



Professor Mary O'Kane AC
Chair
Independent Planning Commission
Level 3, 201 Elizabeth St
Sydney NSW 2000

Dear Professor O'Kane

Moolarben Coal Mine Stage 1 and 2 Modifications

The Department has completed its assessment of the merits of the modification requests for Moolarben Coal Mine Stage 1 (05_0117 Mod 14) and Moolarben Coal Mine Stage 2 (08_0135 Mod 3).

The Moolarben mine complex includes open cut and underground mining and commenced operations in 2008 under two integrated project approvals. The Stage 1 project was approved by the Minister for Planning under the former Part 3A of the *Environmental Planning & Assessment Act 1979* (EP&A Act) in September 2007. The Stage 2 Part 3A project was approved by the Planning Assessment Commission under delegation in January 2015.

The proposed modifications involve an increase in annual run-of-mine coal production limits from the open cut mining operation, revisions to open cut pit areas and surface infrastructure and installation of a reverse osmosis plant to treat mine water to reduce salinity in discharges, with an increase in discharge volume to the Goulburn River.

In accordance with the Minister's delegation dated 14 September 2011, the modification requests are referred to the Independent Planning Commission for determination, as there were more than 25 objections to the proposals.

During the exhibition of the environmental assessment the Department received a total of 69 public submissions all objecting to the modification, including 11 from special interest groups. Advice was provided from 5 NSW government agencies, including Mid-Western Regional Council, who did not object to the requests. During the assessment process, the Department visited the site, and consulted with local residents, Council and relevant government agencies.

Based on its assessment, the Department considers that the modification requests are approvable, subject to the recommended revisions to the project approval conditions. I have attached a copy of the Department's assessment report, recommended revised conditions and other relevant documents for the Commission's consideration.

For further information or to arrange a briefing, please contact Mr Stephen O'Donoghue, A/Director Resource and Energy Assessments, on 0477 345 626.

Yours sincerely

Marcus Ray
Deputy Secretary
Planning Services

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