



Our ref: DA98/35-Mod-5

Ms Katie Bryant
HSEC Superintendent
Hillgrove Mines Pty Ltd
4/12/2025

Subject: Assessment Requirements – Matters of National Environmental Significance

Dear Ms Bryant

The Commonwealth Minister for the Environment has determined that your proposed modification, Hillgrove Mine Modification 5 (DA98/35-Mod-5), is likely to have a significant impact on matters of national environmental significance (MNES) and was determined to be a 'controlled action' under Part 7 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) on 27 November 2025.

I can advise that the action will be assessed under the Bilateral Agreement between New South Wales and the Commonwealth. Please find **enclosed** environmental assessment requirements in relation to the MNES identified in the Commonwealth Minister's controlled action decision.

The requirements have been prepared as your proposed development falls within the scope of a declared 'class of action(s)' under Schedule 1 to the Assessment Bilateral Agreement made between the Commonwealth Government and the New South Wales Government.

The assessment bilateral agreement streamlines assessment of environmental impacts, such that NSW assesses impacts on MNES for proposed actions that fall within the scope of the agreement. However, NSW does not *determine* whether approval should be granted with respect to impacts on MNES under the EPBC Act. The Commonwealth Minister remains responsible for determining whether approval should be granted with respect to MNES under the EPBC Act, and if so, any conditions to be imposed on an approval granted under the EPBC Act.

If you have any questions, please contact Brittany Golding on 02 9995 5742.

Yours sincerely

Stephen O'Donoghue
Director Resource Assessments
As nominee of the Planning Secretary

Enclosed: Attachment 1 - Assessment requirements for MNES