

13 December 2013

Ms Sophie Butcher  
Department of Planning & Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

Dear Ms Butcher

### **MANDALONG SOUTHERN EXTENSION PROJECT (SSD 5144)**

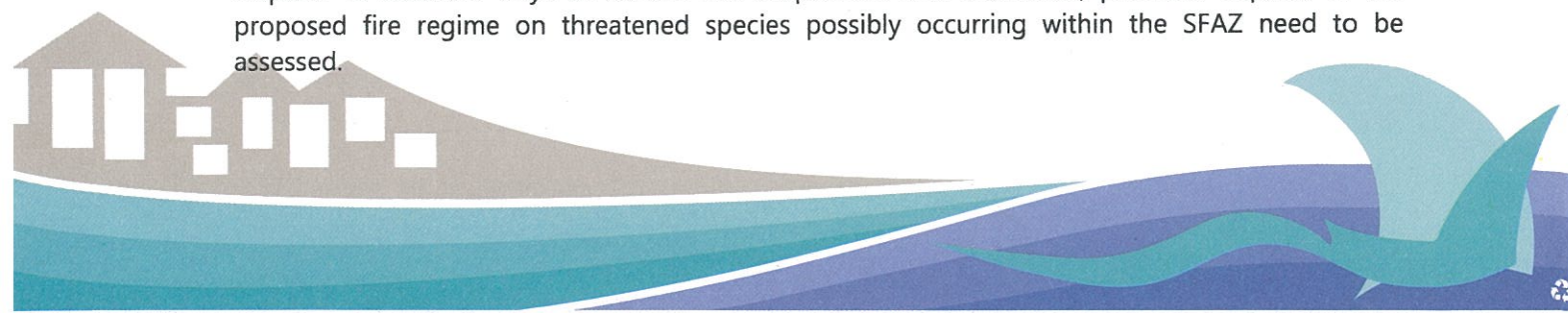
Thank you for the opportunity to respond to the Environmental Impact Statement (EIS) for Mandalong Southern Extension Project, Council's comments are as follows:

#### ***Ecology***

- Targeted survey effort for threatened frog species is considered inadequate. Section 3.6 of the Flora and Fauna Assessment recognises this and states that species presence is "assumed" where survey effort was insufficient. However, the Seven Part Tests and Significant Impact Criteria Assessments for threatened frogs have not been prepared on the basis of assumed presence.

Frogs are one group of fauna most vulnerable to subsidence impacts. Each species has different requirements with respect to breeding habitat and each should be individually assessed with a Seven Part Test (not grouped together). Further, unless adequate targeted surveys are undertaken, species presence should be assumed in preparation of the Assessments of Significance.

- The Flora and Fauna Assessment does not include an assessment of potential impacts on threatened species, populations and/or ecological communities resulting from establishment of an alternative egress route to Chapman Road from the Mandalong South Surface Site (with a carrying capacity of 15 tonnes), as described in the EIS and Bushfire Risk Assessment.
- The Flora and Fauna Assessment does not discuss vegetation clearing or modification for the purposes of establishing and maintaining Asset Protection Zones (APZ). The Bushfire Risk Assessment describes both an APZ and a Strategic Fire Advantage Zone (SFAZ) for the Mandalong South Surface Site. Cyclical, mosaic burning is proposed within the SFAZ. Based on a comparison of Figures within the two reports, it would appear the Flora and Fauna Assessment has only accounted for vegetation loss associated with an APZ. Potential impacts on flora and fauna due to an altered fire regime (within the SFAZ) have not been assessed. Given that different species respond in different ways to certain fire frequencies and intensities, potential impacts of the proposed fire regime on threatened species possibly occurring within the SFAZ need to be assessed.



- OEH's profile for 'Lowland Rainforest in the NSW North Coast and Sydney Basin Bioregions' states the Commonwealth status of the community is Critically Endangered (<http://www.environment.nsw.gov.au/threatenedspeciesapp/profile.aspx?id=20073>). DSEWPaC's Threatened Species Scientific Committee's listing advice for 'Lowland Rainforest of Subtropical Australia' on the EPBC Act states that "much of the 'Lowland Rainforest of Subtropical Australia' ecological community is listed as Endangered in New South Wales as 'Lowland Rainforest in the NSW North Coast and Sydney Basin Bioregions'" (<http://www.environment.gov.au/biodiversity/threatened/communities/pubs/101-listing-advice.pdf>). The Flora and Fauna Assessment should clarify whether the TSC Act-listed community recorded on site equates to the EPBC Act-listed community and if it does, prepare a Significant Impact Criteria Assessment.
- Both the Flora and Fauna Assessment and the Subsidence Predictions Assessment refer to 4th order streams being present within the study area/above proposed mining area, yet Figure 9 of the EIS does not show any 4th or higher order streams within the study area. Have the potential/predicted impacts being correctly applied to the various streams (threatened species habitat) within the study area?
- The DGRs require a comprehensive offset strategy to ensure the development maintains or improves the terrestrial and aquatic biodiversity values of the region in the medium to long term. The proposed Land Management Strategy (in lieu of an offset strategy) sounds beneficial however should be written (and endorsed by OEH) prior to project approval.

Note: Rehabilitation of exploration drill sites and access tracks must occur as committed to in the EIS (as well as due diligence assessments prior to works commencing). Any residual and/or cumulative impacts should be offset and/or require additional land management activities such as further weed removal, rehabilitation, funding, etc.

## **Water**

The Central Coast Water Supply Scheme serves a combined population in excess of 300,000 in the Gosford City and Wyong Shires. The Central Coast is a growth centre with the population predicted to increase to 400,000 by the year 2030.

The water resources on the Central Coast are extremely limited and are fully committed to meeting the water demands of a rapidly growing area. It is essential that these limited resources are protected.

The Central Coast water supply is highly dependent on the stream flows in Jilliby Jilliby Creek. Any activity which puts at risk the quantity or quality of this source will have significant consequences for the community.

Appendix H of the EIS states that *"For the Gosford-Wyong Water Supply Scheme relevant water supply catchments were determined and comparison made with the waterways and catchments for the four surface facilities sites. Results from the Water and Salt Balance Assessment, the geomorphological assessment and the water quality assessment were also considered and used to assess potential impacts on the regional water supply scheme."*

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The focus of the impact assessment is on the potential impacts of the surface facilities on the water supply and does not specifically consider the potential loss of stream flow in Jilliby Jilliby Creek affecting the water available for the regional water supply scheme.

As a consequence, the EIS prematurely concludes that *"While part of the Wyong River catchment supplying the Gosford-Wyong Water Supply Scheme lies within the Project Application Area, the existing surface sites and the proposed Mandalong South Surface Site lie within the Lake Macquarie catchment. None of the proposed water transfers, including underground transfers, will be within the Wyong River catchment. GHD (2013b) concludes that the Project will not have an impact on the Wyong River catchment and the associated town water supply."*

Without a rigorous assessment of the impact of the proposed mine extension on the streamflows in Jilliby Jilliby Creek, it is premature to conclude the proposal does not impact on the town water supply.

#### **Buttonderry Waste Management Facility (BWMF)**

The potential impact of subsidence, the impact upon the Leachate collection system and landfill gas (methane) management systems have not been adequately addressed in the EIS.

Should you wish to discuss this matter further, please do not hesitate to contact Council's Manager, Development and Rezoning, Mr Scott Cox on (02) 4350 5585.

Yours faithfully



Lin Armstrong  
**Director**  
**DEVELOPMENT AND BUILDING**