

MINING, EXPLORATION & GEOSCIENCE

Department of Regional NSW



RDOC23/291554

31 January 2024

Lauren Clear
Department of Planning, Housing and Infrastructure
lauren.clear@dpie.nsw.gov.au
Via: Major Projects Portal

ADVICE RESPONSE: Muswellbrook Pumped Hydro Energy Storage Project

Stage: Advice on Secretary's Environmental Assessment Requirements

Development Application: SSD-65797725

Dear Ms. Clear

I refer to your correspondence dated 13 December 2023 inviting the Department of Regional NSW – Mining, Exploration & Geoscience (MEG) (incl. the Resources Regulator) to provide comments on the Muswellbrook Pumped Hydro Energy Storage Project (the Project) submitted by Muswellbrook Pumped Hydro Pty Ltd (the Proponent).

MEG has reviewed the information supplied in relation to this Project.

MEG notes the proposed Muswellbrook Pumped Hydro project covers part of three coal mine leases (CCL 713 and ML's: 1304 and 1562) associated with the current rehabilitation and closure plans for the Muswellbrook Coal Company Ltd mine site.

Please refer to NSW Resources Regulator advice and detailed requirements in Attachment A, which is addition to the draft SEARs.

For further advice on this matter, please contact Sarah Maiorana, Project Officer, Industry Advisory & Mining Concierge unit - Industry Development branch on 02 4063 6860 or mining.concierge@regional.nsw.gov.au.

Sincerely



Scott Anson

Manager Industry Advisory & Mining Concierge
Industry Development
Department of Regional NSW – Mining, Exploration & Geoscience

for

Tony Linnane

Executive Director Strategy, Performance & Industry Development
Department of Regional NSW – Mining, Exploration & Geoscience

ATTACHMENT A

Resources Regulator

Department of Regional NSW



Tuesday, 30 January 2024

Lauren Clear
Department of Planning & Environment
lauren.clear@dpie.nsw.gov.au

Via: Major Projects Portal

Dear Ms Clear,

I refer to the request for SEARs for the Muswellbrook Pumped Hydro Energy Storage Project (the Project) submitted to the Resources Regulator on 13 December 2023 (SSD65797725). The Resources Regulator has reviewed the request. Based on the review of the Scoping Report – Muswellbrook Pumped Hydro Energy Storage Project (December 2023), aspects of the proposal will be situated within the currently approved Muswellbrook Coal Mine. As such, the Environmental Impact Statement will need to address the issues as outlined below.

- It is noted that the Project will require a change to the currently approved final land use as specified in the development consent and rehabilitation outcomes documents approved under the mining leases associated with the Muswellbrook Coal Mine. As such the EIS will need to clearly describe the revised rehabilitation objectives and rehabilitation completion criteria to be achieved by the title holder in relation to any retained infrastructure and or disturbance areas to be utilised by the Project. This will be used as the basis by the Resources Regulator to assess whether rehabilitation obligations under the mining lease have been achieved as part of the lease relinquishment process prior to commencement of the Project (if approved).
- Whilst the Resources Regulator encourages the beneficial re-use of mined land, the EIS will need to describe how any potential post-mining constraints and or residual risks will be effectively managed by the Project. Specific issues to be addressed for the proposed infrastructure and or disturbance areas proposed to be utilised by the Project are outlined below.

- Muswellbrook Coal Mine Pit 2 Void – as the void is proposed as the lower reservoir for the Pumped Hydro Energy Storage (PHES), information is required on whether the slope stability design will take into account the potential for rapid draw-down and subsequent rise of the pit-lake and what actions will be required to ensure the long term stability of the voids.
- Muswellbrook Coal Mine Pit 1 Void – as the void is proposed to be used as an area to emplace excess spoil material from the Project (e.g. disposal of excess spoil from the upper reservoir pit), information is required in relation to potential implications on void landform stability, final pit water levels, revegetation outcome and timing for completing the rehabilitation of the voids.
- Potential construction of transmission lines across previously disturbed mine areas – information is required in relation to potential impacts to existing and planned rehabilitation areas.
- Utilisation of existing mine infrastructure – information is required in relation to the range of infrastructure (e.g. buildings, roads etc.) that may be utilised by the Project in order to support that these facilities be retained as part of the final rehabilitation of Muswellbrook Coal Mine.

BACKGROUND

The Mining Act Inspectorate within the Resources Regulator undertake risk-based compliance and enforcement activities in relation to obligations under the *Mining Act 1992*. This includes undertaking assessment and compliance activities in relation to mine rehabilitation activities and determination of security deposits.

CONTACT

Should you require any further information or clarification, please contact the Regulator on 1300 814 609 (Press Option 2 Press Option 5) or email nswresourcesregulator@service-now.com.

Yours sincerely,



Matthew Newton

Principal Inspector Environment & Rehabilitation Operations
Resources Regulator