

Secretary's Environmental Assessment Requirements

Section 75W of the *Environmental Planning and Assessment Act 1979*

Application Number	DA 305-7-2003 MOD 17
Description of Modification	The modification proposes: • extending the South Bates Underground Mine; • extending the life of underground mining until the end of 2039; • mining an additional 18 million tonnes of ROM coal; • constructing new ventilation shafts, gas drainage infrastructure and other ancillary infrastructure; and • producing of an additional 3.7 million tonnes of coarse rejects and 2.1 million tonnes on tailings.
Location	Jerrys Plains Road, Warkworth
Applicant	Wambo Coal Pty Ltd
Date of Issue	20 December 2016
General Requirements	The Environmental Assessment (EA) for the proposed modification must include: • a full description of the proposed modification, including: – the need for the modification; – details of the resource to be extracted, demonstrating efficient resource recovery within environmental constraints; – the mine layout and scheduling; – minerals processing; – surface infrastructure and facilities (including any infrastructure that would be required for the development, but the subject of a separate approvals process); – a waste (rejects, tailings, etc.) management strategy; – a water management strategy; – a rehabilitation strategy to apply during, and after completion of, mining operations and the proposed final use of the site; and – the likely interactions between the proposed modified development and any other existing, approved or proposed mining development in the vicinity of the site; • justification why the proposed development is preferred over other alternatives (such as alternatives locations for the surface infrastructure or different layouts of the longwall panels); • a list of any approvals that must be obtained before the development may commence; • a risk assessment of the potential environmental impacts of the project, identifying the key issues; • an assessment of the likely impacts of the development on the environment, focusing on the specific issues identified below, including: – a description of the existing environment likely to be affected by the development, using sufficient baseline data; – an assessment of the likely impacts of all stages of the development, including any cumulative impacts, taking into consideration any relevant laws, environmental planning instruments, guidelines, policies, plans and industry codes of practice; – a description of the measures that would be implemented to mitigate and/or offset the likely impacts of the development, and an assessment of: - o whether these measures are consistent with industry best practice, and represent the full range of reasonable and feasible mitigation measures that could be implemented; - o the likely effectiveness of these measures; and

	- o whether contingency plans would be necessary to manage any residual risks; – a description of the measures that would be implemented to monitor and report on the environmental performance of the development if it is approved; • a consolidated summary of all the proposed environmental management and monitoring measures, identifying all the commitments in the EA; • consideration of the development against all relevant environmental planning instruments (including Part 3 of the <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>); and • a conclusion justifying why the development should be approved, taking into consideration: - o alternatives; - o the suitability of the site; - o the economic, social, biophysical and environmental impacts of the project as a whole; and - o whether the project is consistent with the objects of the Environmental Planning and Assessment Act 1979. While not exhaustive, Attachment 1 contains a list of some of the environmental planning instruments, guidelines, policies, and plans that may be relevant to the environmental assessment of this development. The modification application must be accompanied by a signed report from a suitably qualified and experienced person that includes an accurate estimate of the: • capital investment value (as defined in Clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>) of the development, including details of all the assumptions and components from which the capital investment value calculation is derived; and • jobs that would be created during each stage of the development.
Key Issues	The EA must address the following specific issues: • Subsidence – including an assessment of the likely conventional and non-conventional subsidence effects and impacts of the development, and the potential consequences of these effects and impacts on the natural and built environment, paying particular attention to those features that are considered to have significant economic, social, cultural or environmental value; • Land Resources – including: - An Agriculture Impact Statement to assess the potential impacts on soils and land capability of the site and surrounds, paying particular attention to any Biophysical Strategic Agricultural Land (BSAL) - an assessment of the likely agricultural impacts of the development; - an assessment of the likely impact of the development on landforms (topography), including the potential subsidence impacts on cliffs, rock formations and steep slopes; - an assessment of the compatibility of the development with other land uses in the vicinity of the development in accordance with the requirements of Clause 12 of <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>. • Water – including: - an assessment of the potential impacts of the development on the quantity and quality of the region's surface and groundwater resources; - an assessment of the likely impacts of the development on aquifers, watercourses, riparian land, water-related infrastructure, and other water users; - a detailed site water balance and an assessment of any volumetric water licensing requirements, including a description of site water demands, water disposal methods (inclusive of volume and

	frequency of any water discharges), water supply infrastructure and water storage structures; - an assessment of the likely flooding impacts of the development; - identification of any licensing requirements or other approvals under the <i>Water Act 1912</i> and/or <i>Water Management Act 2000</i>; - demonstration that water for the construction and operation of the proposed modification can be obtained from an appropriately authorised and reliable supply in accordance with the operating rules of any relevant Water Sharing Plan (WSP); - a description of the measures proposed to ensure the development can operate in accordance with the requirements of any relevant WSP or water source embargo; - a framework for the avoidance, mitigation, management and monitoring of water quality impacts during construction and operation; and - a detailed description of the proposed water management system (including sewerage), water monitoring program and measures to mitigate surface and groundwater impacts; • Biodiversity – including: - an assessment of the likely biodiversity impacts of the development, in accordance with applicable NSW Government Policy; - an offset strategy to ensure the development maintains or improves the biodiversity values of the region in the medium to long term; • Heritage – including an assessment of the likely Aboriginal and historic heritage (cultural and archaeological) impacts of the development; • Noise – including: - an assessment of the likely operational noise impacts of the development (including construction noise) in accordance with the <i>NSW Industrial Noise Policy</i>, paying particular attention to the obligations in chapters 8 and 9 of the policy; - if a claim is made for specific construction noise criteria for certain activities, then this claim must be justified and accompanied by an assessment of the likely construction noise impacts of these activities under the <i>Interim Construction Noise Guideline</i>; - an assessment of the likely road noise impacts of the development under the <i>NSW Road Noise Policy</i>; and - an assessment of the likely rail noise impacts of the development under the <i>Rail Infrastructure Noise Guideline</i>; • Air – including: - an assessment of the likely air quality impacts of the development in accordance with the <i>Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW</i>; and - an assessment of the likely greenhouse gas impacts of the development; • Visual – including an assessment of the likely visual impacts of the development; • Public Safety – including an assessment of the likely risks to public safety, paying particular attention to potential subsidence risks, bushfire risks, and the handling and use of any dangerous goods; • Social & Economic – including: - an assessment of the likely social impacts of the development; and - an assessment of the likely economic impacts of the development, paying particular attention to: - o the significance of the resource; - o the costs and benefits of the project for the State, the region and local communities; and - o the demand for the provision of local infrastructure and services.
Consultation	During the preparation of the EA, you should consult with relevant local, State or Commonwealth Government authorities, infrastructure and service providers, community groups, landowners and Aboriginal groups. In particular, you must consult with the:

	• Wambo Community Consultative Committee; • Commonwealth Department of the Environment; • NSW Office of Environment and Heritage (including the Heritage Branch); • NSW Environment Protection Authority; • NSW Division of Resources and Energy within the Department of Industry; • NSW Department of Primary Industries (including DPI Water, Agriculture, and Land and Natural Resources); • NSW Health; • Mine Subsidence Board; and • Singleton Shire Council. The EA must describe the consultation that was carried out, identify the issues raised during this consultation, and explain how these issues have been addressed.
--	--

ATTACHMENT 1

Environmental Planning Instruments, Policies, Guidelines & Plans

Land	
	Guideline for Agricultural Impact Statements (DP&E)
	Agricultural Impact Statement: Technical Notes (DPI)
	Agfact AC25: Agricultural Land Classification (NSW Agriculture)
	Interim Protocol for Site Verification & Mapping of Biophysical Strategic Land (OEH)
	Soil and Landscape Issues in Environmental Impact Assessment (NOW)
	State Environmental Planning Policy No. 55 – Remediation of Land
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC)
Water	
Water Sharing Plan	Hunter Unregulated and Alluvial Water Sources 2009
	Hunter Regulated River Water Source 2003
Groundwater	NSW State Groundwater Policy Framework Document (NOW)
	NSW State Groundwater Quality Protection Policy (NOW)
	NSW State Groundwater Quantity Management Policy (NOW)
	NSW Aquifer Interference Policy 2012 (NOW)
	Australian Groundwater Modelling Guidelines 2012 (Commonwealth)
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	Guidelines for the Assessment & Management of Groundwater Contamination (EPA)
Surface Water	Hunter River Salinity Trading Scheme (EPA)
	NSW State Rivers and Estuary Policy (NOW)
	NSW Government Water Quality and River Flow Objectives (EPA)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (EPA)
	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Effluent Management (ARMCANZ/ANZECC)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Use of Reclaimed Water (ARMCANZ/ANZECC)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (EPA)
	Managing Urban Stormwater: Soils & Construction (Landcom) and associated Volume 2E: Mines and Quarries (DECC)
	Managing Urban Stormwater: Treatment Techniques (EPA)
	Managing Urban Stormwater: Source Control (EPA)
	Technical Guidelines: Bunding & Spill Management (EPA)
	Environmental Guidelines: Use of Effluent by Irrigation (EPA)
	A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH)
	NSW Guidelines for Controlled Activities (NOW)
Flooding	Floodplain Development Manual (OEH)
	Floodplain Risk Management Guideline (OEH)
Biodiversity	
	Framework for Biodiversity Assessment (OEH)
	NSW Biodiversity Offset Policy for Major Projects (OEH)
	Threatened Species Assessment Guidelines (OEH)
	NSW State Groundwater Dependent Ecosystem Policy (NOW)

	Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW)
	State Environmental Planning Policy No. 44 – Koala Habitat Protection
Heritage	
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
	Draft Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation (DP&E)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (OEH)
	Code of Practice for Archaeological Investigations of Objects in NSW (OEH)
	Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (OEH)
	NSW Heritage Manual (OEH)
	Statements of Heritage Impact (OEH)
Noise	
	NSW Industrial Noise Policy (EPA)
	Interim Construction Noise Guideline (EPA)
	NSW Road Noise Policy (EPA)
	Rail Infrastructure Noise Guideline (EPA)
	Voluntary Acquisition and Mitigation Policy for State Significant Mining, Petroleum and Extractive Industry Developments (DP&E)
Air	
	Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW (EPA)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (EPA)
	Coal Mine Particulate Matter Control Best Practice – Site Specific Determination Guideline (EPA)
	Generic Guidance and Optimum Model Settings for the CALPUFF Modelling System for Inclusion in the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA)
	National Greenhouse Accounts Factors (Commonwealth)
	Voluntary Acquisition and Mitigation Policy for State Significant Mining, Petroleum and Extractive Industry Developments (DP&E)
Transport	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RMS) & relevant Austroads Standards
Public Safety	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Hazardous and Offensive Development Application Guidelines – Applying SEPP 33
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
Resource	
	Australasian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves 2012 (JORC)
Waste	
	Waste Classification Guidelines (DECC)
Rehabilitation	
	Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)
	Mine Closure and Completion – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)
	Strategic Framework for Mine Closure (ANZMEC-MCA)
Environmental Planning Instruments - General	
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Infrastructure) 2007

Singleton Local Environmental Plan 2013
