



Mr William Dean
General Manager Projects
Maxwell Ventures (Management) Pty Ltd
Thomas Mitchell Drive
Muswellbrook NSW 2333

24/07/2020

Dear Mr Dean

**Maxwell Underground Coal Mine Project (SSD-9526)
Request for Additional Information**

I refer to the above application and to recent advice provided by the Biodiversity and Conservation Division within the Department dated 14 July 2020. Following further review, the Department has identified some additional biodiversity-related matters requiring clarification (see **Attachment A**).

The Department requests a detailed response to the matters outlined in Attachment A by **30 August 2020**.

If you wish to discuss this matter further, please contact Lauren Evans at the details above.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M Spratt'.

Matthew Spratt
Director
Resource Assessments (Coal & Quarries)

Attachment A

Biodiversity

1. Please provide an addendum to the Commonwealth Assessment in Section 7 of the Biodiversity Development Assessment Report (BDAR) to include potential impacts on *Eucalyptus glaucina*, *Prasophyllum petilum*, *Ozothamnus tessellatus* and *Thesium australe*, based on assumed presence as calculated in Attachment C of BCD's letter dated 14 July 2020.
2. Neither the BDAR nor the main volume of the EIS appear to address relevant Conservation Advice, Recovery Plans or Threat Abatement Plans for EPBC-listed threatened species and communities, notwithstanding the cross-referencing table in Attachment 2 of the EIS. Please review and address Conservation Advice, Recovery Plans or Threat Abatement Plans relevant to the Project.
3. The Department requests clarification as to how potential impacts on threatened flora within the subsidence area are intended to be mitigated, noting that the presence (and potential extent) of *Eucalyptus glaucina*, *Prasophyllum petilum*, *Pterostylis chaetophora*, *Ozothamnus tessellatus*, *Thesium australe* has not been fully ascertained by BAM-compliant surveys. For example, does Malabar propose to establish fenced 'Environmental Protection Zones' around any plants of these species if identified within the subsidence area?
4. The Department requests further justification for the proposed 80 km per hour speed limit on the site access road given the likelihood of vehicle strikes, particularly in respect of the Pink-tailed Legless Lizard, Striped Legless Lizard and Spotted-tailed Quoll.
5. The Department requests a single figure showing the location of the Drayton Wildlife Refuge, Northern Offset Area and Southern Offset Area and the potential offset area for the Project.