



## Department of Primary Industries

OUT13/5957

13 MAR 2013

Mr Paul Freeman  
Mining Projects  
NSW Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

Paul.Freeman@planning.nsw.gov.au

Dear Mr Freeman,

**Stratford Coal Extension Project (SSD-4966)  
Response to exhibition of Environmental Impact Statement**

I refer to your email of 1 November 2012 requesting advice from the Department of Primary Industries in respect to the above matter, and to subsequent advice extending the exhibition period.

Comment by NSW Office of Water

The NSW Office of Water gives the advices and recommended conditions as detailed in Attachment A.

For further information please contact Rohan Macdonald, Planning and Assessment Coordinator (Newcastle office) on 4904 2642, or: [rohan.macdonald@water.nsw.gov.au](mailto:rohan.macdonald@water.nsw.gov.au).

Comment by Fisheries NSW

Fisheries NSW advise as follows:

- (i) The values of aquatic ecosystems within the survey area are moderate to good and consistent with those of the wider catchment primarily due to the ephemeral and intermittent nature of the waterways, poor streamside cover, limited depth and some bank erosion. The aquatic ecosystems of Dog Trap Creek and Avondale Creek are assessed as having moderate value in regard to aquatic flora and fauna. The Avon River is assessed as having greater ecological value due to its perennial nature and consistent flow.
- (ii) It is recommended that should the project be approved, conditions be included to achieve the following:
  - To ensure there is no risk to the aquatic habitat and geomorphic values of the creeks and rivers in the catchment, there should be zero discharge of mine water from the site

- To avoid the impediment to fish passage as a result of the installation of the two new stream crossings on an ephemeral tributary to Avondale Creek and on Avondale Creek itself, the crossings are to be designed and installed following the Fisheries NSW *Policy and Guidelines for Fish Friendly Waterway Crossings* (<http://www.dpi.nsw.gov.au>).

For further information please contact Scott Carter, Senior Conservation Manager (Nelson Bay office) on 4916 3931 or at: [scott.carter@dpi.nsw.gov.au](mailto:scott.carter@dpi.nsw.gov.au).

Comment by Office of Agricultural Sustainability and Food Security

The proposal is within the Upper Hunter Strategic Agricultural Lands. In accordance with arrangements for mining proposals that affect agricultural land, the Office of Agricultural Sustainability and Food Security has responded separately to your Department by letter dated 15 January 2013.

For further information please contact Liz Rogers, Leader Regional Services (Orange office) on 63913642, or at: [liz.rogers@dpi.nsw.gov.au](mailto:liz.rogers@dpi.nsw.gov.au).

Yours sincerely



Phil Anquetil

**Executive Director Business Services**

**Attachment A**  
**Stratford Coal Extension Project (SSD-4966)**

**Response to exhibition of EIS**  
**Comment by NSW Office of Water**

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**1. Water licensing**

The proponent is advised that sufficient licensed entitlement needs to be held under the *Water Act 1912* and *Water Management Act 2000* (as applicable) to account for estimated groundwater interception and extraction. As identified in the EIS the proponent will be required to undertake dealing(s) under Section 71O of the *Water Management Act 2000* to convert unregulated river access licence entitlement to aquifer access licence entitlement to account for induced drainage from alluvial aquifers. Such a conversion is permitted subject to assessment under Clause 71(2)(a) of the *Water Sharing Plan for the Lower North Coast Unregulated and Alluvial Water Sources*.

The Office of Water has not identified any critical issues to prevent the proposed conversion. The proponent is advised however that this water source may be subject to available water determinations which could result in impacts to the mining operation if inadequate account water is held. This issue should be considered in terms of drought contingency and the potential market opportunities need to be examined to prevent this situation from occurring.

**2. Groundwater monitoring**

It is recommended the proponent amend the proposed groundwater monitoring program to include all major ions within the list of sample parameters. This would allow a charge balance error to be calculated and assist in identifying potential sampling issues.

**3. Tributary of Avondale Creek**

As with the up-catchment diversions and in addition to the proposed biannual longitudinal survey, it is recommended the tributary of Avondale Creek be visually checked on a monthly basis and following significant rainfall (>50 mm in 24 h) for any signs of erosion or instability to trigger corrective actions.

**4. Works on waterfront land**

It is recommended all works taking place in, on or under waterfront land as defined in the *Water Management Act 2000* (for example in-stream works or watercourse crossings) are conducted in accordance with the NSW Office of Water *Guidelines for Controlled Activities*.

**5. Recommended Conditions of Approval**

The following conditions are recommended should the application be approved:

1. All works with the potential to intercept or extract groundwater require licensing under the *Water Act 1912*, or acquisition of sufficient licensed entitlement under the *Water Management Act 2000* (whichever is relevant) prior to the activity commencing.
2. All works taking place in, on or under waterfront land, as defined in the *Water Management Act 2000*, should be conducted in accordance with the NSW Office of Water's Guidelines for Controlled Activities.
3. The *Site Water Management Plan* should be updated in consultation with and to the satisfaction of the NSW Office of Water and should outline measures to mitigate potential impacts to surface water and groundwater sources including monitoring, impact assessment criteria and response actions for all water sources potentially impacted by the project.
4. A *Rehabilitation Management Plan* should be developed to the satisfaction of the NSW Office of Water which details the measures to be undertaken to ensure a stable, non-polluting final landform upon project completion.

**End Attachment A**