



Ms Carolyn McNally  
Secretary  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

11 December 2015

Dear Ms McNally

**Subject: Timeframe for PAC Second Review of the Russell Vale Colliery Underground Expansion Project, Wollongong and Wollondilly LGAs**

I refer to the Minister's request to the Planning Assessment Commission, to review the above project within 5 weeks of the Department's referral (by 16 December 2015), unless otherwise agreed with you.

Ms Briggs AO, chairperson of the Planning Assessment Commission, nominated Mr Paul Forward, Dr Andrew Stoeckel and me to constitute the Commission for the review. I am chairing the Commission for the project.

The Commission held a public hearing on the project on Tuesday 8 December 2015 where approximately 50 presentations were made to the Commission focusing on concerns such as water resources, protection of the catchment, upland swamps, process and transparency, impacts on amenity, economic impacts, and climate change. The Commission met with Water NSW and was briefed by staff from the Department. As a consequence of these meetings a number of issues were identified that require further investigation which will preclude compliance with the current timeframe.

At the public hearing questions were raised regarding the outcomes of the Integrated Risk Assessment (IRA) and independence of the panel that undertook the assessment. The Commission considers the findings and implementation of the IRA as a central issue for the proposal having regard to the potential impacts on water resources and upland swamps. To ensure thorough consideration of the IRA, the Commission has retained the services of subsidence and groundwater experts, Emeritus Professor Jim Galvin and Dr Colin Mackie. Both of these consultants have previously provided advice to the Commission on this project but will need time to consider the details of the lengthy documentation provided. Depending on the advice received from the consultants it may be necessary to seek further clarification from the panel which undertook the IRA, the Proponent, or relevant Government agencies.

The Office of Environment and Heritage has raised some residual issues in their response to the notification of the public hearing. These concerns relate primarily to the strengthening of conditions to protect the swamps through such measures as inserting definitions, inclusion of measurable triggers and performance standards. The Commission would like the opportunity to meet with representatives from OEH to further discuss their recommendations.

As a consequence of the meeting with Water NSW, it appears there may be some different understandings of the draw zones and further clarification is required regarding the delineations of the drawdown zones and their physical proximity to the proposal. In addition to the amendment of the timeframe, please note the Commission has requested the Department to provide clarification on the mapped locations of the three draw zones, in relation to the proposed long wall panels, and clarification on whether there is any difference in the definition of the draw zones, or their calculated positions, from the Applicant, the Dam Safety Committee, WaterNSW, the Department and any other relevant agency.

The Commission will finalise the review as soon as possible after considering the advice of E/Prof Galvin and Dr Mackie, and the clarification on the draw zones requested above.

I trust this arrangement is agreeable to you. Should your Department have any questions, I have arranged for Ms Megan Webb or Ms Catherine Van Laeren of the Commission Secretariat to assist you, on 9383 2113 or 9383 2103.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Joe Woodward'.

Mr Joe Woodward PSM  
Member  
Planning Assessment Commission