

Mr Garry Bailey  
General Manager of Mining Development  
The Bloomfield Group  
PO Box 4  
EAST MAITLAND NSW 2323

  
Dear Mr Bailey,

**Rix's Creek Extension Project (SSD 6300)  
Response to Submissions Addendum**

I refer to your two emails of 21 December 2016 providing, firstly, a Response to Submissions Addendum (RTSA) report and, secondly, a response to the Department's request for additional information for the Rix's Creek Extension Project.

The Department has reviewed the RTSA report and is not satisfied that the 'addendum area' used in that report resolves all gaps in the existing impact assessment study areas for the Rix's Creek Extension Project taking into consideration the existing approved area of disturbance under DA 49/94 and the proposed disturbance area (ie the 'investigation area' identified in Figure 1 of the RTSA report). In the Department's view, there are past disturbance areas outside of the area approved for disturbance under DA 49/94 that have not been included in the 'addendum area' presented in the RTSA report and have therefore not been subject to an assessment in either the Project's Environmental Impact Statement (EIS), RTS, or the RTSA report. These past disturbance areas are identified in blue on the attached Figure 1.

In addition, the Department has identified inconsistencies between figures presented in the EIS, RTS and RTSA. For example, the 'investigation area' in Figure 1 of the RTSA has been significantly reduced as compared to the 'investigation area' and 'proposed mining area' shown in Figure 1-4 of the EIS.

The Department's analysis of these two issues and further comments are set out in **Attachment A**. It is requested that the RTSA report is revised to include an assessment of all past disturbance areas as well as the small area of additional disturbance proposed but not assessed, as shown in Figure 1. In addition, the Department is requesting a series of figures to clarify and resolve the current inconsistencies between figures in the EIS, RTS and RTSA report, as set out in **Attachment A**.

Bloomfield should note that the Department's consideration of the RTSA and the requests made in this letter should not be taken as reflecting its final views regarding the extent of the company's compliance or non-compliance with DA 49/94. This letter is for the purpose of furthering the assessment of SSD 6300 and does not constitute a final statement regarding compliance or non-compliance with DA 49/94.

The Department has also reviewed the additional information provided in the second email noted above and considers that additional surface water and biodiversity information is required to finalise the assessment of the project (see points 4 and 5 in **Attachment B**). The Department also notes that Bloomfield is preparing its response to three other items from an earlier request for additional information (see points 1-3 in **Attachment B**).

It is requested that Bloomfield's responses to these requests for additional information in **Attachment B** are included in the revised RTSA.

In order to enable the timely assessment of the project, the Department requests the revised RTSA report is submitted as soon as possible, and no later than 15 February 2016.

If you wish to discuss this matter, please contact Thomas Watt on 9274 6375.

Yours sincerely,



Howard Reed

**Director**

**Resource Assessments**

20.1.17

## Attachment A

Aspect	EIS Study Area	Addendum Study Area	Comments
Biodiversity	Study area includes the proposed OEA, creek line, northern boundary of the proposed mining area and the Stonequarry Gully area	The addendum study area includes the 'Approved overburden emplacement area' (Figure 2 of the Ecology Report in the EIS) excluding land disturbed since this figure was prepared	While the addendum study areas have been added, some past disturbance areas* identified in blue and part of the 'proposed mining areas' identified in pink on the attached Figure 1 are not included.  It is noted that a large proportion (although not all) of the area identified in blue in Figure 1 is within the Upper Hunter Strategic Assessment study area for the Rix's Creek Extension Project.
ACHA	Study area includes the proposed OEA, creek line, northern boundary of proposed mining area and proposed Stonequarry Gully area	No addendum study areas proposed	
Historic heritage	Study area includes the proposed OEA, creek line, northern boundary of proposed mining area and proposed Stonequarry Gully area	No addendum study areas proposed	
Air Quality, Noise and Blasting	Study areas are based on modelling of plant and equipment operations at different stages over the life of the mine.	No addendum study areas proposed	Accepted – the modelling of plant and equipment is consistent with the progression of mining activities over the life of the mine.
Soils and Landscape	Study area relates to proposed OEA and area north of existing mine (beyond the vegetation that was present on the north of the mine in 2015)	No addendum study areas proposed	Does not appear to include the small triangular area at the northern extent of the proposed disturbance area near Deadman's Gully (see Figure 1-4 of the EIS and identified in pink on the attached Figure 1).
Rehabilitation Strategy	Rehabilitation strategy covers all existing and proposed disturbance areas	No addendum study areas proposed	Accepted.
Surface water	Study area has included all affected catchments	No addendum study areas proposed	Additional information has been provided quantifying the change in catchments (ie catchment loss) as a result of the proposed development and compared to the existing approved development. However, no evaluation of these impacts has been provided. Further to this, the potential impact to downstream water users is unknown (refer point 4 in <b>Attachment B</b> ).
Groundwater	Study area encompasses the entire syncline from the Hunter River to the south and west, the Mulbring Siltsone outcrop to the east and Glennies Creek and the Hunter thrust fault to the north.	No addendum study areas proposed	Accepted – the GIA study area is comprehensive.

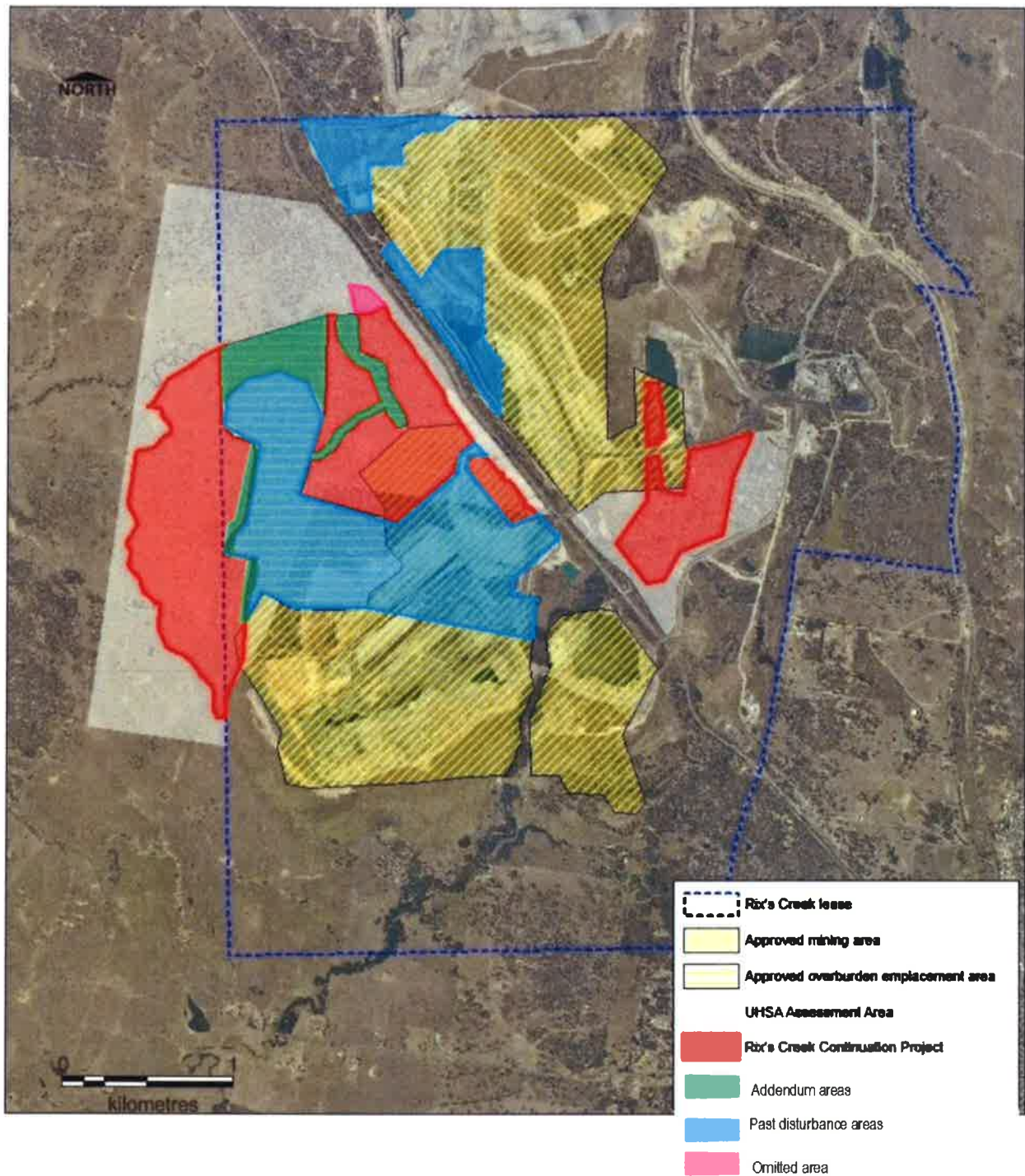
Traffic	All roads potentially affected by the project	No addendum study areas proposed	Accepted.
Social and economic	Not based on specific project related study areas (region and State based)	No addendum study areas proposed	Accepted
Landscape and Visual	Study area extends from Glennies Creek in the north, to Gresford Road in the east (beyond Singleton), south of Singleton and to Jerrys Plains Road in the west	No addendum study areas proposed	Accepted – the visual assessment considers the existing and proposed future landforms.

*Note: \*Past disturbance area' refers to disturbed land that in the Department's opinion falls outside of the Alternative Conceptual Mine Plan approved for disturbance under the consent for DA 49/94 that is not within the 'Rix's Creek Extension Project' area (ie the proposed disturbance area as set out in the project's EIS and RTS) and the addendum area (as set out in the RTS). See also Figure 1.*

In addition to the comments made in the table above, the Department notes that Figure 1 of the RTSA report depicts a different 'investigation area' when compared to that presented in Figure 1-4 of the current EIS. Specifically, land disturbed since the preparation of Figure 1-4 has been excluded while part of the north-eastern boundary of the 'investigation area' now extends towards the New England Highway and appears to be within the 100 m setback. The proposed 'out of pit dump' identified in Figure 1-4 does not appear to show the full extent of the proposed overburden emplacement area on the site, when compared to Figure 2 in the Rehabilitation Strategy and Figure 1 in the RTSA. Additionally, Figure 2 in the RTS report depicts a large 'other water storage' area near Stonequarry Gully which, according to the RTS, no longer forms part of mining operations.

The Department considers that revised and updated drawings are required to resolve these inconsistencies, and requests both separate drawings and a final drawing with the following features overlaid:

- existing development and approved area of disturbance under DA 49/94;
- the proposed area of disturbance, including delineation between overburden emplacement and mining areas; and
- overlays of relevant impact assessment study areas on the existing approved and proposed area of disturbance to support the gap analysis.



**Figure 1:** Past disturbance areas (in blue) which fall outside the Alternative Conceptual Mine Plan endorsed by the consent for DA 49/94 and the currently proposed 'Rix's Creek Continuation Project' areas (ie the proposed disturbance area) including the addendum areas identified in the RTSA.

NB. The 'approved mining area' and 'approved overburden area' are as identified by Bloomfield in the current EIS. The 'omitted area' is within the proposed extent of mining (see EIS Figure 1-4).



## Attachment B

### 1. Final landform and Rehabilitation

The Department previously advised by email on 3 May 2016 that the proposal to retain an underground portal in the North Pit and any surface infrastructure is not supported. The RTS does not reflect this advice. The Department requests a revised concept rehabilitation figure that removes any reference to the underground portal and proposes a comprehensive rehabilitation strategy for the site. In relation to the final void, the following information is requested:

- a) quantify (in hectares) the change in area from the two approved final voids to the single final void now proposed; and
- b) a revised RTS Figure 6-1 that more accurately depicts the final void, in particular, the predicted presence of a water body.

### 2. Visual impact mitigation

Please provide a consolidated drawing that identifies proposed screening to those areas predicted to be affected by visual impacts (such as along the western side of the New England Highway and the two impacted receivers south of the site).

### 3. Economic assessment

The Department requests that Bloomfield provide a more explicit response to all key conclusions in The CIE's independent review (June 2016). For example, The CIE advised that the results from the CGE modelling significantly overestimate the regional and State level impact (benefits); however there is no direct response to this in the RTS. It is recommended that Bloomfield provide a response that addresses each of the review's key conclusions not already addressed in the RTS.

In addition, the Department requests the following additional information to finalise its assessment of the economic implications of the project:

- a) the assumed CO<sub>2</sub> emissions profile (ie tonnes emitted each year over the life of the project) in order to verify the estimated cost of CO<sub>2</sub> emissions made in the EA and RTS;
- b) an estimation of the cost of unmitigated air quality impacts to residents and receivers in and around the mine; and
- c) an analysis and discussion of the implications of additional impact assessments (required in 1 above) and also the addendum RTS on the EA and cost benefit analysis (CBA).

In relation to b) and c) above, some analysis is required to support the conclusion that these impacts would be immaterial to the overall conclusion of the CBA.

### 4. Surface Water

The additional information received 21 December 2016 quantifies the change in the catchment area in the unnamed tributary near Deadman's Gully; however there is no assessment of the significance of this change to the hydrology of the watercourse or to downstream water users. Additional information should be provided that analyses the significance of this change, including any mitigation or management measures to minimise impacts to the hydrology of this watercourse and downstream water users.

### 5. Biodiversity

The RTSA report has provided revised biodiversity offset calculations which include the 'addendum areas' and will be referred to OEH for review and comment. Bloomfield should review and if necessary, revise and update the impact assessment conclusions (including the seven-part tests required under Section 5A of the *Environmental Planning and Assessment Act 1979*) made in the Ecology Report to reflect these additional areas. Alternatively, if no changes are considered necessary, justification should be provided in support of this position.