



Department of Primary Industries

OUT14/16822

Ms Sophie Butcher
Mining Projects
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

- 1 JUL 2014

Sophie.Butcher@planning.nsw.gov.au

Dear Ms Butcher,

**Chain Valley Colliery (SSD_5464 Mod 1) and
Manning Colliery (MP06_0311 Mod 2)
Proposed Modification**

I refer to your email dated 3 June 2014 requesting advice from the Department of Primary Industries (DPI) in respect to the above matter.

Comment by NSW Office of Water

The NSW Office of Water has reviewed the Statement of Environmental Effects (SEE) for the proposed Chain Valley Colliery Modification and the Environmental Assessment for the Manning Colliery modification.

NOW is satisfied that:

- the reports have adequately addressed the potential impacts on water resources
- the proponent holds licences with sufficient entitlement to account for the water take.

NSW Office of Water Licence Requirements are provided in Attachment A.

For further information please contact Hemantha Desilva, Senior Water Regulation Officer (Newcastle Office) on 4904 2525 or at hemantha.desilva@water.nsw.gov.au

Agriculture NSW and Fisheries NSW advise no issues.

Yours sincerely

Kristian Holz
Director Policy, Legislation and Innovation

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Attachment A

Chain Valley Colliery (SSD_5464) Proposed Modification NSW Office of Water Licence Requirements

Water Act 1912

- Monitoring bores require licensing under Part 5 of the *Water Act 1912* unless the bores meet the criteria for exempt monitoring bores as defined in the *Water Management (General) Regulation 2011*.
- Flood control works require licensing under Part 8 of the *Water Act 1912*.

Application forms for licences and approvals are available on the intranet at www.water.nsw.gov.au/Water-licensing/Applications-and-fees/Applications/default.aspx

Water Management Act 2000

- An access licence nominated to a water supply work is required to take from any water source managed under the *Water Management Act 2000* (WMA).
- Exemptions for access licences are provided in Clause 18 and the Schedule 5 of the *Water Management (General) Regulation 2011*.
www.legislation.nsw.gov.au/maintop/view/inforce/subordleg+469+2011+cd+0+N
- Section 54 of the WMA provides details on harvestable rights.
- Requirements for access licence dealings are provided in the following documents:
 - Section 71 of WMA
 - Access Licence Dealing Principles
www.legislation.nsw.gov.au/maintop/view/inforce/subordleg+433+2004+cd+0+N
 - Access licence dealing rules of the relevant water sharing plan

Application forms for access licence and access licence dealings are available on the intranet at www.water.nsw.gov.au/Water-licensing/Applications-and-fees/Applications/default.aspx

End Attachment A