



Ms Anna Summerhayes
Acting Executive Director
Independent Planning Commission
Level 3, 201 Elizabeth Street
SYDNEY NSW 2000

Our ref: ED19/320

By email: anna.summerhayes@ipcn.nsw.gov.au.

Dear Ms Summerhayes *Anna.*

Subject: Rix's Creek Continuation of Mining Project (SSD 6300)

Thank you for your letter of 19 September 2019 in which the Independent Planning Commission requested additional information from Environment, Energy and Science Group (EES) of the Department of Planning, Industry and Environment in relation to the two options for overburden emplacement areas for the Rix's Creek Continuation of Mining Project.

The 'Option 1' overburden emplacement proposed is for all overburden from the expanded mining operations to be placed on the existing North Pit and South Pit dumps, raising their height, but negating the need for the Western Out-of-Pit Dump. 'Option 2' has less overburden going to the North Pit and South Pit dumps, with some going to a proposed 50.4 hectare Western Out-of-Pit Dump.

Specifically, the Commission asked EES's view on:

The impacts of 'Option 1' and 'Option 2' of the overburden emplacement areas on Endangered Ecological Communities (EEC)

No NSW-listed EEC vegetation would be cleared under either 'Option 1' or 'Option 2'.

How the two options compare in relation to the hierarchy of 'avoid, minimise, offset'

Both options ensure avoidance of a large area of native vegetation that was proposed to be cleared under the original Environmental Impact Statement and EES is satisfied that both options meet the requirements of avoid, minimise and offset in accordance with the principles of the *NSW Biodiversity Offsets Policy for Major Projects 2014*. However, an additional 7.4 hectares of native vegetation would be avoided under 'Option 1' to that proposed under 'Option 2'.

Consideration of the two options in relation to the draft conditions of consent.

The changes to the proposed draft consent conditions for 'Option 1' reduce the biodiversity credit yield for the development by 604 ecosystem credits out of an original 4,428 ecosystem credit yield. EES is satisfied with the assessment of credit yield outlined within the draft conditions of consent provided by the Independent Planning Commission.

If you have any questions about this advice, please do not hesitate to contact Ms Sonya Errington, Director Hunter Central Coast, at sonya.errington@environment.nsw.gov.au or 0459 859 176.

Yours sincerely,

Anissa Levy

**Coordinator-General
Environment, Energy and Science**