

Our ref: HMS ID 10055

Jarrold Blane
Department of Planning, Housing and Infrastructure
jarrod.blane@dpie.nsw.gov.au

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Advice on Modification Report – State Significant Development

Proposal: Modification 5 Bloomfield Colliery Continuation Project

Major Project reference: MP07_0087-Mod-5

Received: 11 April 2025

Dear Jarrod,

Thank you for your referral seeking advice on the above State Significant Development Modification proposal.

In preparing this advice Heritage NSW has reviewed the following documents:

- Bloomfield Colliery Continuation Project Aboriginal Cultural Heritage Assessment Report - prepared by OzArk, dated June 2024
- Relevant sections of Modification Assessment Bloomfield Colliery Continuation- Modification 5 - prepared by GHD, dated 28 March 2025

Heritage NSW notes that the proposed modification comprises addition of two new mining areas (Creek Cut and Workshop Cut) and the use of existing infrastructure within the Abel Coal Mine area (MP05_0136). Heritage NSW understands that no physical works will be undertaken within the approved Abel Coal Mine area beyond those approved under the Abel consent.

Heritage NSW notes that the last recorded consultation with the Registered Aboriginal Parties (RAPs) was in April 2024. Heritage NSW requires that consultation with RAPs is continuous and under our guidelines, breaks in consultation of over six months may not constitute continuous consultation. Please ensure that future consultation is kept continuous throughout the assessment of the application.

Further, Heritage NSW note that the Aboriginal Heritage Management System (AHIMS) search was undertaken in December 2023. AHIMS searches should be updated at least every 12 months to ensure that any newly recorded sites are documented and considered. Please update the AHIMS search to include in the Aboriginal Cultural Heritage Assessment Report (ACHAR). Should any additional sites be recorded in AHIMS within or in direct vicinity to the project area, an addendum to the ACHAR may be required to consider this.

The ACHAR has been prepared in reference to the relevant guidelines as required by the Secretary's Environmental Assessment Requirements. Following update of the AHIMS search. Heritage NSW supports the proposed Management Measures and Recommendations (Sections 9 and 10 of the ACHAR). Draft Conditions of Approval are included in **Attachment A**.

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions about this correspondence, please contact Sarah McGuinness, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Marika Low

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A/Practice Lead

Major Projects

Heritage NSW

Department of Climate Change, Energy, the Environment and Water

As Delegate under *National Parks and Wildlife Act 1974*

19 May 2025

Attachment A – Recommended Draft Conditions for Aboriginal Cultural Heritage

Aboriginal Heritage

1. All reasonable steps must be taken so as not to harm, modify or otherwise impact Aboriginal objects except as authorised by this approval.
2. The Registered Aboriginal Parties (RAPs) must be kept informed about the SSD. The RAPs must continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage management requirements of the SSD.

Aboriginal Cultural Heritage Management Plan

3. Prior to carrying out any development, the Applicant must update the existing Bloomfield Colliery Aboriginal Cultural Heritage Management Plan (ACHMP) to include the two new mining areas. The updated ACHMP should be submitted to the RAPs and Heritage NSW for review and input.
Following the Planning Secretary's approval, the Applicant must implement the ACHMP.
4. The use of the existing infrastructure within the Abel Coal Mine area (MP05_0136) should be undertaken in accordance with the Conditions of Consent for MP05_0136 and the policies outlined in the ACHMP for the approval (Abel Coal ACHMP – prepared by the Bloomfield Group).