Our ref: DOC21/1127971-3
Your ref: SSD-6464 MOD 2

Ms Tegan Cole

Senior Environmental Assessment Officer
Energy Resource Assessment
Planning and Assessment Group
Department of Planning, Industry and Environment
Tegan.Cole@planning.nsw.gov.au

Dear Ms Cole

Mount Thorley – Warkworth Coal Mine - Lemington Underground Mine Water Storage Project (SSD-6464 MOD 2) – Review of Response to Submissions Report

I refer to your e-mail dated 20 December 2021 in which the Planning and Assessment Division (P&A) of the Department of Planning, Industry and Environment (the Department) invited Biodiversity and Conservation Division (BCD) for advice in relation to the Mount Thorley – Warkworth Modification Project (SSD-6464 MOD 2).

BCD have reviewed the Response to Submissions Report in relation to BCD's advice on biodiversity and the flood risk assessment in our letter dated 18 October 2021.

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 Robert Gibson, Regional Biodiversity Conservation Officer, on 4927 3154 or via email at huntercentralcoast@environment.nsw.gov.au

Yours sincerely

STEVEN CRICK
Senior Team Leader Planning
Hunter Central Coast Branch
Biodiversity and Conservation Division

Date: 17 January 2022

Enclosure: Attachments A and B

Attachment A

BCD's recommendations

Mount Thorley – Warkworth Coal Mine - Modification Project

1. BCD recommends that any impacts to biodiversity caused by the project are assessed by the Biodiversity Assessment Method and are offset in accordance with the Biodiversity Offsets Scheme, if the Biodiversity Offsets Scheme is triggered.

2. No further assessment of the impacts of wetting and drying are required. The proponent will need to review impacts on mine infrastructure if subsidence in the north western section causes changes to mine dams or haul roads.

Attachment B

BCD's detailed comments

Mount Thorley – Warkworth Coal Mine - Modification Project

Biodiversity

1. BCD recommends that any impacts to biodiversity as assessed by the BAM and offset in accordance with the BOS

Section 4.2 'Biodiversity and Conservation Division' of the 'Submissions Report' by Hunter Valley Operations repeats details from Section 6.3.1 of the 'Modification Report' that the proposed water management infrastructure for the project would be located on previously disturbed land and that no clearing of native vegetation would be required. That may be so, but it does not mean that the project will have no impact on biodiversity. BDC therefore recommends a precautionary condition that if the project causes any impact to biodiversity that it is assessed in accordance with the Biodiversity Assessment Method to determine if it triggers the application of the Biodiversity Offsets Scheme; and if it does that any impacts are appropriately offset.

Recommendation 1

BCD recommends that any impacts to biodiversity caused by the project are assessed by the Biodiversity Assessment Method and are offset in accordance with the Biodiversity Offsets Scheme, if the Biodiversity Offsets Scheme is triggered.

Flooding and flood risk

2. The response to submissions provided has considered the impacts of repeated wetting and drying cycles on the stability of the bord and pillar mine workings

A report has been provided form SCT Operations Pty Ltd assessing the impacts of wetting and drying cycles on bord and pillar stability. It has been identified that only a small section of the Lemington mine, 20 Ha in the north western section has pillars of small size which may be impacted by the intended use as a water storage. Subsidence is a risk in this area however it affects mine infrastructure only.

The impacted area does not extend beneath the Hunter River, Redbank Creek or Wollombi Brook and the report indicates that no impact on these water courses is expected.

Recommendation 2

No further assessment of the impacts of wetting and drying are required. The proponent will need to review impacts on mine infrastructure if subsidence in the north western section causes changes to mine dams or haul roads.