

Our ref: MP08\_0184-Mod-6

Mr Bradley Tanswell  
Environment and Community Coordinator  
ULAN COAL MINES LIMITED  
4505 Ulan Road  
ULAN New South Wales 2850

27 September 2022

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**Subject: Ulan Coal Mine Expansion (MP08\_0184) – Modification 6 Secretary’s Environmental Assessment Requirements for EPBC Controlled Action**

Dear Mr Tanswell

I refer to the scoping letter from Mr Charlie Allan to the Department dated 3 November 2020, and the Department’s response dated 12 November 2020 regarding the assessment requirements for the proposed modification to the Ulan Coal Mine – Expansion (MOD 6).

Since issuing that letter, the Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) has determined that the modification is a controlled action under the *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act) (EPBC 2022/09292).

I can advise that the action will be assessed by the NSW Government under the assessment bilateral agreement between the Commonwealth Government and the NSW Government.

In accordance with that agreement, the Department must issue Secretary’s Assessment Requirements (SEARs) for the modification to ensure that the Commonwealth matters are appropriately addressed in the Modification Report. Please also note that when the Modification Report is submitted the Department is required to exhibit the application for a minimum of 28 days and also refer a joint (Commonwealth/ NSW) application to the Independent Expert Scientific Committee (IESC) for advice.

The Commonwealth has provided its assessment requirements for the Matter of National Environmental Significance relevant to the project (listed threatened species and communities under sections 18 and 18A and a water resource, in relation to coal seam gas development and large coal mining development under sections 24D and 24E). Those requirements are detailed in **Attachment 1**.

In addition to the matters outlined in the previous correspondence referred to above, the Modification Report must also address the matters detailed in Attachment 1 of this letter.

If you have any questions, please contact Jack Turner on 02 9995 5387 or via email at [Jack.Turner@planning.nsw.gov.au](mailto:Jack.Turner@planning.nsw.gov.au).

## Department of Planning and Environment



Yours sincerely,

A handwritten signature in black ink, appearing to be "SO", written over a light blue horizontal line.

**Stephen O'Donoghue**  
**Director**  
**Resource Assessments**

as delegate for the Planning Secretary

Enc: Attachment 1 – Commonwealth Assessment Requirements