



Our ref: DOC26/57102-15

18 February 2026

Gabriel Wardenburg
Team Leader
Department of Planning, Housing and Infrastructure

By the Major Projects Portal

**EPA Advice on Clarence Colliery Modification 11 - Time Extension –
DA504-00-Mod-11**

Dear Gabriel

I am writing in response to your request for the NSW Environment Protection Authority (EPA) to review the Environmental Impact Statement (EIS) for the proposed Clarence Colliery Mine - Modification 11 located approximately 10 kilometres (km) east of Lithgow (NSW) to extend the life of the mine by five (5) years (Application DA504-00-Mod-11).

The EPA has reviewed the following documents:

- Environmental Impact Assessment - Clarence Colliery DA 504-00-Modification 11 version 3 prepared by EMM Consulting - January 2026.
- Water Resources Impact Assessment version 2 prepared by EMM Consulting - December 2025.
- Appendix F - Greenhouse Gas Assessment version 3 prepared by EMM Consulting December 2025.
- Noise and Vibration Impact Assessment prepared by EMM Consulting
- Appendix B - Mitigation Measures version 3 prepared by EMM Consulting December 2025.

The EPA understand the proposal is:

- To extend the life of mining from 31 December 2026 for five years until 31 December 2031.
- To amend DA 504-00, Schedule 2, Condition 7AA, to align with the extension to the life of mine.
- No changes are proposed to mining methods, annual coal extraction rates, coal processing and handling activities, surface infrastructure, hours of operation, workforce numbers, or product coal transportation by rail and road.

The Applicant holds an environment protection licence under Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act) for coal works and mining for coal. If the Department of Planning, Housing & Infrastructure (DPHI) permits consent to the Modification the Applicant may be required to apply for a licence variation.

NSW Environment Protection Authority

As the environmental steward and regulator of our State we are committed to a sustainable future. Join us on our mission to protect tomorrow together.

Phone:
131 555

Email:
info@epa.nsw.gov.au

Website:
epa.nsw.gov.au

Visit:
6 Parramatta Square
10 Darcy Street
Parramatta NSW 2150

Mail:
Locked Bag 5022
Parramatta NSW 2124



The EPA has reviewed the EIS and notes that it does not provide the information required to allow us to complete our assessment. The EPA has the following advice:

1. Matters to be addressed prior to determination

a. Greenhouse Gas Assessment

The EPA reviewed the Greenhouse Gas Assessment (GHG assessment) and found that insufficient information has been provided regarding fugitive emissions, '*Business-as-Usual*' and '*Modified-Business*' scenario, evaluation of measures and effectiveness to eliminate post-closure fugitive emissions.

This information should be provided prior to determination to enable the EPA to assess the proposal's GHG emissions and its implications for NSW's emissions reduction trajectories. Ensuring the GHG assessment is consistent with the Large Emitters Guide will enable the EPA and DPHI to receive detailed and consistent GHG information for the proposal.

The EPA recommends that DPHI requests the applicant to provide the additional information detailed in **Attachment A**.

2. Matters to be addressed with conditions

b. Noise Management Plan

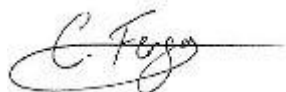
The EPA recommends that DPHI requests the applicant to update the Noise Management Plan to review any additional reasonable and feasible mitigation measures to reduce rail noise to the satisfaction of the Planning Secretary.

c. Surface and underground water transfers

The EPA recommends that DPHI requests the applicant to update the Surface Water and Groundwater Management Plan to reflect the Proposal. Specifically, the inflows from the polishing lagoon into the underground workings should be included within the site water balance. This should be undertaken to ensure any potential impacts to groundwater, along with any subsequent potential impacts to surface water via LDP002 are identified and mitigated.

If you have any questions about this request, please contact Jenny Gustafson via email at environmentprotection.planning@epa.nsw.gov.au.

Yours sincerely



Carlos Ferguson
A/Unit Head – Environment Protection Planning
Environmental Protection Authority

ATTACHMENT A – Details for Matters to be addressed prior to determination - Clarence Colliery Modification 11 - Time Extension – DA504-00-Mod-11

The EPA provides the detail below to regarding matters it recommends additional information be provided to address for consideration by DPHI as part of its assessment and prior to determination of the proposal.

Greenhouse Gas Assessment

1. The methodology to estimate fugitive emissions is to be justified.

The GHG assessment indicates that fugitive emissions were estimated using an average flow rate of 349 m³/s and an average contribution of 0.064% and 0% for CO₂ and CH₄ respectively. While it is indicated these values are based on monitoring data, no supporting analysis of the historical data is provided to justify how this methodology accounts for the likely variability in fugitive emissions associated with ROM extraction rates, flow rates and gas composition in the target seams.

Recommendation: The EPA recommends that DPHI requests the applicant to provide supporting evidence to justify the adopted methodology used to estimate fugitive emissions.

Consideration is to be given to the following:

- a. Provide a summary of historical reporting data and an analysis of trends to justify the use of the average flow rates and average of CO₂ and CH₄ contents.
- b. Discuss why previous monitoring data is expected to be representative of emissions from the areas proposed to be mined. This may include a summary of findings of any gas sampling, monitoring data and the analysis of gas content and ratios for the target seams.
- c. Discuss how the estimates were adjusted to account for the anticipated ROM extraction rates.

2. Annual source-segregated estimates for the ‘Business-as-Usual’ and ‘Modified-Business’ scenario are to be included to verify results and conclusions in the GHG assessment

The GHG assessment does not include the annual source-segregated emissions estimates for the ‘Business as usual’ and ‘Modified Business’ scenarios. Since the ‘Project Only’ scenario emissions are determined as the difference between these two scenarios, annual source-segregated emissions should be provided to allow verification of the ‘Project Only’ scenario results.

The estimated Scope 2 emissions could not be replicated to match values provided in the GHG assessment. Further, there are discrepancies between the summed annual electricity consumption values in Table B.3 and the total electricity consumption scenarios shown in Table B.4. Annual source-segregated emissions for all scenarios are required to verify the identified discrepancies.

Recommendation: The EPA recommends that DPHI requests the applicant to revise the GHG assessment to:

- a. Include annual source-segregated emissions estimates for ‘business as usual,’ ‘modified business,’ and ‘project only’ scenarios.
- b. Review and update (if required) the electricity consumption values and Scope 2 emissions for all scenarios.

3. The GHG assessment should discuss what measures were evaluated to reduce Scope 2 emissions

It is acknowledged that the GHG assessment nominates actions that will be implemented to optimise operations and be energy efficient. However, since electricity consumption is identified

as the main contributor (67.5%) to the combined Scope 1 and 2 emissions due to the modification (e.g., project only scenario), the GHG assessment should discuss if any measures were evaluated to substitute existing energy sources.

Recommendation: The EPA recommends that DPHI requests the applicant to provide additional information to discuss what measures were evaluated to substitute existing energy sources and reduce Scope 2 emissions.

4. Commitments to evaluate the effectiveness of measures to eliminate post-closure fugitive emissions

The GHG assessment indicates that to restrict fugitive emissions after mining operations are completed, drafts and shafts will be sealed, and the mine areas will be allowed to flood naturally. Post-closure fugitive emissions were therefore assumed to be zero. However, the GHG assessment does not explain how these requirements are adequate and sufficient to mitigate the ongoing risk of fugitive GHG emissions to occur. For instance, it does not clarify whether there are any verification or periodic monitoring requirements to ensure the effectiveness of the seals (i.e., checks for leaks).

Recommendation: The EPA recommends that DPHI requests the applicant update Appendix B: Mitigation measures to include commitments to evaluate the effectiveness of the seals to reduce post-closure fugitive emissions.