

Our ref: Maules Creek Continuation Project  
(SSD-63428218/EPBC 2024/09936)

Mr Tony Dwyer  
General Manager - Approvals  
Whitehaven Coal Limited

By NSW Major Projects Portal

20/3/2025

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

Dear Mr Dwyer

I understand the Commonwealth Minister for the Environment has determined that the proposed Maules Creek Coal Mine Continuation Project (project) 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 attached 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 the proposed project falls within the scope of a declared 'class of action(s)' under Schedule 1 to the Assessment Bilateral Agreement (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 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.

## Department of Planning, Housing and Infrastructure



If you have any questions, please contact Rose-Anne Hawkeswood on 9274 6324.

Yours sincerely

A handwritten signature in black ink, appearing to be "SO", written over a light grey horizontal line.

Stephen O'Donoghue

**Director Resource Assessments**

As nominee of the Planning Secretary