NSW | Planning,
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Environment

Our ref: DOC19/693119-2
Your ref: MP06_0311

Melissa Anderson

Environmental Assessment Officer   26 August 2019
Division of Resource Assessments
Department of Planning Industry and Environment
melissa.anderson@planning.nsw.gov.au

Dear Ms Anderson

Review of Response to Submission – Mannering Coal Mine Modification 5 (MP06_0311)

I refer to your correspondence dated 14 August 2019 to the Biodiversity and Conservation Division
of the Department of Planning, Industry and Environment, inviting comments on the Response to
Submissions Report for the Mannering Coal Mine Modification 5 (MP06_0311).

We have reviewed the Response to Submissions Report, including relevant appendices, annexures,
attachments and parts of the documents titled '*Response to Submissions Chain Valley Colliery-
Modification 3, Mannering Colliery- Modification 5*' (prepared by EMM and dated August 2019), in
relation to impacts on biodiversity, Aboriginal cultural heritage and coastal management.

We have no comments on biodiversity and coastal management and no further biodiversity
assessment is required.

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 3140 or via email at rog.hcc@environment.nsw.gov.au

Yours sincerely

SONYA ERRINGTON
Director Hunter Central Coast Branch
Biodiversity and Conservation Division

Enclosure: Attachments A and B

BCD's recommendations

Mannering Coal Mine Modification 5 – Response to submission

1.   The Biodiversity and Conservation Division recommends that a consent condition is created that requires Delta Coal to prepare an Aboriginal Cultural Heritage Management Plan for the Delta Coal Mannering Colliery operations in consultation with Aboriginal stakeholders within 6 months of approval of Modification 5.

BCD's detailed comments

Mannering Coal Mine Modification 5 – Response to Submission

Aboriginal cultural heritage

1.   An Aboriginal Cultural Heritage Management Plan should be prepared for Mannering Colliery

There is an existing *Aboriginal Cultural Heritage Management Plan for Centennial's Northern Holdings* (ACHMP) that was prepared by RPS (2012) for Centennial Coal which includes mitigation of sites at Mannering Colliery. Consultation was undertaken with self-nominated RAPs for the Centennial Mannering Colliery operations up to 2012 but Centennial's ACHMP requires updating. An updated AHIMS search has not been provided by Delta Coal.

Delta Coal took over as owner and operator of Mannering Colliery in April 2019. There is no evidence that the ACHMP is valid for Mannering Colliery. There is also no evidence of any consultation undertaken by Delta Coal with the current self-nominated stakeholders or any of the previously registered Aboriginal parties. There is no evidence that an ACHMP for Mannering Colliery has been prepared for Delta Coal's operations.

The Biodiversity and Conservation Division recommends that a consent condition is created that requires Delta Coal to prepare an ACHMP for the Delta Coal Mannering Colliery operations in consultation with Aboriginal stakeholders within 6 months of approval of Modification 5. If consultation with the RAPs has not been continuous (six monthly or more frequently) since 2012, the consultation for the updated ACHMP should be restarted such that all current self-nominated Aboriginal stakeholders in the Local Government Area (LGA) are given the opportunity to be involved. All existing RAPs should also be given the opportunity to comments on the updated ACHMP. A current list of potential Aboriginal stakeholders for the LGA should be requested from the Division.

Recommendation 1

The Biodiversity and Conservation Division recommends that a consent condition is created that requires Delta Coal to prepare an Aboriginal Cultural Heritage Management Plan for the Delta Coal Mannering Colliery operations in consultation with Aboriginal stakeholders within 6 months of approval of Modification 5.