



## Department of Primary Industries

OUT14/38785

Mr Thomas Watt  
Mining Projects  
NSW Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Thomas.Watt@planning.nsw.gov.au

Dear Mr Watt,

### **Northern Coal Logistics Project (SSD\_5145) Response to exhibition of Environmental Impact Statement**

I refer to your email dated 14 October 2014 requesting advice from the Department of Primary Industries (DPI) in respect to the above matter.

#### Comment by NSW Office of Water

#### **Subject: Environmental Impact Statement - Northern Coal Logistics Project (SSD-5145) [Our Ref:ER23090]**

The NSW Office of Water has reviewed the Environmental Impact Statement (EIS) for the proposed Northern Coal Logistics Project and provides the following comments for consideration in the assessment of the proposal.

#### **Licensing considerations**

##### **Groundwater**

The EIS notes that "there is no groundwater extraction proposed to be undertaken as part of the Northern Coal Logistics Project. The operation and extraction of water from the Fassifern Underground Storage and Cooranbong Underground Storage form part of Centennial's related Newstan Extension of Mining Project and Mandalong Southern Extension Project, respectively". The Office of Water will review groundwater licensing requirements during assessment of the respective proposals.

##### **Surface water**

The Office of Water understands that the capture and use of clean surface water runoff is limited to intermittent extraction from the Main By-Wash Dam at the Newstan Colliery Surface Site. This extraction is licensed under a water access licence (WAL18735) with a share component (licensed entitlement) of 750 units. Extraction under this licence is to be conducted in accordance with any conditions

on the licence or nominated approval and the requirements of the Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources.

The Office of Water advises that capture, containment and recirculation of water to prevent contamination of a water source, for example the capture and recirculation of sediment laden runoff from disturbed areas within the project area, and the internal transfer of water extracted under appropriate licences (for example groundwater extracted in accordance with a licence under part 5 of the *Water Act 1912*), does not require licensing.

It is recommended that the proponents continue to liaise with the Office of Water to ensure all extraction and use of water is appropriately authorised.

### **Management and mitigation measures**

The Office of Water is generally satisfied that the management and mitigation measures outlined in the EIS are adequate to address the potential impacts of the proposal. The Office of Water requests that the proponent investigate the use of 'flexible' options including large woody debris in preference to the use of rip rap and other 'hard' engineered structures for mitigation and rehabilitation of potential impacts to channel morphology resulting from increased surface water discharge. This investigation, together with justification of the preferred measures, is to be included in the Water Management Plan for the proposal.

For further information please contact Rohan Macdonald, Water Regulation Officer, Major Projects (Newcastle Office) on 4904 2642 or at [rohan.macdonald@water.nsw.gov.au](mailto:rohan.macdonald@water.nsw.gov.au).

### Comment by Office of Agricultural Sustainability and Food Security

In accordance with procedures for mining projects that affect agricultural land, the Office of Agricultural Sustainability and Food Security will respond direct to your Department.

For further information please contact Rob Williamson, Leader Land Use Planning (Orange office) on 6391 3166, or at: [robert.williamson@dpi.nsw.gov.au](mailto:robert.williamson@dpi.nsw.gov.au).

### Comment by Crown Lands

The Environmental Impact Statement has identified a large amount of Crown land within the Project Application Area. Crown Lands have a number of concerns related to the impact of this development on the land including:

- Access management and unauthorised use,
- Illegal dumping, including asbestos,
- Acquisition process for significantly affected Crown land,
- Aboriginal Land Claims and Native Title,
- The need to rationalise existing Crown Lands tenures.

We note that the Director General's Requirements state that the Proponent must consult with the Crown Lands Division during the preparation of the EIS and we request that the Proponent consult directly with Crown Lands, Maitland Office to discuss the above matters. Crown Lands also request that the Proponent provide Crown Lands, Maitland Office with a table of Crown Land impacted by this development. Details required for each parcel include:

- Cadastral identifier (Lot & DP),
- Current and proposed use of the parcel by Proponent,
- Crown Lands authorisation - Crown Lands tenure(s) held by the Proponent,
- Mining activity authorisation - Approval under the *Mining Act 1992* for the activity.

For further information regarding Crown Lands issues please contact Mark Grace in the Departments East Maitland office on 49379331 or email [mark.grace@lands.nsw.gov.au](mailto:mark.grace@lands.nsw.gov.au).

Yours sincerely

A handwritten signature in red ink, appearing to be 'MHG', is positioned above the printed name.

**Kristian Holz**  
**Policy, Legislation and Innovation**

