

OUT17/44831

Mr Paul Freeman  
Resource Assessments  
NSW Department of Planning and Environment

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Dear Mr Freeman

**Moolarben Coal Project (MP 05\_0117 MOD 14 & MP 08\_0135 MOD 3)  
Comment on the Environmental Assessment (EA)**

I refer to your email of 6 November 2017 to the Department of Industry in respect to the above matter. Comment has been sought from relevant branches of Crown Lands & Water and Department of Primary Industries.

Any further referrals to Department of Industry can be sent by email to [landuse.enquiries@dpi.nsw.gov.au](mailto:landuse.enquiries@dpi.nsw.gov.au).

The department has reviewed the EA and provides the following recommendations:

- The proponent should demonstrate that all ongoing significant impacts to potential agricultural land can be mitigated and rehabilitated.
- The proponent should note that prior to commencement of any works or occupation of Crown Land or Crown roads, consent of the Minister for lands and Forestry must be obtained.
- The increase in baseflow loss from Moolarben Creek should be accounted for via a Water Access License from the Upper Goulburn River Water source.
- The proponent should provide further details regarding the impacts of this loss of baseflow on the alluvial aquifer and the corresponding groundwater dependent ecosystems.
- The proponent should provide a table showing proposed take of water from each water source that compares approved and proposed operations. This should be presented with figures relevant to the assessment of Moolarben Coal 1 Mod 12 and Moolarben Coal 2 Mod 2. This is important to understand the groundwater model update.
- The proponent should provide the Construction and lithology logs for PZ003. This bore is the main source of representative data for the Moolarben Creek alluvium.
- The proponent should confirm whether the isolated palaeochannel has been included in the updated groundwater model for the proposed modification. If the palaeochannel has been excluded evidence should be provided to justify that the palaeochannel is hydrologically isolated from the Moolarben Creek and Quaternary alluvial aquifer. This is important to provide confidence in the updated groundwater model for predicting the impacts from the proposed modification and for estimating take of water from each relevant water source.

- The groundwater monitoring plan for the site should be expanded to include additional alluvial groundwater observation bores within the Moolarben Creek alluvium and isolated palaeochannel valley downgradient from the proposed modification of OC2 and OC3 pit extensions and surface modifications.
- The groundwater assessment indicated that the proposed modification would result in a negligible increase in mine water take. The proponent should provide information regarding the refinements to justify the assumed increase in surplus water.
- The proponent should provide clear schematics or a higher resolution map showing the footprint of the proposed OC2 and OC3 pit extensions and surface developments in the vicinity of Moolarben Creek and the isolated palaeochannel. The proponent should provide clear identification of any proposed works that will impact the Moolarben Creek, tributaries or palaeochannel. More details are required to assess the potential impact of surface developments on Moolarben Creek and the palaeochannel.
- The proponent should provide high resolution maps showing the proposed out-of-pit and temporary waste rock placement, in particular at the surface works area between OC2 and OC3 across Moolarben Creek.
- Moolarben Coal on 7 December 2017 submitted an updated Surface Water Management Plan and Groundwater Management Plan for consultation. It is understood that additional drilling was undertaken to inform these plans and includes updated recorded baseline monitoring water datasets. The proponent should confirm whether this information was also used to update the groundwater model.
- The following should be included as conditions of consent in the event of project approval:
  - The following plans must be developed/updated in consultation with Crown Lands & Water Division (water.referrals@dpi.nsw.gov.au):
    - Water Management Plan
    - Biodiversity Management Plan
    - Construction Environmental Management Plan (Pipeline)
    - Detailed design of the outlet structure and associated scour and erosion protection controls.
  - All works must be undertaken in accordance with Guidelines for Controlled Activities on Waterfront Land (2012) - <http://www.water.nsw.gov.au/water-licensing/approvals/controlled-activity>.

Yours sincerely



Graeme White  
**Manager, Assessment Advice**  
 12 December 2017