



Peter Jaeger  
Manager: Environment & Community  
Wambo Coal Pty Ltd  
PMB 1  
Singleton NSW 2330

20/05/2021

Dear Mr Jaeger

**Wambo Coal Mine (DA305-7-2003 Modification 17)  
Ventilation Shaft Recovery and Rehabilitation**

I refer to your letter dated 9 June 2020 and supplementary email correspondence dated 6 May 2021 regarding the recovery and rehabilitation of the South Bates Extension Underground upcast ventilation shaft.

After careful consideration, the Department considers that a modification application will be required, in order to carry out the necessary earthworks and rehabilitation outside of the approved disturbance area.

The Department considers that section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* is likely to be the appropriate approval pathway for the modification, provided that the supporting Modification Report demonstrates the proposed works would be of minimal environmental impact. In particular, the Modification Report should include an assessment of any:

- vegetation which may be directly or indirectly impacted by the proposed works;
- potential impacts on Aboriginal and historic heritage items; and
- potential impacts on the alluvium and related watercourses in the vicinity of the ventilation shaft.

In this regard, you may seek to draw on specialist assessments previously prepared for Modification 17, where relevant.

Your next step will be to lodge a scoping request through your dashboard on the major projects website (<http://www.planningportal.nsw.gov.au/major-projects>).

If your proposal is likely to have a significant impact on matters of National Environmental Significance, it will require an 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 and it is your responsibility to contact the Commonwealth Department of 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 further enquiries in relation to this matter, please contact Tegan Cole on 02 9895 6457 or at [Tegan.Cole@planning.nsw.gov.au](mailto:Tegan.Cole@planning.nsw.gov.au).

Yours sincerely

Matthew Sprott  
Director  
Resource Assessments (Coal & Quarries)

As nominee of the Planning Secretary