



Job ID: DOC19/37566

Mr Andrew Rode
Senior Environmental Assessment Officer
Planning Services
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Sent by email to: andrew.ode@planning.nsw.gov.au

Dear Mr Rode

RE: Notice of Exhibition – Tahmoor South coal mine (SSD 8445)

I refer to your email dated 16 January 2019 inviting comments on the above State Significant Development application including the Environmental Impact Statement (EIS) for the proposal involving the following works:

- extension of existing underground mining areas towards the south, and extraction, processing and rail transportation of up to four million tonnes per annum of run-of-mine (ROM) coking and thermal coal;
- expansion of the existing Rejects Emplacement Area;
- construction of two additional mine ventilation shafts; and
- continued operation of existing mine facilities until approximately 2035.

The Historical Heritage Assessment (HHA) report by Niche Heritage, Appendix L2, reports that twenty three (23) historical heritage items were identified within the Subsidence Study Area (SSA). These items include: early roads, a mid-to-late nineteenth century homestead, a cemetery, numerous timber cottages constructed during the early twentieth century, a railway station, railway bridges and various public buildings including a pub, post office, commercial buildings and a surgery. One (1) historical item 'Anderson's Inn' no longer exists and has not been included in the item count.

One (1) heritage item is of State heritage significance and is listed on the State Heritage Register: Wirrimbirra Sanctuary (SHR No. 01508). This item is listed for its historical and natural heritage values (as a natural area with a rich and diverse flora and fauna, including rare and endangered species), its research potential, rarity and associative values. One (1) item is listed on RailCorp's s.170 Register and twenty-one (21) of these items are listed as locally significant heritage items on the Wollondilly Shire Council's Local Environmental Plan 2011.

The HHA report states that the historic heritage elements within the Sanctuary that have potential for heritage impact are the pre-Sanctuary stone hut site, a stone well and low stone walls, and post 1960s cabins, cottages and various ancillary structures.

The HHA concludes that potential impacts are *primarily limited to subsidence associated impacts* and that *subsidence effects on pre-Sanctuary features are not expected*. However, it does not discuss whether there is any potential for heritage impact on the post 1960s features. It notes that full site condition assessment was not possible due to access restrictions and recommends additional assessment including a detailed site inspection of historic heritage items and their contribution to the significance of the place. The HHA report was not informed by prior site inspection, enabling accurate current condition of structures, nor of bushland areas, to be recorded. The HHA report also notes that constraints meant no research was done into historic associations of any of these structures. Both these aspects are problematic, in informing a meaningful impact assessment, given the HHA's recommended 'detailed site inspection prior to mining' action.

The HHA notes that the Sanctuary's natural features are of heritage significance and (page 50) 'will be detrimental effects' on the stream, until it is remediated. Tea Tree Hollow is expected to experience fracturing of bedrock and draining of pools at times of low flow. These adverse impacts on these natural heritage values do not appear to be adequately considered in terms of framing mitigative measures, detailed monitoring procedures and thus informing the site-specific Heritage Management Plan, Extraction Plan and Groundwater Management Plans cited elsewhere as needed and to be prepared. This is inadequate heritage impact assessment, needing further revision and enhancement.

It is noted that the EIS/HHA does not fully address the following OEH input to SEARs in relation to *Historic Heritage*, dated 23/05/2017:

- a. *outline the proposed mitigation and management measures (including measures to avoid significant impact and an evaluation of the effectiveness of the mitigation measures) generally consistent with the NSW Heritage Manual (1996).*
- c. *include a statement of heritage impact for all heritage items (including significance assessment. This would seem contingent with an onsite inspection, condition assessment of all built items on Wirrimbirra Sanctuary, bush condition assessment and stream bedrock, Teatree Hollow and pools condition assessment, to inform mitigative measures, impact avoidance and monitoring measures at later stages).*

Accordingly, it is recommended that the following documentation be prepared and submitted to the Department of Planning and Environment for assessment prior to issue of any approval:

- detailed assessment of the condition, significance and associations of all historic heritage items within the Sanctuary (including post-1960s structures) and preparation of a detailed site-specific Heritage Management Plan;
- consideration and refinement of mitigative measures to ensure adverse subsidence or other impacts on Wirrimbirra Sanctuary are avoided or minimised;
- preparation of a site-specific Statement of Heritage Impact (SoHI) report for Wirrimbirra Sanctuary in consultation with land owners and the NSW Heritage Council.

The above documentation should include mitigation measures including a site inspection to report on condition, further research into associations and thus heritage values of all historic heritage items in the Sanctuary to inform a revised EIS/HHS; a further pre-mining inspection, detailed regular condition monitoring during the mining process and necessary staged restoration if subsidence or other damage occurs, to be implemented at appropriate stages of the project and subject to future, separate approvals as necessary. Impacts of the

proposed borehole program within the Sanctuary should be considered in detail once the borehole locations have been finalised.

Please note that this advice does not relate to Aboriginal Archaeology. We understand that the request for comments on the Aboriginal Archaeology have been separately referred to the Regional Operations Planning Unit of the Office of Environment & Heritage.

If you have any questions regarding the above advice, please feel free to contact Rajat Chaudhary, Senior Heritage Assessment Officer, Heritage Division, Office of Environment and Heritage, at rajat.chaudhary@environment.nsw.gov.au or on 9873 8521 or Stuart Read, Senior Heritage Operations Officer, at stuart.read@environment.nsw.gov.au or on 9873 8554.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Meredith', with a stylized flourish at the end.

Steven Meredith
Regional Manager South
Heritage Division
Office of Environment & Heritage
5 March 2019
As Delegate of the NSW Heritage Council