

Hayley Frazer  
Environment and Approvals Superintendent  
Bengalla Mining Company Pty Limited

17/11/2025

---

Subject: Supplementary Planning Secretary's Environmental Assessment Requirements – Matters of National Environmental Significance

Dear Ms Frazer,

The Commonwealth Minister for the Environment has determined that your proposed development, Continuation of Bengalla Coal Mine – Modification 8, is likely to have a significant impact on matters of national environmental significance (MNES) and is a 'controlled action' under Part 7 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Please find **enclosed** the supplementary NSW Planning Secretary's environmental assessment requirements (supplementary SEARs) in relation to the MNES identified in the Commonwealth Minister's 'controlled action' decision.

The supplementary SEARs:

- have been prepared as your proposed development falls within the scope of a declared 'class of action(s)' under Schedule 1 to the Assessment Bilateral Agreement made between the Australian Government and the New South Wales Government;
- outline requirements for assessing impacts on MNES that must be addressed in your environmental impact statement;
- do not replace any SEARs previously issued by the NSW Planning Secretary.

The Assessment Bilateral Agreement streamlines *assessment* of environmental impacts, such that NSW assesses impacts on MNES for proposed actions that fall within the scope of the Agreement. However, NSW does not *determine* whether approval should be granted with respect to impacts on MNES under the EPBC Act. The Commonwealth Minister remains responsible for determining whether approval should be granted with respect to MNES under the EPBC Act, and if so, any conditions to be imposed on an approval granted under the EPBC Act.

If you have any questions, please contact Jack Turner, Team Leader Resource Assessments on 02 9995 5387.

Yours sincerely,

A handwritten signature in black ink, appearing to be "SOD" or similar initials.

Stephen O'Donoghue  
Director  
Resource Assessments  
as delegate for the Planning Secretary