



Department of Primary Industries

OUT14/16960

Mr Kane Winwood
Mining Projects
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

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- 1 JUL 2014

Dear Mr Winwood,

Bengalla Coal Mine (DA 211_93 Mod 5) Proposed Modification

I refer to the email from Matthew Sprott dated 11 June 2014 requesting advice from the Department of Primary Industries (DPI) in respect to the above matter.

Comment by NSW Office of Water

The NSW Office of Water has reviewed the Environmental Assessment (EA) for the proposed Bengalla Coal Mine Modification Application (Mod 5). The Office of Water understands the modification is limited to geotechnical investigations to support the preparation of detailed design of future water management infrastructure. These investigations include 51 soil test pits to a maximum depth of 5 metres and 2 boreholes to a maximum depth of 12 metres. The following comments are provided for consideration in finalising the assessment.

- The soil test pits and boreholes are defined as minimal impact aquifer interference activities under the NSW Aquifer Interference Policy. The Office of Water supports the proposed mitigating measures, in particular the measures to rehabilitate all land disturbed by the geotechnical investigations to pre-disturbance conditions and to fill completed boreholes. If a borehole intersects the water table, the Office of Water recommends it be decommissioned to restore aquifer isolation to that which existed prior to bore construction within a period of 28 days following completion of the bore.
- Section 5.5.1 of the EA indicates Dry Creek is in proximity to the test pits and boreholes, however there is no proposal to impede the natural surface flows. As there is the potential for the proposed activities to occur within 40m of Dry Creek the NSW Office of Water recommends works within waterfront land be carried out in accordance with the Guidelines for Controlled Activities on Waterfront Land which can be accessed at the following link:

<http://www.water.nsw.gov.au/Water-Licensing/Approvals/Controlled-activities/default.aspx>

For further information please contact Tim Baker, Senior Water Regulation Officer (Dubbo Office) on 6841 7403 or at tim.baker@water.nsw.gov.au.

Comment by Office of Agricultural Sustainability and Food Security

In accordance with procedures for mining projects that affect agricultural land, the Office of Agricultural Sustainability and Food Security will respond direct to your Department.

For further information please contact Rob Williamson, Leader Land Use Planning (Orange office) on 6391 3166, or at: robert.williamson@dpi.nsw.gov.au.

Fisheries NSW advise no issues.

Yours sincerely



Kristian Holz
Director Policy, Legislation and Innovation