



Mr Steve O'Donoghue  
Team Leader – Resource Assessments  
Planning & Development Director  
Department of Planning & Environment  
GPO Box 39  
SYDNEY NSW 2001

**TARWYN PARK – UPPER BYLONG VALLEY – KEPSCO MINE MITIGATION RESPONSE  
REVISED MINING PLAN (RMP)**

Dear Mr O'Donoghue

I write regarding a current SSD Application before the department for a mine proposal affecting the abovementioned heritage place. Thank you for the additional responses from the applicant (received by us on 12 July 2018), in response to DPE's request for reconsideration of mine placement and activities to mitigate impacts from the open cut and emplacement works impacting Tarwyn Park, as further mitigation measures to reduce heritage, landscape and visual impacts across the Upper Bylong Valley.

The Heritage Division has now had an opportunity to review the submitted materials and to respond on behalf of the Heritage Council of NSW. I note that DPE's request to the applicant to further explore mitigation measures from the proposal was responding to the Heritage Council's earlier submitted position on the heritage values of the place, and identified impacts should the mine be approved.

It is pleasing to see that the applicant has made significant reductions in the mine footprint, removed direct impacts to the historic Tarwyn Park property, and suggested further mine spoil placement options and post mining remediation measures, to recover the landscape in a pre-mine environment within constraints. The following comments are provided in specific review of:

- Appendix D: Summary of Revised Environmental Impacts (Hansen Bailey 2018);
- Appendix K: Updated Photomontages and Cross Sections (Hansen Bailey 2018);
- Appendix I: Soils and rehabilitation Assessment (Hansen Bailey 2018);
- Appendix J: Historic Heritage and Visual and Landscape Assessment (Hansen Bailey 2018);

We note that the proposed Revised Mine Plan (RMP) will have the following key heritage improved outcomes:

- There will be an overall reduction in the mine footprint, as proposed, by 113 hectares
- There will be a reduction of direct impacts to the Tarwyn Park Homestead property by 90%
- There will be modification to, and a reduced overburden handling by 24%.
- Impacts to farmland, potentially utilized for Natural Sequence Farming, on Tarwyn Park, will be avoided
- Driveway access off the Upper Bylong Road to Tarwyn Park will remain
- The RMP will result in improved visual and landscape impacts when viewed from Tarwyn Park Homestead and Stables
- The RMP will result in some improved impacts to views from the Upper Bylong Valley which forms part of the Bylong Landscape Conservation Area as a result of reduced open cut mining footprints
- Commitment to development of conceptual final landforms to minimize visual impacts from linear redeposited fill profiles and impacts on rural character; and improved retention of views to and between key heritage elements
- General reduced visual scale and prominence of the project
- Avoidance of direct impacts to the Former Upper Bylong Catholic Church and cemetery
- Horse burials location at the gate of Tarwyn Park Farm Complex will be avoided
- Direct impacts to Aboriginal heritage sites to four sites compared to the EIS Mine Plan.
- Vibration impacts will be reduced and monitored overall

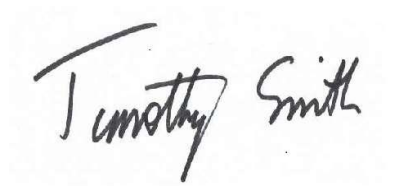
In summary, the Heritage Council welcomes the responses by KEPCO to revise the proposed Mine Plan to avoid and minimise potential impacts to the heritage values of Tarwyn Park and the surrounding landscape, and to specifically hear and respond to the key issues raised in the Heritage Council's submission to the Department (Feb 2018). The RMP make a substantive improvement to the exhibited EIS proposal and genuinely responds to several key impacts identified by the Heritage Council in its submission; the removal of the bulk of the open cut mining from the Tarwyn Park property is seen as a significant heritage concession. The Heritage Council notes that the mine proposal per se is still a significant impact to this unique landscape, and that the PAC will determine the proposal on a range of matters, including heritage and visual intrusion, when it makes its final assessment of the overall benefits and impacts from the mine.

I note your furnishing to the Heritage Council of KEPCO's response to the Hector Abrahams Architects (2018) report which constituted part of the Heritage Council's response to DPE on site values as impacts, as formally requested in 2017. The Heritage Division, as Delegate, notes the review by KEPCO through their engaged consultants AECOM and has provided a copy to Hector Abraham's Architects as a courtesy. I advise that the Heritage Council, and the Heritage Division OEH, do not propose to respond to the review but have noted KEPCO's position on the report and its findings.

The Heritage Council can be contacted on this response should you seek any further clarifications, by contacting myself in the first instance at [tim.smith@envrionment.nsw.gov.au](mailto:tim.smith@envrionment.nsw.gov.au), or on 0419 648 933.

I thank you for the opportunity to further comment on the mine proposal and heritage matters to achieve the best available outcome for affected heritage items and scenic values from the KEPCO proposal.

Yours sincerely

A handwritten signature in black ink that reads "Timothy Smith". The signature is written in a cursive style with a large, sweeping 'T' and 'S'.

**TIM SMITH OAM**  
Director Heritage Operations  
Heritage Division  
Office of Environment & Heritage  
**As delegate of the Heritage Council of NSW**

30 July 2018