

Notice of Modification

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the project approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Gen Lucas
A/Director Resource Assessments

Sydney

9 September 2025

SCHEDULE 1

The project approval (MP 08_0101) for the Integra Underground Project granted by the Minister for Planning on 26 November 2010.

SCHEDULE 2

1. In the list of Definitions, delete the terms and definitions for “BCD” and “DPE Water” and insert the following terms and definitions in alphabetical order:

| | |
|-------------------------------------|---|
| CPHR | Conservation Programs, Heritage and Regulation Group within the New South Wales Department of Climate Change, Energy, the Environment and Water |
| Modification Report (Mod 10) | Modification application MP08_0101 MOD 10 and accompanying modification report titled “ <i>Water Transfer into Underground Workings</i> ”, dated April 2025, including the submissions report titled “ <i>Water Transfer into Underground Workings</i> ”, dated June 2025 |
| Water Group | The Water Group of the NSW Department of Climate Change, Energy the Environment and Water |

2. In the list of Definitions, replace the definitions for the following terms:

| | |
|----------------------|--|
| BCT | The Biodiversity Conservation Trust within the NSW Department of Climate Change, Energy, the Environment and Water |
| Department | NSW Department of Planning, Housing and Infrastructure |
| Feasible | Means what is possible and practical in the circumstances |
| Heritage NSW | Heritage NSW within the Department of Climate Change, Energy, the Environment and Water |
| Incident | An occurrence or set of circumstances that causes or threatens to cause material harm to the environment, and as a consequence of that environmental harm, may cause harm to the health and safety of human beings, and which may or may not be or cause a non-compliance |
| Material harm | Is harm that: <ul style="list-style-type: none">• involves actual harm to the environment that may include (but not be limited to) a leak, spill, emission other escape or deposit of a substance, and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or• results in actual loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and |

practicable measures to prevent, mitigate or make good harm to the environment).

Notes:

- This definition excludes “harm” that is either authorised under this consent or any other statutory approval.
- For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements.

Resources Regulator

NSW Resources Regulator, part of NSW Resources within the Department of Primary Industries and Regional Development

3. Replace all instances of “DPE Water” with “Water Group”.
4. Replace all instances of “BCD” with “CHPR”.
5. In Condition 2(j) of Schedule 2, delete all text after “Modification Report (Mod 9); and insert:
“(k) Modification Report (Mod 10); and
(l) Development layout in Appendix 3.”
6. Delete Condition 3 of Schedule 2 and replace with:
“3. The development must be carried out in compliance with the conditions of this consent.”
7. In Condition 4 of Schedule 2, after “the above documents” insert “in condition 2”.
8. Delete Condition 5 of Schedule 2 and insert:
“5. The Applicant must comply with any reasonable requirement/s of the Planning Secretary arising from:
(a) any reports, strategies, plans, programs, reviews, audits or correspondence that are submitted in accordance with this consent;
(b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and
(c) the implementation of any actions or measures contained in these documents.”
9. In Condition 10 of Schedule 2, following “(including any notes)”, replace “shall prevail” with “prevails”.
10. In the last sentence of Conditions 2B, 9,15, 20, 31, 32, 33 41, and 42 of Schedule 3, delete the words “from time to time”.
11. At the end of Condition 15 of Schedule 3, insert:
“Note: In accordance with its Climate Change Action Plan 2023-26, the NSW EPA is preparing guidance for the preparation and implementation of various climate change related guidelines (e.g., including but not limited to Climate Change Mitigation and Adaptation Plans). Preparation of Climate Change Mitigation and Adaptation Plan (CCMAP) may be required under the EPA’s regulatory framework, including conditions in the Environment Protection Licence.”
12. In condition 30 of Schedule 3, insert the following row at the end of Table 11:

| | |
|-------------------------------------|--|
| Middle Liddell Underground Workings | Water levels must not exceed a maximum fill level of -180m AHD during the transfer of mine water to underground workings |
|-------------------------------------|--|

13. In Condition 31(g) of Schedule 3:
 - a. In the second dot point, delete all text after “groundwater impact assessment criteria” and replace with:
“, including trigger levels:
 - for investigating any potentially adverse groundwater impacts; and
 - for when updates to the groundwater model are required; and”
 - b. In third dot point, after “groundwater inflows to the mining operations”, on a new line, insert:
 - water transfers into the Middle Liddell Underground workings, including a Trigger Action Response Plan to manage water levels to meet the performance measure in Table 11;
14. Delete Condition 39 of Schedule 3 and replace with:
“39. Deleted

Note: Progressive rehabilitation is a requirement under the conditions imposed under the Mining Act.”

15. Delete Condition 40 of Schedule 3 and replace with:

“39. Deleted

Note: The Applicant must prepare a Rehabilitation Management Plan for the development, in accordance with the conditions imposed on the mining lease(s) associated with the development under the provisions of the Mining Act 1992.”

16. In Condition 1 of Schedule 5, delete the text “from time to time”.

17. In Condition 3 of Schedule 5, following the words “date of approval of Modification 5”, replace “shall” with “will”.

18. Delete Conditions 9 and 9A of Schedule 5, and replace with:

“Incident Reporting

9. The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including:

- (a) date, time and location; brief description of what occurred and why it has been classified as an incident;
- (b) a description of what immediate steps were taken in relation to the incident; and
- (c) identifying a contact person for further communication regarding the incident.

9A. The Applicant must provide the Department with a subsequent incident report in accordance with Appendix 8 (Incident Notification and Reporting Requirements).”

Non-Compliance Notification

9B. Within **seven days** of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing and must be submitted via the NSW planning portal (Major Projects). The notification must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.

Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.”

19. Delete Condition 12 and 13 of Schedule 5, and replace with:

“12. Independent Environmental Audits of the development must be conducted and carried out in accordance with the *Independent Audit Post Approval Requirements (2020)* or as updated from time to time and published on the Department’s website.

13. Deleted.”

20. Delete Appendix 7.

21. Following Appendix 7, insert:

“APPENDIX 8: INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

Incident notification requirements

1. All incident notifications and reports must be submitted via the NSW planning portal (Major Projects).
2. The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under condition 9 of Schedule 5 of this consent or, having given such notification, subsequently forms the view that an incident has not occurred.
3. Within **seven days** (or as otherwise agreed by the Planning Secretary) of the Applicant making the incident notification (in accordance with condition 9 of Schedule 5 of this consent), the Applicant is required to submit a subsequent incident report that:
 - (a) identifies how the incident was detected;
 - (b) identifies when the Applicant became aware of the incident;
 - (c) identifies any actual or potential non-compliance with conditions of consent;
 - (d) identifies further action(s) that will be taken in relation to the incident;
 - (e) a summary of the incident;
 - (f) outcomes of an incident investigation, including identification of the cause of the incident;

- (g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
 - (h) details of any communication with other relevant stakeholders regarding the incident.
4. The Applicant must submit any further reports as directed by the Planning Secretary.”
22. Update the “Table of Contents” to reflect the above changes.

End of modification
(MP08_0101 MOD 10)