



## Department of Primary Industries

OUT16/24451

Mr Thomas Watt  
Resource Assessments  
NSW Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Thomas.watt@planning.nsw.gov.au

Dear Mr Thomas Watt

**Mount Owens Continued Operations Project (SSD 5850)  
Comment on the Response to Planning Assessment Commission Review Report**

I refer to your email dated 1 June 2016 to the Department of Primary Industries requesting comment on the above matter. Comment has been sought from relevant divisions of DPI. Any further referrals to DPI can be sent by email to [landuse.enquiries@dpi.nsw.gov.au](mailto:landuse.enquiries@dpi.nsw.gov.au).

DPI has reviewed the response and provides the following comments and recommendations:

- With reference to Figure 6.1 *Conceptual Final Landform Water Licensing and Accounting Framework*, DPI Water advises that stock and domestic dams built prior to 1 January 1999 and dams less than 1 Megalitre (ML) on a property approved for subdivision prior to 1 January 1999 must be included in calculations of Maximum Harvestable Right when calculating licensing requirements and additional storage construction. The proponent should clarify whether this has been accounted for in the licensing requirements as detailed in Table 2.7 in Appendix 6.
- Table 2.7 of Appendix 6 indicates that the proponent holds 450 ML in the Glennies Creek Water Source of the *Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources*. Review of water access licences (WALs) in this water source and discussions with the proponent have shown for this to be incorrect, and this information to have been based on an incorrectly converted WAL (WAL 17999) previously held by Glennies Creek Coal Management, which has recently been purchased by Glencore.
- DPI is unable to confirm the licensing requirements or ability within the Glennies Creek Water Source without further information and recommends the proponent arrange to meet with DPI Water (Newcastle office). DPI notes that there is limited potential for trade within this water source, and the Water Sharing Plan does not allow for any trading into this water source nor any change of category.
- It is noted that Table 2.7 of Appendix 6 indicates that 47 ML is required to be purchased from the Jerrys Water Source of the *Water Sharing Plan for the Hunter Unregulated and Alluvial Water Source*. DPI Water advises that there is likely sufficient market depth to

provide for this trade as there are 2097 shares of unregulated category entitlement in this water source across 19 licences.

- With respect to impacts to groundwater sources and groundwater dependent ecosystems DPI Water is satisfied with the proponent's response to the PAC's comments and recommendations.

The proponent should contact Graeme White, Manager Assessments to arrange a meeting. Mr White can be contacted on (02) 9934 0806 or [Graeme.White@dpi.nsw.gov.au](mailto:Graeme.White@dpi.nsw.gov.au).

Yours sincerely



Mitchell Isaacs

**Director, Planning Policy & Assessment Advice**

28 June 2016