



Department of Primary Industries

OUT16/11626

Mr Matthew Sprott
Resource Assessments
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Matthew.Sprott@planning.nsw.gov.au

Dear Mr Sprott,

**Mount Owen Continued Operations Project (SSD 13_5850)
Planning Assessment Commission Request for DPI Water Advice**

I refer to your email dated 2 March 2016 to the Department of Primary Industries requesting DPI Water advice in respect to the above matter.

Comment by DPI Water

DPI Water has reviewed the Planning Assessment Commission's review report and provides the following advice on recommendation 16 of the report.

DPI Water notes the further response provided by the proponent in November 2015 addressing the concerns outlined by DPI Water following Response to Submissions. DPI Water accepts there may be reasons for some dams remaining in the final landform, including final land use and environmental purposes, however some of the assumptions related to how these dams will be appropriately accounted for or licensed require further consideration.

- The water accounting approach for dams in the final landform presented by the proponent only includes water use from the dam, including stock watering and evaporative water losses. DPI Water requires the total volume of dams to be accounted for, rather than just the stock watering and evaporative losses. DPI Water notes that the surface area of dams to remain is calculated by the proponent as approximately 47.8 hectares in total. It is likely that the total volume of the dams currently proposed to remain in the Jerry's Water Source will still exceed the 200ML of entitlement held and the proponent's harvestable right combined.
- In previous correspondence DPI Water requested that where the water captured by dams is intended to be accounted through harvestable rights, consideration should be given to the final ownership of the land to ensure the dams will be within the maximum harvestable right, or otherwise licensed or decommissioned. The proponent has not provided information to address

this. The proponent calculates their harvestable right based on their current total landholding of 4913 hectares and has not provided information on the likely ownership of land following rehabilitation of the mine, including any breaking up of land ownership as part of the proposed future land use and how this may impact on the legality of dams remaining in the landscape.

DPI Water notes that Mt Owen makes a general statement committing to remove any dams that cannot be appropriately licensed. The proponent also states that it is likely that many of the sediment dams included in the estimate will be removed as part of the mine closure process and development of a final landform sympathetic with the surrounding topography.

Further design of the final landform water management system should be included in Water Management Plans for consideration of DPI Water. This should include specific consideration of individual dams, their specific purpose, their capacity, and under what mechanism they are proposed to be accounted for.

For further information contact Brendan Mee, Water Regulation Officer, (Newcastle Office) on (02) 4904 2524 or at brendan.mee@water.nsw.gov.au.

Yours sincerely



Mitchell Isaacs

Director, Planning Policy & Assessment Advice

07/03/2016