



Nicole Armit
EMM Consulting
146 Hunter Street
Newcastle NSW 2300

11/03/2021

Dear Ms Armit

**State Significant Development - Planning Secretary's Requirements
HVO North Open Cut Coal Continuation Project (SSD 11826681)**

Please find attached the Planning Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the HVO North Open Cut Coal Continuation Project. These requirements have been prepared in consultation with relevant public authorities based on the information you have provided to date. The agencies' comments are attached for your information (see Attachment 2). You must have regard to these comments in the preparation of the EIS.

Please note that the Planning Secretary may modify these requirements at any time. If you do not submit a development application (DA) and EIS for the development within 2 years, you must consult further with the Planning Secretary in relation to the preparation of the EIS.

Prior to exhibiting the EIS, the Department of Planning, Industry and Environment (the Department) will review the document in consultation with relevant authorities to determine if it addresses these SEARs. You may be required to submit an amended EIS if it does not adequately address these requirements.

Please contact the Department at least two weeks before you propose to submit your DA and EIS. This will enable the Department to provide lodgement instructions, confirm the applicable fee, determine the required number of copies of the EIS and discuss potential exhibition periods.

The Department is currently developing a new environmental impact assessment guidance series for State significant projects in NSW which is likely to include a specific guideline for preparing an EIS. It is recommended that HV Operations Pty Ltd has regard to this guidance series, if released during preparation of the EIS. The Department also wishes to emphasise the importance of continued effective and genuine community consultation during the preparation of the EIS. This process should provide the community with a clear understanding of the proposal and its potential impacts and include active engagement with the community regarding key issues of concern.

If your development is likely to have a significant impact on matters of National Environmental Significance, it will also require approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation; however, there may be opportunity to streamline the two assessment processes in accordance with the Bilateral Agreement between the NSW and Commonwealth governments. Please contact the Commonwealth Department of Agriculture, Water and the Environment to determine if an approval under the EPBC Act is required (<http://www.environment.gov.au> or 6274 1111).

If you have any enquiries about these requirements, please contact Lauren Evans on 9274 6311.

Yours sincerely,

Matthew Sprott
Director
Resource Assessments (Coal & Quarries)
as delegate for the Planning Secretary