

Mr Wayne Seabrook  
Chairman – Malabar Coal Ltd  
PO Box R864  
ROYAL EXCHANGE NSW 1225

Dear Mr Seabrook

**Spur Hill Underground Coal Project (SSD 6509)  
Revised Environmental Assessment Requirements**

I refer to your letter of 12 July 2016, seeking confirmation that the Secretary's Environmental Assessment Requirements (EARs) for Spur Hill Underground Coal Project issued on 23 July 2014, remain valid and provide appropriate guidance for the preparation of an Environmental Impact Statement (EIS) for the project.

I understand that over the past two years, Spur Hill Management Pty Ltd (SHM) has undertaken additional site investigations to refine the proposed mining and infrastructure options for the project and is expected to lodge a Development Application and associated EIS in mid-late 2017.

The Department considers that revised EARs are needed to reflect contemporary government policies and guidelines. I understand that SHM will shortly commence preparation of an EIS and request that you carefully consider the revised EARs (attached) when preparing this document.

The revised EARs are based on information you have provided to date and incorporate previous advice provided by relevant State and Commonwealth Government agencies (see Attachment 2). The revised EARs also incorporate and reflect the previous recommendations of the NSW Mining & Petroleum Gateway Panel and Commonwealth Independent Expert Scientific Committee (see Attachments 3-4). I request that SHM pay careful consideration to the previous advice and requirements contained in Attachments 2-4 and advise you to undertake further consultation with relevant government bodies throughout the preparation of its EIS for the project.

I would also like to take this opportunity to remind you that the Department may alter the revised requirements at any time and that you must consult further with the Department if you do not lodge a development application and EIS for the project within the next two years.

Please contact the Department at least two weeks before you plan to submit the development application and EIS for the project. This will enable the Department to:

- confirm the applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- determine the number of copies (hard-copy and CD-ROM) of the EIS required.

It is important for you to recognise that the Department will review the EIS for the project before putting it on public exhibition. If it fails to adequately address these requirements, you will be required to submit an amended EIS.

If you have any questions concerning the above, please contact Matthew Sprott on 8217 2054.

Yours sincerely



Howard Reed

21.12.16

**Director - Resource Assessments**  
**as Delegate of the Secretary**