

Director-General's Requirements

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

Application number	06_0236
Project	The proposed Chitter and Tailings Reclamation project, which includes: - reclamation of an estimated 2.86 million tonnes of coarse and fine carbonaceous material from historic coal reject heaps at Neath (1 million tonnes), Aberdare East (1.7 million tonnes) and Richmond Main East (0.16 million tonnes); - transportation of reclaimed material by road to the Hebburn No. 3 washery, or directly to market; and - rehabilitation and restoration of reclaimed areas.
Location	Neath, Aberdare East and Richmond Main East, within the Cessnock LGA
Proponent	Hunter Enviro-Mining (Operations) Pty Limited
Date of Issue	22 October 2006
Date of Expiration	22 October 2008
General Requirements	The Environmental Assessment (EA) must include - an executive summary; - a detailed description of the project including the: - need for the project; - various components of the project; and - any likely inter-relationship between the proposed operations and existing or approved reclamation operations supplying material to the Hebburn No. 3 washery; - consideration of any relevant statutory provisions, including the permissibility of road haulage through the Werakata National Park; - a general overview of the environmental impacts of the project, identifying the key issues for further assessment, and taking into consideration the issues raised during consultation; - a detailed assessment of the key issues specified below, and any other significant issues identified in the general overview of environmental impacts of the project (see above), which includes: - a description of the existing environment; - an assessment of the potential impacts of the project including potential cumulative impacts (particularly on traffic and transport, noise, and air quality); - a description of the measures that would be implemented to avoid, minimise, mitigate, offset, manage, and/or monitor the impacts of the project; - a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures; - a conclusion justifying the project, taking into consideration the environmental impacts of the project, the suitability of the sites, and the benefits of the project; and - a signed statement from the author of the Environmental Assessment report certifying that the information contained in the report is neither false nor misleading.
Key Issues	Surface and Groundwater – including, for each site, a detailed assessment of the surface and groundwater impacts (including potential saline and/or acidic discharges), a site water balance, and a detailed description of the water management system. A surface and groundwater contingency strategy must be included as part of the mitigation measures for the project which details the measures proposed to protect the supply of water to landowners and the environment.

	• Flora and Fauna – including impacts on critical habitats (including riparian habitat), threatened species, populations, ecological communities and native vegetation; • Rehabilitation and Land Use Management – including a detailed Rehabilitation Strategy that describes how the sites would be progressively rehabilitated, revegetated, and integrated with the surrounding landscape and land use, taking into consideration any relevant strategic land use plans and objectives (including the Draft Lower Hunter Regional Strategy, the Hunter Catchment Blueprint, the Wallis and Fisheries Creek Total Catchment Management Strategy, and the Hunter and Central Coast Regional Environmental Management Strategy). The Rehabilitation Strategy should also describe what measures would be put in place for the long term protection and management of the sites following mine closure; • Noise – including operational and off-site road noise impacts; • Air Quality – including spontaneous combustion, off-site dust emissions from road haulage, and an assessment of the project-related greenhouse gas emissions; • Heritage - both Aboriginal and non-Aboriginal; • Traffic and Transport; • Visual; • Hazard and Risk – including public safety and site security; and • Social and Economic.
References	The Environmental Assessment should take into account relevant State government technical and policy guidelines. While not exhaustive, guidelines which may be relevant to the project are included in the attached list.
Consultation	During the preparation of the Environmental Assessment, you must consult with the relevant local, State or Commonwealth government authorities, service providers, community groups or affected landowners. The consultation process and the issues raised must be described in the Environmental Assessment. In particular you must consult with: • Department of Environment and Conservation; • Department of Natural Resources; • Department of Primary Industries; • NSW Roads and Traffic Authority; and • Cessnock City Council. The consultation process and the issues raised must be described in the Environmental Assessment.
Deemed refusal period	60 days

State Government Technical and Policy Guidelines - For Reference

Aspect	Policy /Methodology
Soil and Water	
	• <i>Managing Urban Stormwater: Soils & Construction</i> (Landcom); • <i>Guidelines for Fresh and Marine Water Quality</i> (ANZECC); • <i>Rehabilitation Manual for Australian Streams</i> (Land and Water Resources Research and Development Corporation); • <i>Draft Guidelines: Management of Stream/Aquifer Systems in Coal Mining Developments</i> (DNR); • the various <i>State Groundwater Policy</i> documents (DNR); • <i>Approved Methods for the Sampling and Analysis of Water Pollutants in NSW</i> (DEC).
Flora and Fauna	
	• draft <i>Guidelines for Threatened Species Assessment</i> (DEC); • <i>Threatened Biodiversity Survey and Assessment: Guidelines for Development and Activities</i> (DEC); • <i>NSW Groundwater Dependent Ecosystem Policy</i> (DNR).
Vibration	
	• <i>Assessing Vibration: a technical guideline</i> (DEC).
Noise	
	• <i>NSW Industrial Noise Policy</i> (DEC); • <i>Environmental Criteria for Road Traffic Noise</i> (DEC); • <i>Environmental Noise Control Manual</i> (DEC).
Air Quality	
	• <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</i> (DEC).
Heritage	
	• draft <i>Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation</i> (DEC); • <i>Assessing Heritage Significance</i> (NSW Heritage Office); • <i>NSW Heritage Manual</i> (NSW Heritage Office); • <i>Archaeological Assessment Guidelines</i> (NSW Heritage Office, 1996)
Traffic	
	• <i>Guide to Traffic Generating Development and Road Design Guide</i> (RTA); • <i>RTA Road Design Guide</i> (RTA); • relevant AUSTROAD standards.
Waste	
	• <i>Environmental Guidelines: Assessment and Classification and Management of Liquid and Non-Liquid Wastes</i> (DEC).