

Brittany Golding
Planning and Assessment Group
Department of Planning and Environment
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Our ref: DOC22/330575
Your ref: MP06_0308-Mod-4

Dear Brittany,

Sunnyside Coal Mine – Highwall Drain – Modification 4

Thank you for your e-mail dated 22 April 2022 to the Biodiversity, Conservation and Science Directorate (BCS) of the Department of Planning and Environment (DPE) inviting comments on the proposed Sunnyside Coal Mine Highwall Drain Modification (MOD 4).

BCS has reviewed the Sunnyside Coal Mine - Highwall Drain Modification Report (the modification report) in addition to the project's development consent (PA06_0308) approved in September 2018. As BCS understands, MOD 4 includes the proposed construction of a diversion drain along the top of the southern mine site highwall to collect and convey surface water runoff from Sunnyside Hill.

This modification would realign the project's approved disturbance area, resulting in the addition of a small area of vegetation clearance (not currently included in the approved disturbance area) and the relinquishment of a small area of vegetation to be retained (currently included in the approved disturbance area).

The clearance of native vegetation required would result in a net loss of vegetation abundance (0.01 hectares). However, the vegetation proposed to be retained is of a higher condition with a greater number of habitat features.

Given the very minor nature of the realignment and associated vegetation clearance required, BCS considers that the proposed MOD 4 is unlikely to result in impacts to biodiversity values additional to, or exceeding that, previously approved for this area within the project's development consent.

As such, BCS considers that preparation of a biodiversity development assessment report (BDAR) is not required for MOD 4. BCS notes that the modification report states that the following actions will be undertaken by the proponent:

- The drain disturbance footprint would be revegetated with native groundcover species and with native trees in appropriate locations (i.e. adjacent to the drain); and
- The project's Koala Management Plan would be updated to incorporate the modification to the project's approved disturbance area

BCS recommend that Planning and Assessment Group consider these two commitments made by the proponent when preparing the modified consent conditions for the project, if approval is granted.

If you require any further information regarding this matter, please contact Ben Ellis, Principal Project Officer, via ben.ellis@environment.nsw.gov.au or (02) 8275 1838.

Yours sincerely

A handwritten signature in black ink, reading "Samantha Wynn". The script is cursive and fluid, with the first name "Samantha" being larger and more prominent than the last name "Wynn".

Samantha Wynn
Senior Team Leader Planning North West
Biodiversity, Conservation and Science Directorate

29 April 2022