



# ***Rix's Creek South***

**Modification 10**

**Minor Extension of  
Operational Life**

*Section 4.55 (1A)  
Modification Assessment  
(DA 49/94 MOD 10)*

April 2019

© Crown Copyright, State of NSW through its Department of Planning and Environment 2019.

### **Cover photo**

The Rix's Creek South Pit 3 Progressive Rehabilitation (Source Department of Planning and Environment, 2016).

### **Disclaimer**

While every reasonable effort has been made to ensure this document is correct at time of printing, the State of NSW, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance or upon the whole or any part of this document.

### **Copyright notice**

In keeping with the NSW Government's commitment to encourage the availability of information, you are welcome to reproduce the material that appears in this document. This material is licensed under the Creative Commons Attribution 4.0 International (CC BY 4.0). You are required to comply with the terms of CC BY 4.0 and the requirements of the Department of Planning and Environment. More information can be found at: <http://www.planning.nsw.gov.au/Copyright-and-Disclaimer>



## Executive Summary

The Bloomfield Group (Bloomfield) owns and operates Rix's Creek Coal Mine (hereafter 'Rix's Creek South'), an open cut coal mine located in the Hunter Valley approximately 5 kilometres northwest of Singleton, within the Singleton local government area.

Under the current development consent (DA 49/94), Bloomfield is approved to extract coal until 24 June 2019. The proposed modification seeks to extend the 21-year approval period for coal extraction by a further nine months, to 24 March 2020. The extension is being sought to ensure continuity of mining operations whilst a much larger State significant development application (SSD 6300) for the continuation and expansion of the mine is being finalised and determined. The modification would ensure ongoing employment for mine workers and contractors and other flow-on benefits to its suppliers and customers. No other changes to existing approved operations are being sought or are proposed to be altered.

During public exhibition of the modification application, seven Government agencies provided advice on the proposal and 53 public submissions were received. Of the 53 public submissions, 28 objected to the proposal, resulting in the Independent Planning Commission becoming the consent authority for the modification.

None of the Government agencies objected to or raised issues over the proposed modification. The public submissions in support acknowledged the socio-economic benefits that the modification would provide and generally supported Bloomfield as an organisation. In contrast, the public submissions in objection raised concerns over the perceived inadequacy and lack of information in the application, that the application was exhibited during the NSW Government's election caretaker period, that the mine should be closer to closure, that Bloomfield's compliance history and its capacity to manage the site were inadequate, that the mine should adhere to contemporary air quality standards, concerns over assessment of greenhouse gas emissions and that the modification pre-empts the determination of SSD 6300. In its assessment, the Department has carefully considered all concerns raised by the community, both from those in support of the modification and those against it.

Bloomfield has demonstrated that it has remaining approved coal resources available for extraction to allow it to continue mining operations unchanged during the nine-month period. As Bloomfield is not proposing to intensify, expand or alter the approved mined operations, the associated environmental and social impacts of the modification are limited to the extended duration of previously approved impacts. The Department considers that the socio-economic benefits of the modification significantly outweigh the minor continuation of impacts.

The Department considers that the modification is warranted to protect the mine's workforce, contractors, suppliers, customers and owners from unnecessary disruption. Therefore, the Department is satisfied that the proposed modification is in the public interest and is approvable.



# Contents

<b>Executive Summary .....</b>	<b>1</b>
<b>1. Introduction .....</b>	<b>3</b>
1.1 Background .....	3
1.2 Approval History .....	4
1.3 Rix's Creek South Continuation of Mining Project.....	5
<b>2. Proposed Modification .....</b>	<b>6</b>
<b>3. Statutory Context .....</b>	<b>6</b>
3.1 Scope of Modification.....	6
3.2 Consent Authority .....	6
3.3 Environmental Planning Instruments.....	8
3.4 Objects of the EP&A Act.....	8
<b>4. Engagement .....</b>	<b>9</b>
4.1 Public Exhibition .....	9
4.2 Advice from Government Agencies .....	9
4.3 Community and Special interest Group Submissions in Support .....	10
4.4 Community and Special Interest Group Objections and Comments .....	10
<b>5. Assessment.....</b>	<b>12</b>
<b>6. Evaluation .....</b>	<b>14</b>
<b>Appendices.....</b>	<b>16</b>
Appendix A – Statement of Environmental Effects .....	16
Appendix B – Submissions .....	16
Appendix C – Notice of Modification .....	16
Appendix D – Consolidated Consent.....	16

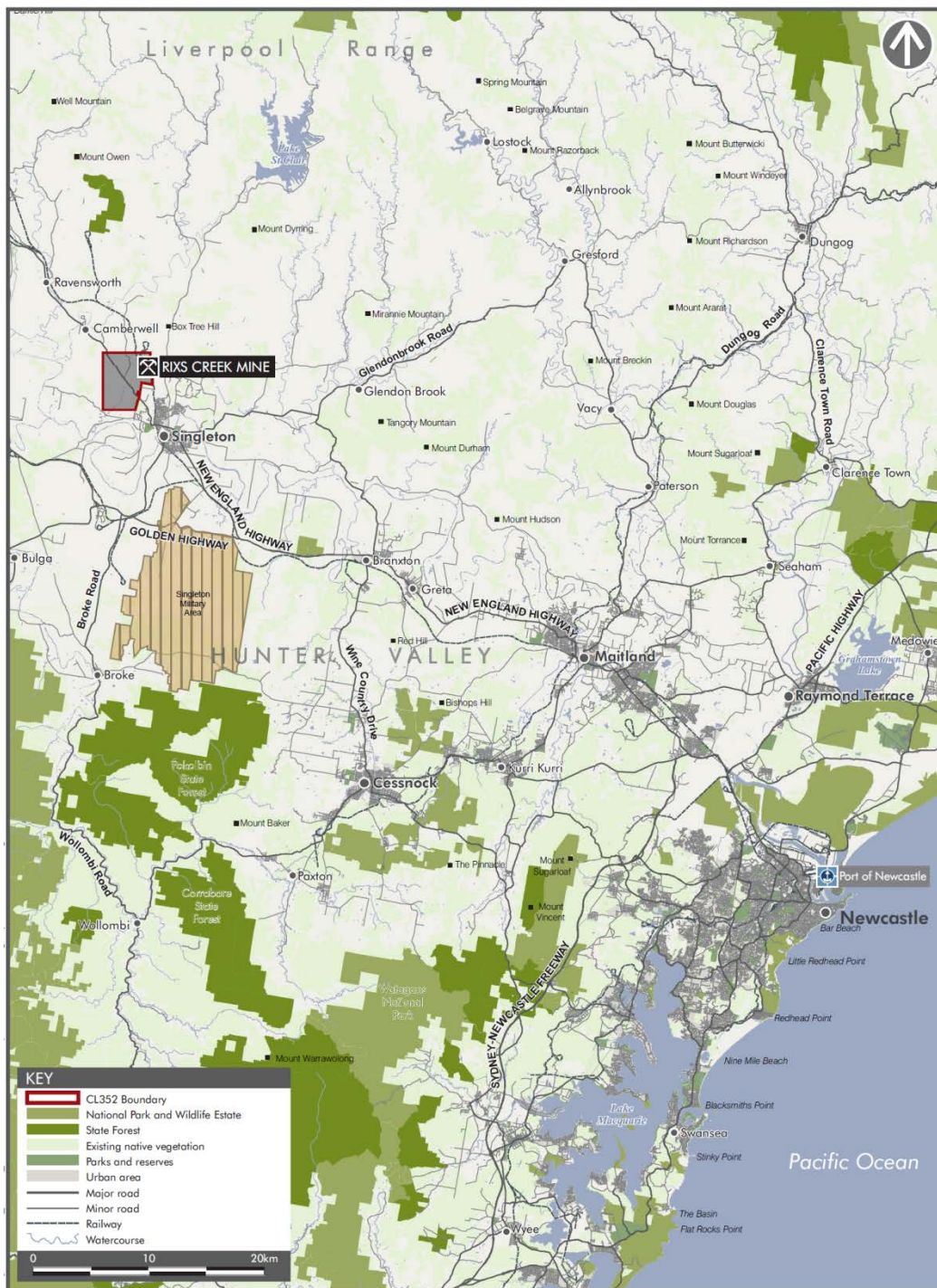




# 1. Introduction

## 1.1 Background

The Bloomfield Group (Bloomfield) owns and operates Rix's Creek Coal Mine (hereafter 'Rix's Creek South'), an open cut coal mine located in the Hunter Valley approximately 5 kilometres (km) northwest of the township of Singleton, within the Singleton local government area (see **Figure 1**).



**Figure 1** | Location of Rix's Creek

## 1.2 Approval History

Rix's Creek currently operates under DA 49/94, which was granted on 16 October 1995 by the Minister for Urban Affairs and Planning under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Under this consent, coal extraction is approved for a period of 21 years from the latter of either the date of consent or the date of issue of the relevant mining lease. ML 1432 was granted on 24 June 1998 and therefore coal extraction is approved until 24 June 2019.

The consent has been modified on nine previous occasions (see **Table 1**).

**Table 1** | Summary of previous modifications

Mod No.	Summary of Modification	Type	Approval Year
MOD 1	To amend noise monitoring conditions	Section 96(1)	1999
MOD 2	To receive run of mine (ROM) coal from Glennies Creek underground mine (now Integra Underground Mine), process the coal and transport by rail	Section 96(2)	2003
MOD 3	To receive and process and transport bulk coal samples from the Bickham coal exploration project	Section 96(1A)	2004
MOD 4	To allow a cut and cover tunnel under the New England Highway to allow mine vehicles to have unrestricted access between mining pits	Section 96(2)	2009
MOD 5	To construct and operate a rail loop and associated clean coal stockpile and rail loading facility	Section 75W	2013
MOD 6	To increase the total volume of material that can be moved annually from 15 million bank cubic metres (Mbcm) to 16.1 Mbcm	Section 75W	2014
MOD 7	To allow ROM coal from Rix's Creek North to be processed at Rix's Creek South coal handling and preparation plant (CHPP);	Section 75W	2016
MOD 8	To construct and use two satellite ROM coal stockpiles at the Rix's Creek South CHPP	Section 75W	2016
MOD 9	To allow transfer of overburden and reject material to Rix's Creek North and allow drilling to be conducted in the area between the two operations	Section 75W	2017

The consent, as modified, allows Bloomfield to:

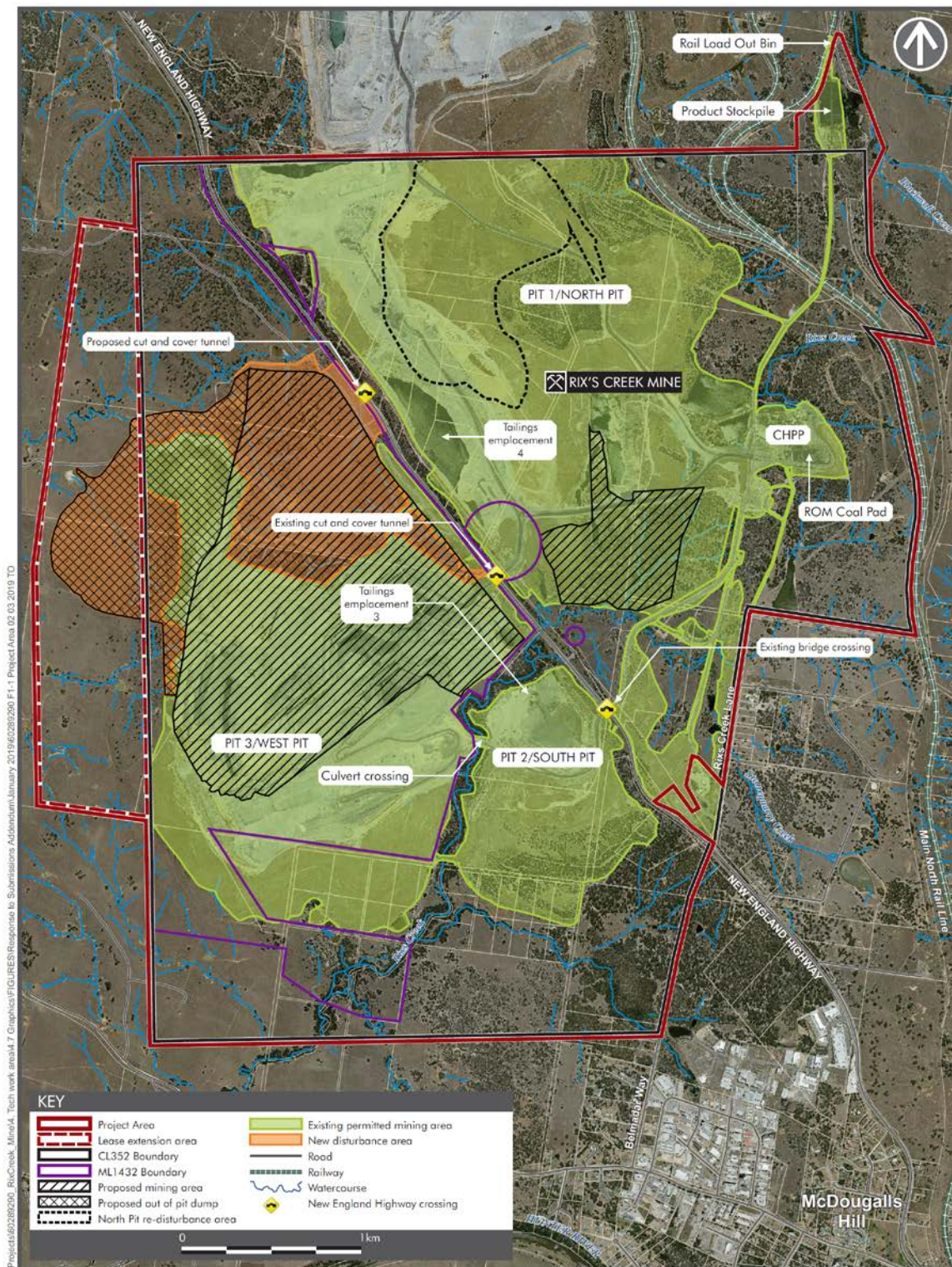
- move up to 16.1 Mbcm of material (coal and overburden) per year, which equates to approximately 2.8 million tonnes per annum (Mtpa) of ROM coal;
- integrate operations with its neighbouring mine, Rix's Creek North (formerly Integra Open Cut), approved separately under MP 08\_0102;
- operate 24 hours per day, seven days per week;
- process this coal at the Rix's Creek South CHPP; and
- transport product coal by rail to the port of Newcastle for shipping to export markets.

There are three approved open cut pits at the mine. Coal is currently being extracted from Pit 3, which is located to the west of the New England Highway. Coal extraction from Pit 1 and Pit 2 ceased in 2014 and 2003, respectively. These pits have subsequently been used for overburden and tailings emplacement and are being progressively rehabilitated.



### 1.3 Rix's Creek South Continuation of Mining Project

On 27 October 2015, Bloomfield submitted an application to the Department for a new State significant development consent (SSD 6300) to facilitate the continuation and expansion of mining operations at Rix's Creek South for an additional 21 years (see **Figure 2**). There would normally have been sufficient lead time to ensure that this application was determined prior to cessation of mining operations under the current consent. However, significant delays in the assessment of this project has meant that SSD 6300 is yet to be determined and is now unlikely to be determined before 24 June 2019.



**Figure 2** | Rix's Creek South and proposed SSD 6300



## 2. Proposed Modification

The proposed modification seeks to extend the 21-year approval period for coal extraction by a further nine months, to 24 March 2020 to allow mining operations to continue on the site while the assessment of SSD 6300 is finalised and the application determined. Bloomfield considers, and the Department agrees, that SSD 6300 is now unlikely to be determined before 24 June 2019. This minor life extension is therefore being sought to ensure continuity of mining operations and to sustain the workforce currently employed by the mine. No other changes to the consent are being sought.

Due to mining at slower than expected rates (approximately 12 Mbcm per year), Bloomfield has more than sufficient approved material remaining to continue mining at its current production rates (approximately 1 Mbcm/month) for these additional nine months. This is based on its projection of having 33 Mbcm of its total approved material (276 Mbcm) remaining after June 2019. As such, Bloomfield is not proposing any changes to its approved mining areas, mining methods or production rates. **Figure 3**, below, shows where activities would occur over this nine-month period.

Bloomfield advises that, without this modification, it is likely that the mine would be forced to halt mining operations, causing significant disruption to the mine's workforce, contractors, suppliers and customers. Due to its integration with Rix's Creek North, that mine would also be negatively impacted if this modification is not approved.



## 3. Statutory Context

### 3.1 Scope of Modification

As DA 49/94 was originally approved under Part 4 of the EP&A Act, it is now taken to be State significant development (SSD) under Part 4.1 of the Act in accordance with Schedule 2 of the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*. Accordingly, this modification application has been lodged under section 4.55(1A) of the EP&A Act.

The Department has reviewed the scope of the modification application and considers that it would result in minimal environmental impacts and that the development, as proposed to be modified, would remain substantially the same development as last modified under section 75W. In this regard,

- there are no proposed changes to the approved mining areas, mining methods or production rates; and
- any potential environmental impacts would be simply the continuation of existing approved impacts, minimal in nature and appropriately managed through the existing conditions of consent.

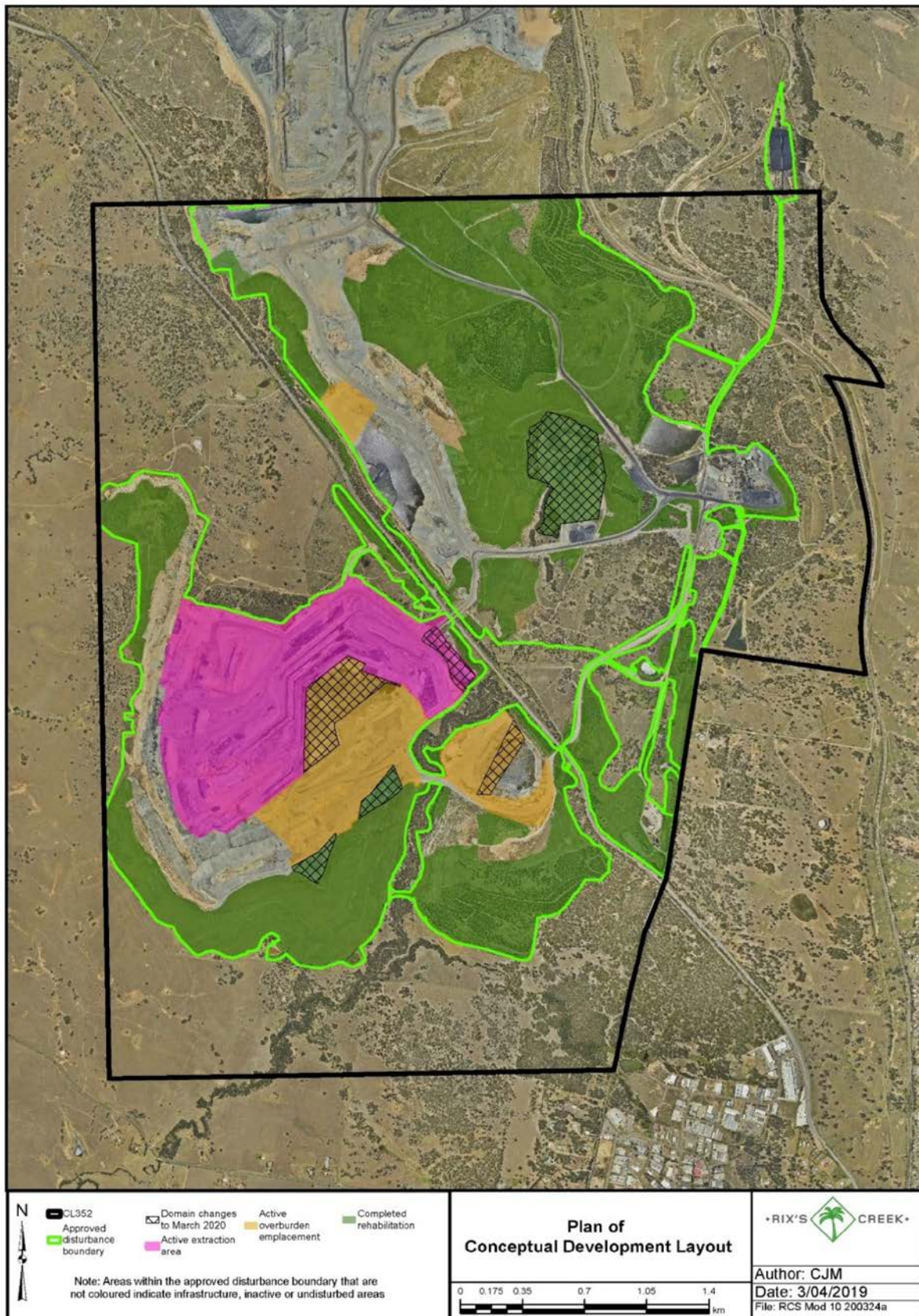
Consequently, the Department is satisfied that the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and can be assessed and determined under this section.

### 3.2 Consent Authority

The Minister for Planning would be the consent authority for the application under section 4.5(a) of the EP&A Act, except for the operation of clause 8A of the *State Environmental Planning Policy (SEPP) (State and Regional*



Development) 2011. Under this provision, the Independent Planning Commission (the Commission) is the declared consent authority for this modification, since at least 25 public submissions by way of objection were received during the exhibition period.



**Figure 3** | Proposed development over the nine-month extension period, shown in black hatch

### 3.3 Environmental Planning Instruments

Under section 4.15 of the EP&A Act, the consent authority is required to take into consideration any environmental planning instruments (EPIs) that apply to the land to which the application relate. The Department has assessed the modification against the relevant provisions of the following EPIs:

- SEPP (State and Regional Development) 2011;
- SEPP (Mining, Petroleum Production and Extractive Industries) 2007; and
- Singleton Local Environmental Plan 2013.

The Department considers that the modification can be undertaken in a manner that is generally consistent with the aims, objectives and provisions of these EPIs.

### 3.4 Objects of the EP&A Act

The objects of the EP&A Act are the underpinning principles for all decision making under the Act. They must be considered by the consent authority when making this decision. The Department has assessed the proposed modification against the objects found in section 1.3 of the EP&A Act, which were updated on 1 March 2018.

**Table 2** summarises how these objects have been considered.

**Table 2** | Consideration of the proposed modification against the objects of the EP&A Act

Objects of the EP&A Act (section 1.3)	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources;	<ul style="list-style-type: none"><li>• The modification would provide ongoing socio-economic benefits to the people of NSW and ongoing employment opportunities for members of the local Singleton community.</li></ul>
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment;	<ul style="list-style-type: none"><li>• The modification can be carried out in a manner that is consistent with the principles of ESD. The Department's assessment has sought to integrate all significant environmental, social and economic considerations.</li></ul>
(c) to promote the orderly and economic use and development of land;	<ul style="list-style-type: none"><li>• The targeted coal resource is located within an existing mining lease area.</li><li>• The modification involves a permissible land use on the subject site and would facilitate sustainable, efficient and optimised recovery of an approved resource.</li></ul>
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats;	<ul style="list-style-type: none"><li>• The modification would not directly impact any threatened species, populations or ecological communities beyond what has previously been assessed and mitigated.</li></ul>
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage);	<ul style="list-style-type: none"><li>• The modification would not directly impact on Aboriginal cultural heritage or historic heritage.</li></ul>
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State;	<ul style="list-style-type: none"><li>• The Department notified and consulted with Council and other NSW government authorities on the proposal and considered all responses in its assessment.</li></ul>
(j) to provide increased opportunity for community participation in environmental planning and assessment.	<ul style="list-style-type: none"><li>• The Department publicly exhibited the proposal and made the modification application and accompanying documents publicly available on its website (see <b>Section 4</b>).</li><li>• All public submissions have been considered by Bloomfield and the Department during the assessment process.</li></ul>



## 4. Engagement

### 4.1 Public Exhibition

The Department is not required to publicly exhibit section 4.55(1A) modification applications; however, it decided to exhibit this application due to the anticipated community interest. In accordance with clause 10 of Schedule 1 of the EP&A Act and clause 118 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), the Department:

- placed a public exhibition notice in the *Singleton Argus* and *Hunter Valley News* on Wednesday 6 March 2019; and
- publicly exhibited the application and accompanying Statement of Environmental Effects (SEE, see **Appendix A**), from 7 to 21 March 2019 on the Department's website, at NSW Service Centres, at Singleton Council's office in Singleton and the NSW Nature Conservation Council's office in Sydney.

The Department also requested advice from key government agencies, including Singleton Council.

In response to the notification and public exhibition process, the Department received advice from 7 government agencies and submissions from 53 members of the public and special interest groups. Of these, 28 objected to the proposal. A summary of the advice received from agencies and the issues raised in all submissions is provided below. Copies of all advice and submissions are provided in **Appendix B**.

In undertaking these processes, the Department considers that the notification process met the requirements of the EP&A Act and the EP&A Regulation.

On 8 April 2019, Bloomfield provided its Response to Submissions (RTS) report to address the issues raised in submissions (see **Appendix C**).

### 4.2 Advice from Government Agencies

None of the government agencies objected to or raised issues over the proposed modification.

The **Environment Protection Authority** (EPA) considered that the environmental impacts of the mine would not be changed by the proposed extension of time and that the existing impacts would continue to be satisfactorily managed under existing conditions of consent. The Department agrees with this position.

The **Office of Environment and Heritage** was satisfied that there would be no additional impacts to Aboriginal cultural heritage, flooding, flood risks or biodiversity. Therefore, it did not object to or raise concerns over the proposal.

The Department's **Division of Resources and Geoscience** (DRG) acknowledged that there were no changes to the approved mining areas, coal processing rate, mine life or mining methods. DRG further considered that, should the project be approved, it would continue to be a sustainable, efficient and optimal use of the coal resource and that further risks and opportunities could be effectively regulated through the continued application of conditions of the mining leases previously issued under the *Mining Act 1992*.

The **Resources Regulator** noted that the mine's current consent conditions for rehabilitation do not reflect best practice, contemporary conditions. However, the Department recognises that the rehabilitation conditions were last updated under Modification 4 in 2009 and notes that the scope of subsequent modifications has not warranted further updates to these conditions. Notwithstanding this, the Resources Regulator determined that



sustainable rehabilitation outcomes could be achieved under existing consent conditions and that any residual risks or opportunities could be effectively regulated through conditions of the mining leases issued under the *Mining Act 1992*.

The **Department of Industry** provided generic advice on Bloomfield's obligations under the *Mining Act 1992* for activities on Crown lands or roads within a mining lease or exploration licence.

**Roads and Maritime Services** noted that the assessment of SSD 6300 is still underway and considered that there would not be any significant impact on the surrounding classified road network as a result of the proposed modification.

**Hunter New England Population Health** (NSW Health) advised that it considered that it would have minimal impact on public health and had no further comment.

Singleton Council did not provide any formal comments on the proposed modification. However, the Department understands informally that Council has no objection or concerns over this proposal.

### 4.3 Community and Special interest Group Submissions in Support

Of the 53 public submissions, 24 submissions supported the modification. The Department identified that, of these supportive submissions, at least 12 were received from Bloomfield employees and five from local businesses specifically detailing their business relationship with the mine. The submissions generally raised concern over the negative socio-economic impacts that would arise if the modification were not approved, such as:

- potential disruption of employment to mine workers and associated reduced employment opportunities in the region; and
- negative economic flow-on effects to small businesses in the Hunter region through loss of contracts.

These submissions also acknowledged support for Bloomfield as a good corporate citizen and recognised the important role that the mine plays in the community of Singleton.

One special interest group, Singleton Shire Healthy Environment Group (SSHEG) provided conditional support for the proposal as it would maintain employment balance but stated that the mine should also consider the health of the community, minimise mine air pollution emissions and conform to contemporary air quality standards. The Department has further considered potential air quality impacts in **Section 5** below.

### 4.4 Community and Special Interest Group Objections and Comments

Of the 53 public submissions, 28 were in the form of an objection, including three from special interest groups (Hunter Communities Network, Hunter Environment Lobby Inc and Groundswell Gloucester). The Department also received one submission in the form of a comment.

Common concerns raised in these submissions are summarised and discussed below. The Department notes that these concerns are in contrast to the advice received from Government agencies and the public submissions made in support of the modification. The Department also notes that a number of these concerns extend to matters that are not directly relevant in consideration of the modification. It is acceptable and not uncommon for the public to use the exhibition process to voice general concerns over an applicant, an existing operation or an industry. The Department acknowledges these concerns and has endeavoured to resolve them where possible, but also recognises that its merit assessment of the modification must focus only on relevant matters of consideration.

#### Inadequacy and lack of information in the SEE

Public submissions raised concern that the SEE was inadequate and lacked critical information. The Department recognises that the SEE was a succinct document, and accepts that its scope was limited as the modification did not warrant detailed impact assessment. However, the community considered that the SEE lacked detail on where

mining operations were currently occurring, what areas were intended to be mined and what volume of coal from the available resource was to be produced during the nine-month extension. The Department asked Bloomfield to provide this information, along with visual mapping of and a quantitative assessment of the remaining resource.

Bloomfield then provided additional information in its RTS (see section 5.2) detailing what activities would be occurring where over this nine-month period. As shown in **Figure 3** above, Bloomfield would continue approved mining in Pit 3. Active emplacement and rehabilitation activities would continue to occur at a number of locations across the site. Coal would continue to be processed at the CHPP and despatched via rail. Over the nine-month period, Bloomfield would produce 9 Mbcm of material, which would lead to approximately 1.9 Mtpa of ROM coal.

### **Public exhibition during the NSW Government caretaker period**

Public submissions raised concern that the application was placed on public exhibition during the NSW Government's election caretaker period. Under the *Caretaker Conventions and other Pre-election Practices, 2019 General State Election*, the Department is allowed to continue dealing with ordinary business. The Department considers that exhibition of this minor 4.55(1A) modification did not contravene these conventions in any way.

### **Mine rehabilitation and closure**

Public submissions raised concerns that, as 24 June 2019 is fast approaching, the mine should be reaching the final stages of mine closure and rehabilitation. Rehabilitation is not required to cease under the current consent on 24 June 2019. As noted in section 5.3 of Bloomfield's RTS, the 24 June 2019 end date is for coal extraction rather than an end date for the consent. Bloomfield is required to progressively rehabilitate the site and will continue to undertake rehabilitation activities. In addition, there is no requirement in either DA 49/94 or any other mining or quarrying consent that the maximum approved rate of extraction must be achieved or adhered to. Bloomfield has always had the option of extracting its resource at a lower rate than the maximum approved rate. Bloomfield has generally operated at these lower rates, which is why it now finds itself with available coal resources to continue to extract over the proposed nine-month extension.

### **Bloomfield's compliance history**

Public submissions raised concern over Bloomfield's capacity to manage the mine based on its compliance history. The submissions referred to the Department's 2016-2017 non-compliance investigation into unlawful disturbance of 96 ha of land at the mine. The Department considers that Bloomfield is currently complying with its enforceable undertaking of 23 June 2017 under the *Mining Act 1992* and the Land and Environment Court consent orders of 11 July 2017 to make amends and rectify its previous non-compliance and that the matter is therefore not of direct relevance to this modification.

### **Land use conflicts**

Public submissions raised concerns over potential land use conflicts with the expanding township of Singleton and significant local biodiversity corridors and water sources in the Hunter Valley. The Department acknowledges these concerns but notes that the modification is not proposing to change the use of land nor expand the footprint of the mine. Therefore, there is no direct and immediate need to reconsider the compatibility of the site with other surrounding land uses. The question at hand is whether to allow the continuation of existing approved impacts for a further nine months. The question of the mine's interactions with the surrounding land uses will instead be dealt with fully under the Government's assessment of the Rix's Creek South Continuation of Mining Project (SSD 6300).

### **Air quality standards**

Public submissions raised concern that air quality impacts have not been considered against the contemporary air quality standards set by the *National Environment Protection (Ambient Air Quality) Measure* (NEPM) and EPA's 2016 *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales* (Approved Methods). As the modification is unlikely to change the air quality impacts of the mine (ie no change in dust


generating activities), Bloomfield was not required to undertake an updated air quality impact assessment. However, the Department has further considered potential air quality impacts in **Section 5** below.

**Greenhouse Gas Emissions (GHGEs)**

Public submissions raised concern that the SEE did not include an assessment of any additional GHGEs. The Department notes that, as the modification is not seeking approval to extract additional coal and other material, rather it is seeking continued extraction of an already approved resource, there would be no GHGEs additional to those already approved. Nevertheless, as part of its RTS, Bloomfield engaged Todoroski Air Sciences to prepare a GHGE assessment (see Appendix A of the RTS). The Department has further considered GHGEs in **Section 5** below.

**Modification pre-empts the determination of SSD 6300**

Public submissions raised concern that this modification pre-empts the determination of SSD 6300. The Department notes that this modification seeks to provide continuity of operations and employment during a period of uncertainty, while SSD 6300 is finalised and determined. The Department does not consider that approval of this modification assumes or pre-empts the approval of SSD 6300.



# 5. Assessment

In assessing the merits of the proposal, the Department has considered the:

- Environmental Impact Statement (EIS) for the original development application;
- existing conditions of consent, as modified;
- modification application, SEE and RTS;
- advice from Government agencies and public submissions; and
- relevant EPIs, policies and guidelines.

The modification application seeks to extend the approved duration of mining operations for nine months, until 24 March 2020. It does not propose to intensify, expand or alter the approved mined operations. As such, there would be no change to the existing approved impacts, only the time over which they would occur.

The Department considers that the key matters for consideration are the extended duration of health and amenity impacts and the socio-economic impacts/benefits of providing mining continuity. These matters are addressed in **Table 3** below.

**Table 3** | Key assessment issues

Issue	Findings	Conditions
Air quality	<ul style="list-style-type: none"><li>• As discussed in <b>Section 4.4</b>, the continuation of existing air quality impacts was a concern raised in public objections.</li><li>• The proposed modification would not result in any increase in operational air quality impacts as mining operations would continue to occur at or below existing approved rates, ie there would be no increase in dust-generating activities.</li><li>• As result, the previous assessments undertaken for the project remain relevant and there is no need to update previous air quality impact assessments.</li><li>• Nevertheless, the Department recognises that the modification would result in a prolonging of these approved impacts.</li></ul>	<ul style="list-style-type: none"><li>• The Department notes that the air quality-related conditions of consent were recently updated, under Modification 8 in 2016. The Department considers that these conditions remain appropriate for the development, as proposed to be modified, and no other changes are required.</li></ul>



	<ul style="list-style-type: none"> <li>• However, the Department considers that this nine-month extension, relative to the previously approved 21-year mine life, is minor and the associated impacts would be minimal and acceptable.</li> <li>• Bloomfield currently operates a comprehensive air quality management system and the Department considers that the current management practices for managing dust and air quality at the mine would continue to be adequate for the proposed extension of time.</li> </ul>	
GHGEs	<ul style="list-style-type: none"> <li>• As discussed in <b>Section 4.4</b>, GHGEs were a concern raised in public objections.</li> <li>• The proposed modification is unlikely to increase GHGEs beyond those already approved as the 9 Mbcm of material to be moved has already been approved for extraction.</li> <li>• Nevertheless, Bloomfield provided an assessment of GHGEs in its RTS.</li> <li>• This assessment quantified that 40,934 t CO<sub>2</sub>-e (Scope 1 and 2) would be generated during the nine-month extension of operations.</li> <li>• Given the that the mine has not operated at full capacity over its 21-year life, even with the proposed nine-month extension, Bloomfield has estimated that it would move a total of 252 Mbcm of its 276 Mbcm material limit, therefore the total emissions would likely be less than those already approved.</li> </ul>	<ul style="list-style-type: none"> <li>• Under the current conditions of consent, Bloomfield is required to implement all reasonable and feasible measures to minimise the release of GHGEs from the site and must prepare an Air Quality &amp; Greenhouse Gas Management Plan.</li> <li>• The Department considers that these conditions remain appropriate for the development, as proposed to be modified, and no other changes are required.</li> </ul>
Noise	<ul style="list-style-type: none"> <li>• The proposed modification would not result in any increase in operational noise impacts as mining operations would continue to occur at or below existing approved rates, in already approved mining areas.</li> <li>• As result, the previous assessments undertaken for the project remain relevant and there is no need to update the noise impact assessment.</li> <li>• Nevertheless, the Department recognises that the modification would result in a prolonging of these approved impacts.</li> <li>• However, the Department considers that this nine-month extension, relative to the approved 21-year mine life, is minor and the associated impacts would be minimal and acceptable.</li> <li>• Bloomfield currently operates a comprehensive noise management system and the Department considers that the current management practices for managing noise at the mine would continue to be adequate for the proposed extension of time.</li> </ul>	<ul style="list-style-type: none"> <li>• The Department considers that the noise-related conditions remain appropriate for the development, as proposed to be modified, and no other changes are required.</li> </ul>
Socio-economic	<ul style="list-style-type: none"> <li>• The key purpose of the modification is to avoid potential closure of the mine on 24 June 2019.</li> <li>• Bloomfield is seeking this minor life extension to provide continuity of mining operations and employment during a short period of uncertainty when SSD 6300 is being finalised and determined.</li> <li>• The proposed extension would provide continued employment for mine workers, and the ongoing engagement of contractors and suppliers. Those socio-economic benefits would be otherwise negative, if mining operations are suspended are 24 June 2019.</li> <li>• The Department also accepts that there would be negative socio-economic impacts for the local and State economy if this modification is not approved.</li> <li>• Based on public submissions, the Department acknowledges that the community is fairly divided on this application. Those directly or indirectly involved with mine see the socio-economic benefits that the modification would provide and generally support Bloomfield as an organisation. However, others appear to be more concerned with the health, amenity and environmental impacts of the mine and the continued</li> </ul>	<ul style="list-style-type: none"> <li>• The Department has recommended that condition 2 of Schedule 2 of the consent is amended to allow coal extraction until 24 March 2020.</li> <li>• No other changes to the consent are considered necessary.</li> </ul>

production, sale and consumption of coal more generally. They see little benefit in the mine continuing operations under either this modification or the larger SSD 6300.

- The Department also considers that it would be unreasonable for Bloomfield to have to cease operations at Rix's Creek South, while the pending SSD 6300 remains on foot and close to determination.
- The Department considers that the modification would provide significant socio-economic benefits to the mine's workforce, contractors, suppliers, customers and owners.



## 6. Evaluation

The Department has assessed the merits of the proposed modification in accordance with the requirements of the EP&A Act. The Department has carefully considered the concerns raised by the community, both from those in support of the modification and those against.

The proposed modification relates solely to a minor (ie nine-month) extension of life to provide continuity of mining operations while the assessment of SSD 6300 is being finalised and determined. Bloomfield has demonstrated that it has remaining approved coal resources available for extraction to allow it to continue mining operations unchanged during this period. As Bloomfield is not proposing to intensify, expand or alter the approved mined operations, the associated environmental and social impacts of the modification are limited to the extended duration of previously approved impacts. The Department considers that the socio-economic benefits of the modification significantly outweigh the minor continuation of impacts.

The Department considers that the modification is warranted to protect the mine's workforce, contractors, suppliers and customers from unnecessary disruption. Therefore, the Department is satisfied that the proposed modification is in the public interest and is approvable.

The Department has recommended that only condition 2 of Schedule 2, pertaining to the approved time during which coal extraction can occur, be modified. The Department considers that the operating and environmental management practices currently in place at the mine would remain suitable for the extension period. Because of this and the minor nature of the modification, the Department does not consider it necessary to change or contemporise any other conditions. As such, the Department did not further consult with agencies or Council on the draft conditions. Should SSD 6300 be approved by the Commission, then the conditions of consent would be fully contemporised at that time.

The Department has drafted a Notice of Modification (**Appendix C**) for the proposed modification, as well as a consolidated version of the consent (**Appendix D**) as proposed to be modified.

The assessment report is hereby presented to the to the Independent Planning Commission of NSW for determination.

Endorsed by:

**Megan Dawson** 17.4.19  
Team Leader  
Resource Assessments

Endorsed by:

**Howard Reed** 17.4.19  
Director  
Resource Assessments



17.4.19

**Ben Harrison**

Acting Executive Director

Resource Assessments & Compliance





# Appendices

## **Appendix A – Statement of Environmental Effects**

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=9929](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9929)

## **Appendix B – Submissions**

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=9929](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9929)

## **Appendix C – Notice of Modification**

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=9929](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9929)

## **Appendix D – Consolidated Consent**

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=9929](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9929)