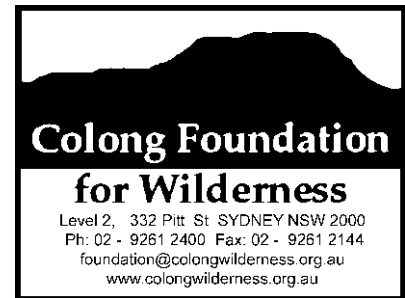


Tuesday December 9th, 2014



Mr Stewart Smith
Director of Committees
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Mr Smith

**Question on Notice General Purpose Standing Committee No. 5 regarding 24th November
appearance at the inquiry into the performance of the NSW Environment Protection Authority**

Please find attached my suggestions for the corrected transcript. I have capitalised the first letter in Area in Greater Blue Mountains World Heritage Area, as it is a proper name, and for the same reason I also capitalised the initial letter in Foundation where the Colong Foundation for Wilderness Ltd is referred to in the transcript. I have also corrected Dr Richard Whyte's surname.

Question on Notice:

Mr SCOT MacDONALD: I have conflicting reports on that. We hear from the foundation about those decreases and Centennial Coal says that that is not necessarily the case. What is the source of your information?

Mr MUIR: Right, it is the peer-reviewed report by Nakia Belmer entitled "Impact of a coal mine waste discharge on water quality and aquatic ecosystems in the Blue Mountains World Heritage Area". This is a peer reviewed paper. I am sorry if that is not sufficient. I think there is more than one paper. I was under the impression that they were going to address this inquiry.

Mr SCOT MacDONALD: We heard from the company that the paper has not been peer-reviewed and it has not been published.

Mr MUIR: That is incorrect. That is definitely incorrect.

Mr SCOT MacDONALD: We hear from one source that it is and then from another source that it is not so I am a little confused there.

Mr MUIR: Do you wish me to clarify that? I can.

Mr SCOT MacDONALD: If you like, if you could come back to us on notice then that would be helpful.

Mr MUIR: Yes, I can make inquiries of the authors. I am sure they can give evidence as to the nature of peer review undertaken.

Answer:

The paper titled 'Impact of a coal mine waste discharge on water quality and aquatic ecosystems in the Blue Mountains World Heritage area' by Nakia Belmer, Carl Tippler, Peter J. Davies and Ian A. Wright (2014) was peer reviewed. A second paper regarding scientific research that included data for the Wollangambe River and was titled 'The assessment of impacts from mining wastes on water quality and aquatic ecosystems using freshwater macroinvertebrate communities and novel bio-assay tests' by Rebecca Sullivan, Dr Ian Wright, Dr Adrian Renshaw, and Mitchell Wilks. Both papers were published in the *Proceedings of the 7th Australian Stream Management Conference* (2014), Townsville, Queensland.

Dr Geoff Vietz and Dr Ian Rutherford both of the University of Melbourne peer reviewed the Belmer et. al. paper. I have sighted comments made by Associate Professor Ian Rutherford on the manuscript before publication that confirms this review. In the initial covering note to his review, A. Prof Rutherford states in an email dated Friday, 11 July 2014 12:59PM that the paper is a 'Really interesting study. Tight methods and strong results. Actually very disappointing that this lack of regulation is happening in such a sensitive area. Some suggestions in text, and some requests for clarification. Nothing major.'

On Tuesday August 26 2014 Dr Ian Wright made a written submission to this inquiry in to the EPA. In addition to Dr Wright's contribution to this inquiry, the following papers are referred to in Dr Wright's submission:

Coal Mine 'Dewatering' of saline wastewater into NSW streams and rivers: a growing headache for water pollution regulators by Dr Ian Wright (2011), in *Proceedings of the 6th Australian Stream Management Conference*, Canberra, Australian Capital Territory;

The potential and reality of the environment protection licensing system in New South Wales: The case of water pollution by Kristy Graham and Ian A Wright in (2012) 29 *Environmental Planning and Law Journal* 359; and

Environmental protection and management: A water pollution case study within the Greater Blue Mountains World Heritage Area, Australia by Ian A. Wright, Susan Wright, Kristy Graham, and Shelley Burgin, published in *Land Use Policy* 28 (2011) 353–360.

I provide these reference papers for the assistance of Standing Committee Number 5.

Any further issues regarding this answer and the corrections to the transcript, please contact me by emailing

Thank you for this opportunity.

Yours sincerely,

Keith Muir
Director
The Colong Foundation for Wilderness Ltd