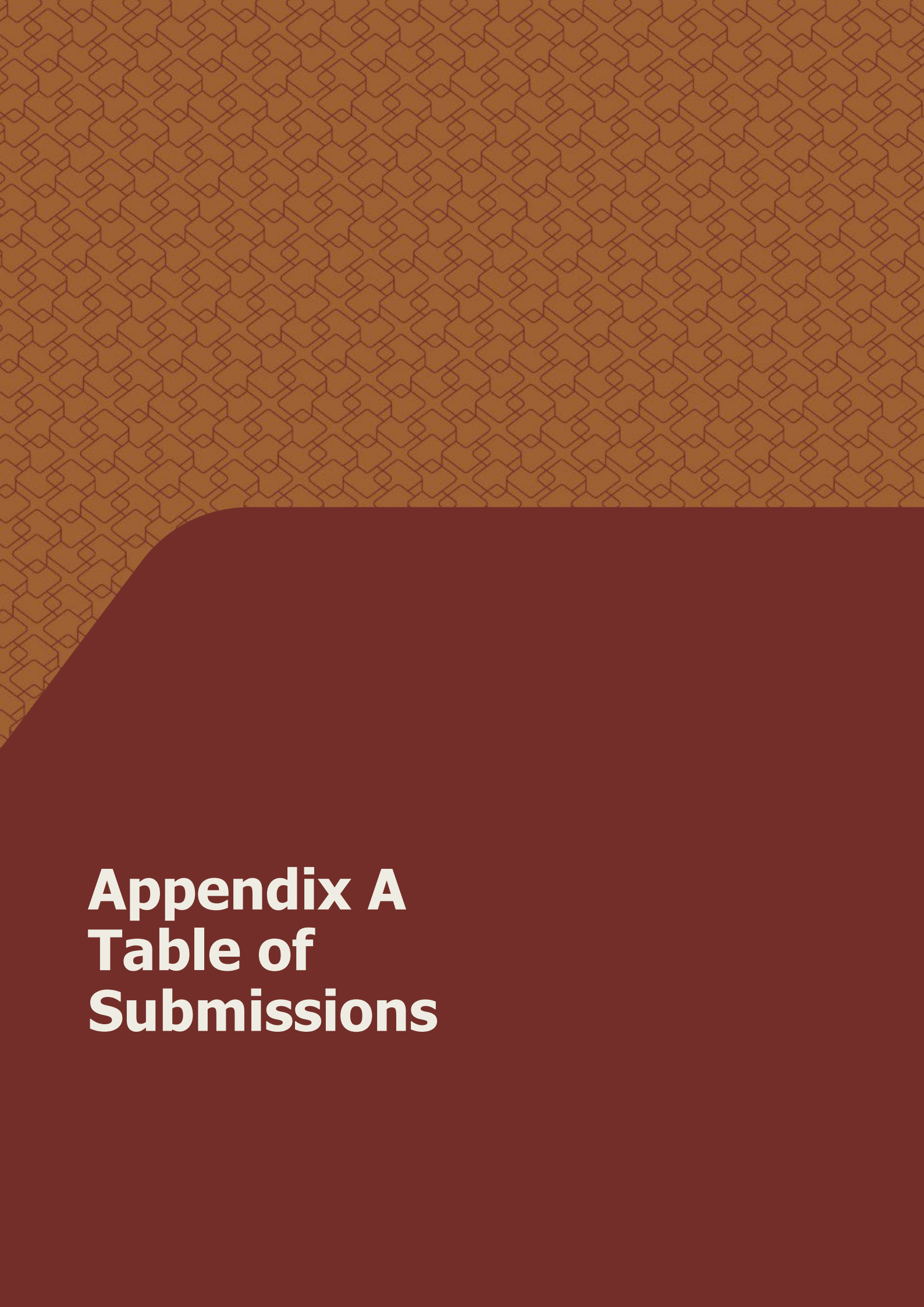




Appendix A Table of Submissions

Stakeholder	Issue	Report Section
Anonymous	This modification will enhance water management at the MPPS site by increasing the capacity for water storage during rainfall events. Furthermore, it will reduce the need to discharge excess water into the receiving environment, thereby supporting improved environmental outcomes.	2.1
LCC	Council considers the modification mitigation/enhancement strategies will help to improve water management at the Power Station and as such has no objection to the application subject to Council's original and previous conditions remaining on the consent.	2.1
NSW EPA	As noted in the supporting documents, the EPA sought to address the conditions of EPL 13007 whereby the capacity of the CHP settlement dam was determined as being not fit for purpose. In the event the proposed MOD 10 is approved, the EPA will require EnergyAustralia to apply for a licence variation to vary the conditions of EPL 13007 to revise licence conditions associated with the increased storage capacity of the CHP settlement basin.	2.1
CPHR	1. A species polygon is required for the squirrel glider (<i>Petaurus norfolcensis</i>) Section 5.3.1 of the BDAR states that 'one camera trap captured one image series of <i>Petaurus</i> that could not be identified to species level', however the BDAR has concluded that the squirrel glider is absent from the proposed project area. The glider captured has facial features and tail shape which are consistent with the squirrel glider, and therefore the presence of squirrel glider cannot be ruled out. A species polygon should be prepared for the squirrel glider and the BAM-Calculator (BAM-C) and BDAR should be updated. <u>Recommendation</u> 1.1. Prepare a species polygon for the squirrel glider and update the BAM-C and BDAR.	3.1.2
CPHR	2. Removal of culverts should be managed to minimise impacts to large bent-winged bat (<i>Miniopterus orianae oceanensis</i>) CPHR notes the large bent-winged bat, a candidate Serious and Irreversible Impact (SAII) entity, was recorded on acoustic detectors within the project area. Breeding habitat for the species has been assumed within the man-made culverts located in an ancillary infrastructure area. The proposed removal of these culverts will result in a minor impact to the species, affecting approximately 0.09 hectares of habitat. Based on the design of the project, CPHR considers that the proponent has taken reasonable steps to avoid and minimise impacts to the species, restricting disturbance to a small area of marginal breeding habitat. If the project is approved, we recommend that the Department of Planning Housing and Infrastructure (DPHI) include a condition	3.1.1

Stakeholder	Issue	Report Section
	specifying that a suitably qualified ecologist should inspect these areas to relocate any roosting microbats, prior to the removal of culverts commencing, We remain available to review the wording of draft conditions of consent and the conditioned credit obligation for the project as required. <u>Recommendation</u> 2.1. If approval is granted, DPHI should include a condition which requires a suitably qualified ecologist to inspect potential breeding structures and relocate any roosting microbats, prior to the removal of culverts.	
Heritage NSW	In line with Heritage NSW expectations for major project assessments and to ensure current best practice in Aboriginal cultural heritage management, Heritage NSW recommends that a program of Aboriginal community consultation be undertaken for the project in accordance with the <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents</i> (DECCW 2010). In this instance, it may be appropriate to undertake a condensed process combining Stages 2, 3, and 4. The ATR should be updated to include the outcomes of this consultation, and all consultation documentation should be provided to Heritage NSW for our review and records.	3.2.1
Heritage NSW	Given the presence of an Aboriginal site adjacent to the Modification Area within the broader Mount Piper Power Station boundary, Heritage NSW recommends that the ATR include a recommendation for the Construction Environmental Management Plan (CEMP), or equivalent, to be updated with a dedicated subsection for managing Aboriginal cultural heritage.	3.2.2
Heritage NSW	Please update the unexpected finds protocol in Appendix 2 of the ATR to ensure compliance with Conditions 66-67 of the consolidated approval for incident notification and reporting. The generic Heritage NSW email address should be replaced with Planning's Compliance Mailbox (<compliance@planning.nsw.gov.au>) and/or the Environmental Line (131 555) for incidents involving potential harm to Aboriginal objects not covered by an existing approval.	3.2.3
Heritage NSW	Heritage NSW notes that the Aboriginal Heritage Information Management System (AHIMS) search is greater than 12 months old at the time of submission. As per Requirement 1b of the Code of Practice, AHIMS searches must be contemporaneous with the project (less than 12 months). Please update the AHIMS search and review for currency.	3.2.4
WaterNSW	Based on the review of the information provided, WaterNSW requests that Conditions 43 and 56 of the consent are modified/updated as follows: Condition 43 – Modification 9 in Water Management Plan shall be replaced with Modification 10.	3.3.1

Stakeholder	Issue	Report Section
WaterNSW	Condition 56 – The Environmental Management Plans shall be updated prior to any construction works associated with Modification 10 to also include: › a detailed risk assessment of the proposed coal conditioning agent including its toxicity, pH and solubility to ensure that the conditioning agent does not pose a risk to water quality within the MPPS water management system or natural environment in the event of a runoff/discharge › measures to minimise the impact of the construction works on water quality and ensure no discharge of contaminated water in receiving waterways › measures to minimise groundwater seepage during expansion of the coal setting pond, water storage ponds and pollution control structures › measures to manage contaminated materials encountered within the site during construction of Modification 10 works.	3.3.2
DCCEEW Water Group	1. Recommendation - pre-determination That Department of Planning, Housing and Infrastructure (DPHI) request the proponent to review the two proposed water storages to confirm the requirement for water licensing or where an exemption may apply. This is to include a review against: › The excluded work provisions under Schedule 4 Part 7 of the Water Management (General) Regulation 2025. Further information is available at: https://www.water.dcceew.nsw.gov.au/sites/default/files/2025-07/excluded-work-exemption-fact-sheet.pdf › Maximum harvestable rights dam capacity where dams are located on minor streams and capture runoff. › The requirement for licensed entitlement where the water capture/use is not exempt or excluded, and to demonstrate this can be obtained in the relevant water source. <u>Explanation</u> The proponent indicates there will be two additional water storages which will have a combined capacity of 100ML. However, the modification report does not clearly explain how these storages fit with the water licensing framework. A review of the two proposed water storage dams/structures against the licensing framework is required to determine whether they fall under harvestable rights, excluded works or require a water access licence.	3.3.3
DCCEEW Water Group	2. Recommendation - pre-determination That DPHI request the proponent to confirm if groundwater is to be intercepted due to construction of pipelines, and if required, demonstrate sufficient entitlement can be obtained unless an exemption applies. <u>Explanation</u>	3.3.4

Stakeholder	Issue	Report Section
	The modification report does not clearly define if the proposed pipelines will be above or below ground, and if below ground, whether groundwater will be intercepted. Should the pipelines be below ground, confirmation of the potential for groundwater interception and a prediction of the associated volumes is required. Under the Water Management Act 2000, if groundwater is intercepted a WAL must be obtained prior to any water take occurring unless an exemption under the Water Management (General) Regulation 2025 applies. An exemption may be available where the groundwater take during construction or operation is less than or equal to 3ML per water year (cl 19, sch 4 of WM Reg). To claim this exemption certain requirements must be met, such as: › the person claiming the exemption keeps a record of the water taken under the exemption and provides this to the Minister within 28 days of the end of the water year; and › the records are kept for 5 years.	



xenith

Hunter Valley

The Singleton Centre
Shops 4-6, Mezzanine Level
Singleton NSW 2330
P 02 6536 2999

xenith.com.au