



Office of Environment & Heritage

DOC17/88787-2
MP 08 0182 MOD 1

Ms Margaret Kirton
Senior Planner, Resource Assessments
Department of Planning and Environment
margaret.kirton@planning.nsw.gov.au

Dear Ms Kirton

Ashton Mine South East Open Cut - Modification 1 (MP 08 0182 MOD 1)

I refer to your e-mail dated 1 February 2017 seeking advice from the Office of Environment and Heritage (OEH) on the proposed modification of consent conditions for the Ashton Mine South East Open Cut. The proposed modification of conditions would link the delivery date of a number of actions, including the Biodiversity Offset strategy, to the date when development commences.

I note that the South East Open Cut has a consent issued by the Land and Environment Court on 17 April 2015. This consent defines requirements for biodiversity management (Schedule 3, Conditions 39 – 46), including the provision of a biodiversity offset package “.....within 12 months of carrying out any development on the site.” The suggested change would tie the delivery of the biodiversity offset package to the commencement of works for this project. This appears to be a reasonable approach that is consistent with other mining consents. OEH supports this recommendation and suggests that the condition requires that OEH is notified when works commence.

OEH is supportive of the recommended changes to the timing of commitments identified in Annexure A, Table B, Appendix 3: O8 (a vegetation corridor along Glennies Creek), Q2 (management of the biodiversity offset lands), and X3 (enhancement of vegetation connectivity) within three years of the commencement of mining operations rather than the issuing of consent. This is appropriate as these vegetation management actions are intended to mitigate the impacts of mining activity and it is uncertain when this will commence.

If you require any further information regarding this matter please contact Robert Gibson, Regional Biodiversity Conservation Officer, on 4927 3154.

Yours sincerely

SHARON MOLLOY
A/Regional Director, Hunter Central Coast
Regional Operations