

12.0 APPENDIX F – AGENCY CORRESPONDENCE



20 June, 2017

Mr Howard Reed
Director, Resource Assessments
Department of Environment and Planning
GPO Box 39
SYDNEY NSW 2001

Dear Mr Reed

**Re: Wallarah 2 Coal Project
Planning and Assessment Commission Review Report - 19 May 2017**

Thank you for the opportunity to confirm Central Coast Council's comments on the Planning and Assessment Commission's Review Report (PAC) of 19 May, 2017.

We, in essence, agree with the previous findings of the PAC Report of June 2014, as well as the most recent PAC Review Report of 19 May.

Council outlined their concerns in a submission to PAC, which has been captured within the report under section 6.1.5. In essence, Council supports the following recommendations with some clarification:

Item 6.1.6.3 Compensation of subsidence induced water loss

Recommendation:

- *The draft conditions should be updated to accurately reflect the recommendation in the Commission's 2014 Review; particularly the no net impact on potential catchment yield and the preferred compensation mechanism is by return of sufficiently treated water to the catchment side of the water supply system. The burden of proof of any impact less than predicted rests with the applicant.*
- *Consideration be given to augmentation of the Central Coast Water Supply by return of sufficient minewater treated to the required standards to compensate for estimated losses during the life of mine.*

Clarification:

- *The purchase of licenses is excluded as a compensatory mechanism and that the "sufficiently treated water" is to be returned to a location within the catchment that is mutually agreed by the Applicant and Council.*



- *The Applicant and Council have consulted regarding the return of treated water for the augmentation of the Central Coast Water Supply. Both the applicant and Council accept the PAC recommendation and have agreed to work together to facilitate the return of treated water to the CCWS as directed by Council.*

Item 6.5.1 Nikko Road

6.5.1.7 Commission's findings and recommendations

Recommendation:

- *The draft condition should include a requirement that the applicant prepare and implement a Nikko Road access management plan, in consultation with affected landowners. The plan should ensure access to private lands are maintained during construction and operation of the mine. Design details of the access road should be included in the application prior to determination to ensure proper connections to existing access points. Post mining access to the road alignment may need to be included if the tenure of the Nikko Road reserve is changed following approval of this application as part of the regular update requirements of management plans.*

Clarification:

- In the event of the ownership of Nikko road is transferred to the applicant, the applicant will in turn, transfer ownership of the Nikko Road to Central Coast Council immediately upon the completion of the mining activities. The transfer to Council will be at no cost to Council, and will be transferred in a good state of repair. Central Coast Council and the applicant will convene a meeting twelve months prior to the intended transfer of the road, so that the Council may nominate what items of capital improvements of infrastructure that have been installed as part of the mining activities, are to be removed by the applicant prior to the transfer. Should the applicant not remove the items nominated by Council prior to the transfer date, Council at its discretion may remove the items, and the applicant will reimburse the Council for the costs of the removal and make good of the area.

Following considerable dialog with the applicant, we believe that Council and the applicant are aligned in their approach to the items raised.

Yours sincerely



Mike Dowling

Group Leader, Assets Infrastructure and Business





Department of Primary Industries

OUT17/26649

Ms Melanie Hollis
Resource Assessments
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Melanie.hollis@planning.nsw.gov.au

Dear Ms Hollis

**Wallahah 2 Coal Project (SSD 4974)
Comment on the second Planning Assessment Commission Merit Review**

I refer to your email of 30 May 2017 to the Department of Primary Industries (DPI) in respect to the above matter. Comment has been sought from DPI Water.

Any further referrals to DPI can be sent by email to landuse.enquiries@dpi.nsw.gov.au.

DPI has reviewed the report by the Planning Assessment Commission and considers matters of regulatory interest to the Department have been adequately addressed.

It should be noted that DPI Water will have significant input to the development of the water management plan (WMP) for the project. A key focus of this consultation will be to ensure that sufficient and detailed groundwater baseline data are made available for the potentially impacted aquifers prior to any active mining.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M Isaacs'.

Mitchell Isaacs
Director, Planning Policy & Assessment Advice
30 June 2017

DPI appreciates your help to improve our advice to you. Please complete this three minute survey about the advice we have provided to you, here:

<https://goo.gl/o8TXWz>



Melanie Hollis
Department of Planning and the Environment
PO GPO BOX 39
SYDNEY NSW 2001

Via email: melanie.hollis@planning.nsw.gov.au

Dear Melanie

**RE: RESPONSE YOUR EMAIL QUERY REGARDING CLARIFICATION OF SUBSIDENCE
ADVISORY CONDITIONS REGARDING THE WALLARAH 2 COAL PROJECT**

We are pleased to provide a response to your email dated 16th May 2017 in which you seek clarification on the following in regard to

- (1) a Subsidence Advisory 1995 Minute Paper referring to surface development within the Hue Hue Mine Subsidence District and
- (2) Letter to NSW Planning and Infrastructure by SA NSW CEO in relation to the proposed Wallarah 2 Coal Project dated 23rd June 2013.

In your email you asked the following;

1. Could you confirm the definition of partial extraction as referred to in the minute paper? (i.e. partial extraction is defined as extraction which would result in ground movements equal or less than 3 mm/m ground strain and 4 mm ground tilt?)

Partial extraction in the minute paper refers to appendix 4 of the 1988 Clough Smith Ministerial for definition. This defines partial extraction as either;

- Option 1. Longwall Mining: 150m face width, 35m wide chain pillars (pillars are not stable following extraction); or
- Option 2. Longwall mining: 150m face width, 50m wide chain pillars (pillars are stable following extraction)

The Mine layout outlined in the Wallarah 2 Coal Project 2013 Environmental Impact Statement is more conservative than that outlined in option 2 above being;

- Longwall mining: 115 to 145m face width, 65m wide chain pillars

Analysis by MSEC subsidence engineers and referred to in Wallaraha 2 Coal Project 2013 Environmental Impact Statement indicates that the layout will result in surface subsidence deformations within the parameters outlined in our 1995 minute paper.

2. Is the minute paper providing a clarification/direction on the Clough/Smith Ministerial which is referred to in the 2013 advice?

Yes, it provides clarification to the recommendations outlined in the subsidence assessments for the Hue Hue area by Dr Holla that are attached to the Clough/Smith Ministerial.

Please feel free to call and discuss should you wish further clarification on this matter. I can be contacted by email at Kieran.black@finance.nsw.gov.au or by phone 4908 4300.



Kieran Black
Technical Manager
26th May 2017