



NSW Government

DEPARTMENT OF WATER AND ENERGY

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**Director – Major Projects Assessments
Department of Planning
GPO Box 39
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File: ER20642

Attn. Alison O'Reilly

17 June 2009

Dear Alison

Subject: West Cliff Colliery Preparation Plant Reliability Project proposal

Your ref. MP:08_0243

The Department of Water and Energy (DWE) has reviewed the Environmental Assessment for the proposed West Cliff Colliery Preparation Plant Reliability Project. DWE provides the following comments in light of its statutory role under the *Water Act 1912* (WA) and *Water Management Act 2000* (WMA).

The Environmental Assessment does not acknowledge regulation under the *Water Act 1912* or *Water Management Act 2000* for coal beneficiation or use. No water balance is included to demonstrate water supply to the Coal Preparation Plant (CPP) is obtained under statutory licence issued by DWE. DWE therefore cannot assess the EA.

DWE requests that the Site Water Management Plan for the CPP reliability project include site water balance nominated against existing licensed water extraction, incidental water make and site water harvesting volumes. DWE will provide further requirements to the CPP upgrade as a component of the Bulli Seam expansion proposal.

If you require any clarification of the above, please contact Fergus Hancock on (02) 4904 2532.

Yours faithfully

Mark Mignanelli
Manager, Major Projects Assessments