



Office of
Environment
& Heritage

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DA 73-11-98 MOD 8

Ms Melissa Anderson
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Dear Melissa

Newstan Colliery (DA 73-11-98) Modification 8 Project

I refer to your email dated 20 November 2018 in which the Department of Planning and Environment (DPE) invited the Office of Environment and Heritage (OEH) to review and comment on the Response to Submissions report for the Newstan Colliery (DA 73-11-98) Modification 8 Project. OEH has reviewed the Response to Submissions report with regard to biodiversity, flooding and Aboriginal cultural heritage.

OEH'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 Cox, Senior Team Leader Planning, on 4927 3150 or by e-mail at rog.hcc@environment.nsw.gov.au

Yours sincerely

Sharon Molloy 10/1/2019.

SHARON MOLLOY
Director Hunter Central Coast Branch
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Contact officer: STEVEN COX
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Enclosure: Attachments A and B

Attachment A

OEH's recommendations

Centennial Newstan Colliery (DA 73-11-98) Modification 8 – Response to submissions

1. OEH recommends that a condition of consent is included that requires that the Modification 8 revisions to the *Centennial Coal Aboriginal Cultural Heritage Management Plan: Northern Region* should be prepared in consultation with OEH.
2. OEH recommends that all existing sites within the Modification 8 boundary should be monitored to ensure that the sites are not harmed.
3. The *Centennial Coal Aboriginal Cultural Heritage Management Plan: Northern Region (September 2016)* figures should be corrected to show the current location of AHIMS Site 38-4-1375.
4. OEH recommends that the project includes a condition of consent that specifies that if the project causes greater subsidence impacts than predicted, the impact is quantified by use of the Biodiversity Assessment Method (BAM), and that those impacts are offset in accordance with the NSW Biodiversity Offsets Policy for Major Projects.
5. OEH recommends that a condition of consent is included to ensure that there are no adverse flood impacts on neighbouring properties from this project.

OEH's detailed comments

Centennial Newstan Colliery (DA 73-11-98) Modification 8 – Response to submissions

Aboriginal cultural heritage

1. OEH is satisfied with the Aboriginal cultural heritage assessment

OEH is satisfied that the Response to Submissions report adequately addresses the Aboriginal cultural heritage concerns raised by OEH's previous submission.

Recommendation 1

OEH recommends that a condition of consent is included that requires that the Modification 8 revisions to the *Centennial Coal Aboriginal Cultural Heritage Management Plan: Northern Region* should be prepared in consultation with OEH.

2. All existing sites within the Modification 8 boundary should be monitored

The *Centennial Coal Aboriginal Cultural Heritage Management Plan: Northern Region (September 2016)* (the Management Plan) documents existing sites within Centennial's Northern Holdings. Section 6.5 of the Management Plan outlines monitoring protocols for all documented Aboriginal sites to identify risk of harm to Aboriginal sites due to mining in the area.

There are three previously recorded Aboriginal sites within the Newstan Colliery (DA 73-11-98) Modification 8 boundary, however the Management Plan does not include one of the sites, artefact site AHIMS Site 38-4-1375 (RPS IF01).

OEH recommends that all existing Aboriginal sites within the Modification 8 boundary should be monitored as outlined in Section 6.5 of the Management Plan, to ensure that the sites are not harmed.

Recommendation 2

OEH recommends that all existing sites within the Modification 8 boundary should be monitored to ensure that the sites are not harmed.

3. AHIMS Site 38-4-1375 should be shown on figures in the Management Plan

The Management Plan figures do not show the current location of AHIMS Site 38-4-1375. The Management Plan should be updated to include AHIMS Site 38-4-1375. The following figures should be updated:

- Figure 1 *AHIMS sites within Centennial's Northern Holdings* (page 3)
- Figure *Summary of AHIMS sites in Attachment 1 Newstan/ Awaba Colliery*.

Recommendation 3

The *Centennial Coal Aboriginal Cultural Heritage Management Plan: Northern Region (September 2016)* figures should be updated to show the current location of AHIMS Site 38-4-1375.

Biodiversity

4. Biodiversity offsets may be required for greater-than-expected subsidence

OEH recommended that if the project causes great subsidence than expected that the proponent use the Biodiversity Assessment Method to quantify the impact on biodiversity and offset it in accordance with the NSW Biodiversity Offsets Policy for Major Projects. The proponent noted this recommendation and commented that the project is not expected to cause any notable subsidence or lead to any subsidence from the overlying Awaba coal mine workings.

Recommendation 4

OEH recommends that the project includes a condition of consent that specifies that if the project causes greater subsidence impacts than predicted, the impact is quantified by use of the Biodiversity Assessment Method (BAM), and that those impacts are offset in accordance with the NSW Biodiversity Offsets Policy for Major Projects.

Flooding and flood risk

5. No adverse flood impacts to result from the development

In relation to flood risk, the Response to Submissions Report states that given there are no measurable surface deformations predicted from mine subsidence, that there is no predicted impact to flows in creeks and therefore it poses no adverse flood risk to neighbouring properties. OEH adopts a precautionary approach and recommends that a condition of consent is included to ensure that there are no adverse flood impacts on neighbouring properties from this project.

Recommendation 5

OEH recommends that a condition of consent is included to ensure that there are no adverse flood impacts on neighbouring properties from this project.