Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*

Part 8 of the *Environmental Planning and Assessment Regulation 2021*

Application Number	SSD-107894235
Project	Angus Place West
Location	Angus Place Colliery, Wolgan Road, Lidsdale, NSW, 2790
Proponent	Centennial Coal Company Pty Limited
Date of Expiry	02/04/2028
General Requirements	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements as prescribed by Part 8 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) and must have regard to the *State Significant Development Guidelines*. Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development. In particular, the EIS must include: • a stand-alone executive summary; • a full description of the development, including details of construction, operation and decommissioning, and any staging of the development; • a strategic justification of the development focusing on site selection and the suitability of the proposed site (with respect to potential land use conflicts with existing and future surrounding land uses); • 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; – an assessment of the likely impacts of all stages of the development, (which is commensurate with the level of impact), including any cumulative impacts of the site and existing, approved or proposed developments in the region and impacts on the site and any road upgrades, taking into consideration any relevant legislation, environmental planning instruments, guidelines, policies, plans and industry codes of practice including the *Cumulative Impact Assessment Guideline* (DPIE, 2021); – a description of the measures that would be implemented to avoid, mitigate and/or offset the impacts of the development; and – a description of the measures that would be implemented to monitor and report on the environmental performance of the development; • a general description of any infrastructure that would be required for the project that is the subject of a separate approval process;

	• a consolidated summary of all the proposed environmental management and monitoring measures, identifying all the commitments in the EIS; and a detailed evaluation of the merits of the project as a whole having regard to: – the requirements in Section 4.15 of the *Environmental Planning and Assessment Act 1979*, including the objects of the Act and how the principles of ecologically sustainable development have been incorporated in the design, construction and ongoing operations of the development; – the suitability of the site with respect to potential land use conflicts with existing and future surrounding land uses; and – feasible alternatives to the development (and its key components), including the consequences of not carrying out the development. • Where relevant, the assessment of key issues below, and any other significant issues identified in the risk assessment, must include: – adequate baseline data – consideration of the potential cumulative impacts due to other developments in the vicinity (completed, underway or proposed); and – measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment. • the estimated development cost (EDC) of the development prepared in accordance with the relevant planning circular using the Standard Form of EDC Report; • an estimate of the retained and new jobs that would be created during the construction and operational phases of the development, including details of the methodology to determine the figures provided; The development application must also be accompanied by: • the consent of the owner/s of the land (as required in Section 23(1) of the EP&A Regulation); and • a declaration from a Registered Environmental Assessment Practitioner that the EIS includes the information specified in the Department's Registered Environmental Assessment Practitioner Guidelines.
Key issues	The EIS must address the following specific matters: **1. Statutory and Strategic Context** Address the statutory provisions applying to the development contained in all relevant environmental planning instruments, including: • *State Environmental Planning Policy (Planning Systems) 2021*; • *State Environmental Planning Policy (Resources and Energy) 2021*; • *State Environmental Planning Policy (Resilience and Hazards) 2021*; • *State Environmental Planning Policy (Biodiversity and Conservation) 2021*; • *State Environmental Planning Policy (Transport and Infrastructure) 2021*; • *Lithgow Local Environment Plan 2014.* **2. Land Resources** • an assessment of the likely impacts of the development on the soils and land capability of the site and surrounds; and • an assessment of the compatibility of the development with other land uses in the vicinity 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; and
- the long term geotechnical stability of any new landforms;

- 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 2.17 of *State Environmental Planning Policy (Resources and Energy) 2021.*

3. Subsidence

- 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, taking into consideration:
  - recorded regional and historic subsidence levels, impacts and environmental consequences;
  - the potential extent of fracturing of the strata above the mine workings; and
  - the implementation of a comprehensive subsidence monitoring program which is capable of detecting vertical, horizontal and far-field subsidence movement.

4. Air Quality and Greenhouse Gas Emissions

- an assessment of the likely air quality impacts of the project in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (EPA, 2022);
- demonstrate the ability to comply with the relevant regulatory framework, specifically the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Clean Air) Regulation 2010*;
- an assessment of the likely greenhouse gas impacts of the project in accordance with the requirements of the *NSW EPA Guide for Large Emitters;*
- a description of measures proposed to reduce and abate greenhouse gas emissions having regard to the *NSW EPA Greenhouse Gas Mitigation Guide for NSW Coal Mines*; and
- an assessment of the likely contribution of the project's greenhouse gas emissions to global climate change and the resulting impacts on the locality.

5. Noise

- a detailed assessment of the likely construction, operational and off- site noise impacts of the development in accordance with the *Interim Construction Noise Guideline*, NSW *Noise Policy for Industry* and the NSW *Road Noise Policy* respectively and having regard to the *Voluntary Land Acquisition and Mitigation Policy.*
- Where blasting is proposed:
  - blasting hours, frequency and methods; and
  - a detailed assessment of the likely blasting impacts of the development on people, animals, buildings/structures, infrastructure and significant natural features, having regard to the relevant ANZECC guidelines.

6. Transport

- an assessment of the transport impacts of the project on the capacity, condition, safety and efficiency of the road and rail network, including consideration of cumulative impacts from traffic associated with construction of other major projects in the area; and

- a description of the measures that would be implemented to mitigate any impacts during construction and operation of the development.

7. Biodiversity

- an assessment of the biodiversity values and the likely biodiversity impacts of the project in accordance with the NSW *Biodiversity Conservation Act 2016*, the *Biodiversity Assessment Method* (BAM) and documented in a Biodiversity Development Assessment Report (BDAR); and
- the BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the BAM.

8. Heritage

- an assessment of the likely Aboriginal impacts of the project in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW, 2010), including adequate consultation with Aboriginal stakeholders having regard to the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (OEH, 2010); and
- an assessment of likely non-Aboriginal heritage impacts of the project having regard to the Guidelines for preparing a statement of heritage impact (DPE, 2023).

9. Water

- a detailed site water balance, including a description of site water demands, water disposal methods (inclusive of location, volume and frequency of any water discharges), water supply infrastructure and water storage structures;
- identification of any licensing requirements or other approvals under the *Water Act 1912* and/or *Water Management Act 2000*;
- demonstration that water for the construction and operation of the proposed development can be obtained from an appropriately authorised and reliable supply in accordance with the operating rules of any relevant Water Sharing Plan (WSP) or water source embargo;
- an assessment of potential flooding and ponding impacts of the development;
- the measures which would be put in place to control sediment run-off and avoid erosion;
- an assessment of the likely impacts of the development on the quantity and quality of existing surface and groundwater resources including a detailed assessment of proposed water discharge quantities and quality against receiving water quality and flow objectives;
- an assessment of the likely impacts of the development on aquifers, watercourses, riparian land, groundwater dependent ecosystems, water-related infrastructure, and other water users; and
- demonstrate how the implementation of the project would have a neutral or beneficial effect on receiving water quality pursuant to Section 6.61 and 6.63 of *State Environmental Planning Policy (Biodiversity and Conservation) 2021.*

10. Visual

- Including a detailed assessment of the likely visual impacts of the development (before, during and post-mining) on private landowners in the vicinity of the development and key vantage points in the public domain, paying particular attention to any new landforms, and to minimising lighting impacts.

	11. Contamination and Remediation • In accordance with Chapter 4 of SEPP (Resilience and Hazards) 2021, assess and quantify any soil and groundwater contamination and demonstrate that the site is suitable (or will be suitable, after remediation) for the development. **12. Waste** • Including estimates of the quantity and nature of the waste streams that would be generated by the project (including tailings and coarse rejects) and any measures that would be implemented to minimise, manage or dispose of these waste streams. **13. Hazards** • An assessment of the likely risks to public safety, paying particular attention to potential subsidence risks, bushfire risks, interactions with nearby prescribed dams and the handling and use of any dangerous goods. **14. Social** • An assessment of the social impacts of the project prepared in accordance with the Department's *Social Impact Assessment Guideline for State Significant Developments* (2021) and the likely impacts on the local community and community infrastructure (including consideration of cumulative impacts from other major projects in the area). **15. Economics** • Including a detailed assessment of the likely economic impacts of the development, in accordance with the *Guidelines for the economic assessment of mining and coal seam gas proposals 2015*, paying particular attention to: – the costs and benefits of the project; identifying whether the development as a whole would result in a net benefit to NSW, including consideration of fluctuation in commodity markets and exchange rates; and – the demand on community infrastructure and services. **16. Rehabilitation and Final Landform** • a description of final landform design objectives, having regard to achieving a natural landform that is safe, stable, non-polluting, fit for the nominated post-mining land use and sympathetic with surrounding landforms; • an analysis of final landform options, including the short and long-term cost and benefits, constraints and opportunities of each, and detailed justification for the preferred option; and • identification and assessment of post-mining land use options, having regard to any relevant strategic land use planning or resource management plans/policies. **17. Cumulative** • Including a detailed assessment of the cumulative impacts of the development, in combination with other existing and approved mining projects in the locality, with a particular focus on air quality, noise, traffic and social impacts, as well as impacts on water resources.
Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Part 8 of the Regulation. Provide these as part of the EIS rather than as separate documents. In addition, the EIS must include high quality files of maps and figures of the subject site and proposal.

Engagement	During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners. The EIS must detail the engagement undertaken and demonstrate how it was consistent with the *Undertaking Engagement Guidelines for State Significant Projects*. The EIS must detail how issues raised and feedback provided have been considered and responded to in the project.
Expiry Date	If you do not lodge a Development Application and EIS for the development within 2 years of the issue date of these SEARs, your SEARs will expire. If an extension to these SEARs will be required, please consult with the Planning Secretary 3 months prior to the expiry date.
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.

ATTACHMENT 1
TECHNICAL AND POLICY GUIDELINES

The following guidelines may assist in the preparation of the environmental impact statement. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

Many of these documents can be found on the following websites:
http://www.planning.nsw.gov.au
http://www.shop.nsw.gov.au/index.jsp
http://www.australia.gov.au/publications
http://www.epa.nsw.gov.au/
http://www.environment.nsw.gov.au/
http://www.dpi.nsw.gov.au/

Land	
	Interim Protocol for Site Verification & Mapping of Biophysical Strategic Land (OEH)
	Soil and Landscape Issues in Environmental Impact Assessment (NOW)
	Agfact AC.25: Agricultural Land Classification (NSW Agriculture)
	Guideline for Preparing Agricultural Impact Statements (DPI 2012) and the Agricultural Impact Statement Technical Notes 2013 (DPI)
	State Environmental Planning Policy (Resilience and Hazards) 2021
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC)
	Land Use Conflict Risk Assessment Guide (DPI)
Air	
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA, 2022)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (EPA 2022))
	Technical Framework – Assessment and Management of Odour from Stationary Sources in NSW (DEC, 2006)
	National Greenhouse Accounts Factors (Commonwealth)
Greenhouse Gas	
	The Climate Change (Net Zero Future) Act 2023
	Net Zero Plan Stage 1: 2020–2030
	Net Zero Plan Implementation Update 2022
	NSW Climate Change Adaptation Strategy
	NSW Waste and Sustainable Materials Strategy
	EPA Climate Change Policy (2023), including its Climate Change Policy and Action Plan
	NSW EPA Guide for Large Emitters
	NSW EPA Greenhouse Gas Mitigation Guide for NSW Coal Mines
	NSW Coal Industry 2026-50

Noise and Vibration	
	NSW Noise Policy for Industry (EPA)
	NSW Road Noise Policy and associated Application Notes (EPA)
	Construction Noise Guideline (EPA) (if finalised - subject to any transitional arrangements), otherwise Interim Construction Noise Guideline (DECCW, 2009)
	Environmental Noise Management - Assessing Vibration: a Technical Guideline (DEC, 2006)
	German Standard DIN 4150-3: Structural Vibration – effects of vibration on structures
	Technical Basis for Guidelines to Minimise Annoyance Due to Blasting Overpressure and Ground Vibration (ANZECC, 1990)
Transport	
	Road and Related Facilities within the Department of Planning EIS Guidelines Guide to Traffic Generating Projects (RMS)
	TfNSW Supplements to Austroads Guides, available at: https://roads-waterways.transport.nsw.gov.au/business-industry/partnerssuppliers/documenttypes/supplements-austroads-guides/index.html
	Road Design Guide (RMS) & relevant Austroads Standards
	Austroads Guide to Traffic Management Part 12: Traffic Impacts of Project
Biodiversity	
	Biodiversity Assessment Method (OEH 2020)
	Policy and Guidelines for Fish Habitat Conservation and Management – Update (DPI, 2013)
	NSW State Groundwater Dependent Ecosystem Policy (DPI Water)
	Risk Assessment Guidelines for Groundwater Dependent Ecosystems (DPI Water)
	Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (DPI)
Heritage	
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
	Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH, 2011)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW, 2010)
	Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW (OEH)
	NSW Heritage Manual (Heritage Office and Department of Urban Affairs and Planning, 1994)
	Assessing Heritage Significance (NSW Heritage Office, 2001)
	Guidelines for preparing a statement of heritage impact (NSW Department of Planning and Environment, 2023)
	Statements of Heritage Impact (Heritage Office and Department of Urban Affairs and Planning, 2002)
Water	
	NSW Water Strategy: https://www.dpie.nsw.gov.au/water/plans-and-programs/nsw-water-strategy
	NSW State Groundwater Policy Framework Document and component policies (DPI)
	Relevant Water Sharing Plans
	NSW Aquifer Interference Policy 2012 (DPI)
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	Guidelines for Development in the Drinking Water catchments (Hunter Water, 2017)
	Guidelines for Groundwater Documentation for SSD/ SSI Projects: Technical Guidelines https://water.nsw.gov.au/__data/assets/pdf_file/0020/507611/Guidelines-for-Groundwater-Documentation-for-SSD-SSI-Projects.pdf
	NSW State Rivers and Estuary Policy (DPI Water)
	NSW Government Water Quality and River Flow Objectives at: https://www.environment.nsw.gov.au/ieo/
	Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DECC, 2008)

	Managing Urban Stormwater: Soils & Construction (Landcom)
	Technical Guidelines: Bunding & Spill Management (EPA)
	NSW Guidelines for Controlled Activities (various) (DPI)
Visual	
	AS4282-1997 Control of the obtrusive effects of outdoor lighting
	Dark Sky Planning Guideline: Protecting the observing conditions at Siding Spring
Waste	
	Waste Classification Guidelines (DECC)
Hazards and Risks	
	Hazardous and Offensive Project Application Guidelines – Applying SEPP 33
	Hazardous Industry Planning Advisory Paper No. 4 – Risk Criteria for Land Use Safety Planning
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
	Hazardous Industry Planning Advisory Paper No. 11 – Route Selection
	Australian Standard 4452 Storage and Handling of Toxic Substances
	Australian Dangerous Goods Code
	Planning for Bushfire Protection (NSW RFS)
	Advisory Circular AC 139-05 v3.0 Plume Rise Assessments (CASA)
Social	
	Social Impact Assessment Guideline for State Significant Developments (2021)
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)
	Synoptic Plan: Integrated landscapes for coal mine rehabilitation in the Hunter Valley 1999 (DMR)
Estimated Development Cost	
	PS 24-002 *Changes to how development costs are calculated for planning purposes*