

Ms. Gabrielle Allan
Planner
Department of Planning and Environment
PO BOX 404, PARRAMATTA NSW 2124

Response uploaded to Major Projects Portal

Dear Ms. Allan

**NOTICE OF EXHIBITION OF APPLICATION FOR DENDROBIUM MINE EXTENSION
PROJECT (SSI-33143123)**

Thank you for your referral dated 5 May 2022 inviting comments from the Heritage Council of NSW on the above State Significant Infrastructure (SSI) proposal, and for the briefing organised by DPE and presented by South32 Coal to Heritage NSW on 24 May 2022.

In 2019-2020, the Heritage Council of NSW commented on the previous proposal 'Dendrobium Coal Mine Extension Project' (SSD-8194) at EIS stage (DOC19/617332) and RTS stage (DOC20/132959). A meeting between South32 and Heritage NSW took place in May 2020, with a response letter sent in July 2020 (DOC20/347033) responding to additional information provided by South32. The proposal was refused by the Independent Planning Commission in February 2021.

We recognise that the project was consequently redesigned and in December 2021 the Minister declared it to be State Significant Infrastructure under section 5.12 of Part 5 of the *Environmental Planning and Assessment Act 1979*. The previously proposed underground mining area 'Area 6' was deleted from the mining area, while 'Area 5' was reduced in size. Heritage NSW issued response to SEARs request to DPE on 14 December 2021 (HMS 682).

The proposed development involves:

- Extraction of new underground mining area ('Area 5');
- Development of surface infrastructure; and
- Extension of the life of the mine until 2041.

The following reports were considered in our assessment:

- *Dendrobium EIS, Section 4 – Project Description*, prepared by South32, undated
- *Appendix A – Subsidence Assessment*, prepared by MSEC, dated March 2022
- *Appendix G – Historical Heritage Assessment with Statement of Heritage Impact*, prepared by Niche, dated 3 March 2022 ('HHA')

The project area overlaps with State Heritage Register items Avon Dam (SHR 01358) and Cordeaux Dam (SHR 01360). Underground mining area 'Area 5' is located to the north/north-east of the Avon Dam SHR curtilage. The following facilities are proposed within the northern section of the Cordeaux Dam SHR curtilage: electricity transmission line, carpark, road works, water pipeline.

The project area is also located within the following local heritage items: Nebo Colliery (WLEP archaeological site #7104), the Site of Pioneer Kerosene Works (WLEP

archaeological site #6411), and the Kembla Heights Mining Village Heritage Conservation Area.

As delegate of the Heritage Council of NSW, I provide the following comments:

- The MSEC recommendations for the reservoirs under section 6.3.5 of the report are supported and should be included as conditions as part of any future approval.
- Regular monitoring and modelling should be undertaken by the applicant, and, if vibration and subsidence is detected within the Avon or Cataract Dam SHR curtilage, activity in the surrounding area must stop immediately, followed by urgent rehabilitation of the area and a report submitted to Heritage NSW outlining the actions taken.
- The detailed scope and heritage impact of the proposed surface infrastructure (ETL, carpark, road works, water pipeline) within the northern extent of the SHR curtilage of the Cordeaux Dam is not clear from the submitted documentation. This should be provided for comment during RTS stage.
- The HHA recommendation to utilise green or black colours for proposed flare stacks, fans and other structural features to minimize potential visual impacts is supported. Heritage NSW recommends that green is preferred to black, due to improved 'blending' qualities with the natural landscape.

Historical Archaeology

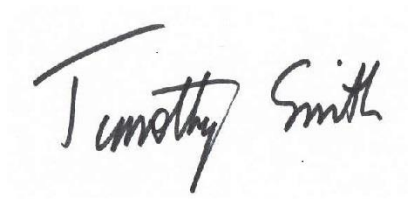
The recommendations of the HHA are supported, which are consistent with previous advice provided on this project, namely:

- A conservation management plan (CMP) for the Nebo Colliery (LEP heritage item #7104), the Kembla Heights Mining Village (Heritage Conservation Area) and the Site of Pioneer Kerosene Works (LEP heritage item #6411) should be prepared prior to the new works on the sites, to guide areas for change.
- To minimise impacts to archaeological items Nebo Colliery (LEP heritage item #7104), the Kembla Heights Mining Village (Heritage Conservation Area) and the Site of Pioneer Kerosene Works (LEP heritage item #6411), design of the works should use construction techniques which do not require excavation wherever possible.
- The Unexpected Find policy presented in Appendix 1 of the HHA should be provided to all construction staff in a heritage induction prior to the commencement of works.

As the site contains a local heritage item, and other local items are in the vicinity, advice should be sought from the relevant local council.

This letter is provided in relation to Environmental Heritage only, as managed under the *Heritage Act 1977*. Heritage NSW notes that a separate response letter is being provided regarding the Aboriginal Cultural Heritage impact assessment, as referred under the *National Parks and Wildlife Act 1974*. If you have any questions regarding the above advice, please contact Veerle Norbury, Senior Heritage Assessment Officer, at Heritage NSW on 9873 8616 or Veerle.Norbury@environment.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink that reads "Timothy Smith". The signature is written in a cursive style, with the first name "Timothy" and the last name "Smith" clearly legible.

Tim Smith OAM
Director, Heritage Assessments
Heritage NSW
Department of Planning & Environment
As Delegate of the Heritage Council of NSW
7 June 2022