

Jack Turner
Department of Planning, Housing and Infrastructure
jack.turner@planning.nsw.gov.au
Via: Major Projects Portal

ADVICE RESPONSE: Liddell Coal Operations Mod 9 - Backfilling of underground workings

Stage: Modification Report

Development Application: DA305-11-01-Mod-9

Dear Jack

I refer to your correspondence dated 28 January 2026 inviting the Department of Primary Industries and Regional Development - NSW Resources to review the Modification Report supplied and provide comments on Liddell Coal Operations Mod 9 - Backfilling of underground workings (the Modification) submitted to Department of Planning, Housing and Infrastructure by Liddell Coal Operations Pty Limited (the Proponent).

Please refer to NSW Resources Regulator advice and requested information at Attachment A.

NSW Resources has reviewed the information supplied in relation to the Modification and based on the review has no specific comments in relation to *Mining Act 1992* considerations.

For further information contact Elisa Paull, Project Officer on 02 4063 6860 or mining.concierge@dpird.nsw.gov.au.

Sincerely



Giselle Carney

Senior Advisory Officer Industry Advisory and Mining Concierge - Industry Development
Department of Primary Industries and Regional Development - NSW Resources

Wednesday, 4 February 2026

Jack Turner
Department Planning, Housing and Infrastructure
Jack.Turner@planning.nsw.gov.au

Via: Major Projects Portal

Dear Jack,

I refer to the Liddell Coal Modification 9 - Backfilling of Underground Working Modification Report submitted to the Resources Regulator on 28 of January 2026 (DA305-11-01-Mod-9). Based on the Regulator's review, it is noted that the modification report focusses on the potential environmental impacts of the proposed works rather than the likely effectiveness of the works to control the risk of subsidence affecting the rail line. Although grouting mine workings is an accepted industry practice to improve the stability of abandoned mine workings, there is insufficient detail in the modification report to allow comment on the proposed works and the likely outcome with respect to meeting Condition 37 of the development consent.

Therefore, further information is required on the proposed works and how the likely outcome will be assessed to determine that adequate long term stability has been achieved. Furthermore, subject to approval of the modification, it is the expectation of the Regulator that the Rehabilitation Completion Criteria Statement is modified to include rehabilitation completion criteria that set appropriate performance metrics to be met by the stabilisation works to ensure that the landform is stable. Specifically in relation to the Main Northern Railway Line.

LIMITATIONS

It should be noted that the Resources Regulator does not provide any endorsement of the proposed rehabilitation methodologies presented in the plans provided. Under the conditions of a mining authorisation granted under the *Mining Act 1992*, the Resources Regulator requires the holder to adopt a risk-based approach to achieving the required rehabilitation outcomes.

The applicability of the controls to achieve effective and sustainable rehabilitation is to be determined based on site-specific risk assessments conducted by the authorisation holder. An authorisation holder may also be directed by the Resources Regulator to implement further risk control measures required to achieve effective rehabilitation outcomes during the life of the mine.

REGULATORY REQUIREMENTS IF APPROVED

The proponent will be required to comply with rehabilitation requirements under the mining authorisations prior to the commencement of the works associated with the proposal.

The Resources Regulator may undertake assessments of the mine operators' proposed mining activities under the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and Regulation as well as other WHS regulatory obligations.

BACKGROUND

The Mining Act Inspectorate within the Resources Regulator undertake risk-based compliance and enforcement activities in relation to obligations under the *Mining Act 1992*. This includes undertaking assessment and compliance activities in relation to mine rehabilitation activities and determination of security deposits. To ensure consistency, the Regulator requests the opportunity to review a copy of the draft development consent prior to any approval of the project.

The Mine Safety Inspectorate within the Resources Regulator is responsible for ensuring the mine operators' compliance with the Work Health and Safety (WHS) legislation, in particular the effective management of risks associated with the principal hazards as specified in the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2022*.

CONTACT

Should you require any further information or clarification, please contact the Regulator on 1300 814 609 (Press Option 2 Press Option 5) or email nswresourcesregulator@service-now.com.

Yours sincerely,



Anthony Margetts

Chief Inspector of Mines

Resources Regulator