

Jessie Evans  
Team Leader  
Energy & Resource Assessments  
Planning Services  
Department of Planning and Environment  
GPO Box 39  
Sydney NSW 2001

By email: [jessie.evans@planning.nsw.gov.au](mailto:jessie.evans@planning.nsw.gov.au)

**Dendrobium Mine Extension Project [SSD 8194]: Adequacy of the Environmental Impact Statement (EIS)**

Dear Jessie,

I refer to the email dated 18 July 2019 inviting the Resources Regulator to provide advice regarding the adequacy of the Environmental Impact Statement (EIS) for Project **Dendrobium Mine Extension Project [SSD 8194]**.

**Development Details**

The Dendrobium Mine is an underground coal mine located approximately 15 kilometres from Wollongong, NSW. The Dendrobium Mine Extension Project proposes the extraction of approximately 78 Mt of ROM coal from Area 5 and Area 6 (in addition to approximately 35 Mt of ROM coal from the approved Areas 3B and 3C). The life of the Project would be to 31 December 2048.

The Project would include the following activities:

- Longwall mining of the Bulli Seam and Wongawilli seam in new underground mining areas
- Development of surface infrastructure associated with mine ventilation and gas management and abatement, water management and other ancillary infrastructure;
- Handling and processing of up to 5.2 Mtpa of ROM coal.

**Rehabilitation**

The Mining Act Inspectorate within the Resources Regulator has responsibility for providing strategic advice for environmental issues pertaining to the proposed project in so far as they relate to or affect rehabilitation.

The Resources Regulator advises the Department of Planning and Environment – Resources Assessments that the Secretary Environmental Assessment Requirements (SEARs) for rehabilitation have been adequately addressed in the EIS for Project **Dendrobium Mine Extension**.

The Resource Regulator has determined that sustainable rehabilitation outcomes can generally be achieved as a result of the project and that any identified risks or opportunities

can be effectively regulated through the conditions of mining authorities issued under the *Mining Act 1992*. However, the following section outlines two aspects where effective rehabilitation may not be achievable.

### **Limitations to Effective Mitigation, Remediation and Rehabilitation**

The Resources Regulator is concerned that the proposed mitigation, remediation and rehabilitation measures may not be able to satisfactorily remediate the following impacts which could feasibly occur as a result of mining in Areas 5 and 6:

- Long term viability of swamps, if impacted by a reduction in near surface groundwater levels; and
- Connectivity between near surface groundwater and deep groundwater due to strata cracking, which has the potential to result in ongoing loss of surface water from rivers and creeks into deep groundwater.

The Resource Regulator recommends that any approval associated with this application, include measures requiring the above two potential impacts to be, in order of preference:

- 1) Avoided, or
- 2) Successfully remediated, or,
- 3) Appropriately offset (if deemed acceptable).

The Resources Regulator requests a review of the draft development consent conditions prior to finalisation and any granting of development consent.

It should be noted that this review does not represent the Resources Regulator's endorsement of the proposed rehabilitation methodologies as presented in the EIS. Under the conditions of a mining authority granted under the *Mining Act 1992*, the Resources Regulator, requires an authority holder to adopt a risk-based approach to achieving the required rehabilitation outcomes. The applicability of the controls to achieve effective and sustainable rehabilitation is to be determined based on the site specific risk assessments conducted by an authority holder. This risk assessment should be used to not only establish a basis for managing risk when planning an activity, but it should also be used and updated (as required) to continuously evaluate risk and the effectiveness of controls used to prevent or minimise impacts. An authority holder may also be directed by the Resources Regulator to implement further measures, where it is considered that a risk assessment and associated controls are unlikely to result in effective rehabilitation outcomes.

### **Mine Safety**

Mine Safety Operations within the Resource Regulator is responsible for ensuring mine operators manage the risk to worker health and safety through compliance with the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and the subordinate mining legislation. In particular the effective management of risk associated with the principal hazards as specified in the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*.

Mine Safety Operations have not identified any risk that would require comment in relation to this matter.

For enquiries regarding this matter please contact me on (02) 4276 7428 or [nswresourcesregulator@service-now.com](mailto:nswresourcesregulator@service-now.com)

Yours sincerely

A handwritten signature in black ink, appearing to read "Greg Kininmonth". The signature is written in a cursive, slightly slanted style.

Greg Kininmonth  
Manager Environmental Operations  
**Resources Regulator**  
**NSW Department of Planning, Industry & Environment**

2 October 2019

