendations are adopted by the proponent, then the issue of groundwater seeping into the void will be negated.

- **Flora and Fauna**

Namoi CMA has read this Section (7.7) and believes the assessment of vegetation communities, safeguards and mitigation measures and monitoring to be adequate. Namoi CMA recommends that an active role be taken with revegetating the Whitehaven Regional Biobanking Site and the proposed corridors linking the Vickery State Forest (Vickery CCA) and Kelvin State Forest (Kelvin CCA).

Namoi CMA believes that if the above concerns are addressed and met by the proponent, then we would be happy for the EA to proceed to conditional approval. We look forward to receiving the proponent's responses to our submission.

If you need to discuss this matter further, please do not hesitate to contact Glenn Bailey on (02) 6742 9204.

Yours Sincerely



Bruce Brown
General Manager
Namoi Catchment Management Authority