

Our ref: OUT25/8959

Brittany Golding
Planning Group
NSW Department of Planning, Housing and Infrastructure (DPHI)

Email: Brittany.Golding@planning.nsw.gov.au

22 July 2025

Subject: Boggabri Coal Mine Modification 10 (MP09_0182) – Modification Report

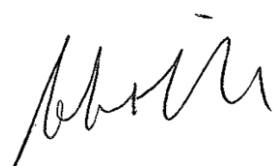
Dear Brittany Golding,

I refer to your request for advice sent on 11 June 2025 to the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) Water Group about the above matter.

NSW DCCEEW Water Group has reviewed the Modification Report and has recommendations regarding water licensing and groundwater impact management. Please see **Attachment A** for more detail.

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

Yours sincerely

A handwritten signature in black ink, appearing to read "Rob Brownbill".

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

Attachment A

Detailed advice to DPHI Planning & Assessment regarding the Boggabri Coal Mine Modification 10 – Modification Report

1.0 Groundwater impact management

1.1 Recommendation – pre-determination

Department of Planning, Housing and Infrastructure (DPHI) requests the proponent to provide a commitment that make good provisions are to be applied where cumulative impacts from BTM activities have impacted water users. This commitment is relevant to all three mines (Boggabri, Tarrawonga and Maules Creek) where they are responsible for determining how the make good provisions are to be applied for cumulative impacts.

Explanation

The implementation of make good provisions requires further clarification and commitment as to how a Boggabri Coal-alone impact will be distinguished from a BTM cumulative impact and a clear process for taking accountability for these impacts.

The groundwater impact assessment predicted impacts on 6 bores in the Gunnedah Oxley Basin Porous Rock Water Source will breach the Level 2 criteria of the NSW Aquifer Interference Policy (AIP). This impact requires the provision of make good arrangements. The groundwater impact assessment describes that make good provisions will apply where Boggabri Coal's operations have impacted the water supply of water users, however it is unclear how this is distinguished from a BTM cumulative impact and how this will be managed.

1.2 Recommendation – pre-determination

DPHI requests the proponent to provide further detail on the monitoring and Trigger Action and Response Procedure for potential impacts to High Priority Groundwater Dependent Ecosystems (GDEs), including:

- Monitoring of GDEs on Goonbri Creek and Bollol Creek and setting performance criteria.
- A response plan for exceedances of performance criteria, including measures to respond to adverse effects of the mining activities.

Explanation

High Priority Groundwater Dependent Ecosystems (GDEs) are located along Goonbri Creek and Bollol Creek to the east and south-east of the Boggabri Coal site. Cumulative drawdown at these GDEs is predicted to exceed Level 1 thresholds of a 10% cumulative drawdown under the AIP minimal impact criteria. Although these predictions are consistent with previous approvals, the monitoring and response procedures and the acceptance of responsibility between the relevant mines for each mapped GDE is not clearly defined.

A key complexity in assessing these impacts is that the mines of the BTM complex were all approved prior to the GDEs being classified as High Priority in the relevant water sharing plans. The ongoing expansion of the BTM complex continues to incrementally increase the risk of excessive drawdown at these sensitive ecosystems.

Section 12 of the groundwater impact assessment describes management and mitigation strategies for GDEs to include assessing vegetation survey transects against water level and climate data, and reporting this in the Annual Review. It is noted that there is no clear performance criteria set for GDEs or direct mitigation actions should criteria be exceeded. There is also no reference to monitoring sites of the high priority mapped GDEs along Goonbri Creek and Bollol Creek.

Further clarification is requested from the proponent on how GDE monitoring and management is to be addressed with reference made to Boggabri Coal's conditions of approval which require trigger levels for investigating adverse groundwater impacts and a plan to respond to any exceedances of performance criteria.

2.0 Water licensing

2.1 Recommendation – pre-determination

DPHI requests the proponent to provide a summary table which:

- Confirms the maximum annual water take from each water source.
- Identifies which Water Access Licences and/or options to obtain additional entitlement are to be used to account for this water take.

Explanation

The maximum water take from each water source is unclear as the volumes appear to be split among various reports and tables. A summary is requested which details the maximum take from all impacted water sources and the water entitlements held to account for this water take. It is also unclear where take from connected water sources is relevant and if this has been included in the information provided. The summary table should also specify where the water take is required to meet site water demands, or whether its due to inflows into the void and any connected water sources.

Where take volumes are higher than held entitlement, the proponent must demonstrate sufficient entitlement can be obtained prior to take occurring.

2.2 Recommendation – post-determination

DPHI request the proponent to ensure sufficient entitlement is held in a Water Access Licence to account for the maximum predicted water take prior to the water take occurring.

Explanation

The proponent holds insufficient entitlement to account for maximum water take in the Bluevale Water Source and the Upper Namoi Zone 4 Water Source. For both sources it is proposed that they would temporarily trade should there be a shortfall held entitlement. Whilst the proponent has indicated the potential ability to account for water take that exceeds held entitlement, based on previous experiences with carry over and temporary

trades, this does represent a risk. The risk is due to the assumption that sufficient water allocation will be available for purchase when required or that carry over water allocations will be sufficient.

2.3 Recommendation – post-determination

DPHI request the proponent to review licences and approvals held under water legislation and ensure records are up to date in relevant management plans and reports.

Explanation

The proponent has incorrectly listed two flood works as production bores, 90FW833717 and 90FW834023, in Appendix B of the Groundwater Impact Assessment. The proponent should review held licences and approvals to ensure these are corrected in management plans and other prepared reports.

End Attachment A