



## Department of Primary Industries

OUT16/33185

Ms Jessie Evans  
Resource Assessments and Compliance  
NSW Department of Planning and Environment  
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SYDNEY NSW 2001

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Dear Ms Evans

### **Wallarrah 2 Coal Project (SSD 4974) Comment on the Environmental Impact Statement**

I refer to your email dated 20 July 2016 to the Department of Primary Industries (DPI) in respect to the above matter. Comment has been sought from relevant divisions of DPI. Views were also sort from NSW Department of Industry - Lands that are now a division of the broader Department and no longer within NSW DPI. Any further referrals to DPI can be sent by email to [landuse.enquiries@dpi.nsw.gov.au](mailto:landuse.enquiries@dpi.nsw.gov.au).

The Department has reviewed the request and accompanying Environmental Impact Statement and provides the following recommendations with further detail at **Attachment A**:

- The proponent should provide updated information on water licensing for the project, including reference to new and amended water sharing plans and information on how the predicted take of groundwater within these water sources will be licensed.
- The proponent should provide information on the water management components of the project as a whole, including any changes that may affect the original Surface Water and Groundwater Impact Assessments, the groundwater monitoring program (including baseline data) and the proposed water management arrangements for the project.
- The predicted take of surface water for the original Wallarah 2 Coal Project was 270 ML/year from the Jilliby Jilliby Creek Water Source and 30 ML/year from the Wyong River Water Source of the *Central Coast Unregulated WSP*. The proponent currently holds an entitlement of 185 units/ML in the Jilliby Jilliby Creek Water Source. The proponent should provide updated information regarding how the predicted take of surface water will be accounted for in licensing.
- The proponent should ensure all works on waterfront land are consistent with [DPI Water Guidelines for Controlled Activities on Waterfront Land](#).
- The proponent should liaise with [DPI Water](#) regarding the water licensing strategy for this project.

- The Crown roads identified by the Proponent as being required for the development, being part Nikko Road and part Tooheys Road, Wallarah must be closed and acquired by the Proponent prior to the Proponent undertaking any works on this land.

Yours sincerely



Graeme White

**A/Director, Planning Policy & Assessment Advice**

7 September 2016

## Attachment A

### Wallarah 2 Coal Project (SSD 4974) Comment on the Environmental Impact Statement Detailed comments – DPI Water

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#### General

The proposal is for amendment of the previously submitted Wallarah 2 Coal Project. The amended project involves changes to coal transportation and sewer infrastructure, including removal of the previously proposed rail loop, re-location of the previously proposed rail spur to the eastern side of the Main Northern Rail Line, re-location of the train load out facility to the eastern side of the Main Northern Rail Line, a conveyor system to deliver product coal from the stockpile to the new location of the train load out facility, and realignment of the sewer connection.

There do not appear to be significant additional impacts associated with the proposal on water resources from that which was assessed by the Planning Assessment Commission. The proponent has only provided information on the proposed amendments and has not provided comment on whether the information submitted as part of the original project (including the Surface Water and Groundwater Impact Assessments) are still current and relevant.

In particular, DPI Water notes that there have been changes to water licensing arrangements since the previous project was submitted. The *Water Sharing Plan for the North Coast Fractured and Porous Rock Groundwater Sources* has recently commenced and the *Water Sharing Plan for the Central Coast Unregulated River Water Sources* was recently amended to include water from the alluvial aquifer. The proponent has not provided any details regarding the water licensing arrangements for the amended project. DPI Water requests that the proponent provide updated information on water licensing for the project, including reference to the new and amended water sharing plans and information on how the predicted take of groundwater within these water sources will be licensed.

DPI Water also requests that the proponent provide information on the water management components of the project as a whole, including any changes that may affect the original Surface Water and Groundwater Impact Assessments, the groundwater monitoring program (including baseline data) and the proposed water management arrangements for the project.

#### Licensing

The Environmental Impact Statement for the previous Wallarah 2 project predicted a maximum take of approximately 1124.2 ML/yr from the hard rock aquifer (now within the Sydney Basin Lower Hunter/Central Coast Groundwater Source of the *North Coast Fractured and Porous Rock WSP*) and approximately 7.3 ML/yr from the alluvial aquifer (now within the Jilliby Jilliby Creek Water Source and Wyong River Water Source of the *Central Coast Unregulated WSP*).

DPI Water notes that a water licence application was submitted on 17 March 2016 to account for the above predicted water take. This application was submitted after the embargo for the *Hunter Water Shortage Zone* (covering the hard rock aquifer) and the embargo for the *Coastal Floodplain Alluvial Groundwater Sources and Highly Connected Alluvial Groundwater Sources of Coastal Catchments – Regional NSW* (covering the alluvial aquifer) came into effect, with the proponent requesting an exception to the embargos. It is requested that the proponent continue to liaise with DPI Water regarding this application and the water licensing strategy for the project. The proponent should subsequently update its water licensing strategy in respect of these outcomes.

The predicted take of surface water for the original project was 270 ML/yr from the Jilliby Jilliby Creek Water Source and 30 ML/yr from the Wyong River Water Source of the *Central Coast Unregulated WSP*. The proponent currently holds an entitlement of 185 units/ML in the Jilliby Jilliby Creek Water Source. DPI Water requests updated information regarding the licensing approach to account for the predicted take of surface water.

## **Riparian corridors**

The re-design of the rail infrastructure has resulted in fewer interactions with watercourses and riparian vegetation to that previously proposed. The rail spur for the amended project requires three crossings of Spring Creek (and its tributaries), which are located directly adjacent to the existing crossings for the Main Northern Rail Line.

It is recommended that all works on waterfront land are consistent with DPI Water *Guidelines for Controlled Activities on Waterfront Land*.

Should you require further information please contact Brendan Mee, Water Regulation Officer on (02) 4904 2524 or [Brendan.mee@dpi.nsw.gov.au](mailto:Brendan.mee@dpi.nsw.gov.au).

**End Attachment A**