



Ms Lynelle Briggs
Chair
Planning Assessment Commission
GPO Box 3415
Sydney NSW 2001



Dear Ms Briggs *Lynelle*

**Invincible Colliery
Southern Extension Modification (07_0127 MOD 5)**

The Department has completed its assessment of the merits of the modification application for the Invincible Colliery.

In accordance with the Minister's delegation dated 14 September 2011, the application is referred to the Planning Assessment Commission for determination, as there were more than 25 objections to the proposal and the proponent has made reportable political donations.

The Department exhibited the modification application and accompanying Environmental Assessment (EA) from 27 September 2016 until 8 November 2016. During this period, the Department received a total of 856 submissions, including 7 from public authorities, 9 from special interest groups and organisations, and 840 from the general public, of which 299 were by way of objection. None of the government agencies object to the proposal.

The Department visited the site on two occasions during the assessment process and has also consulted further with the proponent and with Government agencies. This has resulted in changes to the proposal that would reduce the potential environmental impacts.

I have attached a copy of the Department's assessment report and all other relevant documents for the Commission's consideration.

Based on its assessment, the Department believes that the proposal is approvable, but only subject to a range of conditions including restricting mining from being undertaken on steep wooded slopes at the eastern boundary of the site.

For any further information or to arrange a briefing, please contact Mr Clay Preshaw, Director Resource and Energy Assessments, on 9274 6349.

Yours sincerely

Marcus Ray
Deputy Secretary
Planning Services

01/11/2017