

HUNTER VALLEY OPERATIONS

12 June 2020

James Epstein
Senior Compliance Officer
Department of Planning, Infrastructure & Environment (DPIE)
PO BOX 3145
Singleton NSW 2330

Dear James

Hunter Valley Operations Management Plan Consultation

We refer to requirements of Schedule 5, Condition 3 of the HVO North Approval (DA 450-10-2003) and Schedule 5, Condition 1C of the HVO South Approval (PA_060261), which permit revision of HVO's Strategies, Plans or Programs without undertaking consultation with all parties nominated under the applicable approval condition should the Secretary agree and provide approval for this to occur.

As per previous correspondence dated 22 May 2020 with regards to HVO's Management Plan Status, HVO is currently in the process of revising several of these Plans and Strategies with the proposed submission date of 5 July 2020. As such, HVO is seeking the Secretary's approval to revise the following plans detailed in the table below without undertaking consultation based on the justification provided.

Approval Condition Requiring consultation	Management Plan under Revision	Justification for consultation not being needed on current revision of the Plan
PA06_0261 and DA 450-10-2003 - Schedule 3, Condition 27	HVO Water Management Plan (WMP)	<p>HVO interprets the requirement to consult with CLWD/DPI Water to be conducted during the initial development of Management Plan or as required following significant changes.</p> <p>On 29 May 2017 DPI Water were provided with a copy of the WMP and were asked to provide any comments for HVO to consider, and where appropriate, incorporate into the WMP. In a letter dated 6 December 2017, Department of Industry- Crown lands and Water Division (formerly DPI-Water), provided a list of comments to enhance understanding of the WMP. The WMP has previously been updated and approved to reflect the comments received.</p>

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		<p>The EPA has previously advised they do not review management plans and as such a copy will not be provided to them for review.</p> <p>As such HVO believes that consultation requirements have been addressed for the Water Management Plan and is not required for the next revision.</p>
DA 450-10-2003. Schedule 3 Condition 28A	HVO Fine Reject Management Strategy	<p>HVO interprets the requirement to consult with all stakeholders to be conducted during the initial development of Management Plan or as required following significant changes.</p> <p>The Fine Reject Management Strategy is being revised to reflect seepage management measures for the North Void TSF and subsequent change this has caused to the deposition strategy for other TSF's. These management measures will reflect recommendations arising from groundwater modelling, seepage management options and a capping strategy reported to the EPA as part of a Pollution Reduction Programme. EPA have coordinated a government stakeholder group to receive input on management options including Resource Regulator, DPIE and NRAR. HVO are expecting feedback from EPA by end of July 2020 which reflects a combined response from these agencies. As a result HVO do not intend to conduct additional consultation with these agencies.</p>
DA 450-10-2003. Schedule 3 Condition 62C. PA 06_0261 Schedule 3 Condition 36.	Mining Operations Plan (Incorporating the HVO South Rehabilitation and Landscape Management Plan and the HVO North Rehabilitation Management Plan).	<p>HVO interprets the requirement to consult with all stakeholders to be conducted during the initial development of the Management Plan or as required following significant changes.</p> <p>The revision of this MOP does not involve material changes to rehabilitation, disturbance or landforms. The changes are to combine the two MOPs into one and address matters raised by the Resource Regulator during approval of the previous version and within their S240 notice. The matters include re-mapping the rehabilitation phases, outlining maintenance programmes, revising completion criteria and revising monitoring methodology.</p> <p>HVO will provide the revised MOP to the Resource Regulator for approval and also to DPIE. For reasons described above we do not intend to seek consultation with other stakeholders such as Council, CCC, CLWD/DPI Water and OEH. Noting HVO has communicated the MOP revision to the HVO CCC via CCC meetings, and will</p>

		continue to keep them updated.
DA 450-10-2003 Schedule 3 Condition 31. PA06_0261 Schedule 3 Condition 30.	HVO River Red Gum Rehabilitation & Restoration Strategy.	<p>The River Red Gum Rehabilitation and Restoration Strategy has been updated to incorporate the results of the five and ten year monitoring programme. It is proposed that the approved monitoring and the management activities will continue to be implemented to encourage regeneration of native species within the Carrington Billabong and identified priority areas.</p> <p>The goals and objectives of the previous Strategy have been adopted in the updated version and will continue to be assessed until the objectives have shown to be met consistently across monitoring events.</p> <p>The (now) Division of Biodiversity and Conservation were involved in the original consultation during the preparation of the Strategy. HVO intends to consult the updated Strategy only with the Division of Biodiversity and Conservation as they have expressed an interest in examining the results of the monitoring to date.</p> <p>As minimal changes have occurred with respect to the management activities and the Strategy is primarily on vegetation management, HVO does not intend to consult with DPIE – Crown Lands or DPIE – Water prior to submitting the revised document to the Secretary.</p>

If you wish to discuss further, please do not hesitate to contact me on (02) 6570 0497.

Yours sincerely



Andrew Speechly

Manager Environment and Community