



Dr Nagindar Singh  
Approvals Coordinator - Centennial Coal Company Limited  
100 Miller Road  
FASSIFERN NSW 2283  
30/08/2019

Dear Dr Singh

**Airly Mine Extension Project (SSD 5581) - Modification 3**

I refer to your letter dated 28 August 2019 regarding a proposed modification to the Airly Mine Extension Project (SSD 5581).

The Department confirms that the appropriate approval pathway for the modification application would be under Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*.

The Department is satisfied with the issues identified in your letter to be addressed in the Modification Report and the level of assessment you intend to undertake, and requests that the following matters are also addressed:

- **Social impacts** – ensure that the social impact assessment is undertaken in accordance with the Department's *Social Impact Assessment Guideline for State significant mining, petroleum and extractive industry development* (2017);
- **Biodiversity impacts** – determine if the proposal would have any additional impact on biodiversity values on the site by completing Table 1 in Attachment A and including it in the Modification Report; and
- **Stakeholder engagement** – in addition to the public authorities outlined your letter, you should consult with the Resources Regulator, Transport for NSW and the rail operator.

Your next step will be to lodge your Modification Report through your dashboard on our new 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 and Energy to determine if an approval under the EPBC Act is required (<http://www.environment.gov.au> or 6274 1111).

If you have any questions, please contact Andrew Rode on 02 8289 6744 or at [andrew.ode@planning.nsw.gov.au](mailto:andrew.ode@planning.nsw.gov.au).

Yours sincerely,

Stephen O'Donoghue  
Director  
Resource Assessments

## Attachment A

The consent authority is required to consider whether the proposal would affect biodiversity values.

If the proposal is likely to result in expanded impacts or impacts to different biodiversity values not previously assessed, the application must include a Biodiversity Development Assessment Report (BDAR).

**Table 1: Effect on biodiversity values**

Biodiversity values	Meaning	Relevant or NA* (✓ or NA)	Modification interaction with biodiversity values
<b>Vegetation integrity</b>	Degree to which the composition, structure and function of vegetation at a particular site and the surrounding landscape has been altered from a near natural state		<p><i>Demonstrate how the proposed modification has been designed to not increase impacts (or to reduce impacts) on the vegetation integrity of identified plant communities within the development site as proposed to be modified. Where identified plant communities have been avoided directly, demonstrate how indirect impacts won't further reduce the natural state of the existing vegetation. Quantitative analysis may be appropriate in some circumstances. Eg:</i></p> <ul style="list-style-type: none"> <li>• <i>Identify impacted Plant Community Types (PCTs)</i></li> <li>• <i>Identify area of impacted PCTs</i></li> <li>• <i>Estimate vegetation integrity score for PCTs</i></li> <li>• <i>Demonstrate that the impact on each PCT remains the same or is reduced relative to approved impacts</i></li> <li>• <i>Demonstrate that indirect impacts remain the same or are reduced relative to approved impacts</i></li> </ul>
<b>Vegetation abundance</b>	Occurrence and abundance of vegetation at a particular site		<p><i>Where vegetation is present on the development site as proposed to be modified, provide a map on digital aerial photography or the best available imagery showing:</i></p> <ul style="list-style-type: none"> <li>• <i>native vegetation (including grasslands and other non-woody vegetation types) and non-native vegetation, and</i></li> <li>• <i>the area of land that is likely to be directly impacted by the proposed modification, including related infrastructure such as roads, pipelines, access tracks, temporary material</i></li> </ul>

Biodiversity values	Meaning	Relevant or NA* (✓ or NA)	Modification interaction with biodiversity values
			<p><i>stockpiles, asset protection zones and powerlines, if applicable, and</i></p> <ul style="list-style-type: none"> <li><i>the area of direct impact previously approved (for comparison).</i></li> </ul> <p><i>Demonstrate how the proposed modification has been designed to not increase impacts, (or to reduce impacts) on native vegetation (including impacts to isolated or cultivated native plants). Quantitative analysis may be appropriate in some circumstances.</i></p>
<b>Habitat suitability</b>	Degree to which the habitat needs of threatened species are present at a particular site		<p><i>Identify any threatened species or ecological communities or their habitat on the development site as proposed to be modified. In addition to native vegetation, habitat may include non-native vegetation, human made structures, rocks, karst, caves, crevices, cliffs and other geological features of significance.</i></p> <p><i>Demonstrate how the proposed modification does not increase impacts, or how it reduces impacts, including indirect impacts such as noise, light spill, habitat trampling, weed invasion, on habitat suitability.</i></p> <p><i>Eg:</i></p> <ul style="list-style-type: none"> <li><i>Identify likely impacted threatened species, ecological communities and their habitats</i></li> <li><i>Estimate area of impacted threatened species, ecological communities and their habitats</i></li> <li><i>Demonstrate that the estimated impact on threatened species, ecological communities and their habitats remains the same or is reduced relative to approved impacts</i></li> <li><i>Demonstrate that indirect impacts remain the same or are reduced relative to approved impacts</i></li> </ul>
<b>Threatened species abundance</b>	Occurrence and abundance of threatened species or threatened ecological communities, or their habitat, at a		<p><i>Identify threatened species or threatened ecological communities (or their habitat) present on the development site as proposed to be modified. Identify their abundance (indicate any abundance already approved for removal under the original development consent).</i></p>

Biodiversity values	Meaning	Relevant or NA* (✓ or NA)	Modification interaction with biodiversity values
	particular site		<i>Demonstrate how the proposed modification does not increase impacts, or how it reduces impacts, on threatened species or threatened ecological community abundance. Ensure all potential impacts are considered including prescribed impacts such as vehicle strikes on threatened species of animals or on animals that are part of a threatened ecological community. Quantitative analysis may be appropriate in some circumstances.</i>
<b>Habitat connectivity</b>	Degree to which a particular site connects different areas of habitat of threatened species to facilitate the movement of those species across their range		<p><i>Identify (on a map where appropriate) and analyse whether the development site as proposed to be modified contributes to habitat connectivity for threatened species. Identify the threatened species that may use the habitat connectivity and how the connectivity facilitates the species' movement across their range.</i></p> <p><i>Demonstrate how the proposed modification does not increase impacts, or how it reduces impacts, on habitat connectivity for threatened species. Ensure all potential impacts are considered including direct removal of a habitat connection and barriers or deterrents to species movement across the habitat connection.</i></p>
<b>Threatened species movement</b>	Degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle		<p><i>Identify (on a map where appropriate) and analyse whether the development site as proposed to be modified contributes to threatened species movement that maintains their lifecycle. Identify the threatened species whose lifecycle may rely on movement through the site. ('Habitat connectivity', addressed above, may overlap with this biodiversity value however may be at a larger scale as it considers movement across the species' range. 'Threatened species movement' to maintain a species lifecycle may be at a smaller scale, e.g. where a frog moves across a site to access an adjoining breeding pond).</i></p> <p><i>Demonstrate how the proposed modification does not increase impacts, or</i></p>

Biodiversity values	Meaning	Relevant or NA* (✓ or NA)	Modification interaction with biodiversity values
			<i>how it reduces impacts, on threatened species movement that maintains the species' lifecycle. Ensure all potential impacts are considered including construction and operational impacts.</i>
<b>Flight path integrity</b>	Degree to which the flight paths of protected animals over a particular site are free from interference		<p><i>Identify (on a map where appropriate) whether flight paths of protected animals occur over the development site as proposed to be modified. Identify the protected animals with a flight path over the site.</i></p> <p><i>Demonstrate how the proposed modification does not increase impacts, or how it reduces impacts, on flight path integrity. Ensure all potential impacts are considered including construction and operational impacts.</i></p> <p><i>For proposed wind farms, demonstrate why turbine strikes are unlikely on protected animals. Modelling may be required.</i></p>
<b>Water sustainability</b>	Degree to which water quality, water bodies and hydrological processes sustain threatened species and threatened ecological communities at a particular site		<p><i>Identify any threatened species or threatened ecological communities that are sensitive to water quality and/or sustained by water bodies or hydrological processes at the development site as proposed to be modified.</i></p> <p><i>Demonstrate how the proposed modification has been designed to not increase impacts (or to reduce impacts) on water sustainability for threatened species or threatened ecological communities. Ensure all potential impacts are considered including impacts from subsidence or upsidence resulting from underground mining or other development).</i></p>

*\*Provide reasoning against any NA recorded against any values where it is not relevant (e.g. if the site does not support any natural vegetation or habitat; Site is in a highly urbanized or industrial setting).*