



## Department of Primary Industries

OUT12/22506

12 SEP 2012

Mr Clay Preshaw  
Energy Projects  
NSW Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

Dear Mr Preshaw

**Response by Department of Primary Industries to the Environmental Assessment for amendments to NRE No.1 Colliery (Preliminary works project) (MP10\_0046 Mod 1)**

Reference is made to your letter dated 7 August 2012 to the NSW Office of Water, a division within the NSW Department of Primary Industries, regarding the above matter.

It is advised that the Office of Water has a number of substantial concerns with respect to this application, as follows, and as such cannot support approval of the application.

The Environmental Assessment (EA) makes references to previous project and Subsidence Management Plan (SMP) documentation submitted as part of various applications to the Department of Planning and Infrastructure and to the Division of Resources and Energy within the Department of Trade & Investment, Regional Infrastructure & Services. These applications include the project approval (MP10\_0046) for the NRE No. 1 Colliery Preliminary Works Project, the application for Stage 2 Major Expansion (MP09\_0013) which has been withdrawn following failure at test of adequacy of the Environmental Impact Statement, and the SMP application for Longwalls 4 and 5 for which approval for Longwall 4 was granted.

The current EA has not provided surface water and groundwater assessments or Water Management Plan documentation. The updated subsidence predictions are within the same range as the previous assessments, which were determined in 2011 to be deficient.

The Office of Water provided comment on all these previous assessments and on the Water Management Plan (WMP) to the Department of Planning and Infrastructure, the Division of Resources and Energy, and to Gujarat NRE Coking Coal Ltd. These comments have iterated the concerns of the Office of Water to the assessments and to the WMP. As yet the Office of Water has not been provided with an updated WMP or SMP, to the satisfaction of the Office of Water, as required by the approval conditions to MP10\_0046 for Longwall 4.

The WMP provided as supplementary documentation dated 31 August 2012 was for the preliminary works project (MP10\_0046) only, which relates only to the proposed construction of Longwalls 4 and 5 first workings, Wonga Mains first workings, P and R Drifts first workings and H Panel. The current modification application (MP10\_0046 Mod 1) is for Longwalls 4 and 5 second workings and the main gates for Longwalls 6 to 8. The WMP has not been updated for the current application.

Four of the piezometers installed into the sandstone have failed due to mining of the associated longwalls and there is no information on the installation of new piezometers to monitor groundwater in deeper aquifers in longwalls approved in the previous project approval or for the modification application. Water level data was only provided up until 2009 and water quality data was only presented for surface water courses and with only median values provided. Previous correspondence by the Division of Resources and Energy to Gujarat NRE Coking Coal Ltd dated 6 April 2012 with regard to the SMP approval for Longwall 4 has reiterated these concerns about lack of information presented in the Environmental Management Plan and associated plans.

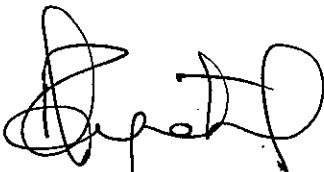
As yet no supplementary or updated information has been provided for review, including within the current EA, with the prediction outcomes being ambiguous and non-specific, due to lack of clearly demonstrated subsidence and imparted strain prediction methodology, lack of proper geomorphic description and risk assessment to affected rivers and minor watercourses, and lack of consistent and sufficiently rigorous groundwater impact assessment.

Until the required work has been undertaken to adequately characterise the impact area and to assess the potential impacts and trigger criteria, the Office of Water whilst being aware that Longwall 4 has current SMP approval, cannot support the approval of this application.

For specific further information in respect to these comments please contact Dr. Jodie Dabovic, Planning and Assessment Coordinator (Newcastle office) on 02 4904 2571 or at: [jodie.dabovic@water.nsw.gov.au](mailto:jodie.dabovic@water.nsw.gov.au).

However, future referrals relating to this project should be made to the Department of Primary Industries (DPI) as a whole, to: [landuse.enquiries@industry.nsw.gov.au](mailto:landuse.enquiries@industry.nsw.gov.au). Internal referral will then be made to relevant divisions within DPI, including the Office of Water and, in respect to future aspects of this particular mine, Fisheries NSW.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Phil Anquetil', with a stylized, cursive script.

Phil Anquetil  
**Executive Director Business Services**