

## APPENDIX 4

### Commonwealth Department of the Environment Correspondence





Mr Shane Scott  
Project Manager  
Mt Owen Pty Limited  
PO Box 320  
Singleton NSW 2330

Dear Mr Scott

**Decision on referral**

**Mount Owen Continued Operations – Modification 2, Mount Owen Complex, 20 km north-west of Singleton, NSW**

Thank you for submitting a referral under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This is to advise you of my decision about the proposed action to extend the Mount Owen North Pit and extract an additional 40 million tonnes of run-of-mine coal from the Mount Owen North Pit, as described in the referral received by the Department on 6 November 2017.

**As a delegate of the Minister for the Environment and Energy, I have decided that the proposed action is not a controlled action. This means that the proposed action does not require further assessment and approval under the EPBC Act before it can proceed.**

A copy of the document recording this decision is enclosed. This document will be published on the Department's website. Please note that this decision relates only to the specific matters protected under Chapter 2 of the EPBC Act. This decision does not affect any requirement for separate state or local government environment assessment and approvals of the proposed action.

The Department has an active audit program for proposals that have been referred under the EPBC Act. The audit program aims to ensure that proposals are implemented as planned. Please note that your project may be selected for audit by the Department at any time and all related records and documents may be subject to scrutiny. Information about the Department's compliance monitoring and auditing program is enclosed.

If you have any questions about the referral process or this decision, please contact the project manager, Jasper Clark, by email to [jasper.clark@environment.gov.au](mailto:jasper.clark@environment.gov.au), or telephone 02 6274 1805 and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

Kim Farrant  
Assistant Secretary  
Assessments (ACT, NSW) & Waste Branch

15 December 2017



## Notification of

### REFERRAL DECISION – not controlled action

#### Mount Owen Continued Operations – Modification 2, Mount Owen Complex, 20 km north-west of Singleton, NSW (EPBC 2017/8083)

This decision is made under Section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

#### Proposed action

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<b>Person proposing to take the action</b>	Mt Owen Pty Limited ACN: 003 827 361
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<b>proposed action</b>	To extend the Mount Owen North Pit and extract an additional 40 million tonnes of run-of-mine coal from the Mount Owen North Pit, as described in the referral received by the Department on 6 November 2017 [See EPBC Act referral 2017/8083]
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#### Referral decision: Not a controlled action

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<b>status of proposed action</b>	The proposed action is not a controlled action.
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#### Person authorised to make decision

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<b>Name and position</b>	Kim Farrant Assistant Secretary Assessments (ACT, NSW) & Waste Branch
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**signature**

**date of decision**

15.12.17

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