

Our ref: OUT23/1771

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9 February 2023

Subject: Boggabri Coal Mine - Extension 8 (MP09_0182-Mod-8) – Response to Submissions & Amendment Report

Dear Ms Sharp

I refer to your request for advice sent on 14 December 2022 to the Department of Planning and Environment (DPE) Water about the above matter.

The mine plan for the MOD 8 Amendment proposes a reduced level of production and various other changes which is expected to result in an overall reduced environmental impact when compared with the previous MOD 8 mine plan described and assessed within the 2021 Modification Report (Hansen Bailey, 2021).

DPE Water provides several recommendations regarding water licencing and the provision of the groundwater model peer review in Attachment A.

Should you have any further queries in relation to this submission please do not hesitate to contact DPE Water Assessments water.assessments@dpie.nsw.gov.au or to the following coordinating officer within DPE Water:

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Yours sincerely



Liz Rogers

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Department of Planning and Environment: Water

Attachment A

Detailed advice to DPE Planning & Assessment regarding the Boggabri Coal Mine - Extension 8 (MP09_0182-Mod-8) – Response to Submissions & Amendment Report

1.0 Water Licencing

1.1 Recommendation – Prior to Determination

The proponent must demonstrate the ability to obtain sufficient water entitlement for its Water Access Licences (WALs) to account for the maximum predicted take from each water source prior to take occurring.

Explanation

There is still some uncertainty regarding the ability to obtain sufficient water entitlements for the project.

The Amendment Report (page 81) states that from the water balance modelling that the current WALs held by the proponent will remain sufficient to cater for the project's water demand for 'average' conditions. DPE Water notes that the proponent intends to periodically purchase additional water allocations in line with climatic conditions for the project. However, water entitlements required to meet the maximum water demands of the project may not be available to purchase during a drought period. Rather than relying on the assumption that additional water allocations will be available for purchase to meet the water demands of the project, it is recommended that the proponent demonstrates the ability to acquire sufficient entitlement to account for the maximum predicted take from each water source.

1.2 Recommendations – Post Approval

- a) The proponent should ensure that WAL 44134 has sufficient water entitlements to account for any water that is taken from the Bluevale water source i.e., the runoff from the clean catchment upslope of the pit which will continue to be intercepted by the advancing mining operations. Sufficient water entitlements for WAL 44134 must be obtained prior to water take.
- b) The proponent must ensure that the relevant nomination of work dealing applications for WALs proposed to account for water take for the BCP have been completed prior to water take occurring.

Explanation

As is this not addressed in the documentation, this recommendation is reiterated from previous advice from DPE Water for the Modification Report (OUT21/10772, letter dated 1 October 2021).

The Submissions Report notes the post determination recommendation regarding that the proponent must ensure sufficient water entitlement is held in WAL(s) to account for the maximum predicted take for each water source prior to take occurring.

DPE Water notes that the proponent has obtained a zero share WAL (WAL 44134) within the Bluevale water source and will acquire the necessary surface water entitlements for the predicted take of water flowing into the pit and other water storages from the Bluevale water source in advance of the start of each water year.

As stated on page 11 of Attachment H for the Submissions Report and page 19 of Attachment D for the Amendment Report, clean water captured from minor watercourses (in excess of the proponent's harvestable right) and non-minor watercourses within the Bluevale Water source will require licencing. The proponent has also stated that WAL requirements will be reviewed on an annual basis as part of the annual water balance review, and share components updated as required.

2.0 Groundwater Model Peer Review

2.1 Recommendation – Prior to Determination

The proponent should provide the full independent peer review on the application of the numerical groundwater model (version 4.04) for the Modification 8 Amendment, to DPE Water for review and comment. The credentials of the principal reviewer (and any contributors) should also be provided.

Explanation

The Amendment Report refers to an independent peer review report by Louisa Rochford (University of Queensland) on the application of the Boggabri, Tarrawonga and Maules Creek Complex (BTM) Complex model for the MOD 8 Amendment but has not attached that review to the Amendment Report's Appendix C as stated.

The numerical model used to inform the groundwater impact assessment in the Amendment Report had been updated to version 4.04, since the Modification Report's exhibition (in August 2021), to include:

- the changes sought by the Modification 8 Amendment
- the Tarrawonga Mine's approved Modification 7 for a reduced open-cut mining extent – applicable to extraction simulations
- the Maules Creek Mine's approved Modification 7 for the alteration of the final landform design – applicable to recovery simulations.

The supplied review by A/Professor Claire Cote on the previous version of the model used to inform the Modification Report has therefore been superseded.

A copy of the independent peer review report, in full, is requested to demonstrate that the BTM Complex model version 4.04 is robust, reliable and fit-for-purpose as per the Australian Groundwater Modelling Guidelines and as required under the NSW Aquifer Interference Policy (2012).

End Attachment A
