



15 July 2025

Director Resource and Energy Assessments
Department of Planning, Housing and Infrastructure
Locked Bag 5022
PARRAMATTA NSW 2124

Attention: Stephen O'Donoghue

Dear Stephen

Mount Piper Power Station – DA 80-10060 Modification 10 Scoping Request

1. Introduction

Energy Australia NSW Pty Ltd (EnergyAustralia) owns and operates the Mount Piper Power Station (MPPS), situated approximately 17 kilometres (km) north-west of Lithgow, New South Wales (NSW) (see **Figure 1**).

MPPS consists of two coal-fired steam turbine generators with a generation output of 1,430 megawatts (MW). MPPS is capable of supplying approximately 1.18 million homes with reliable base load power.

At MPPS, ash is generated from coal combustion through transformation of the non-combustible materials in the coal. The ash includes both bottom furnace ash (wet) and fly ash (dry). A portion of the ash produced is repurposed and sold on the open market. The majority of ash generated by MPPS is emplaced in specially designed placement repositories.

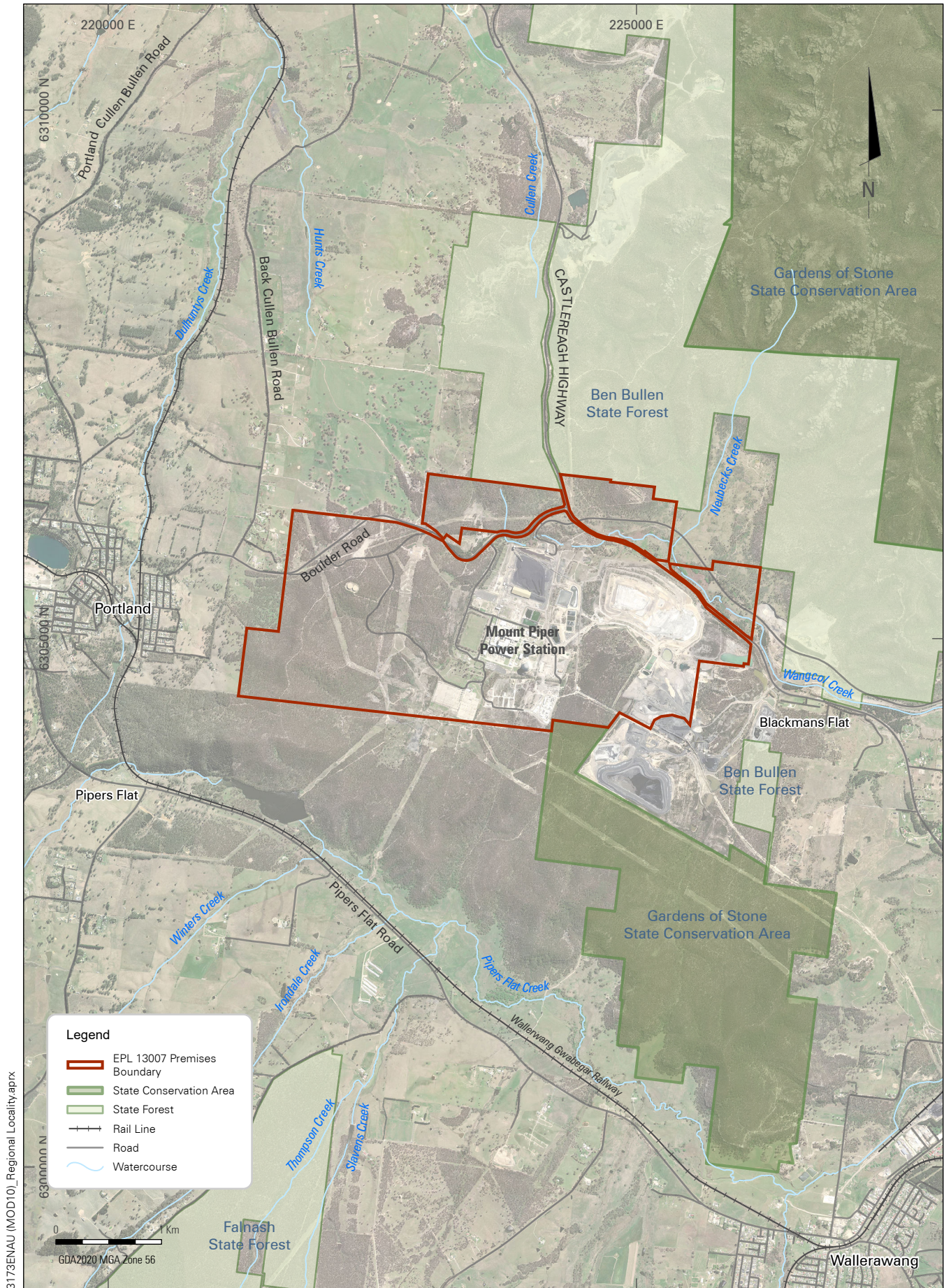
Prior to fly ash being placed in the approved ash repository areas, it needs to be conditioned to raise its moisture content. This conditioning is done using water or brine. The brine is a by-product of cooling water treatment at MPPS and the desalination process at the nearby Springvale Water Treatment Project (SWTP) which is separately authorised under development SSD 7592. Additionally, Solid Mixed Salts (SMS), another by-product from the SWTP, are mixed with the brine-conditioned ash.

Three ash placement repositories are approved for MPPS, including:

- › The Mt Piper Ash Repository (MPAR), which was originally approved under development consent DA 80-10060 (granted on 4 May 1982); and
- › The Lamberts North Ash Repository (LNAR) and the Lamberts South Ash Repository (LSAR), approved under Project Approval MP 09_0186 (granted on 16 February 2012).

EnergyAustralia seeks to modify DA 80-10060 to authorise proposed improvements to the MPPS water management system.

Xenith Consulting Pty Ltd (Xenith Consulting) has prepared this Scoping Request on behalf of EnergyAustralia to initiate the application to modify DA 80-10060. This Scoping Request describes the proposed activities, suggested approvals path and scope of environmental assessment.



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MOUNT PIPER POWER STATION MOD 10

Regional Locality



FIGURE 1

2. Approved Operations

MPPS was originally constructed in the 1980s and commissioned in the early 1990s by the former Electricity Commission of New South Wales under the terms of development consent DA 80-10060 granted under the EP&A Act. DA 80-10060 was granted on 1 April 1982 by the Minister for Planning and Environment. MPPS has been fully operational since 1994. MPPS was acquired by EnergyAustralia in 2013 and remains owned and operated by EnergyAustralia.

Development consent DA 80-10060 was initially granted for the MPPS on 4 May 1982 under Section 101 of the EP&A Act. It was initially proposed that the ash from MPPS would be emplaced into an ash dam to be constructed on Neubecks Creek. However, further assessments identified that a 'dry ash' emplacement (using water or brine conditioned ash versus ash in slurry form) was preferred to an ash dam on environmental grounds. Accordingly, development consent 230/89 (DA 230/89) was obtained from Lithgow City Council (LCC) on 21 March 1990 to authorise a dry ash emplacement area (which now forms part of MPAR). DA 80-10060 has since been modified on eight occasions:

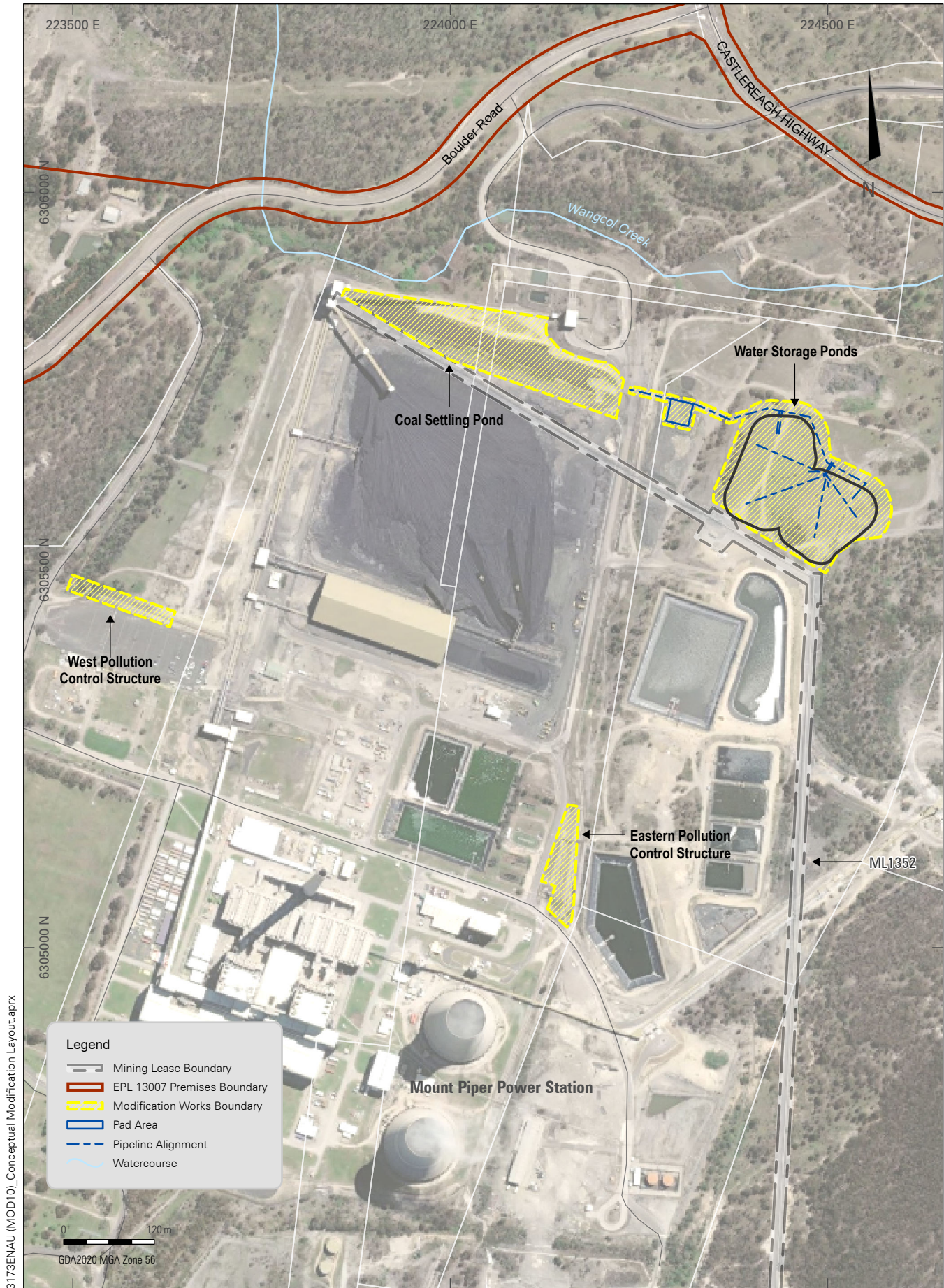
- › Modification (MOD) 1 (1991), for development of a temporary brine storage facility;
- › MOD2 (1996), for temporary storage of brine waste until 30 June 2000;
- › MOD3 (1999), for development of an additional brine storage pond;
- › MOD4 (1999), to align the consent with contemporary licencing requirements of the NSW Environment Protection Authority (EPA) licencing;
- › MOD5 (2000), to allow the placement of brine conditioned fly ash;
- › MOD6 (2006), to increase the capacity of the facility from 1,400 to 1,500 megawatts;
- › MOD7 (2008), to extend the existing brine and ash co-placement area on site; and
- › MOD8 (2019), for development of an additional 60 ML storage pond
- › MOD9 (2025), for changes to the development of MPAR and the management of water at the facility.

3. Modification 10 Proposal

EnergyAustralia seeks to modify DA 80-10060 under Section 4.55(1A) of the EP&A Act (Modification 10) for:

- › Increasing the capacity of the existing Coal Settling Pond (CSP), from 32 megalitres (ML) to approximately 60 ML. This increase is proposed to allow the capture of a 1:100 year (1% Annual Exceedance Probability (AEP)), 72-hour Annual Recurrence Interval (ARI) rain event. The upgrade works would also involve improvements to existing CSP pumps, pipelines and other ancillary infrastructure;
- › Construction and use of two double lined, multipurpose water storage ponds with a combined capacity of up to 100 ML, located to the north of the existing 60 ML storage pond approved under MOD8;
- › Development of pollution control structures (PCS) within the existing MPPS Eastern and Western Clean Water Drains. Installation of the PCS will allow any contaminants to be captured within the respective drains prior to any flows reporting to Wangcol Creek; and
- › Addition of a soil stabilising agent to stockpiled coal, to improve its ability to be handled and reduce the volume of water needed to wash coal from conveyors and transfer stations, which ultimately reports to the CSP.

The conceptual layout of Modification 10 is shown on **Figure 2**.



MOUNT PIPER POWER STATION MOD 10

Conceptual Modification Layout

FIGURE 2



No other changes to approved MPPS operations are proposed as part of Modification 10. In particular, Modification 10 will not result in any changes to the amount of electricity produced at MPPS or to the amounts of coal combusted or ash generated in the generation process at MPPS.

Table 1 compares the activities proposed by Modification 10 with the equivalent aspects of the approved development.

Table 1 Comparison of Modification 10 to the Approved Development

Aspect	Approved Development*	Modification 10
Land use	Electricity generating works	No change
Surface infrastructure	Site administration, electricity generation facilities and ancillary infrastructure, coal transfer and stockpile areas	No change
Total approved volumes (approximately)	Brine conditioned ash (BCA): 3,423,000 m ³ Water conditioned ash: (WCA): 1,324,000 m ³	No change
Ash type permitted for placement	Bottom furnace ash BCA WCA	No change
Water management	Diversion of clean water around disturbed areas Capture and containment of process water and brine in storage ponds for reuse Capture and treatment of sediment-laden water in storage ponds for reuse or discharge under EPL requirements	Upgrade to capacity of existing CSP from 32 ML to 60 ML Development of two water storage ponds with a combined capacity of up to 100 ML Construction of PCSs within the Eastern and Western Clean Water Drains The conceptual layout of proposed water management infrastructure is shown in Figure 2 .
Waste management	Ash co-emplacement in the MPAR, with the placement of BCA between 946 m AHD and 980 m AHD.	No change
Operating hours	24 hours per day, 7 days per week	No change
Workforce	Up to 1,200 employees	No change

* Details in the 'Approved Development' column are the same for both the originally approved development (before Modification 10) and the currently approved development (as modified).

4. Modification 10 Justification

EnergyAustralia is seeking Modification 10 to make improvements to the MPPS water management system. The Modification is sought in response to the findings of an investigation of stormwater management and discharge improvements for MPPS that was commissioned by EnergyAustralia and completed during the period 2022 to 2023 by Environmental Resources Management Australia Pty Limited. This investigation recommended additional mitigation options that could be reasonably and feasibly applied to improve water management performance at the facility. The mitigation options proposed to be implemented by EnergyAustralia are the subject of Modification 10.

Alternatives to the site water management system improvements proposed for the Modification included:

- › Options for the sizing and development of the upgraded CSP;
- › Different locations and volumes for the new water storage ponds; and
- › Different locations and layouts of the PCS within the MPPS water management system.

The preferred options for the Modification elements (see **Section 3**) were selected:

- › To minimise disturbance;
- › To provide storage volumes that meet design criteria and MPPS operational water management requirements; and
- › To avoid constraints associated with the existing MPPS site footprint, including biodiversity values and areas of historical underground workings.

5. Proposed Approval Pathway

Section 4.55 of the EP&A Act enables a consent authority to modify a development consent. This power to modify is governed by certain requirements including the need for the consent authority to be satisfied that Modification 10 is of minimal environmental impact and that the modified development is 'substantially the same development' as the original development (before any modifications) for which consent was granted.

Modification 10 proposes improvements to the MPPS water management system. No other changes to approved MPPS operations are proposed and the following key aspects of the original development approved by DA-80-10060 will remain unchanged:

- › Electricity generating and transmission infrastructure;
- › Receipt and handling of coal on site;
- › Generation of coal ash;
- › Co-placement of WCA and BCA within the MPAR;
- › Period of approved operations; and
- › Water demand.

Section 4.55(1A) of the EP&A Act applies to modifications that are of 'minimal environmental harm'. The assessments currently being conducted (see **Section 6**) suggest that Modification 10 can meet this threshold. Due to the approved MPPS remaining unchanged apart from updates to improve the MPPS site water management system which are expected to result in minimal impacts, the modified development will satisfy the 'substantially the same development' requirement, will cause minimal environmental harm, and can be assessed under Section 4.55(1A) of the EP&A Act.

6. Scope of Environmental Assessment

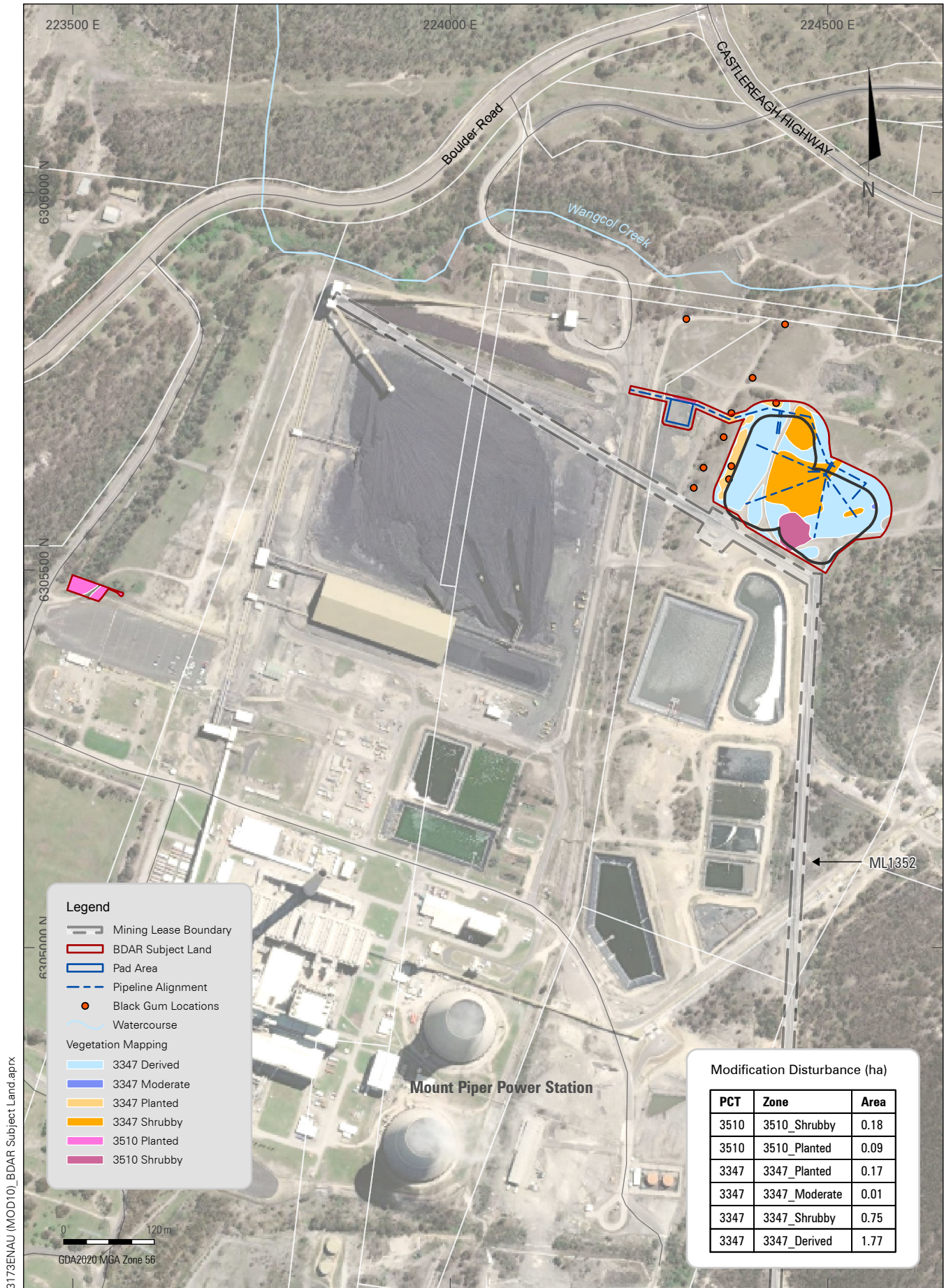
The application for Modification 10 is proposed to be supported by a Modification Report which is being prepared by Xenith Consulting. The Modification Report is being prepared in accordance *with State significant development guidelines* (DPHI, 2024) and the associated Appendix E *State significant development guidelines – preparing a modification report* (DPIE, 2022).

Given that Modification 10 relates wholly to the facilitation of MPPS water management system improvements, there are no material environmental impacts anticipated for Modification 10.

The Modification Report will consider the potential environmental impacts and review whether the existing mitigation and management measures will remain appropriate.

It is expected that the Modification Report will be structured as follows:

- › Executive Summary;
- › Introduction;
- › Strategic Context;
- › Modification Description (including a discussion of alternatives considered);
- › Statutory Context;
- › Stakeholder Engagement:
 - Stakeholder consultation has occurred with the MPPS Community Consultative Committee (CCC), the Lithgow Environmental Group, Lithgow City Council, Department of Planning, Housing and Infrastructure (DPHI), and the Environment Protection Authority; and
 - EnergyAustralia will continue to consult with stakeholders throughout the NSW Government review and assessment process.
- › Assessment of impacts:
 - Biodiversity – Ecologists are preparing a Biodiversity Development Assessment Report (BDAR) to determine the potential impacts of Modification 10. The BDAR has been prepared in accordance with the Biodiversity Assessment Method (BAM) and other applicable State and Federal requirements. The BDAR Subject Land (assessment area) and preliminary vegetation mapping are shown in **Figure 3**. The BDAR Subject Land consists predominantly of derived grassland. The small amount of woody vegetation present has been largely planted post the clearing of the area for the original development. Existing vegetation within the Subject Land conforms to two PCT's occurring in multiple condition states:
 - PCT 3347 – Southern Tableland Creekflat Ribbon Gum Forest; and
 - PCT 3510 – Capertee Slopes Stingybark-Box Forest.Areas within the Modification Works Boundary (see **Figure 2**) that are outside the BDAR Subject Land are located within the approved disturbance footprint for MPPS. These areas include the CSP and associated water management infrastructure which are subject to maintenance activities.
 - Heritage – Archaeology and heritage consultants have been commissioned to prepare an Archaeological Technical Report (ATR) to identify and assess potential heritage constraints. The ATR has been prepared in accordance with the *Code of Practice for the Investigation of Aboriginal Objects in New South Wales* (Code of Practice, DECCW, 2010), and in consideration of the *Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance* (International Council on Monuments and Sites, 2023);
 - Water – A quantitative water assessment on the sizing of the CSP will be completed to determine the impacts on the site water balance. The assessment will also consider any additional potential impacts and benefits arising from the proposed interactions of the modified site water management system with water resources adjacent to the MPPS;
 - Other minor environmental impacts - Other potential minor environmental impacts associated with construction activities being considered in the preparation of the Modification Report include:
 - › Air Quality;
 - › Contamination;
 - › Noise;
 - › Traffic; and
 - › Cumulative;
- › Merit Evaluation.



MOUNT PIPER POWER STATION MOD 10

BDAR Subject Land

FIGURE 3

7. Conclusion

This letter sets out the key aspects of Modification 10. EnergyAustralia intends to submit the Modification Report in August 2025, with construction of the proposed water management infrastructure anticipated to commence between July and September 2026.

Accordingly, EnergyAustralia requests that DPHI provide:

- › Confirmation that an application under Section 4.55(1A) of the EP&A Act is the appropriate approval approach for Modification 10; and
- › Confirmation that the scope of assessment outlined in **Section 6** is adequate and/or whether any other matters should be considered.

If you have any queries in relation to this letter, please do not hesitate to contact the undersigned on 0438 447 848.

Kind Regards

A handwritten signature in black ink, appearing to be "Robert Setter".

Robert Setter
Environment Licensing and Approvals Specialist
EnergyAustralia