



Department of Primary Industries

OUT17/18978

Ms Melanie Hollis
Resource Assessments
NSW Department of Planning and Environment
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Dear Ms Hollis

**United Wambo Open Cut Coal Project (SSD 7142, DA 305-7-2003 MOD 16, DA 177-8-2004 MOD 3)
Comment on the Response to Submissions (RTS)**

I refer to your email of 5 April 2017 to the Department of Primary Industries (DPI) in respect to the above matter. Comment has been sought from relevant divisions of DPI. Views were also sought from NSW Department of Industry - Lands that are now a division of the broader Department and no longer within NSW DPI. Any further referrals to DPI can be sent by email to landuse.enquiries@dpi.nsw.gov.au.

DPI has reviewed the RTS and provides the following comments and recommendations:

- The proponent has committed to carry out a plan to monitor private water bore GW060780 which may potentially be impacted by the project. The proponent should commence undertaking periodic assessments for all private bores within the predicted affected zone for the project in order to establish baseline information to use as a performance measure in the Trigger Action Response Plan.
- The proponent should develop the Mining Operation Plan, which should include specific commentary on catchment impacts from the final landform and illustrate the required WAL for the proposed final landform, in consultation with DPI Water (water.referral@dpi.nsw.gov.au).
- In addition to commitments made by the proponent regarding the Surface Water Management Plan, the Plan should also include a Trigger Action Response Plan to determine when rehabilitation measures may be required, and should be developed in consultation with DPI Water.
- Table 3.19 of the RTS lists Water Access Licenses that the proponent purports to hold. DPI records indicate that two of the licenses listed in this table, WAL18445 and WAL10541, are not held by the proponent. The proponent should update this table to reflect only those Licenses it holds.
- All works undertaken within watercourses or waterfront lands should be done so in accordance with DPI Water [Guidelines for Controlled Activities \(2012\)](#).
- DPI supports the expansion of the monitoring bore network in accordance with the recommendations of the review of groundwater model by Frans Kalf. The model

calibration should occur in conjunction with the Independent Environmental Audit, with the results of the verification to be presented to DPI Water comparing it with observed impacts and the original Environmental Impact Statement (EIS) predictions.

- Detail on the volume of water proposed for the pit lake of each void should be provided once the void reaches equilibrium and predicted annual evaporative loss.
- The proponent should advise whether GW060750 is still used for stock and domestic purposes. This work is currently owned by Coal & Allied however this property may still be used for agricultural purpose and predicted drawdown is 4.3 m with the bore log showing a thin sandstone water bearing zone.
- The proponent should advise whether any water model re-runs have occurred with recent monitoring outputs.
- Section 3.1.8b of the RTS indicates a loss of 887.2 ha of Land and Soil Capability Class 3 – 5 (moderate to high) land, proposed to be returned to classes 6 – 8 (low). This level of disturbance footprint was not indicated in the EIS and the proponent should seek to ensure that the post closure Land and Soil Capability for the conceptual rehabilitation boundary be more representative of the existing class values. Regardless of whether the final land use is agricultural or biodiversity, a similar final land and soil capability class should be returned to ensure healthy soil and land form ecosystems for the area
- Any Crown land, including roads, that are significantly affected by this proposal should be identified and acquired by the Proponent, subject to considerations under the Native *Title Act 1993*, the *Aboriginal Land Rights Act 1983* and the Department's policy on direct negotiation.
- In the case of an approval being granted for this project, the following should be included as Conditions of Consent:
 - The Proponent must acquire Lot 170 DP 823775 from the Crown by way of an application sale, prior to the Proponent undertaking any work on the affected land;
 - Any other Crown reserves significantly affected by the Project must be acquired by the Proponent by way of an application sale, prior to the Proponent undertaking any work on the affected land; and
 - Any Crown roads identified within the Project boundary should either be purchased and closed by the Proponent or, if required to remain open, be transferred to Singleton Shire Council as the relevant roads authority.

Yours sincerely



Alison Collaros

A/Director, Planning Policy & Assessment Advice

15 May 2017

DPI appreciates your help to improve our advice to you. Please complete this three minute survey about the advice we have provided to you, here:

<https://goo.gl/o8TXWz>