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File: Letter to DoPI Newstan Modification EA.doc

Colin Phillips
Major Projects Assessment
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Your Ref: DA 73-11-98 Mod 4
Our Ref: A576753

Dear Mr Phillips

Subject: Modification to Newstan Colliery – Main West Proposal (DA 73-11-98 Mod 4)

Thank you for the opportunity to comment on the above proposal. The Hunter-Central Rivers Catchment Management Authority (CMA) has reviewed the information provided and offers the following comments for your consideration.

Hunter-Central Rivers Catchment Action Plan (CAP)

The Hunter-Central Rivers CAP is a whole-of government approach to natural resource management which has been endorsed by the NSW Government. The comments below are provided in the context of the impact of the project on the CAP, which is available on the CMA's website <http://www.hcr.cma.nsw.gov.au>

CAP Guiding Principles

The guiding principles are statements that outline the CMA position on how natural resources should be managed in the Hunter-Central Rivers region. They provide direction for all natural resource managers to achieve ecologically sustainable development and allow organisations to align their activities so that they are compatible with the CAP. This will ensure that the whole community (including government) can work towards a common goal.

The CAP contains specific guiding principles for mining and extractive operations which seeks to '*Minimise the impacts of mining and extractive operations on natural resources and ensure appropriate rehabilitation of affected land*'. The CMA has high expectations of mining and extractive operators and seeks to work with them and regulators to achieve world best practice in natural resource management.

Water Quality

The CAP includes several guiding principle regarding water quality. In particular, those relating to managing point source pollution include;

- *All industries that release point source pollution should use current best practice to minimise (and where possible eliminate) pollution entering rivers and estuaries.*
- *Natural resource managers should consider the cumulative impact of point source pollution in their planning.*
- *A timetable should be set for point source pollution to meet the water quality objectives of receiving waters. New point source discharges should meet the objectives as a condition of their approval and ongoing operation.*

The environmental assessment indicates that the quality of water being discharged from LDP 001 into LT Creek (and subsequently into Lake Macquarie) exceeds trigger values for a number of parameters (NOx, lead, zinc and aluminium). It is acknowledged that Centennial Coal has committed to investigating the

cause for these exceedences and that the licence for the discharge is not a part of this project, however this project will increase the level of discharge from this point. For this reason, the CMA does not support consideration of this project for approval until these water quality issues are resolved.

In summary, the CMA recommends the above issues be addressed prior to any approval being granted or included in conditions for approval.

If you require any further information please do not hesitate to contact Anna Ferguson, the CMA's Regional Catchment Coordinator on 4337 1213.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G Lyons', written in a cursive style.

Glenn Lyons
Program Manager for
Fiona Marshall
General Manager

18 July 2011