



Our ref: DOC20/69611

Your ref: SSD 5581 MOD3

Andrew Rode
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Dear Andrew

Subject: Airly Mine Modification 3 (SSD 5581 Mod 3) submissions report

Thank you for your email dated 24 January 2020 to the Biodiversity and Conservation Division (BCD) of the Department inviting comments on the submissions report for Airly Mine Modification 3.

BCD has reviewed the submissions report focussing on the issues raised in our submission dated 28 November 2019.

In summary, BCD considers that the modification should be designed to ensure that it does not cause any exceedances of the performance measures in the current consent for SSD 5581.

BCD'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 Liz Mazzer, Conservation Planning Officer, via liz.mazzer@environment.nsw.gov.au or 6883 5325.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Sarah Carr'.

6 February 2020

Sarah Carr
Director North West
Biodiversity and Conservation Division

Enclosure: Attachments A and B

BCD's recommendations

Proposal name – Environmental Impact Statement

1. Blasting should not cause any exceedances of the performance measures listed in Schedule 3 Condition 2 of the current consent for SSD 5581. If blasting is to occur, sensitive surface features should be monitored for vibration, and an adaptive management program implemented that ensures the current performance measures will not be exceeded.
2. The Department of Environment and Energy should be contacted regarding Matters of National Environmental Significance under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).
3. The modification should not cause any exceedances of the performance measures listed in the current consent conditions for SSD 5581.
4. The proponent should continue to consult with the NSW National Parks and Wildlife Service (NPWS) regarding monitoring within Mugii Murum-ban State Conservation Area.

BCD comments

Airly Mine Extension Modification 3 – submissions report

1. Blasting may impact sensitive surface features

Minimal additional information has been provided in the submissions report regarding the use of blasting. However, following a site visit on 8 November 2019, BCD understands that the scale of proposed blasting is relatively low compared to open cut mining.

Our previous submission (dated 28 November 2019) requested a geotechnical report assessing impacts on karst, caves, crevices, cliffs and other features of geological significance. This report has not been provided with the submissions report. Accordingly, BCD is not able to provide advice on these matters without further clarification.

The submissions report states that vibrations are, ‘...rarely felt more than a few hundred metres from the blast site’. It is not clear, however, whether vibrations will be felt above ground, where sensitive surface features are located. There is no consideration of blasting vibrations and depth of cover. For example, the depth of cover is a maximum of 280 metres under Mount Airly and 310 metres under Genowlan Mountain¹ and there has been no assessment of potential vibrations impacts at these sensitive locations.

Section 9.2 of the Airly Mine MOD 3 noise and vibration impact assessment² recommends that should blasting be required that approaches calculated safe working distances (presented in table 25 of the noise and vibration impact assessment), vibration monitoring be conducted to ensure compliance with relevant criteria and validate blasting predictions.

BCD supports vibration monitoring and considers that it should be implemented for all blasting activities at Airly.

Recommendation 1

Blasting should not cause any exceedances of the performance measures listed in Schedule 3 Condition 2 of the current consent for SSD 5581. If blasting is to occur, sensitive surface features should be monitored for vibration, and an adaptive management program implemented that ensures the current performance measures will not be exceeded.

2. Impacts on Matters of National Environmental Significance have not been assessed

The previous submission from NPWS and BCD recommended that the Department of Environment and Energy (DoEE) should be contacted regarding Matters of National Environmental Significance (MNES) under the EPBC Act.

¹ Golder Associates (2014). *Environmental Impact Statement – Airly Mine Extension Project*. September 2014

² SLR (2019) *Airly Mine MOD 3 Noise and Vibration Impact Assessment*. SLR Ref No: 630.12598-R01 – v1.0

The submissions report (section 4.4.4) states that the proposed modification will not result in any impacts to MNES. The submissions report does not indicate whether DoEE has been contacted regarding the modification.

Recommendation 2

The Department of Environment and Energy should be contacted regarding Matters of National Environmental Significance under the EPBC Act.

3. Extraction plans and the subsidence monitoring program should be updated to reflect changes in rate of coal extraction

The submissions report states that a review of the existing approved extraction plan, and associated management plans, will be undertaken following approval of this modification and updated where necessary in accordance with the requirements of Schedule 6 Condition 3 of the development consent. This condition requires review of strategies, plans and programs required under the consent within three months of any modification to the conditions of the consent.

BCD is satisfied with this response and has no further recommendation regarding this issue.

4. Changes to groundwater and surface water, and the impact on significant features, should be assessed

Our previous submission raised concerns about changes to water quality, groundwater, surface flows and water dependent ecosystems. We requested a geotechnical report be prepared addressing water quality, water bodies and hydrological processes. This report has not been provided with the submissions report. Accordingly, BCD is not able to provide advice on these matters without further clarification.

The modification should be designed to ensure that there is no exceedance of any of the performance measures in the current consent for SSD 5581.

Recommendation 3

The modification should not cause any exceedances of the performance measures listed in the current consent conditions for SSD 5581.

5. NPWS will not approve installation of monitoring infrastructure in the Genowlan Point area

Section 4.5.2 of the submissions report states that installation of monitoring infrastructure on Glenowlan Point and vehicular access to Genowlan Point for monitoring purposes will not be proposed.

The monitoring program for mining within the Genowlan Point area will be detailed within the Subsidence Monitoring Program developed as part of future extraction plans in consultation with the BCD.

Recommendation 4

The proponent should continue to consult with NPWS regarding monitoring within Mugii Murumban State Conservation Area.