From: Wayne Jones
To: Tracy Bellamy
Subject: Baal Bone Coal Project (MP 09_0178)
Date: Friday, 28 August 2015 9:56:06 AM

Hi Tracy

Please see draft DPI comments relating to the above project. Formal letter will follow asap.

Regards
Wayne

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OUT15/22995

Ms Tracy Bellamy
Resource Assessments
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Tracy.Bellamy@planning.nsw.gov.au

Dear Ms Bellamy,

Baal Bone Coal Project (MP 09_0178)
Proposed Modification

I refer to your email dated 13 August 2015 requesting advice from the Department of Primary Industries (DPI) in respect to the above matter.

Comment by DPI Water

DPI Water has reviewed the Environmental Assessment (EA) for the proposed modification to the Baal Bone Coal Project. The following key comments and recommended condition of approval are provided to assist in finalising the assessment of the project.

- The modification proposes to retain the current alignment of Reach 2 of Ben Bullen Creek which was diverted from the original alignment to enable development of mine infrastructure. The current approval requires the original alignment to be reinstated, and the EA has justified maintaining the current alignment by the following key reasons:
    - Need to reconstruct the channel and establish riparian vegetation from a bare site, hence there is a risk of instability and downstream impacts during construction and stabilisation.
    - Need to realign the existing channel to be an overflow channel.
    - Remediation of potential soil contamination.

- The current creek line has been established for over 30 years with minor works required to improve stability and enhance riparian biodiversity.

- Measures to improve stability in Reach 2 include regrading of some bank slopes to a shallower angle, stabilisation of high walls and revegetation of riparian areas. The works requiring regrading of banks pose a risk to the aquatic ecosystem and will require appropriate erosion and sediment control.
- The proposed amendments to the project approval in Section 3.1 related to rehabilitation of Ben Bullen Creek are supported.
- Preliminary hydrological modelling indicates the current alignment will be stable to enable rehabilitation, and further modelling will be completed when preparing the Ben Bullen Creek Rehabilitation Plan for the detailed design.
- The EA proposes retention of an existing water storage to the east of the northern end of Reach 2 which is likely to have groundwater inflows. DPI Water advises the groundwater inflows would need to be accounted for by licensed entitlement, hence it is requested these volumes be quantified. Confirmation is also requested of whether this water storage captures surface water runoff, and if so, consideration will need to be given to the applicability of the Maximum Harvestable Rights Dam Capacity for the property or the need to hold licensed entitlement.
- The management and monitoring measures detailed in Section 8 of the EA are supported. It is recommended geomorphic complexity characteristic to a river style for this locational setting be introduced to increase geomorphic functioning and habitat diversity.
- A controlled activity approval will not be required for the proposed works, however it is recommended rehabilitation works be carried out consistently with DPI Water's Guidelines for Controlled Activities on Waterfront Land.

Recommended Condition of Approval

- The proponent shall prepare the Ben Bullen Creek Rehabilitation Plan in consultation with DPI Water.

For further information please contact Tim Baker, Senior Water Regulation Officer (Dubbo Office) on 6841 7403 or at tim.baker@water.nsw.gov.au.

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