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By email: Melissa.anderson@planning.nsw.gov.au

Chain Valley Colliery (SSD-5465) and Mannering Colliery (MP 06_0311): Adequacy of the Statement of Environmental Effects (SEE)

Dear Ms Anderson,

I refer to the email dated 14 June 2019 inviting the Resources Regulator to provide advice regarding the adequacy of the Statement of Environmental Effects (SEE) for Projects Chain Valley and Mannering Collieries.

Development Details

The Chain Valley Colliery is an underground coal operation located approximately 60 kilometres south from Newcastle, NSW that operates under Development Consent SSD-5465 (as modified). The modification to the Chain Valley Colliery Development Consent SSD-5465 (as modified) proposes to:

- Increase the volume of product coal transported from the Chain Valley Colliery to Mannering Colliery via an existing underground linkage from 1.3Mtpa to 2.1Mtpa to align with the annual production level of Chain Valley Colliery;
- Revise the definition of 'first workings' to allow broader use of bord and pillar mining methods within the approved consent boundary.

The Mannering Colliery is an underground coal operation located appropriately 60 kilometres south from Newcastle, NSW that operates under Development Consent MP 06_0311 (as modified). The Mannering Colliery is adjacent to the Chain Valley Colliery, with mining operations inextricably linked. The modification to the Mannering Colliery Development Consent MP 06_0311 proposes to:

- Increase the ROM coal handling and transportation limits from 1.3Mtpa to 2.1Mtpa to align with limits applicable to the Chain Valley Colliery.

Environment and Rehabilitation

Compliance Operations 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 Regulator's for rehabilitation have been adequately

addressed in the Statement of Environmental Effects (SEE) for Chain Valley Colliery – Modification 3, dated 29 May 2019.

The Resources Regulator reminds the Applicant that the appropriate mechanism to capture the mining method to be used in particular areas is within the relevant Extraction Plan, and not the Mining Operations Plan as described in *Statement of Environmental Effects (SEE) for Chain Valley Colliery – Modification 3 Section 2.2.2 Changes to development consent conditions relating to the mining method*

The Resource Regulator has determined that sustainable rehabilitation outcomes can 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*.

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 SEE. 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.

For enquiries regarding this matter please contact me on 4063 6444 or minres.environment@planning.nsw.gov.au

Yours sincerely



MONIQUE MEYER
Manager Environmental Operations

On behalf of
Matthew Newton
Director Compliance Operations
Resources Regulator
NSW Department of Planning, Industry & Environment

1 July 2019