




Mr Brian Pease
Project Manager
Mangoola Coal Operations Pty Ltd
PO Box 495
Muswellbrook, NSW 2333

Dear Mr  Pease

**Mangoola Coal Continued Operations Project (SSD 8642)
State Significant Development - Reissued Environmental Assessment Requirements**

I refer to your letter of 22 November 2018 requesting the reissue of the Planning Secretary's Environmental Assessment Requirements (SEARs) for the Mangoola Coal Continued Operations Project (SSD 8642) following the Commonwealth's controlled action determination under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). I note that SEARs were originally issued on 22 August 2017 and that supplementary SEARs were issued on 13 September 2017.

On 21 January 2019, a delegate for the Minister of the Environment and Energy determined the project to be a controlled action under the EPBC Act. On 14 February 2019, the Commonwealth Government confirmed that the proposed action will be assessed under the State's accredited assessment process under Part 4 of the *NSW Environmental Planning and Assessment Act 1979* in accordance with the bilateral agreement between the two governments. As such, I am now providing you with additional SEARs (see Attachment 3) to ensure that Commonwealth matters are appropriately addressed in your Environmental Impact Statement.

The Department has also taken the opportunity to update the SEARs to reflect recent policy changes, except for the biodiversity assessment requirements. The project can continue to be assessed under the *NSW Framework for Biodiversity Assessment* as it is considered a 'pending planning application' under the *Biodiversity Conservation (Savings and Transitional) Regulation 2017*.

These SEARs are based on the information you have provided to date and on agency advice (see Attachment 2, which remains unchanged from 22 August 2017). You must have regard to these comments in the preparation of the EIS.

Please contact the Department at least one month before you plan to submit the development application and EIS for the project. 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.

If you have any enquiries about these requirements, please contact Megan Dawson on the details listed above.

Yours sincerely



Howard Reed
Director Resource Assessments
as delegate for the Planning Secretary

15.2.19