

Our ref: OUT25/2091

Melissa Dunlop
Department of Planning, Housing and Infrastructure
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26 March 2025

Subject: Northern Coal Services – Cooranbong Coal Stockpile Extension Mod 4 (SSD-5145) – Modification Report

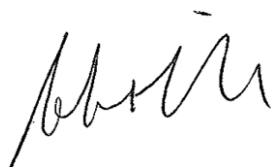
Dear Melissa Dunlop,

I refer to your request for advice dated 21 February 2025 to the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) Water Group about the above matter.

The NSW DCCEEW Water Group has reviewed the Modification report and makes recommendations in regard to water licensing. Please see Attachment A for detailed comments.

Should you have any further queries in relation to this submission please do not hesitate to contact DCCEEW Water Assessments water.assessments@dpie.nsw.gov.au.

Yours sincerely



Rob Brownbill
Manager, Water Assessments, Knowledge Division
Department of Climate Change, Energy, the Environment and Water

Attachment A

Detailed advice to Department of Planning, Housing and Infrastructure regarding the Cooranbong Coal Stockpile Extension Mod 4 (SSD-5145) – Modification Report

1.0 Water licensing

1.1 Recommendation – Prior to determination

The Department of Planning, Housing and Infrastructure (DPHI) request the proponent to:

- Quantify the maximum volume of surface water take captured in on-site dams.
- Demonstrate the ability to obtain entitlement where the water take needs to be accounted for, unless an exemption applies.
- Consider alternate water management layouts where entitlement is unable to be obtained, or a different approach is sought.

Explanation

The proposal includes the use of existing dams (ROM Stockpile Dam, Sediment Dam 1 and Sediment Dam 2) to manage runoff generated by the modification. The Surface Water Assessment (Appendix D) refers to the dams to not need to be considered for licensing as they are for the function of controlling or preventing erosion, flood detention, preventing contamination of a water source or are approved to perform specific environmental management purposes. DCCEE Water advises that whilst the Water Management (General) Regulation 2018 provides exemptions for these functions it applies only to dams located on minor streams (first and second order). The Department's hydroline mapping shows the storages are on third order watercourse, hence the exemptions do not apply. The hydroline mapping can be accessed at <https://water.dpie.nsw.gov.au/our-work/licensing-and-trade/controlled-activity-approvals/waterfront-land-e-tool/hydro-line-spatial-data>

Should the proponent be unable to demonstrate the ability to obtain sufficient entitlement where required, or is seeking a different approach, it is recommended the proponent consider alternate water management to enable the water in third order watercourses to be conveyed through the site. This could include diversions around infrastructure and in combination with dams constructed on first and second order watercourses under relevant exemptions. Further information on harvestable rights and excluded works is available at the following links:

- <https://water.dpie.nsw.gov.au/our-work/licensing-and-trade/basic-landholder-rights/harvestable-rights>
- https://water.dpie.nsw.gov.au/_data/assets/pdf_file/0008/554444/excluded-work-exemption-fact-sheet.pdf

End Attachment A