ENVIRONMENTAL ASSESSMENT REPORT

Boggabri Coal Mine

Borefield and Ancillary Infrastructure (09_0182 MOD 5)

1 BACKGROUND

The Boggabri Coal Mine is an open cut coal mine about 15 kilometres (km) north east of the township of Boggabri in the North Western NSW (see **Figure 1**). Boggabri Coal Operations Pty Limited (BCOPL) operates the mine on behalf of Idemitsu Australia Resources, a subsidiary of Japanese company Idemitsu Kosan Co. Ltd.

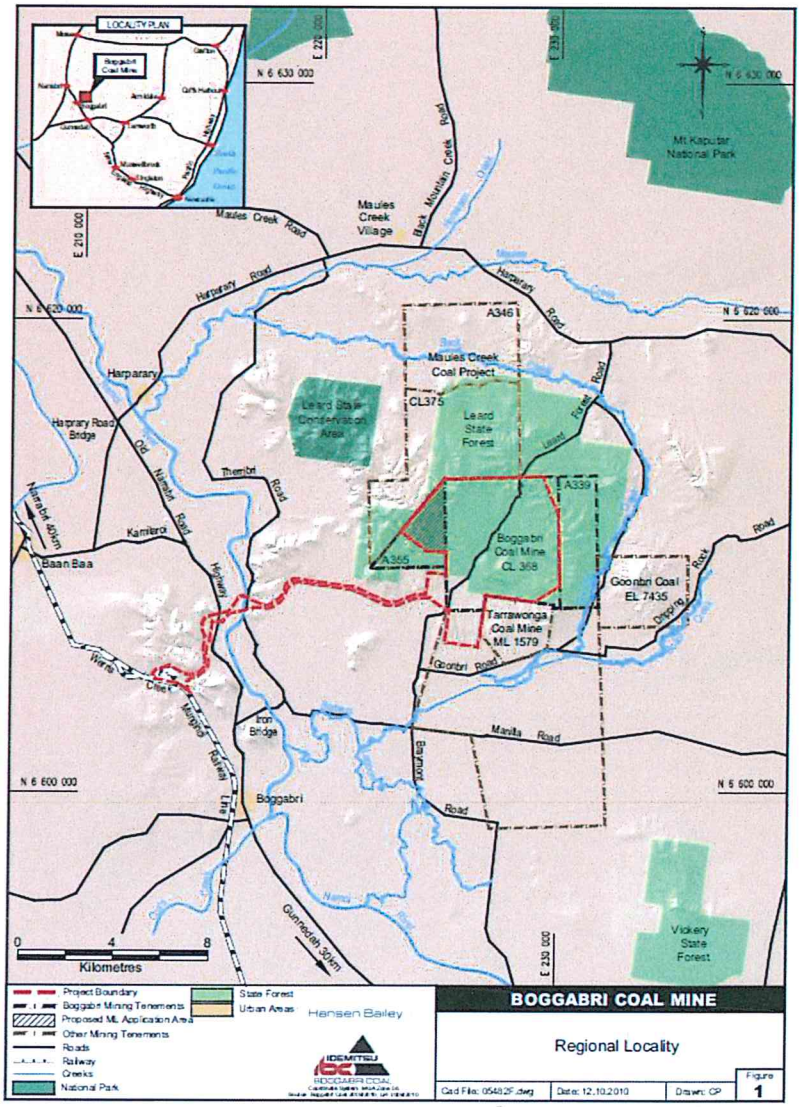

Figure 1: *Regional Context*

The mine was approved by the Planning Assessment Commission (the Commission) on 23 October 2012.

The approval has been modified on four occasions and allows BCOPL to:

- extract up to 8.6 million tonnes per annum (Mtpa) of run-of-mine (ROM) coal until the end of December 2033;
- construct and operate a coal handling and preparation plant (CHPP), rail spur, rail loop, and load out facility; and
- transport up to 7 Mtpa of Boggabri product coal and 3 Mtpa of product coal from the neighbouring Tarrawonga mine by rail to the port of Newcastle.

2 PROPOSED MODIFICATION

BCOPL is seeking to further modify its project approval (09_0182) in two key ways.

Firstly, BCOPL is seeking approval to construct and operate a borefield approximately 5 km west of its existing operations to improve overall water security at the mine.

The proposed borefield would involve the conversion of two existing test boreholes (Cooboobindi and Victoria Park) to production bores with a further four bores (Roma, Heathcliffe, Bellevue BCBG8 and Bellevue BCBF10) proposed to be used temporarily as backup/ contingency bores.

The modification would also involve the installation of ancillary infrastructure such as powerlines, pipelines and access roads, as well as a minor increase in the capacity of an existing water storage facility.

Apart from the Roma property, all the proposed bores and ancillary infrastructure are located on mine-owned land. The owners of the Roma property granted BCOPL access for the construction of a test bore, but an agreement for the ongoing use of the bore would need to be finalised before BCOPL could extract any water for the mine from this property.

The proposed borefield and ancillary infrastructure is shown on **Figures 2** and **3**.

Secondly, BCOPL is seeking to increase the annual throughput of coal through the Coal Handling and Preparation Plant (CHPP) from 3.5 to 4.2 Mtpa. BCOPL argues that increasing the coal processing throughput rate would provide commercial flexibility and operational efficiencies. No upgrade to the CHPP is required, with only an increase in annual operating time proposed to utilise the unused capacity of the plant.

The modification application is supported by a revised water balance that under both average and extended dry climatic conditions shows that there would be a shortfall in water supply to support mining operations.

The key inputs into the mine's water balance are groundwater make into the open cut pits, rainfall capture, dam water recycling and imported water from the Namoi River and existing groundwater bores.

The mine has a total water demand of 9.5 megalitres (ML) a day, and the revised water balance shows that under average rainfall conditions up to 2,082 megalitres (ML) a year (or 5.7 ML a day) of water would be required from external sources such as the proposed borefield and the Namoi River. This figure increases to 2,647 ML a year (or 7.25 ML a day) under worst case extended dry conditions.

BCOPL argues that the increased water demand is required as a result of key operational changes that have occurred since the 2010 approval, including:

- reduced groundwater make in the open cut pit;
- increased water demand for dust suppression to meet more stringent regulatory requirements;
- increased water demand due to an increase in haul road lengths from targeting multiple coal seam benches; and
- a more conservative consideration of prolonged dry periods in the water balance.

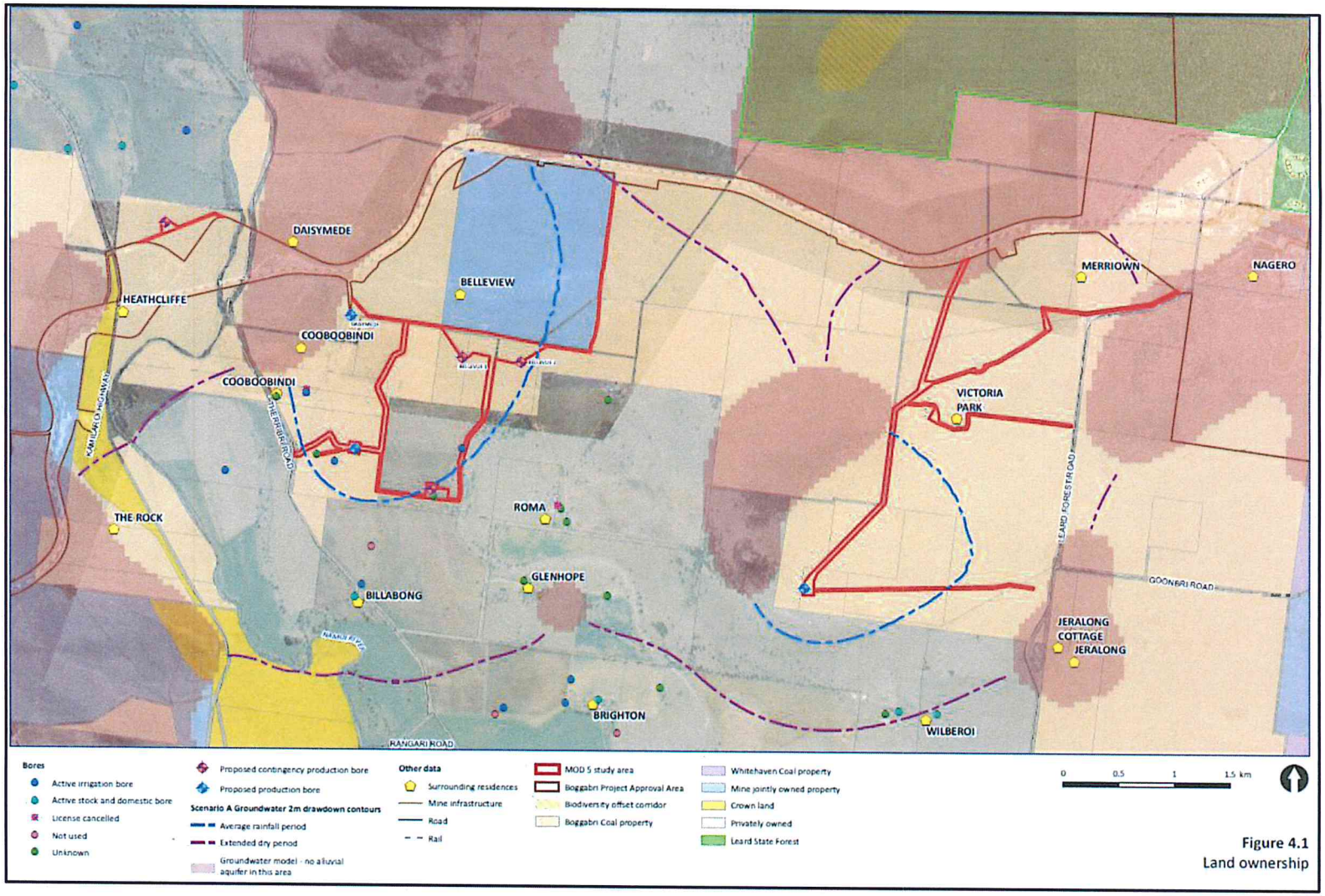

Figure 2: *Proposed Modification to the Boggabri Coal Mine*

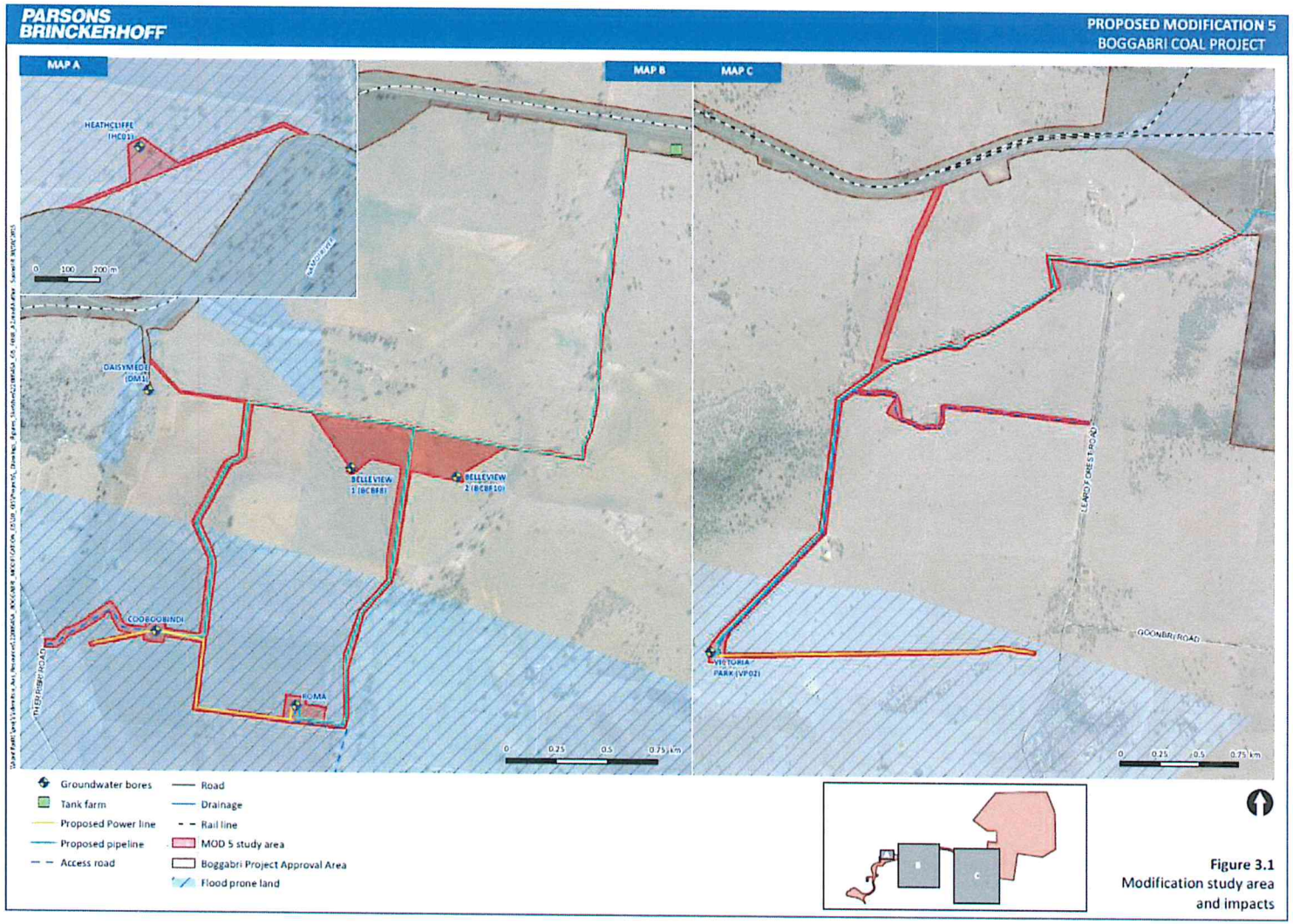

Figure 3: *Proposed Borehole Locations and Ancillary Infrastructure*

It is important to clarify that BCOPL is not seeking approval for a specific water demand at the mine or a maximum water take from the proposed borefield. Rather, it is seeking approval to construct the proposed borefield and to use this infrastructure to extract groundwater in accordance with the rules of the *Water Management Act 2000* and the applicable Water Sharing Plan, as discussed in Section 3.3 below.

The modification is described in detail in the environmental assessment (EA) submitted in support of the application (**see Appendix A**).

3 STATUTORY CONTEXT

3.1 Section 75W

The project was originally approved under the former Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Although Part 3A was repealed on 1 October 2011, the project remains a "transitional Part 3A project" under Schedule 6A of the EP&A Act and is to be assessed and determined under Section 75W of the EP&A Act.

Based on its assessment, the Department is satisfied that the application can be characterised as a modification to the existing approval (rather than a new project in its own right) as the proposal would not alter the approved mining footprint, mining methods or total coal production and rail transport rates.

3.2 Approval Authority

The Minister for Planning is the approval authority for this modification request. However, under the Minister's delegation dated 16 February 2015, the Executive Director, Resource Assessments and Business Systems may determine the application. This is because the Department received less than 25 public submissions objecting to the application, Narrabri Shire Council raised no objection and no reportable political donations were made.

3.3 Water Management Act 2000

The NSW Department of Primary Industries has advised the Department that the proposed borefield will be assessed and licensed in accordance with *Water Management Act 2000* (WM Act) and the *Water Sharing Plan for the Upper and Lower Namoi Groundwater Sources 2003*.

This means that BCOPL would be required to adhere to the same rules and requirements, including extraction volumes and cease to pump rules as adjacent irrigators, farming enterprises, mines and any other water user in the area.

Water Sharing Plans ensure that all water users have equal access rights, all water users are protected from excessive extraction and all water users are afforded water allocations based on regional water availability, groundwater levels, water quality changes, aquifer integrity, river conditions and the health of dependent ecosystems.

To achieve this level of protection, Water Sharing Plans utilise water entitlements to cap total water extraction across the region (i.e. cumulative impacts), and water allocations to cap annual individual bore extraction (i.e. impacts on individual users). Water Sharing Plans also provide for distinct allocations for different water uses, meaning that any water extracted by the borefield would have no impact of water allocations designated for town water supplies or environmental flows in the Namoi River and its tributaries and wetlands.

BCOPL would be required to obtain the necessary water entitlements under the WM Act, including purchasing additional water access licences (WALs) if required.

The extraction volume for the proposed borefield would therefore be determined in consideration of:
- the number of WALs held by BCOPL;
- water allocations assigned by DPI Water each year; and
- groundwater impact modelling undertaken by DPI Water as part of water licensing.

4 CONSULTATION

The Department exhibited the modification application and the accompanying EA from 1 December 2015 until 15 December 2015.

During the public exhibition period, the Department:

- advertised the exhibition of the application in the Gunnedah Namoi Valley Independent and Narrabri North West Courier;
- made the application and accompanying documentation available on its website, Nature Conservation Council offices in Sydney and at Gunnedah and Narrabri Shire Council offices; and
- consulted with key government agencies.

The Department received 15 submissions including 4 from government agencies, 3 from special interest groups and 8 from the general public. Of the 8 public submissions, 5 were from landowners in the immediate vicinity of the proposed borefield, with the remaining submissions from regional centres such as Coonabarabran, Gunnedah and Singleton.

A summary of submissions is shown in **Table 1**.

Table 1: *Summary of Submissions*

Submitters	***Number***	***Objection / Support***
Agency:	**4**	No objections
• Environment Protection Authority • Department of Primary Industries • Office of Environment and Heritage • Narrabri Shire Council		
Special Interest groups:	**3**	All object
• Lock the Gate Alliance, Newcastle • Maules Creek Country Women's Association • People for the Plains, Boggabri		
Community	**8**	
Approx. distance from Boggabri Mine:		
• <5 km	2	Both object
• 5 - 50 km	3	Both object
• >50 km	3	All object
TOTAL	**8**	**11 object**

To supplement the formal exhibition process, BCOPL consulted with a range of stakeholders regarding the borefield prior to lodging the modification application, including government agencies, landholders, the Community Consultative Committee and Registered Aboriginal Parties. Consultation undertaken by BCOPL is summarised in Section 5 of the EA.

The Department also visited the site during the assessment of the application, and engaged an independent water expert (Dr Steve Perrens) to review BCOPL's water demand assumptions.

Full copies of all submissions are included in **Appendix B**.

4.1 Agency Submissions

While none of the agencies objected to the proposed modification, several commented on particular aspects of the proposal and recommended changes to the existing conditions.

The **Environment Protection Authority** (EPA) raised no objections subject to the variation of the Environment Protection Licence (EPL) for the mine to show the revised project boundary, should the modification be approved.

The **Office of Environment and Heritage** (OEH) confirmed the acceptability of the offset area calculation method as well as the proposed inclusion of an additional 106 hectares of land within the revised Boggabri Coal Project Biodiversity Offset Strategy (BOS).

DPI Water advised the Department that the proposed borefield would be assessed and licensed in accordance with the provisions of the WM Act and the relevant Water Sharing Plans, and recommended that the Water Management Plan be revised to reflect these requirements.

DPI Agriculture recommended that the existence of Biophysical Strategic Agricultural Land (BSAL) be confirmed, mitigation measures determined, and the rehabilitation plan updated to address likely impacts. DPI Agriculture recommended that an assessment be conducted to identify impacts to agricultural water use requirements and subsequent mitigation measures, prior to determination. Additionally, DPI Agriculture recommended that the Leard Forest Mining Precinct Water Management Strategy be finalised prior to the operation of the proposed borefield.

Narrabri Shire Council (Council) expressed concerns regarding the project and its impacts on surrounding users and the Boggabri township. The Council provided a recommendation for BCOPL to undertake a cumulative impact regional hydrological model prior to determination and that BCOPL provide adequate compensation for affected landholders. The Department notes that regional hydrology is assessed by DPI Water as part of water dealings under the relevant water sharing plans and considers the existing regulatory regime is appropriate for managing cumulative impacts on water resources.

4.2 Public Submissions and Special Interest Groups

The Department has summarised the key matters raised in submissions in **Table 2** below and considered these issues further in **Section 5**.

Table 2: *Key Matters Raised in Submissions*

Issue
• **Water Resources and Land Use:** - operation of the borefield would impact regional agricultural, livestock and domestic use of groundwater resources; - groundwater extraction is proposed in Zone 4, but would be used outside of Zone 4; and - the proposed borefield is located on BSAL.
• **Water Demand and Water Licensing:** - water demand calculations are inadequate; - increasing water demand is not consistent with consent conditions requiring mining operations to be adjusted to match its water supply; and - additional water access licences (WALs) would be required to operate the proposed borefield.
• **Groundwater Impacts:** - groundwater modelling is inadequate; - neighbouring properties would experience drawdown beyond the minimal impact criteria of the *NSW Aquifer Interference Policy* (AIP); - drawdown would affect groundwater and surface water flows in the Namoi River; - cumulative impacts of regional groundwater resources has not been adequately considered; and - baseflow losses would affect Groundwater Dependent Ecosystems (GDE) and an aquatic ecological community within the lowland catchment of the Darling River.
• **Biodiversity:** - construction of the borefield would result in clearing of natural vegetation, including threatened species, populations and communities.
• **Heritage:** - construction of the borefield would impact heritage sites.
• **EPBC Triggers**: - the works should be assessed as a controlled action under the 'water trigger' provisions of the *Environment Protection and Biodiversity Conservation Act 1999*.
• **Regional Strategies:** - clearing is proposed in isolation from the Leard Forest Mining Precinct Biodiversity Strategy; and - groundwater extraction is proposed in isolation from the Leard Forest Mining Precinct Water Management Strategy.

Issue
• **Approvals Process:** - the exhibition period was too short given the complexity of the modification; - consultation for the modification was inadequate; and - MOD5 does not adequately address ecologically sustainable development.

It is noted that many of the issues raised in submissions relate to the merits of the approved mining project, rather than the issues specific to the proposed modification. Many submissions also raised concerns about the acceptability of a mine increasing its water demand and the associated impacts on water resources and other groundwater users.

The Department does not discount these concerns, but it is important to be clear about the extent to which these concerns can be considered in the Department's assessment.

The Department is required under the EP&A Act to confine its assessment to the potential impacts of the modification. As mentioned above, the proposed modification is not seeking planning approval for the take of groundwater but for the construction and operation of a borefield. Consequently, the consideration of potential impacts on water resources and other water users is a matter that will be considered and regulated by DPI Water in accordance with the WM Act and Water Sharing Plan, as discussed in detail below.

4.3 Response to Submissions

BCOPL has provided a detailed response to the issues raised in submissions (see **Appendix C**). The Department has considered this response in its assessment of the merits of the modification. Further consultation received from agencies is provided in **Appendix D**.

5 ASSESSMENT

In assessing the merits of the proposed modification, the Department has considered the following:

- current conditions of approval;
- the modification application and EA;
- submissions and response to submissions;
- supplementary information (see **Appendix E**);
- the report from the Department's independent water expert (see **Appendix F**);
- the scope and application of the regulatory framework under the WM Act;
- relevant environmental planning instruments, policies and guidelines; and
- the requirements of the EP&A Act.

5.1 Water Users

The groundwater assessment completed by Parsons Brinkerhoff and peer reviewed by Dr Noel Merrick, a Senior Principal Hydrogeologist at HydroSimulations shows that water extraction would cause localised drawdown in alluvial groundwater levels in the vicinity of the borefield under both the average and extended dry condition scenarios.

Importantly, the assessment shows that under these modelling scenarios, the borefield would not impact the Boggabri town water supply, which was of concern to the Council.

The extent of drawdown potentially experienced by adjacent landholders is dependent on the volume of water extracted from the borefield. Under the average climate scenario, one privately owned bore on the Roma property is predicted to exceed a drawdown of 2 metres. Under the dry weather scenario, up to 20 registered landholder bores in the area are predicted to experience a drawdown of between 2 and 5 metres.

However, as discussed above, the volume of water extracted from the borefield and any associated risks to other water users would be regulated by DPI Water in accordance with the rules of the Water Sharing Plan and the statutory requirements of the WM Act.

Under this framework, DPI Water determines water allocations on a continual basis using factors, such as annual usage, groundwater levels, water quality changes, aquifer integrity, and the health of dependent ecosystems.

DPI Water has advised the objective of the applicable Water Sharing Plan is to reduce the total extraction of water in the Upper Namoi groundwater sources. To achieve this reduction, the WSP utilises water entitlements to cap total water extraction, and water allocations to cap annual individual bore extraction irrespective of the water demand or the entitlements held.

Importantly, water allocations are determined by DPI Water using groundwater level data from its own monitoring bores in the area.

Given the above, the Department is satisfied that any risks to water use rights of local landowners can be appropriately avoided and/or managed in accordance with the regulatory arrangements administered by DPI Water under the WM Act.

5.2 Water Demand

Borefield

Of the six proposed bores, five are in Zone 4 of the Water Sharing Plan (including the key production bores) and one backup bore is located in Zone 5 (i.e. on the Heathcliffe property). Currently, BCOPL holds 957 units of entitlements within Zone 4 of the Water Sharing Plan (i.e. Zone 4), which under 100% allocation equates to 957 ML/year or 2.62 ML/day. At this stage, BCOPL does not hold any entitlements in Zone 5, although the Department understands that the bore in Zone 5 is very low yielding and has only been included as a contingency.

BCOPL already extracts 0.8 ML/day or around 277 ML/year from its existing production bore on the nearby Daisymede property (see **Figure 3**), which represents around 29% of its existing entitlements from Zone 4.

Pump testing indicates that under optimal conditions up to 10.5 ML/day could be theoretically extracted from the two production bores (Cooboobindi and Victoria Park). This exceeds the maximum imported water demand of 7.25 ML/day required by the mine under extended dry conditions.

While existing entitlements would only allow up to 2.62 ML/day to be extracted from the borefield under 100% allocation, it is clear that provided BCOPL is able to obtain additional entitlements, there is a reasonable prospect of the borefield making a significant contribution to the overall water demand at the mine, particularly under average climatic conditions.

In regard to obtaining additional entitlements, analysis of annual data for the Upper Namoi Alluvium suggests that 100% of the water entitlements are already allocated to existing water users.

This means that BCOPL would not be able to purchase new entitlements, but would need to purchase portions of the existing entitlements on a temporary or permanent basis from existing users on the open water market.

The maximum imported water demand required by BCOPL from the borefield represents around 12.5% of the total water allocation in Zone 4 of the Water Sharing Plan (i.e. including existing and traded water entitlements). Over recent years, utilisation of annual allocations in this zone has been around 75%. In other words, around 25% of the water is not currently being utilised, and BCOPL would only require an additional 8% of the total water allocation in the applicable zone to meet its maximum imported water demand. It is also noted that there are no restrictions on extracting groundwater from Zone 4 (or Zone 5) and using it at the mine.

Consequently, the Department considers there is a reasonable prospect of BCOPL obtaining the necessary additional entitlements to meet its water demand requirements.

However, if BCOPL is not successful or only partially successful in obtaining additional water entitlements, it would be required to adjust its mining operations to match the available water supply, which is already a requirement of the existing conditions of approval.

This situation is not uncommon for major mining projects, and ultimately water supply is a commercial risk that BCOPL must factor into its mine planning.

Given the above, the Department is satisfied that there is a strong likelihood that the proposed borefield would provide a significant contribution to augment the existing water supply arrangements at the mine, and in accordance with advice from DPI Water, requires BCOPL to:

- obtain the necessary licence entitlements for the borefield under the WM Act, noting that the existing conditions already reference this as a statutory requirement;
- update the Water Management Plan for the mine to reflect the requirements of the applicable Water Sharing Plans for the construction and operation of the borefield; and
- consult with DPI Water in regard to the above matters.

Mine Site

The increased throughput in the CHPP would result in a marginal increase of around 2.4% in the total water demand at the mine.

While the Department considers this is not a significant increase, and that BCOPL should be allowed to source water in accordance with the rules that have been established by the NSW Government in the same way as any other water users, it acknowledges that water scarcity is a key concern for the broader community, and the increasing proportion of water being used by mining operations in the region is a matter raised in many of the submissions received on the proposal.

The Department notes that as part of the Water Management Plan for the site, there is a requirement in the project approval to describe the measures to minimise water use. There is also a requirement to update management plans following the approval of any modification to the project approval.

Given the above, the Department considers that it is consistent with the intent of the project approval to examine whether there are reasonable and feasible water saving measures that could be implemented on the site.

To this end, the Department engaged Dr Steve Perrens, an independent expert to review the mine's water demand assumptions. Dr Perrens found that although BCOPL had employed some water efficiency measures such as a belt press filter to reduce water demand for processes that are influenced by coal throughput, there were further opportunities to improve water use efficiency (see **Appendix F**), and recommended that:

- flow meters be installed for all major water flows and significant water storage levels;
- moisture content data be collected for all coal flows;
- data be analysed on a monthly basis to develop a full account of all water sources and losses;
- monitored gains and losses from the rainfall and evaporation be compared to data from water storages to the weather station data; and
- the site water balance be updated annually based on monitored data.

The Department has included a requirement for BCOPL to implement Dr Perren's recommendations as part of the mine's water management system.

Additionally, the Department has recommended changes to existing conditions that would require BCOPL to undertake annual water efficiency actions and to systematically improve water demand assumptions, calculations and reporting.

With the implementation of these measures, the Department considers that the use of water on the site would be minimised to the greatest extent practicable.

5.3 Other impacts

Table 3 summarises the Department's consideration of other issues associated with the proposed modification.

Table 3 – *Assessment of Other Issues*

Issue	*Potential impacts and consequences*	*Conclusion & Recommendation*
Biodiversity	• Clearing of 19 ha of native vegetation (mainly grasslands), including 1.5 ha of poor condition endangered ecological communities (EEC). • There would be no significant impacts on threatened species. • BCOPL proposes to offset the disturbance by adding 106 hectares of land to its existing offset areas. • This equates to an offset ratio of 5.6:1, which is consistent with the original project approval. • The additional offset area comprises 106 hectares including 9 hectares of EECs to compensate for the 1.5 hectares that would be cleared as a result of the proposal. • OEH is supportive of the proposed offsets.	• Update the Biodiversity Offset Strategy, including Table 16 of the approval to include additional offset areas. • Limit area of clearing of EECs
Heritage	• Surveys conducted by Insight Heritage and the Registered Aboriginal Parties (RAPs) identified nine Aboriginal heritage sites (3 artefacts scatters, including one potential archaeological deposit (PAD) and 6 isolated finds. • All the sites were of low archaeological significance. • While the sites would be avoided where practicable, it is not possible to avoid impacts on all identified sites. • The salvage of the sites would be undertaken in accordance with the approved Heritage Management Plan for the mine, in consultation with RAPs. • The RAPs raised no objections to this approach and OEH supported BCOPL's proposed management strategies.	• Update the Heritage Management Plan to incorporate MOD5 survey results and implement management strategies.
Air quality	• Air quality impacts from the proposed borefield are predicted to be negligible. • Impacts would be limited to dust and vehicle exhaust emissions. • The additional throughput at the CHPP would not involve any additional disturbance, and hence no additional air quality impacts.	• Comply with existing conditions.
Noise	• Operational and construction noise impacts from the proposed borefield are predicted to be negligible and would comply with relevant noise criteria. • Noise impacts would be generally limited to daytime construction activities and ongoing operation of submersible water transfer pumps. • The additional throughput at the CHPP would result in an increase in the total operating hours of the CHPP, but there would be no changes to the plant that would increase the absolute noise levels generated. • The nearest private receivers to the CHPP are approximately 7 km from the mine, and there would be no discernible increase in noise impacts at these receivers.	• Limit construction activities to day shift only. • Comply with existing operational noise limits.

Issue	Potential impacts and consequences	Conclusion & Recommendation
Surface Water	• Surface water impacts to local watercourses are predicted to be negligible. • Impacts would be mitigated by standard erosion and sediment controls prior to the commencement of construction works. • Where feasible, surface disturbance would be limited by installing pipelines on the ground surface, rather than underground.	• Update the Water Management Plan to incorporate erosion and sediment control measures for construction.
BSAL	• The proposed borefield is partially located within an area identified as BSAL but outside of the BCOPL's Mining Lease and as such does not trigger the Gateway Process. • However, the proposed borefield would not result in any significant or permanent disturbance of agricultural land, and is an activity that is compatible with maintaining the agricultural use of the land. • Any localised disturbance resulting from the installation of the bores would be appropriately rehabilitated in accordance with an updated Rehabilitation Management Plan.	• Update the Rehabilitation Management Plan to incorporate the borefield and ancillary infrastructure, in accordance with recommendation from DPI Agriculture.
Baseflow Loss	• The estimated baseflow loss is not significant, (less than 1% of the average annual flows). • Impacts on aquatic ecosystems would therefore be negligible. • As water extraction for consumptive purposes, baseflow losses are already accounted for under the relevant WSP.	• No additional conditions required.
Leard Forest Precinct Water Management Strategy	• The borefield extraction would be managed under the relevant WSP and regulated as a consumptive water user similarly to other agricultural water users. • The Department does not consider that the completion of the Precinct Water Strategy is material to the determination of the borefield modification as the Strategy would be developed under the same regulatory regime as the borefield, in accordance with the WM Act and WSP.	• No additional conditions required.
EPBC Water Trigger	• Consideration of the water trigger does not form a part of this modification assessment. • It is a matter for the Commonwealth to determine whether the proposed borefield is a controlled action under the EPBC Act.	• No additional conditions required.

6 RECOMMENDED CONDITIONS

The Department has prepared a Notice of Modification (see **Appendix G**) for the proposed modification as well as a consolidated version of the project approval as modified (see **Appendix H**).

In summary, the proposed amendments to the conditions include:
- increased monitoring, review and reporting requirements for the site water balance;
- additional biodiversity offset requirements and limits on clearing of EECs;
- an increase in processing limits to 4.2 million tonnes through the CHPP in any calendar year; and
- updates to a number of administrative conditions.

Further, the Department notes that the existing project approval conditions already notes the requirement for BCOPL to ensure that they obtain the necessary water licences for the project.

BCOPL does not object to the proposed changes.

7 CONCLUSION

The Department has assessed the merits of the proposed modification in accordance with the relevant requirements of the EP&A Act, including the objects of the Act and the principles of ecologically sustainable development.

The Department acknowledges the concerns raised in submissions, but is satisfied that:

- the borefield can be regulated and operated to meet the rules and restrictions of the relevant WSP, in a similar manner to any other water user;
- impacts resulting from the construction of the borefield that cannot be avoided, can be mitigated and/or offset;
- the increase in processing throughput would not result in any increased impacts compared with those that have already been assessed and approved; and
- the water savings measures would effectively minimise water use on the site.

Further, the water supply from the borefield provides additional water security for the mine and would allow the economic and social benefits resulting from the mine to continue to be realised, including regional economic contributions and the continued employment of the 600 people working at the mine.

Consequently, the Department considers that the proposed modification is in the public interest, and recommends that it should be approved.

8 RECOMMENDATION

It is **RECOMMENDED** that the Executive Director, Resource Assessments and Business Systems:

- **considers** the findings and recommendations of this report;
- **determines** that the modification (MOD 5) falls within the scope of Section 75W of the EP&A Act;
- **approves** the modification application under Section 75W of the EP&A Act; and
- **signs** the attached Notice of Modification (see **Appendix G**).

30/8/16

Stephen O'Donoghue
Team Leader
Resource Assessments

30.8.16.

Mike Young
Director
Resource Assessments

APPENDIX A: ENVIRONMENTAL ASSESSMENT

See Department's website

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7403

APPENDIX B: SUBMISSIONS

See Department's website

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7403

APPENDIX C: RESPONSE TO SUBMISSIONS

See Department's website

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7403

APPENDIX D: FURTHER AGENCY SUBMISSIONS

See Department's website

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7403

APPENDIX E: ADDITIONAL INFORMATION – BOGGABRI COAL

See Department's website

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7403

APPENDIX F: WATER DEMAND PEER REVIEW

See Department's website

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7403

APPENDIX G: NOTICE OF MODIFICATION

APPENDIX H: CONSOLIDATED PROJECT APPROVAL