



**Catchment Management  
Authority**  
Central West

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File: CW00082



Mr Howard Reed,  
A/Director, Mining and Industry Projects,  
Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001



21 February, 2012

Dear Mr Reed,

**Subject: Central West CMA Comments on PPR - Moolarben Coal Mine Stage 2 (08\_0135)**

Thank you for the opportunity to provide comment on the Preferred Project Report (PPR) for the proposed Moolarben Coal Mine Stage 2.

The Central West Catchment Management Authority (CMA) acknowledges the extent of the assessment that has been undertaken to this point for the extension of the current operation at Ulan.

The Central West CMA is a statutory authority with the charter of improving the management and preservation of the catchment's natural, social and cultural resources. As such an authority, a key role of the Central West CMA is to engage the community and be the conduit for community concerns in matters of natural resource management. This role is reflected in the key objectives of the Central West Catchment Action Plan (draft) 2011-2021. This document outlines priority systems for land, water, biodiversity and communities, and can be found on our website at [www.cw.cma.nsw.gov.au](http://www.cw.cma.nsw.gov.au)

These key areas will be reflected in the points covered in the Central West CMA's response, namely:

- Water (surface and ground water);
- Vegetation
- Cultural Heritage and engagement with the Aboriginal community; and
- Community engagement in an ongoing capacity.



## **Water:**

Firstly, it is important to note that approximately half of the proposed area is located within the water sensitivity map used in the Mid Western Regional Council's development of their Local Environment Plan. This is a reflection of the importance of this area as a watershed for the number of local creeks, including the Murragamba and Eastern Creeks, both slated for realignment as part of the proposed project.

The Central West CMA notes the modelling and hydrological studies that have been undertaken as part of the environmental assessment to date.

Regardless of the modelled impacts on supplies over the number of years of operation and recovery, groundwater remains a key concern of the community, mainly in terms of quality and accessibility. This is particularly in light of the expansion of mining operations in the area in general.

The community appear unsure about the source of the water supplies to be used for the expanded operation and the assurance that water will be available for downstream use. The Central West CMA recommends that community consultation be ongoing to address these concerns on a regular basis during operation and monitoring.

## **Vegetation:**

The Central West CMA notes the area of remnant vegetation that will be removed in the proposed operation, particularly the presence of Ecologically Endangered Community of Box Gum Woodland. It is acknowledged that the Biodiversity Offset Strategy outlines an offset ratio of 5:1 for the EEC vegetation and 3:1 for other areas of remnant native vegetation.

To ensure the full benefit of the offset, the Central West CMA reinforces the need for offsetting equivalent quality of EEC and native vegetation, therefore ensuring the need for preserving 'like for like' and the subsequent biodiversity values.

## **Cultural Heritage and consultation with the Aboriginal community:**

The Central West CMA notes the consultation with the Aboriginal community to date listed in the PPR. Initial consideration of this list is that it's not comprehensive in relation to the range of Aboriginal people who have a connection to the area. Although compliant with the DECC guidelines for consultation with Aboriginal communities, there is a concern with the reliance on the need for written correspondence to be received from the communities. Ideally a range of communication techniques should be employed to record the concerns from the Aboriginal community, including the opportunity to speak.

The Central West CMA is aware of concerns being expressed by members of the local Aboriginal community regarding the impact of groundwater reduction on the The Drip, an area that has high cultural significance to the local people.

The listing of registered sites from AHIMS is noted, although the reliance purely on site and artefact data is questioned. The cultural heritage of the area is much more holistic than sites and artefacts alone. This overarching perspective can only be captured with the involvement of local Aboriginal people and it is noted that local Aboriginal people were not engaged for field work for the PPR. It is understood that this local person would have local authority to speak on Country. These requirements are reflected in the protocols as developed by the Central West Aboriginal Reference Group and endorsed by the Central West CMA Board. A copy of these protocols can be supplied upon request to the Central West CMA.

Volcanic rocky outcrops can also house rock wells traditionally used for water storage and may be found in conjunction with rocky overhangs with evidence of habitation. Has this been captured in the assessment of these features in the landscape?



**Community Engagement:**

The keys points raised in the community engagement are noted in the PPR including the range of concerns in terms of the local social impacts. It is also noted that several mitigation measures, such as road maintenance and improvements are outlined in the Voluntary Partnership Agreement with Mid Western Regional Council.

The intended development of a Social Engagement and Issue Response Strategy is also noted. The Central West CMA strongly encourages the involvement of the community and that they have an opportunity to have input into the strategy. This will assist in addressing the concerns that are being conveyed to the Central West CMA in regard to the timely distribution of information on the mining operation to the community.

**Rehabilitation:**

The Central West CMA acknowledges the benefits of rehabilitation will only be monitored in the medium to long term. This reinforces the necessity of community as a stakeholder in the rehabilitation phase when setting the longer term rehabilitation objectives and refining the completion criteria.

Thank you once again for the opportunity to comment on the PPR for this project. If you have any questions with regard to the supplied comments, please do not hesitate to contact Jen Shearing at the details listed at the top of this letter.

Yours sincerely,

A handwritten signature in cursive script, reading "Jane Chrystal".

Jane Chrystal  
A/General Manager,  
Central West CMA