



Our ref: DOC21/803008-2

Your ref: SSD-10418

Ms Tegan Cole

Senior Environmental Assessment Officer
Energy, Industry & Compliance
Planning and Assessment Division
Department of Planning, Industry and Environment
tegan.cole@planning.nsw.gov.au

Dear Ms Cole

Mount Pleasant Optimisation Project (SSD-10418) – Review of Additional Information to the Response to Submissions Report

I refer to your e-mail dated 13 September 2021 in which the Planning and Assessment Division (P&A) of the Department of Planning, Industry and Environment (the Department) invited Biodiversity and Conservation Division (BCD) for advice in relation to the additional information provided to the Response Submissions Report for the Mount Pleasant Optimisation Project (SSD-10418).

BCD has reviewed the 'Supplementary Biodiversity and Conservation Division Advice and MACH's Responses' in relation to the biodiversity, Matters of National Environmental Significance, and flood risk matters identified in BCD's letter of 23 July 2021.

BCD'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 Crick, Senior Team Leader Planning, on 4927 3248 or via email at huntercentralcoast@environment.nsw.gov.au

Yours sincerely

A handwritten signature in black ink that reads 'Joe Thompson'.

Joe Thompson
Director Hunter Central Coast Branch
Biodiversity and Conservation Division

Date: 6 October 2021

Enclosure: Attachments A and B

BCD's recommendations

Mount Pleasant Optimisation Project (SSD-10418) – Review of Additional information to the RTS

Matters of National Environmental Significance

1. The proponent needs to provide the following information on the offset obligation for Matters of National Environmental Significance:
 - the type and number of Biodiversity Assessment Method credits to be retired
 - how the proposed offset meets the like-for-like outcome
 - how any land-based offsets will be secured
 - an analysis of how the proposed offsets will contribute to the conservation and long-term protection of the species and communities, and
 - details of how the proponent will meet the Commonwealth requirements to enable the bilateral assessment to be completed.

Flooding and flood risk

2. It remains the responsibility of the proponent to ensure that the existing water management plan remains adequate to protect the environment for the conditions created by the modification to the original approval.
3. BCD is satisfied that dams safety concerns will be incorporated into new or altered dam design and Dam Safety NSW consulted as required.

BCD's detailed comments

Mount Pleasant Optimisation Project (SSD-10418) – Review of Additional information to the RTS

Matters of National Environmental Significance

1. Further information is required on the biodiversity offsets for impacts to Matters of National Environmental Significance

The lack of a decided route of the Northern Link Road, details of an offset package and details of how the offset meets Commonwealth requirements prevents the finalisation of the bilateral assessment of the project by BCD.

The bilateral assessment requires the details outlined in Recommendation 1 to be provided before it can provide its assessment report to the Australian Government.

Recommendation 1

The proponent needs to provide the following information on the offset obligation for Matters of National Environmental Significance:

- the type and number of Biodiversity Assessment Method credits to be retired
- how the proposed offset meets the like-for-like outcome
- how any land-based offsets will be secured
- an analysis of how the proposed offsets will contribute to the conservation and long-term protection of the species and communities, and
- details of how the proponent will meet the Commonwealth requirements to enable the bilateral assessment to be completed.

Flooding and flood risk

2. BCD remains concerned about impacts on ephemeral waterways

Sandy Creek is an ephemeral waterway with relatively low flows and many small branches. Impacts to such a system from catchment disturbance and interception of water can be significant and the proposed modification would increase interception over three times of that already approved. The submissions report indicates that the direction of water flow will be away from the Sandy Creek Alluvium and towards the final void location. The proponent has provided limited additional information in response to BCDs concerns, however; it is understood that additional information has been provided to DPIE water and NSW Environment Protection Authority (EPA). The mine has an existing water management plan developed in consultation with those authorities and the Natural Resources Access Regulator (NRAR). The suitability of the approved plan for the modified consent will need to be assessed by those authorities.

Recommendation 2

It remains the responsibility of the proponent to ensure that the existing water management plan remains adequate to protect the environment for the conditions created by the modification to the original approval.

3. The proponent has confirmed that Dam Safety will be consulted during detailed design of dams.

The development contains a number of dams which have previously been assessed to dam safety criteria and the proponent has confirmed that detailed design of new dams will follow the same procedures.

Recommendation 3

BCD is satisfied that dams safety concerns will be incorporated into new or altered dam design and Dam Safety NSW consulted as required.