

20 February 2013

Mr Sam Haddad
Director General
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Mr Haddad

**Bloomfield Collieries Modification 3
Powerline Corridor
(MP07_0087 Mod 3)**

I refer to the Deputy Director General's letter dated 15 February 2013 referring the above modification application to the Planning Assessment Commission for determination under Ministerial delegation.

Ms Gabrielle Kibble AO nominated me to constitute the Commission to consider and determine this application.

I have considered the application and the Department's Assessment Report. I note both the Office of Environment and Heritage and Environment Protection Authority raised no concerns to the proposed modification. Any unforeseen noise, air and water impacts will be effectively regulated under existing approval conditions and Environment Protection Licence.

The Department's assessment concluded that the proposed modification would result in less environmental impacts. This is because the power line corridor which has already been approved to be cleared has a higher biodiversity value than the proposed area to be cleared (adjacent to the Creek Cut highwall). Although the size of the proposed cleared area is about 0.3ha bigger, it is an area that has already been either cleared or modified. The already established 40ha Biodiversity Offset area is adequate to compensate for the minor additional clearing. The Archaeological Assessment has not identified any Aboriginal heritage values of the land in and around the highwall area.

I am satisfied that the Department's assessment has addressed the identified issues adequately and the recommendation to grant conditional approval is reasonable.

The modification application is approved as recommended subject to conditions. The Department's folder and signed instrument of approval are returned.

Yours sincerely



David Johnson
Planning Assessment Commission

cc. Mr Brad Hazzard MP
Minister for Planning and Infrastructure
Minister Assisting the Premier on Infrastructure NSW
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