



16 September 2015

Mr Howard Reed
NSW Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Reed

Springvale Mine Extension Project (SSD 5594, PAC Reference R032/15)

The NSW Planning and Assessment Commission (PAC) have released their second review report for the Springvale Mine Extension Project. The second review report identifies four recommendations that should be taken into consideration. As requested by the Department of Planning and Environment on 15 September 2015, Centennial has provided a response to these four recommendations as detailed below.

Recommendation 1 - The proposed condition relating to the Water Management Plan should be strengthened to take into account the outcome of the EPA review of all licenced discharge points, any further advice from WaterNSW and consider all available options for ensuring that the agreed discharge limits will be met, including the option of transferring minewater for treatment at Mt Piper power station.

Condition 13 of the draft conditions of consent requires Springvale Coal to develop and implement an Upper Cocks River Management Plan. As required by this condition of consent, this Management Plan will be prepared in consultation with DPI-Water, WaterNSW, EPA and Energy Australia and take into consideration all licensed discharge points within the Upper Cocks River catchment (including at Springvale Mine, Lidsdale Siding, Western Coal Services and Angus Place Colliery). The Management Plan will include a financial justification and timetable for achieving reductions in salinity in the Upper Cocks River to meet the agreed 500 (90th percentile) $\mu\text{S/cm}$ EC by June 2019. As such, Centennial considers this condition to already satisfy the recommendation of the PAC. Table 1 below demonstrates how each aspect of the recommendation is addressed by the exiting condition.

Table 1 – Comparison of Condition 13 with PAC Recommendation

PAC Recommendation	Condition 13
	Upper Cocks River Management Plan
Take into account the outcome of the EPA review of all licenced discharge points.	Management Plan is to "be prepared in consultation with EPA". Management Plan is to "consider all licensed discharge points within the Upper Cocks River catchment (including at Springvale Mine, Lidsdale Siding, Western Coal Services and Angus Place Colliery)".
Take into account any further	Management Plan is to "be prepared in consultation with

PAC Recommendation		Condition 13	
		Upper Cocks River Management Plan	
advice from WaterNSW.		WaterNSW"	
Consider all available options for ensuring that the agreed discharge limits will be met		Management Plan is to include "water quality parameters to be monitored at all existing and proposed licensed discharge points (focusing on those parameters that have been identified as having potential to cause harm to the environment, the frequency of monitoring and concentration limits and any EPL that applies to the site)". Management Plan is to include a "timetable for achieving reductions in salinity in the Upper Cocks River to 500 (90th percentile) $\mu\text{S/cm}$ EC by June 2019".	
Include the option of transferring minewater for treatment at Mt Piper power station		Management Plan is to "identify water management measures designed to achieve the mine water discharge criteria and associated timeframes". Management Plan is to "be prepared in consultation with Energy Australia".	

Recommendation 2 - The proposed condition of consent that establishes the Panel should more explicitly describe the role of the Panel, incorporating the following five responsibilities:

- a) **Gathering relevant data in order to establish the potential impacts of the project, which may involve seeking peer reviews or other additional work.**
- b) **Undertaking an iterative risk assessment with consideration of all options for avoiding or minimising damage to swamps and all possible adaptive management measures.**
- c) **Determining whether the performance measures can be achieved, with a focus on avoidance of impacts where reasonable and feasible, rather than relying on remediation and offsets.**
- d) **Ensuring that the monitoring and adaptive management regime is implemented appropriately throughout the life of the project.**
- e) **Making all information relevant to the Panel's recommendations publicly available.**

Condition 11 of Schedule 3 of the draft conditions of consent requires the establishment of an independent panel to provide advice to both Springvale Coal and the Secretary regarding the:

- a) achievement of performance measures in respect of Swamps, Land and Biodiversity, including relevant performance indicators;
- b) preparation and implementation of Extraction Plans, particularly the Swamp Monitoring Program, Biodiversity Management Plan and Land Management Plan components; and
- c) calculation of swamp offset liability and verification of calculated swamp offset liability

Springvale Coal supports an expanded role of the independent panel however this expanded role should be in the form of providing a peer review of the swamp monitoring programme and the swamp

monitoring data analysis undertaken. The work proposed by the PAC for the independent panel is already work either proposed or required to be undertaken by Springvale Coal.

Springvale Coal has already implemented measures to avoid and minimise impacts to swamps through the mine design process and detailed these measures throughout the EIS and associated supporting documents.

Centennial supports incorporating into the role functions of the independent panel a peer review of the environmental, social and economic consequences of the outcomes of the adaptive management regime and will incorporate consideration of these consequences into the development of applicable management plans.

Recommendation 3 - The proposed conditions for the Extraction Plan, the Water Management Plan and the Biodiversity Management Plan expressly require consultation with the Panel in preparing, revising and enforcing these Plans. The conditions for these Plans should also incorporate, where relevant, further investigation into the incision feature in Sunnyside East Swamp, the location of piezometers, the risk to hanging swamps, the actual economic cost of avoiding swamps through mine layout redesign, and the availability of appropriate offsets.

As required by Condition 11 of Schedule 3 within the draft conditions of consent, the role of the independent panel is already to provide advice to both Springvale Coal and the Secretary on the preparation and implementation of Extraction Plans, the Swamp Monitoring Program, the Biodiversity Management Plan and Land Management Plan. A review of the monitoring results collected from the monitoring programme within these plans is required to be presented annually in the Annual Review required under Condition 12 of Schedule 6. As above, Springvale Coal supports an expanded role for the independent panel however this expanded role should be to include a peer review of the data collection and analysis undertaken by Springvale Coal.

Extensive baseline investigations into the incision of Sunnyside East Swamp have already been undertaken with extensive photographic evidence and survey data extending back to 2009. Baseline information on all features potentially impacted by mining operations will be undertaken as has been done in the past. As such, no further investigations into allegations of mine induced subsidence to Sunnyside East Swamp are considered necessary.

A calculation of the costs associated with the avoidance and mitigation of impacts to swamps through the mine design has been presented in the Economic Assessment for the Project. An iterative review of these costs can be undertaken during the development of extraction plans to ensure all social, economic and environmental costs and benefits are considered by the independent panel.

A review of the swamp offset availability has been undertaken by Springvale Coal in accordance with the Framework for Biodiversity Assessment (OEH 2014). The results of this review have indicated that significant swamp offsets are available to be secured should they be required. The role of the independent panel is already to review and verify the swamp offset liabilities for Springvale Coal. If offsets are not available, the draft offset policy allows for other options under the 'variation rules' or supplementary measures to be considered.

Recommendation 4 - The conditions of consent are revised to require the Applicant to undertake further investigations into low frequency noise, and to address this in consultation with the EPA.

As proposed by Springvale Coal in correspondence to the PAC and the NSW Department of Planning and Environment on 4 September 2015, Springvale Coal supports a condition within the Noise Management Plan to include a specific requirement to continue investigations into the source of low

frequency noise issues and where appropriate, implement any mitigation measures to reduce impacts associated with low frequency noise from the Springvale Mine's operations.

Please do not hesitate to contact me on 0407 207 530 should you have any further questions in regards to this matter.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'James Wearne', is positioned above the printed name.

James Wearne
Group Approvals Manager