



Office of Environment & Heritage

Your reference:
Our reference:
Contact:

DOC13/26836
Erica Baigent
(02) 68835311

Sara Wilson
Assessment Officer
Major Projects Assessment
Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2011

Dear Ms Wilson

RE: Modification to the Moolarben Coal Mine Stage 1 Project (05_0117 MOD 9)

I refer to your email dated 5 June 2013 seeking comment from the Office of Environment and Heritage on the exhibited Environmental Assessment (EA) for the Moolarben Coal Mine Stage 1 Optimisation Modification.

Biodiversity

OEH review of the documents supplied has identified several issues of concern, relating to:

- Assessment of cumulative impacts;
- Assessment and mitigation of threatened species impacts;
- Details and justification of avoidance measures;
- Calculations and justification of offset requirements; and
- The adequacy of the proposed offset strategy.

Details of the full range of outstanding matters identified during the OEH review of the biodiversity components of the EA, including recommendations are included in Attachment 1.

The environmental assessment documents for this proposal indicate that the project will impact on over 171ha of native vegetation, including one Endangered Ecological Community and known or potential habitat for 43 threatened species. This includes predicted significant impacts for one EEC and at least two threatened fauna species.

If the proposal proceeds, adequate avoidance, mitigation and offsetting measures will be essential and must be commensurate with the impacts. For the reasons set out in Attachment 1, and in accordance with OEH policy, OEH is not yet satisfied with these measures as proposed by the Proponent.

In particular, whilst there are aspects of the current compensatory measures that may be supported by OEH, the current extent of these measures have not yet been adequately justified in light of the significance of the impacts predicted.

Aboriginal Cultural Heritage (ACH)

Further information is required from the proponent regarding the community consultation undertaken. The proponent must demonstrate that all Registered Aboriginal Parties have been consulted and that any community comments have been responded to. Further detail is included in Attachment 2.

If you have any questions regarding this submission please contact Erica Baigent, Conservation Planning Officer on 02 6883 5311 or via erica.baigent@environment.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'P. Christie'.

PETER CHRISTIE
Regional Manager, North West
Regional Operations Group

3 July 2012

Attachment 1. Biodiversity
Attachment 2. Aboriginal Cultural Heritage