



Our ref: DOC26/75324-1
Your ref: PAE-105407229

Gabriel Wardenburg

Team Leader

Department Planning Housing & Infrastructure

Via: NSW Major Projects Planning Portal

Subject: Advice on Modification Application - Modification 11 – Time Extension (DA504-00) & PAE-105407229

Dear Gabriel,

Thank you for your request, via the NSW Major Project Planning Portal, dated 3 February 2026 to the NSW National Parks and Wildlife Service (NPWS) and the Conservation Planning and Assessment (CPA) branch of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) requesting advice in relation to the Modification 11 (Mod11) – Time extension (DA504-00). This response provides consolidated comments from both NPWS and CPA.

DCCEEW has reviewed the Modification Report dated January 2026. We understand that this modification does not seek to change approved operations or mining methods, as it relates entirely to extending the period of mining operations at Clarence Colliery (Clarence) from 31 December 2026 for an additional five years until 31 December 2031, within the approved Mining Lease (ML) 1583.

However, an inconsistency exists between this proposed extension, and Clarence's recent submissions. While recent applications for the extraction of panels 918-920 within the same ML explicitly propose the implementation of *shortwall* mining techniques, this extension application does not account for the proposed shift in extraction method. Shortwall mining is a total extraction hybrid technique that causes controlled caving, whereas the current management plans are based on the board and pillar method. Approving the extension under existing management plans would fail to address the potential environmental subsidence impacts unique to the shortwall method, necessitating a reassessment of all monitoring and mitigation programs.

Furthermore, while we acknowledge efforts to manage impacts under the existing consent (DA504-00), it is noted that this was last approved in 2024. That approval does not reflect the full extent of impacts from current operations or the requirements of the new land management status associated with the reservation of the Gardens of Stone State Conservation Area (GoS SCA)

Should the time extension be approved, DCCEEW recommends the inclusion of the conditions and suggestions provided in Attachment A. We welcome the opportunity to continue working with the proponent to ensure that all impacts are identified, assessed and mitigated.

Should you have any questions regarding the recommendations, please contact Abner Vega, Project Officer in Mining Operations, via email mining.gossca@environment.gov.nsw.au or on (02) 6881 4656.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Crust', with a stylized flourish at the end.

David Crust
Director, Blue Mountains Branch
NSW National Parks and Wildlife Service

20 February 2026

Attachment A: NSW DCCEEW summary of recommendations

Cc: Ange Lonergan – NPWS Area Manager.
Liz Mazzer – CPA, Environmental Planning Officer.

Attachment A

NSW DCCEEW recommendations

Clarence Colliery – Modification 11 Time Extension (DA504-00)

GoS SCA	Gardens of Stone State Conservation Area
SCA	State Conservation Area
NPWS	NSW National Parks and Wildlife Services
CPA	Conservation Planning and Assessment
DCCEEW	Department of Climate Change, Energy, the Environment and Water
NPW Act	National Park and Wildlife Act 1974
PoM	Plan of Management

Key Point	Comments	Recommendations
1. <i>Absence of subsidence performance measures</i>	The current consent (DA504-00) lacks specific performance measures for impacts on sensitive features of the Newnes Plateau. These include Newnes Plateau shrub swamp endangered ecological community, pagodas, cliffs, and streams. Modification 11 provides an opportunity to update DA 504-00 so it is consistent with Centennial Coal's Springvale Mine consent (SSD 5594). The Springvale Mine consent includes a table (Table 1) of subsidence impact performance measures for natural and heritage features in Schedule 3. Most of the performance measures require negligible subsidence or environmental consequences for sensitive features. While subsidence predictions at Clarence Colliery are lower than those at Springvale, partial pillar extraction and panel and pillar partial extraction can include methods that have not previously been used for mining under the Newnes Plateau. Impacts of untested mining techniques are uncertain. For example, the original Clarence Coal Panels 918-920 extraction plan (Centennial Coal 2024^[i]) proposed shortwall mining, a variation on bord and pillar mining that is a form of miniwall or longwall not commonly used in Australia (IESC 2023^[ii]). Panels 918–920 were to undermine Newnes Plateau shrub swamps. Due to uncertainties of impacts, the extraction plan was to be revised to reduce second workings under sensitive features (Centennial Coal correspondence 22 September 2025). However, there is potential for future extraction plans to expand on the proposed shortwall mining area. To improve protection of sensitive features on the Newnes Plateau, performance measures of negligible subsidence or environmental consequences should be added to DA 504-00.	Add performance measures to DA 504-00 that require negligible subsidence or environmental consequences for natural and heritage features.

2. <i>Biodiversity due diligence assessment has not been provided</i>	Table 5.2 of the modification document states that a due diligence assessment has been undertaken for biodiversity. As the due diligence assessment was not provided with the modification application, DCCEEW requested a copy via email on 11 February 2026. Rather than providing the due diligence assessment, the consultant provided a memo summarising the outcomes of the due diligence assessment (EMM 12 February 2026). It is not known why the full due diligence assessment has been withheld.	Ensure the proponent provides the biodiversity due diligence assessment.
3. <i>Consultation for Extraction and Management Plans, and Monitoring Programs</i>	Since the reservation of the GoS SCA in May 2022, part of the project area is subject to statutory protections under the <i>NPW Act</i>. The proponent must ensure operations do not contravene the objects of this Act. The GoS SCA Plan of Management outlines the conservation objectives for the reserve. Any Extraction Plan or Environmental Management Plan developed without formal NPWS consultation risks inconsistency with the Plan of Management (PoM) and <i>NPW Act</i> objectives. Active collaboration is essential to manage the interface between mining and conservation lands, ensuring that monitoring programs are fit-for-purpose for a reserved estate.	Amend DA 504-00 to include NPWS as a required consultative agency and land manager for all Extraction Plans, Management Plans, and Monitoring Programs.
4. <i>Maintenance and Management of GoS SCA Road network</i>	Construction and exploration activities involve the movement of heavy machinery (e.g., drill rigs, transport trucks) that may exceed the capacity of the existing NPWS road network. These roads are essential for park operations, including fire management, weed control and emergency services. Deterioration of these assets leads to soil compaction, drainage failure, and increased sediment runoff into water catchments. It is essential that the financial and operational burden of repairing damage caused by mining-related traffic remains with the Applicant, not the public estate. Furthermore, any proposal for new road construction must be strictly assessed to minimize the disturbance footprint within the GoS SCA.	Include a condition requiring the Applicant to maintain all NPWS access roads used for project-related activities to the satisfaction of NPWS.
5. <i>Progressive rehabilitation and ecological restoration</i>	Mining operations within GoS SCA must be managed to ensure the long-term protection of high value biodiversity. Progressive rehabilitation is a critical requirement to maintain the ecological integrity of the estate and minimise the active disturbance footprint at any given time.	Include conditions in DA 504-00 that establish clear rehabilitation objectives and mandate progressive rehabilitation.

	In accordance with the <i>NPW Act</i>, rehabilitation must aim for ecological functional recovery, not just surface stability. Requiring rehabilitation during the exploration and operational phases prevents the accumulation of rehabilitation works and ensures that environmental and financial liabilities are significantly reduced if the proponent cease operations unexpectedly.	All disturbed areas must be rehabilitated as soon as technically feasible following the completion of activities in those specific areas. Furthermore, the preparation of the Rehabilitation Strategy and Management Plan should be in consultation with NPWS.
6. <i>Mine Closure Strategy and handover requirements</i>	Land reserved under the <i>NPW Act</i> is intended for public conservation and recreation. Consequently, the mine site must be returned in a state that is safe, stable, and non-polluting. A Mine Closure Strategy is required to manage long-term risks (such as geotechnical stability and water quality) and to define the exact standards the site must meet before NPWS accepts the return of the land to the public estate. As land manager, NPWS must ensure that closure goals align with the SCA's PoM. Any strategy that dedicates the future state of the SCA must be developed in consultation with agency legally mandated to manage it.	Amend DA 504-00 to include NPWS as a required consultative agency and land manager for the preparation of the Mine Closure Strategy.
7. <i>Access to monitoring data and notification when exceedances in relevant criteria and incidents occur</i>	As the statutory land manager of the SCA, NPWS requires direct access to all environmental monitoring data (including stream flows, subsidence, groundwater, swamp piezometers, soil moisture, and biodiversity metrics etc) to ensure conservation values are not compromised. This data is essential to correlate mining operations with observed ecological changes (eg, vegetation die-back or the drying of endangered swamps). Direct notification of exceedances is critical for public safety and immediate environmental response. Since NPWS are often the primary personnel on the ground in the area, it is crucial to be notified to manage public safety, close off sensitive walking tracks, or begin emergency mitigation to protect threatened species. Subsidence and groundwater movements are often based on models' predictions. Raw monitoring data serves to verify and ground truth these models.	Amend DA 504-00 to include conditions granting NPWS access to all raw environmental monitoring data and technical reports upon request. Additionally, the Applicant must notify the NPWS of any recorded exceedance of relevant criteria or any environmental incident occurring within or adjacent to the State Conservation Area

^[1] Centennial Coal (2024). *Clarence Colliery 918 and 920 Panels Extraction Plan Main Report. Vol 1* March 2024.

^[2] IESC (2023) *Information Guidelines Explanatory Note: Subsidence associated with underground coal mining*. Commonwealth of Australia, 2023.