

28 August 2020

Mr Joe Fittell
Senior Environmental Assessment Officer
Resource Assessments - Planning Services
GPO Box 39
Sydney NSW 2001

Dear Mr Fittell

DPIE Request for Advice – Rix's Creek North Mine (MOD 9) (PA 08_0102)

I refer to your request via the Major Projects Portal for Singleton Council advice on the Statement of Environmental Effects (**SoEE**) prepared by Bloomfield Collieries Pty Limited for the Rix's Creek North Mine: Landform amendment, exploration and blasting frequency modification (**MOD 9**). Council has reviewed the SoEE and provides the following feedback and recommendations, should the proposal be approved.

The Proposed Project

Bloomfield Collieries is seeking to modify PA 08_0102 to temporarily increase the approved overburden emplacement height by 25 metres, to an RL of 175m, reducing to and RL of 165m by 2030. In addition, the modification proposes to increase the number of blasts per day from two (2) to three (3) and undertaking exploration activities within existing mining tenements.

The Proposed Project is not seeking to extend the life of the approved operations.

The Proposed Project is predicted to result in increased impacts to air quality (triggering acquisition processes under the *Voluntary Land Acquisition and Mitigation Policy*), visual amenity (including to users of the New England Highway) for at least the next ten (10) years of mine life and will alter the final landform for the approved operations.

Amenity Impacts

There is a desire, at a local community level, for village communities to maintain their rural and social values, protect amenity and provide for resources to support village lifestyle and growth, such as local access to retail and other services. The presence of mining and the number of property acquisitions has impacted these basic needs and values. This is confirmed in the Project social impact assessment. The village of Camberwell has clearly been impacted by a history of impact and acquisition, to the extent that 81% of property in the village is now mining owned.

These issues have historically been, and are proposed to be, addressed solely through property acquisition (by other approved operations), mitigation conditions of approval and, if relevant, rental agreements that require tenants to acknowledge and understand the potential impacts the surrounding mining activities might have on them.

The social impacts of this proposed modification include further and increased amenity impacts (visual and air quality) to landholders in the vicinity of the mining operations. The SoEE states that no receptors *additional to those within an existing air quality acquisition zone* are predicted to exceed cumulative air quality criteria and that *two landholdings are predicted to exceed the acquisition criteria (N240 and N234 – 239)*. These properties are located within the rural/urban zone with zoning ranging from RU1 to R1. It is not clear the extent to which amenity impacts will be felt by potential development within these zones, and the SoEE has not taken into consideration the potential land uses for these zone, and the impacts that may be experienced as a result of the proposed modification.

Mine Closure

Council has raised concerns regarding the timing of, and level of detail within, mine closure planning for mining projects within the Singleton Local Government Area. The current conditions of approval for the Rix's North Mine do not consider detailed mine closure planning requirements, particularly for a mine that has been in operation for over 30 years. In addition, the SoEE does not include how the proposed landform changes will take into consideration integration with surrounding land uses, any changes necessary to the approved final land uses for the operation, or how the amended landform will be long term stable.

The commitment to commence detailed mine closure planning at a point five (5) years from closure is too far into the future, and that detailed mine closure planning should be integrated, iterative and planned well in advance. As such, should the proposed modification be approved, Council recommends a condition similar to that detailed below:

The Applicant is required to prepare a Final Land Use Strategy for the mine. The Applicant shall consult Singleton Council in the development of the Strategy. The outcomes of any Final Land Use Strategy must be consistent with, and complementary to, any Local Strategic Planning Statement prepared by the Council. The Strategy must:

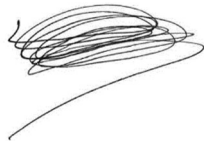
- a. Identify the areas of the mine where proposed final land uses could be applied;*
- b. Identify the relationship between final land uses and the final landform;*
- c. Demonstrate how final land uses will integrate with surrounding land uses;*
- d. Demonstrate how the final land uses will be safe, stable, non-polluting and sustainable;*
- e. Identify final void management actions that will be taken to ensure highwall stability;*
- f. Identify adaptive management actions that will be taken to prevent rehabilitation and landform failure;*

- g. Demonstrate how the final landform will meet the needs of the final land uses;*
- h. Include an assessment of climate change consequences on the likely success of rehabilitation, and what, if any, adaptive management actions are required to ensure rehabilitation success; and*
- i. Include an assessment of the suitability, permissibility and sustainability of final land uses that includes feasibility and economic viability.*

Council considers the development of a final land use strategy within the next five (5) years (or sooner) is essential in ensuring that the final land use is achievable, consistent with surrounding land uses, does not compete across the LGA for land use outcomes and is adequately planned for and incorporated into the design of the mining operation.

I would like to thank the Department for the opportunity to provide advice on the Submissions Report for the Rix's Creek North Mine – Modification 9. Should you have any questions or comments, please contact Mary-Anne Crawford, Manager Development and Environmental Services on 02 6578 7290.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mary-Anne Crawford', with a long, sweeping underline.

Mary-Anne Crawford
Manager Development and Environmental Services