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File No. EF15/19770  
Our Ref. DOC16/195023

Mr Jessie Evans  
Resource Assessments  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Mr Evans

**Re: Wambo (South) Mine PART 3A Modification 12 (DA 305-7-2003 MOD 12) .**

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The Heritage Division of the Office of the Environment & Heritage (OEH) as Delegate of the NSW Heritage Council received a letter on the 22 April 2016 referring the Wambo South Underground Mine Modifications Environmental Assessment (EA) (herein referred to as the 'Project') for comment. The following documents were reviewed by the Heritage Division in providing this comment:

- South Wambo Underground Mine Modification Environmental Assessment, prepared by Peabody Energy dated April 2016; and
- Appendix F: Cultural Heritage Impact Assessment South Wambo Underground Mine Modification, prepared by RPS dated March 2016.

Based on the above documentation the following comments and recommended conditions of approval are provided:

The Cultural Heritage Impact Assessment (CHIA) identifies two items of environmental heritage within the impact area for the proposed mine extension. This include a locally significant item referred to as the 'Abandoned Stony Creek Cottage Site', first identified by EJE Architecture in 2003 and not identified on the Heritage Schedule of the Singleton Local Environmental Plan (LEP). The second item is the 'Wambo Homestead' which is listed on the NSW State Heritage Register (SHR 00200).

The CHIA argues because the 'Abandoned Stony Creek Cottage Site' is of *'minor local significance it will not be further considered in the impact assessment'*. This argument is not supported by the Heritage Council. If an item has been assessed against the significance criteria and determined to retain local heritage significance, it should be managed according to that significance.

The CHIA states the Wambo Homestead (SHR #00200) is located 200m outside the proposed long-walls and current engineering advice predicts *'there would be no change in the currently approved subsidence parameters for the main homestead, and other buildings...as a result of the modification'* (MSEC 206:86). However the CHIA also states the predicted vertical subsidence for the mounting yard and horse boxes will be 30mm and 60mm respectively. Because these elements are timber framed MSEC considers they are unlikely to experience adverse impacts and on that basis the EA does not recommend any additional methods of mitigation are necessary for this item.

The CHIA also contains no assessment of whether the heritage values of the Wambo Homestead would be further affected by the subsidence stated by the MSEC report. It is recommended that the DPE require the CHIA and EA be revised to include advice of a suitably qualified heritage architect and structural engineer as outlined below to address the lack of this information. It is considered this is important in understanding the cumulative impact to the Wambo Homestead as a result of these increased subsidence levels.

The Heritage Council notes that the existing Conservation Management Plan prepared by GML Heritage dated 2013 has not been endorsed by the Heritage Council of NSW. This appears to be in contradiction

of existing conditions of approval issued under the *Heritage Act 1977*. Conservation Management Plans are considered a key document necessary for the long term management and conservation of items of the environmental heritage. The Heritage Council recommends a condition to address this continuing lack of a CMP under the current modification.

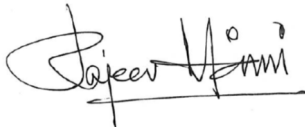
**Prior to Approval of this Application, the Heritage Council recommends** that the CHIA and EA be revised to include advice of a suitably qualified heritage architect and structural engineer to consider the existing state of the Wambo Homestead, the recent MSEC 2016 assessment and provide written advice to DPE to clarify what the additional subsidence may mean to the fabric of this state significant heritage item. This advice should also consider the existing and known impacts from the previously approved Wambo Longwall coal mining approvals. If necessary additional mitigation measures should be identified in this advice to DPE. Based on this response additional mitigation may be necessary for the Wambo Homestead as a result of the extension of the Wambo underground coal mine to the South of the existing approval zones.

The Heritage Council recommends two conditions be included in the Project Approval to address the above discussed matters:

- i. The Applicant should include a statement of heritage impact for 'Abandoned Stony Creek Cottage Site' with advice on its existing structural condition and integrity and provisions to mitigate the harm of subsidence through the long wall extensions to this heritage item. This may involve stabilisation, recording and/or monitoring activities.
- ii. The Applicant shall seek and obtain the endorsement of a Conservation Management Plan from the Heritage Council of NSW for 'Wambo Homestead' within a period of 12 months of the date of approval.

Should you have any queries, please contact Felicity Barry, Senior Archaeologist, at the Heritage Division, Office of Environment and Heritage on telephone (02) 9995 6914 or via email to [Felicity.Barry@environment.nsw.gov.au](mailto:Felicity.Barry@environment.nsw.gov.au).

Yours sincerely



**Rajeev Maini**  
Acting Manager, Conservation  
Heritage Division  
Office of Environment and Heritage  
**AS DELEGATE OF THE NSW HERITAGE COUNCIL OF NSW**  
12 May 2016