

THE HON DR JUDY EDWARDS (MLA)
MINISTER FOR THE ENVIRONMENT AND HERITAGE

Dear Minister

MINING IN CAR INFORMAL RESERVE, EWINGTON I OPEN-CUT COAL MINE DEVELOPMENT AREA, EAST OF COLLIE: THE GRIFFIN COAL MINING COMPANY PTY. LIMITED

The purpose of this letter is to provide you with the Environmental Protection Authority's (EPA) advice on the above under Section 16(e) of the *Environmental Protection Act 1986*. This advice will also be made publicly available as per normal protocol.

The EPA's recommendations are on page 3 of this letter.

1. Introduction and background

The Griffin Coal Mining Company ('Griffin') is proposing to develop the Ewington I open-cut coal mine ('Ewington I'). The mine, which is located approximately 4 km east of Collie, was approved by a previous Minister for the Environment in September 1992. Following the signing of the Regional Forest Agreement¹ (RFA) by the Commonwealth of Australia and the State of Western Australia on 4 May 1999, a single 150 ha Comprehensive, Adequate and Representative (CAR) Informal Reserve was identified within the Ewington I mining area.

As I outlined to you in previous advice², to address situations in which CAR Informal Reserves are proposed to be disturbed in previously assessed mining areas, the EPA developed, in consultation with Alcoa, the Department of Conservation and Land Management (DCLM) and the then Department of Resources Development, a process to review plans by Alcoa to disturb CAR Informal Reserves within its bauxite mining lease. This process is consistent with the requirements of the RFA and the *Environmental Protection Act 1986*, and is considered to be applicable to other situations where mining within State Agreement Act areas disturbs CAR Informal Reserves. As Griffin's coal mining

¹ The RFA established a system of Formal and Informal Comprehensive, Adequate and Representative Reserves.

² EPA (2001). 'Plans for bauxite mining and haul road stream crossings in CAR Informal Reserves, Mining Lease 1SA: Alcoa of Australia (advice under s16(e) of the *Environmental Protection Act 1986*).

operations (including Ewington I) are controlled under the *Collie Coal (Griffin) Agreement Act 1979*, the process is considered to be applicable to this situation.

In accordance with this process, on 3 December 2002 Griffin submitted information to the Collie Coal Mines Environment Committee³ (CCMEC) on its plan to disturb the CAR Informal Reserve at Ewington I. The CAR Informal Reserves Evaluation Group⁴ considered the matter in the first instance. Following the Group's review of the action, and site visit to the relevant areas in July 2002, the Group advised the CCMEC that it had no objections to Griffin clearing the CAR Informal Reserve as proposed. The CCMEC has endorsed this advice in a letter to the EPA (see Attachment A).

2. Advice on clearing the CAR Informal Reserve

The EPA notes that:

- Representatives from the Department of Industry and Resources, DCLM, DEP, WRC and Collie Conservation Group conducted a site inspection of the CAR Informal Reserve in July 2002, and subsequently advised the CCMEC that they had no objections to Griffin clearing the CAR Informal Reserve.
- Three vegetation complexes occur within the Reserve: open Jarrah forest, open Banksia woodland and open woodland of Melaleuca. While these complexes are poorly represented in the CAR reserve system, Griffin has identified vegetation in another area of the Griffin coal leases which is considered to be a suitable replacement for the CAR Informal Reserve. The intention is that this other area would be designated as a CAR Informal Reserve in place of the CAR Informal Reserve to be cleared.
- Disturbance of the CAR Informal Reserve will not affect any Declared Rare Flora, or any Threatened Ecological Communities recognised at the State or National level.
- Impacts to fauna species in the CAR Informal Reserve can be adequately managed by Griffin Coal, which is to implement the clearing in consultation with the DCLM.
- Following mining, Griffin will rehabilitate the area covered by the CAR Informal Reserve to local native species.

Given the above, the EPA has no objections to Griffin's clearing of the CAR Informal Reserve.

While acknowledging that the Ewington I mine has already been approved, the EPA has written to the CCMEC to encourage Griffin to consider appropriate offsets to the clearing of the CAR Informal Reserve so as to ensure a net environmental benefit.

³ The CCMEC was established by the State in 1979 and oversees rehabilitation and mine planning of the Griffin and Wesfarmers Coal coal mines near Collie. The Group has representatives from the Department of Environmental Protection, Water and Rivers Commission, Department of Agriculture, Department of Industry and Resources and DCLM.

⁴ The CAR Informal Reserves Evaluation Group is incorporated into the Collie Mining Operations Group (a sub-committee of the CCMEC) and comprises members of the CCMEC plus a representative of the Collie Conservation Group.

3. Recommendations

The EPA recommends to the Minister for Environment and Heritage that:

1. The Minister notes the EPA's conclusion that it has no objections to clearing of the CAR Informal Reserve within the Ewington I mining area.
2. The Minister accepts the EPA advice that it has no objections to the clearing of the CAR Informal Reserve and advises the Minister for State Development accordingly.

If you concur with the above recommendations, you may care to approve the attached draft letter to the Minister for State Development.

Yours sincerely

Bernard Bowen
CHAIRMAN

26 March 2003



Department of Mineral and Petroleum Resources

Attachment A

Our Ref: R0265/99 V4
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DEPARTMENT OF ENVIRONMENTAL PROTECTION RECORDS SECTION

- 3 DEC 2002

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Noted 5/12/02
Bursztyn

MANAGEMENT OF DISTURBANCE TO CAR INFORMAL RESERVES BY THE GRIFFIN COAL MINING COMPANY AT ITS EWINGTON 1 DEVELOPMENT

I refer to the process to deal with planned mining incursions into CAR informal reserves that has been developed for Alcoa's mining operations. Subsequently, a generic process to assess mining incursions into CAR informal reserves relating to other State Agreement Act projects was developed in discussions between the Office of Major Projects and the Environmental Protection Authority.

The agreed process meets the intent of the RFA, which requires environmental assessment and transparency of process through public scrutiny. The newly developed assessment process, which includes a representative from the Conservation Council of Western Australia or a locally affiliated body, was used to assess an area at Griffin Coal's proposed Ewington 1 coal deposit. The assessment group met on 9 July 2002, and the area at the Ewington 1 Mine was inspected and assessed.

The Office of Major Projects chairs the Collie Coal Mines Environment Committee ("CCMEC"), an interdepartmental committee formed in 1979 to oversee rehabilitation of coal mines in the Collie area. The role of the CCMEC has broadened over time to include mine planning and a range of other issues relating to coal mining. A copy of the Terms of Reference of the CCMEC is attached for your information.

On advice from the Collie Mining Operations Group ("CMOG" - a sub-committee of the CCMEC), incorporating the CAR Informal Reserves Evaluation Group, the CCMEC recommends that approval be granted to clear the area of CAR informal reserves at the proposed Ewington 1 mine, as presented on the attached plans and as inspected on 9 July 2002.

DEPARTMENT OF ENVIRONMENTAL PROTECTION RECORDS SECTION

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Attached for your information is a copy of the agreed process to deal with planned mining incursions into CAR informal reserves, details of the area planned to be disturbed and the minutes of the meeting of the CAR Informal Reserves Evaluation Group meeting of 9 July 2002.



Mike James
CHAIRMAN
COLLIE COAL MINES ENVIRONMENT COMMITTEE

03 December 2002