

APPENDIX B: AGENCY RESPONSES TO THE COMMISSION'S REVIEW REPORT



Your reference :
Our reference : SF15/42133; DOC15/477561
Contact : Mr Allan Adams; (02) 6332 7610

Mr Colin Phillips
Team Leader
Resource Assessments
NSW Department of Planning and Environment
23-33 Bridge St – GPO Box 39 Sydney NSW 2001

Attention: Mr Thomas Watt

30 November 2015

Dear Mr Phillips

I refer to your email received by the Environment Protection Authority (EPA) on 16 November 2015 regarding the Review Report prepared by the Planning Assessment Commission (PAC) on the Airly Mine Extension Project (SSD 5581). As requested, the EPA has reviewed the PAC's report with reference to Recommendations 6 and 7.

Recommendation 6 is seeking clarification from the EPA that any residual issues relating to water discharges into Airly Creek and any downstream water quality impacts in the Gardens of Stone National Park can be adequately resolved, particularly in relation to the achievement of 99% species protection under the ANZECC 2000 Guidelines.

On the 28 October 2015, the EPA and water specialists from the Office of Environment and Heritage (OEH) conducted a site assessment with specific reference to assessing the site surface water capture, management and discharge regimes at the Airly Mine. During the assessment it was identified that the Airly Mine currently has a water deficit. As such, the water management system operates to capture all site water for re-use on-site and/or for underground operations, in place of the separation of clean and dirty water and subsequent discharge. Therefore discharges from the Airly Mine would be uncommon.

Following a review of an Ecotoxicology Assessment prepared by GHD (March 2015) the EPA identified that various water storages on site have potential toxic characteristics, including the 35 ML dam. Centennial Coal maintains that if a discharge from a full 35 ML dam via Licensed Discharge Point 1 (LDP001) immediately after rainfall was to occur, it would meet the 99% species protection value

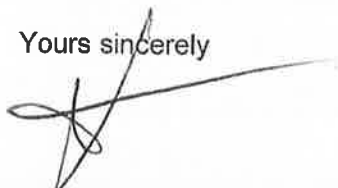
The EPA requires that Centennial Coal ensures any discharge to Airly Creek achieves 99% species protection within 1 Km downstream of LDP001. To achieve this the EPA will include further investigation and reporting requirements via a Special Condition attached to environment protection licence 12374 to demonstrate that the 99% species protection will be met. In the event 99% species protection is not achieved, further assessment of options to manage the discharged water will be explored.

The EPA is therefore satisfied that the issues relating to surface water management and discharge can be adequately resolved with particular reference to the achievement of 99% species protection.

With regards to Recommendation 7, the NSW Department of Primary Industries – Water, not the EPA, is the agency best suited to provide expert advice to the PAC on the recommended condition of consent relating to the Water Management Plan and the potential impacts to downstream water users of subsidence-related flow reductions.

Should you have any further enquiries in relation to this matter please contact Mr Allan Adams at the Central West (Bathurst) Office of the EPA by telephoning (02) 6332 7610.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Richard Whyte', with a long horizontal stroke extending to the right.

RICHARD WHYTE
MANAGER CENTRAL WEST
Environment Protection Authority



**Department
of Industry**
Resources & Energy

BN15/8990

Mr Thomas Watt
A/Senior Planning Officer
Resource Assessments
NSW Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Email: thomas.watt@planning.nsw.gov.au

Dear Mr Watt

**Airly Mine Extension Project SSD 5581 (RO33/15)
Review Report**

I refer to your email of 16 November 2015 regarding the Airly Mine Extension Project Review Report dated November 2015.

The Department of Industry, Skills and Regional Development, Division of Resources & Energy has reviewed the Report and Recommendations relating to subsidence (Recommendations 1 to 5) and supports the Planning Assessment Commission's recommendations.

Should you have any enquires regarding this matter please contact Adrian Delany, A/Director Mineral Operations, on (02) 4931 6437.

Yours sincerely

K Hargreaves
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**Kylie Hargreaves
Deputy Secretary
Resources & Energy**

Thomas Watt

From: David Crust
Sent: Friday, 20 November 2015 8:51 AM
To: Thomas Watt
Cc: David Geering
Subject: RE: Airly MEP - response to Commission's review report

Hi Thomas

As discussed – I'm not really sure where this recommendation came from – I'm assuming it was in one of the public submissions to the PAC?

From a NPWS point of view, providing an alternate water supply is impractical and not necessary. Providing a water supply would mean collecting water, piping or transporting it and then storing the water. The supply would then need to be tested regularly and certified as being suitable for consumption. All of these aspects would require significant initial work and ongoing maintenance

From a demand point of view, visitation to the area is relatively low and the area is not particularly remote. The NPWS manages vast areas of bushland accessible to the public and we do not routinely provide water supplies. We expect visitors to bushland areas to be self-sufficient in terms of supplying water.

Let me know if you need any additional information

Regards

David Crust

Area Manager – Mudgee
NSW National Parks and Wildlife Service
Office of Environment and Heritage
P 63709000 | F 63709010 | M 0428 218019
E david.crust@environment.nsw.gov.au

From: Thomas Watt
Sent: Thursday, 19 November 2015 11:36 AM
To: David Crust
Cc: David Geering; Howard Reed
Subject: Airly MEP - response to Commission's review report

Hi David,

Thanks for your time on the phone earlier this week. As discussed, the Planning Assessment Commission has published its Review Report on the Airly Mine Extension Project (SSD 5581). It can be accessed from the Department's website [here](#).

The Commission has made a recommendation (see recommendation 8) calling for the provision of an alternate, artificial water source to the 'Village Spring' to ensure that bushwalkers and hikers have access to drinking water. The village spring is expected to either reduce or cease entirely when the old oil shale mine workings are mined beneath as part of the Airly proposal.

As the area manager, we would appreciate your view on the recommendation including the steps or decision path that would be involved to identify an appropriate location/supply and practicalities in implementing it. We have also requested Centennial (the applicant) provide us with a response to the Commission's recommendations.

We are seeking comments from relevant agencies by **Monday 30 November**. After this, we will finalise our final assessment report and recommended conditions to the Commission for its determination of the project.

Feel free to contact me if you have any queries.

Regards,

Thomas Watt

A/Senior Planning Officer

Resource Assessments

NSW Department of Planning & Environment

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