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By email: andrew.ode@planning.nsw.gov.au

Dear Mr Rode

RE: Heritage comments on Second Amendment Report for Tahmoor South Coal Mine (SSD 8445)

Thank you for your referral dated 6 August 2020 inviting comments from the Heritage Council of NSW on the Second Project Amendment Report for the above State Significant Development (SSD). The initial proposal (SEARS) seeks to extend the life of underground mining at Tahmoor South Coal Mine for an additional 10 years until approximately 2032.

It is noted that the delegate of the Heritage Council of NSW has previously provided comments for the Tahmoor South Coal Mine during the Secretary's Environmental Assessment Requirements (SEARS) on 23 May 2017, the Environmental Impact Statement (EIS) on 5 March 2019 and the Response to Submissions (RtS) in conjunction with the Project Amendment Report (PAR) on 16 March 2020.

During the RtS and PAR stage, the delegate of the Heritage Council of NSW raised concerns that the previous advice had not been addressed as the submission did not include:

- 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 landowners and the NSW Heritage Council.

Following submissions received during the previous stages, the design of the proposal underwent a second modification to reduce potential environmental impacts, specifically potential subsidence and biodiversity impacts. The amendments to the proposal involve:

- Removal of two additional longwalls in the southern part of the mine near the township of Bargo (LW107B and LW108B) and reduction in magnitude of subsidence impacts;
- Containment of the Rejects Emplacement Area (REA) within the bounds of the approved disturbance footprint to eliminate the need for any further vegetation clearing within the site. This will necessitate an increase in height of the REA by up to 15m from the original proposed 305m to 320m; and
- Amendments to the layout of the ventilation shafts (TSC1 and TSC2) and associated transmission line easements to reduce the extent of vegetation clearing during construction.

The following report were considered in our assessment:

- *Second Project Amendment Report* prepared by EMM dated August 2020

As delegate of the Heritage Council of NSW, I provide the following comments:

- The proposal involves longwall mining to the Tahmoor South Coal, where coal will be extracted in a series of longwall panels approximately 400 metres beneath the ground surface. Figure 1.2 Study Area included within the SOHI identifies the longwalls proposed within the boundaries of the SHR item to involve LW101A, LW102A, LW103A and LW104A.
- *Appendix O Statement of Heritage Impact for Tahmoor South Project: Wirrimbirra Sanctuary* (SOHI) prepared by EMM dated 31 July 2020 has been provided to address comments previously provided by Heritage NSW. This document includes a detailed assessment of the condition, significance and associations of all historic heritage items within the Wirrimbirra Sanctuary (including post-1960s structures). It also includes specific management measures for the historic heritage items within the Wirrimbirra Sanctuary.

Based on the observation of impacts to three other longwall locations being Tahmoor, Appin Area and West Cliff Colliery, the SOHI concludes that the probabilistic assessment of impacts arising from the mining method will be very minor to nil. This is supported by *Appendix B Subsidence Assessment* prepared by MSEC dated July 2020, which includes the maximum predicted total subsidence movements for the longwalls after the extraction of the longwalls within a 20 m radius of the Wirrimbirra Sanctuary structures. The SOHI further states that the landscape will experience mine subsidence movement, but the orders of magnitude will be such that changes will not be visually perceptible and will therefore not have a detrimental effect on its significance

It was understood from previous stages that the proposal would affect the SHR item. Following receipt of the SOHI, we note that the proposal occupies most of the SHR curtilage. Although mitigation measures have been proposed, grave concerns previously raised by Heritage NSW surrounding long term impacts to the unique and underrepresented natural heritage of the SHR item remain. **To avoid any adverse potential impacts, it is, therefore, recommended that the proposed longwalls be relocated outside the SHR curtilage and an adequate buffer zone be identified around the curtilage.** The following recommendations are provided to further mitigate potential adverse impacts posed by the works in the vicinity of the SHR item:

- a) A detailed site-specific Heritage Management Plan including a Trigger Action Response Plan (TARP) for Wirrimbirra Sanctuary and the areas within the buffer zone, itemising specific monitoring requirements and frequencies should be prepared and implemented prior to longwall extraction in the vicinity of the SHR curtilage.
- b) All historic heritage items and ground water hydrology within Wirrimbirra Sanctuary must be regularly (e.g. every six-months) monitored for vibration and subsidence during mining operations in the vicinity of the SHR curtilage. If vibration and subsidence are detected, the area must be rehabilitated prior to any further mining works being undertaken, and a report is to be submitted to Heritage NSW outlining the actions taken, to its satisfaction, before any further mining works recommence.

- c) Adjoining areas to the boundaries of the SHR item, including ground water hydrology, must be regularly (e.g. every six-months) monitored for vibration and subsidence during mining operations. If vibration and subsidence are detected that would result in a cumulative impact that would adversely affect the SHR item, the area must be rehabilitated prior to any further mining works being undertaken, and a report is to be submitted to Heritage NSW outlining the actions taken, to its satisfaction, before any further mining works recommence.
- The REA is not situated within the curtilage of the SHR item. *Appendix I Visual Assessment* prepared by Green Bean Design dated 27 July 2020 concludes that the proposed amendment to the REA will not result in a level of visual effect or visual significance over and above the low impact determined in the initial visual impact assessment report. The proposed increase in height will be appropriately mitigated by the distance and extent of existing tree cover surrounding and between the amended REA and surrounding view locations.
- The amendments to the layout of the ventilation shafts (TSC1 and TSC2) and associated transmission line easements are partially located within the curtilage of the SHR item. The reduction to the extent of vegetation clearing during construction will have a positive impact to the setting of Wirrimbirra Sanctuary.

Relevant local councils and state agencies should be invited to comment where heritage items on the Local Environmental Plan (LEP) and the s.170 Register are being affected. Early collaboration with local councils and relevant state agencies on mitigation impacts to heritage items and heritage landscapes associated with the project is recommended.

Please note that this advice does not relate to Aboriginal Cultural Heritage. We understand that a request for comments on Aboriginal Archaeology has been separately referred to the Aboriginal Cultural Heritage Regulation of Heritage NSW for separate comment.

If you have any questions regarding the above matter, please contact Chrisia Ang, Senior Heritage Assessment Officer, at Heritage NSW, the Department of Premier and Cabinet on (02) 8275 1952 or chrisia.ang@environment.nsw.gov.au.

Yours sincerely



Steven Meredith
Regional Manager, Southern
Heritage NSW, Community Engagement
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As Delegate of the Heritage Council of NSW

26 August 2020