



Department of Primary Industries

OUT15/12520

Mr Matthew Riley
Mining Projects
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Matthew.Riley@planning.nsw.gov.au

Dear Mr Riley,

Werris Creek Coal Mine (PA10_0059 Mod 2) Proposed Modification

I refer to your email dated 23 April 2015 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 (Office of Water) has reviewed the modification for the Werris Creek Coal Mine and provides the following comments.

Irrigation of Void Water

The Office of Water understands Werris Creek Coal (WCC) will reach storage capacity of the existing void water dams on the mine site in the near future, and propose to provide surplus void water for agricultural purposes to neighbouring properties. The void water is currently pumped to the void water dams on site and used for on-site purposes such as dust suppression or allowed to evaporate. The water balance model included in the environmental assessment (EA) predicts the volume of void water generated could exceed the capacity of the void water dams (714 ML) under median and high rainfall scenarios.

WCC have been approached by adjoining landholders with respect to obtaining the water from the mine site for agricultural purposes. It is understood at this stage, no specified location has been identified for this purpose.

The EA outlines a contract would be reached between the irrigator and WCC, however all responsibilities associated with irrigating the void water would lie with the irrigator, including obtaining the relevant licences or approvals.

There are a number of licencing implications regarding the provision of this void water to third parties. The irrigator may require a use approval under the *Water*

Management Act 2000 to use the void water for irrigation, if they don't hold an existing combined or use approval. WCC hold a groundwater water access licence with a volume of 211 ML. The Office of Water would expect the extraction of the void water for irrigation to be metered to ensure water is not being extracted over the licenced volume. Existing licences may need to be amended to ensure appropriate monitoring and reporting.

The Office of Water suggests that when the details of this irrigation proposal are finalised WCC seeks to meet with Water Regulation staff from the Office of Water to determine the specific licensing requirements associated with this proposal.

Water Quality

The discharge of water from mining activities is administered by the Environmental Protection Authority (EPA) under the *Protection of the Environment Operations Act 1995*. Any approval to discharge effluent water (mine void water) would be granted by the EPA.

The Office of Water seeks to ensure that potential for pollution by mine void water of groundwater and surface water is minimised.

The Office of Water recommends appropriate monitoring of the underlying aquifer to ensure that the beneficial use is not altered should the water percolate to the groundwater affecting the quality. It is difficult for the Office of Water to provide detailed comments at this stage, however further comments may be provided on the potential impacts to water quality once the exact site for irrigation is known by the proponent. The Office of Water may also have specific management requirements in relation to this issue.

For further information please contact Christie Jackson, Water Regulation Officer, (Tamworth office) on (02) 6701 9652 or at christie.jackson@water.nsw.gov.au.

Comment by Office of Agricultural Sustainability & Food Security

In accordance with procedures for mining projects that affect agricultural lands the Office of Agricultural Sustainability & Food Security will respond direct to your Department.

For further information please contact Rob Williamson, Leader Land Use Planning (Orange office) on 6391 3166, or at rob.williamson@dpi.nsw.gov.au.

Yours sincerely



Kristian Holz
Director Policy, Legislation and Innovation