



Mr Malcolm Murphy  
Head of Mount Piper  
EnergyAustralia NSW Pty Ltd and Re.Group Pty Ltd  
Locked Bag 1000  
Portland NSW 2847

17/03068  
SSD 8294

Dear Mr Murphy

**State Significant Development – Modified Secretary's Environmental Assessment Requirements  
Mt Piper Power Station Energy Recovery Project (SSD 8294)**

I refer to correspondence from Mr Julian Turecek, Head of Assets, Energy Australia, requesting the Department of Planning and Environment's consideration of changes to the scope of the proposed refuse derived fuel (RDF) waste to energy plant at the Mt Piper Power Station at 363 Boulder Road, Blackman's Flat, in the City of Lithgow local government area (LGA).

The Department has reviewed the proposed changes in consultation with relevant government authorities, including Lithgow City Council, and considered the Secretary's Environmental Assessment Requirements (SEARs) issued on 7 April 2017. Having regard to the changes described in Mr Turecek's correspondence and the comments received from government authorities (see **Attachment 2**), the Department considers the SEARs for the application should be modified. The modified SEARs are attached (**Attachment 1**). Additional and amended assessment requirements relate to community and stakeholder engagement, social and economic impacts, biodiversity impacts, soils and water, waste management and bushfire risk.

As previously advised, the Department may further modify the SEARs at any time. You must consult further with the Department if you do not lodge a development application and Environmental Impact Statement (EIS) for the development within two years of the date of issue of the Modified SEARs.

I wish to emphasise the importance of effective and genuine community consultation and the need for the proposal to proactively respond to the community's concerns. Accordingly, you must undertake a comprehensive, detailed and genuine community consultation and engagement process during the preparation of the EIS. This process must ensure that the community is informed of the development and engaged with issues of concern to them. Sufficient information must be provided to the community to enable a good understanding of the development and any potential impacts.

Your development may require separate approval under the provisions of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). If an EPBC Act approval is required, please advise the Department accordingly, as the Commonwealth assessment process may be integrated into the NSW assessment process, and supplementary SEARs may need to be issued.

Please contact the Department at least two weeks before you intend to lodge the EIS and any associated documentation for the development. This will enable the Department to determine the:

- applicable fee (under Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- consultation and public exhibition arrangements, including copies and format requirements of the EIS.

If you have any enquiries about the Modified SEARs, please contact Sally Munk on the above details.

Yours sincerely

  
Chris Ritchie  
Director, Industry Assessments  
as delegate of the Secretary

1/6/18