



Office of Environment & Heritage

10_0054 MOD 4
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RE: Modification Application for Dargues Reef Gold Mine (10_0054 MOD 4)

As requested, we have reviewed Dargues Reef God Mine fourth Modification Application (Mod 4) and advise the following:

The impact of the modification and the resulting offset requirement was not determined using the Biodiversity Assessment Method (BAM) as required by section 7.17 of the *Biodiversity Conservation Act 2016*.

There are savings provisions that allow SSD modification applications to be considered under the previous legislation but only if:

- substantial environmental assessment was undertaken before 25 August 2017 (as determined in writing by the Secretary of the Department of Planning and Environment) and the application is made within 18 months of the Secretary's determination, or
- environmental assessment requirements were issued before 25 August 2017 and the application is made before 25 February 2019. If the environmental assessment requirements are reissued, the application must instead be made within 18 months of the reissue, but no later than 24 August 2020.
- if the authority or person determining the application for modification (or determining the environmental assessment requirements for the application) is satisfied that the modification will not increase the impact on biodiversity values.

Biodiversity:

The SEE states that this modification is different and less impact from the previous modification. However, it does not provide any information to validate this statement. We therefore recommend the proponent be required to provide sufficient information to determine whether the modification will not increase the impact on biodiversity values.

Aboriginal cultural heritage

We note no new archaeological assessment has been undertaken to survey the proposed modification works and it is not clear from the previous 2010 assessment whether the area proposed for the modification works was ever surveyed or assessed. OEH cannot comment on any possible impacts to Aboriginal cultural values as no information has been supplied regarding whether the Registered Aboriginal Parties have been consulted as part of the modification. Given the lack of information supplied in the Statement of Environmental

Effects OEH is not satisfied that the modification will not increase the impact on Aboriginal cultural values.

Please do not hesitate to contact me if you would like to discuss the OEH comments.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Michael Saxon', written in a cursive style.

18.12.2018

MICHAEL SAXON
Director – South East
Conservation and Regional Delivery