



carolyn.mcnally@planning.nsw.gov.au;  
Stephen.ODonoghue@planning.nsw.gov.au;  
Rose-Anne.Hawkeswood@planning.nsw.gov.au

To the Secretary, Dept of Planning and Environment

Dear Secretary,

Re: BOGGABRI COAL PROJECT 09\_0182 MOD 7

The Boggabri MOD 7 is a Modification to the Approval 09\_0182 which, according to the Environmental Assessment “seeks to make largely administrative amendments to the Boggabri project approval”.

I am writing to you in regards to that part of the MOD 7 which does not fall within the “largely administrative” definition.



I do not regard the changes to the long-term biodiversity offset security mechanisms as administrative, and I object to the right of consultation by the community being stripped away by this Modification.

The cumulative impacts of proposed coal mine expansion are overwhelming to the communities of Maules Creek and Boggabri.

The impacts include biodiversity impacts, which are one aspect of the MOD 7.

With Maules Creek, Vickery, Tarrawonga, even Rocglen mines in the immediate vicinity of the towns of Boggabri and Maules creek We residence of the district believe the cumulative impacts of these mines should warrant more, not less, open scrutiny.

The proposed Modification is described at p. 24 of the MOD 7 Environmental Assessment:

“4.3.3 Proposed Modification

It is proposed that Condition 47(a) of Schedule 3 be modified ...The following modification (in underlined text) to Condition 47(a) of Schedule 3 is proposed:

Long Term Security of Offset

47. The Proponent shall make suitable arrangements to provide appropriate long-term security for the offset areas:

(a) For the areas included in Table 15 as owned, under option or committed by the Proponent, the long-term security shall be provided by a form of binding agreement acceptable to the Secretary that records the obligations assumed by the Proponent under the conditions of this approval in relation to these offset areas. These agreements must be registered by December 2019 unless agreed otherwise by the Secretary after consultation with Chief Executive of OEH. The agreements must remain in force in perpetuity.”

With all due respect to yourself, we do not believe that “a form of binding agreement acceptable to the Secretary” is a sufficient standard of scrutiny for biodiversity matters, including Biodiversity Offsets. Biodiversity matters affect us personally, often severely, in many forms.

We do not want to lose our right to be consulted by the downgrading of assessment of impacts. We now have a great deal of experience from other mine approvals in the Boggabri area, of conditions which have the standard of the “Secretary’s satisfaction”. What is “acceptable” to you in most instances to date has not accorded with public opinion.

The community does not want to see this watered down and does not consider that the Secretary and the PAC would want to see this specificity removed from the Project Approval conditions.

I am of the view that this modification project should:

1. have the exhibition period extended for a further 28 days, and
2. be referred to the Independent Planning Commission (IPC) if necessary.

