



DOC18/56565
MP 07_0087 MOD 4

Mr Jack Murphy
Environmental Assessment Officer – Resource Assessments
Department of Planning & Environment
jack.murphy@planning.nsw.gov.au

Dear Jack

OEH Review of Environmental Assessment: Bloomfield Colliery Life of Mine Extension – Modification 4 (MP 07_0087 MOD 4) – Cessnock City Council LGA

I refer to your e-mail dated 1 February 2018, seeking comments on the Environmental Assessment (EA) for Modification 4 to the Bloomfield Colliery (MP 07_0087 MOD 4), near East Maitland, in the Cessnock City local government area. OEH has reviewed the relevant appendices and relevant parts of the document titled '*Environmental Assessment: Bloomfield Colliery – Life of Extension, MOD 4*' (prepared by AECOM Australia Pty Limited and dated 17 January 2018) in relation to Aboriginal cultural heritage, flood risk, and impacts on biodiversity.

OEH's recommendations are provided in **Attachment A** and detailed comments are provided in **Attachment B**. If you require any further information regarding this matter, please contact Steven Cox, Senior Team Leader Planning, on 4927 3140.

Yours sincerely

5th March 2018

SHARON MOLLOY
Director Hunter Central Coast Branch
Regional Operations Division

5 March 2018

Contact officer: STEVEN COX
02 4927 3140

Enclosure: Attachments A and B

OEH's recommendations

Bloomfield Colliery Life of Mine Extension - Modification 4 (MP 07_0087 MOD 4)

1. OEH is satisfied with the biodiversity assessment provided and no further assessment is required.
2. OEH recommends that a condition of consent is included which requires the proponent to retire the credits listed in the credit profile in Appendix D, in accordance with the Framework for Biodiversity Assessment.
3. OEH is satisfied with the Aboriginal cultural heritage assessment and no further assessment is required.
4. OEH recommends that the approved Aboriginal Cultural Heritage Management Plan (27 May 2010) for the Bloomfield Colliery be revised and updated to reflect Modification 4 (MP 07_0087 MOD 4).
5. OEH recommends that a fit-for-purpose flood impact assessment be undertaken to quantify adverse off-site impacts. This assessment should identify potential off-site receivers by considering discharge points and distance to property boundaries.

OEH's detailed comments

Bloomfield Colliery Life of Mine Extension - Modification 4 (MP 07_0087 MOD 4)

Biodiversity

1. OEH is satisfied with the biodiversity assessment

The proposal will impact on approximately 3.5 hectares of vegetation for the purposes of widening a haul road, of which 3.2 hectares is described as non-native vegetation dominated by exotic grasses (predominantly *Chloris gayana*) and scattered regenerating shrubs and eucalypts (including *Corymbia*). This vegetation has been assessed as having a site value score of less than 17 and as such requires no further assessment or offsetting under the Framework for Biodiversity Assessment (FBA).

The remaining 0.3 hectares is described as native vegetation represented by two Plant Community Types (PCT): (i) PCT 1590 *Spotted Gum – Broad-leaved Mahogany – Red Ironbark shrubby open forest* (0.05 hectares) and (ii) PCT 1592 *Spotted Gum – Red Ironbark – Grey Gum – grassy open forest of the Lower Hunter* (0.29 hectares). OEH has reviewed the Biodiversity Assessment Report with respect to the impact to the above PCTs and is satisfied with the biodiversity assessment. The proposal requires the retirement of 10 'ecosystem credits' (as per 'Credit Profile' in Appendix D).

Recommendation 1

OEH is satisfied with the biodiversity assessment provided and no further assessment is required.

2. OEH recommends appropriate offsetting be incorporated into the conditions of consent

OEH notes that the proposal requires the retirement of 10 ecosystem credits, namely 1 credit equivalent to PCT 1590 and 9 credits equivalent to PCT 1592. The proponent has included a Biodiversity Offset Strategy (BOS, within Appendix D), which states these 10 credits will be retired via:

- purchase of 'like-for-like' credits from a registered biobanking / stewardship site
- purchase of credits under the variation rules from a registered biobanking / stewardship site, if 'like-for-like' cannot be achieved
- payment into the Biodiversity Conservation Trust or
- other suitable supplementary measures.

OEH is satisfied with the BOS and proposed offset mechanisms, given they are in accordance with the FBA. OEH recommends that DP&E include a condition of consent, if they approve the proposal, to retire 10 ecosystem credits in accordance with the FBA.

Recommendation 2

OEH recommends that a condition of consent is included which requires the proponent to retire the credits listed in the credit profile in Appendix D, in accordance with the Framework for Biodiversity Assessment.

Aboriginal Cultural Heritage

3. OEH is satisfied with the Aboriginal cultural heritage assessment provided

OEH considers that the existing Aboriginal cultural heritage management measures will continue to adequately manage potential impacts to Aboriginal heritage within the Bloomfield Colliery.

Recommendation 3

OEH is satisfied with the Aboriginal cultural heritage assessment and no further assessment is required.

4. The approved Heritage Management Plan should be updated

All mining operations will continue to be undertaken in accordance with the approved Aboriginal Cultural Heritage Management Plan (ACHMP), including ongoing and continuous consultation with the registered Aboriginal parties identified in the ACHMP. OEH also notes that blast monitoring will continue to be conducted to confirm that air blast and ground vibrations level meet the established criteria with respect to protecting and preserving Aboriginal cultural heritage within the mine complex.

Recommendation 4

OEH recommends that the approved Aboriginal Cultural Heritage Management Plan (27 May 2010) for the Bloomfield Colliery be revised and updated to reflect Modification 4 (MP 07_0087 MOD 4).

Flooding and Flood Risk

5. The planning proposal does not adequately address adverse off-site flood impacts

The planning proposal has the potential for adverse localised flooding impacts. The proposal seeks to modify the final landform such that the Buttai Creek catchment will increase in size by 41 hectares and Four Mile Creeks by 10 hectares. It is acknowledged that the proposed catchment area changes are small in the context of the wider catchments and are unlikely to have significant impacts on Wallis Creek's lower flood storage areas. However, they do have the potential to cause significant, adverse localised impacts on Buttai and Four Mile Creek.

OEH does not have adequate information to assess potential impacts. The surface water assessment provided (AECOM's, Jan 2018) does not address adverse off-site flooding impacts resulting from redistributing runoff into different catchments nor justify the diversion. The Buttai Creek catchment, which drains to Testers Hollow is a sensitive catchment with existing flooding issues. To assess this proposal, OEH requires the proponent to identify off-site receivers and to quantify the impacts.

Recommendation 5

OEH recommends that a fit-for-purpose flood impact assessment be undertaken to quantify adverse off-site impacts. This assessment should identify potential off-site receivers by considering discharge points and distance to property boundaries.