

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-125421990
Project	Wilpinjong Continuation Project
Location	Approximately 40 kilometres (km) north-east of Mudgee in the Mid-Western Regional local government area
Proponent	Wilpinjong Coal Pty Ltd
Date of Issue	23 June 2026
General Requirements	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements of Part 8 of the <i>Environmental Planning and Assessment Regulation 2021</i> (EP&A Regulation) and must have regard to the <i>State Significant Development Guidelines</i>. The level of assessment provided by the EIS should be proportionate to the scale and likely impacts of the development, including cumulative impacts and have regard to applicable NSW Government policies and guidelines. The EIS must include an environmental risk assessment to identify the potential environmental, social and economic impacts associated with the development. The EIS must have regard to the agency advice provided in Attachment 1. The EIS must be accompanied by an Estimated Development Cost (EDC) report, providing: - a detailed calculation of the EDC of the development prepared in accordance with the relevant planning circular using the <i>Standard Form of EDC Report</i>; and - an estimate of the new jobs that would be created during the construction and operational phases, including details of the methodology to determine the figures provided.
Detailed Assessments	The EIS must provide detailed assessments of the following key issues: 1. Biodiversity – including: a Biodiversity Development Assessment Report that assesses the likely biodiversity impacts of the development in accordance with the

Biodiversity Assessment Method (BAM); and

- an assessment of the likely development impacts on aquatic ecology.

2. Water – including:

- a groundwater impact assessment having regard to the *Groundwater assessment toolbox for major projects in NSW* (DPE, 2022);
- a surface water impact assessment having regard to the *NSW Water Quality and River Flow Objectives* (DECCW, 2006), *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (ANZG, 2018) and *ANZECC Guidelines and Water Quality Objectives in NSW* (DEC, 2006);
- details of all water take for the life of the development, including water taken directly and indirectly, and identification of the relevant water source where water entitlements are required to account for the water take;
- a detailed and consolidated site water balance, including a description of site water demands, water disposal methods (inclusive of volume and frequency of any water discharges), water supply and transfer infrastructure and water storage structures, and measures to minimise water use;
- an assessment of flooding and the hydrological impacts of the development; and
- a detailed description of the proposed water management system (including wastewater), water storages, erosion and sediment controls, salinity or acid-sulphate risk controls, water monitoring program and other measures to mitigate surface and groundwater impacts.

3. Traffic and transport – including:

- a traffic impact assessment prepared in accordance with the methodology set out in *Guide to Traffic Impact Assessment 2024* and part 12 *Austroads Guide to Traffic Management*;
- an assessment of the likely impacts to traffic and transport along the site access route, including impacts associated with road realignment works and at the site access points;
- a concept level route analysis (including swept path analysis) for high risk oversized or over mass vehicles (if required); and
- a description of the measures that would be implemented to mitigate and/or manage any potential traffic impacts, developed in consultation with the relevant road authority.

4. Air quality – including:

- an air quality impact assessment prepared in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (EPA, 2022); and
- a demonstrated ability to comply with the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Clean Air) Regulation 2010*.

5. Greenhouse gas – including:

- a greenhouse gas assessment prepared in accordance with the *NSW Guide for Large Emitters* (EPA, 2025); and
- an assessment of the likely contribution of greenhouse gas emissions

from the development to climate change impacts on the locality.

6. Noise, vibration and blasting – including:

- a construction noise impact assessment prepared in accordance with the *Interim Construction Noise Guideline* (DECCW, 2009);
- an operational noise impact assessment prepared in accordance with the *NSW Noise Policy for Industry* (EPA, 2017) and the *Voluntary Land Acquisition and Mitigation Policy*;
- an assessment of the likely road and rail noise impacts prepared in accordance with the *NSW Road Noise Policy* (EPA, 2011) and *Rail Infrastructure Noise Guideline*; and
- a detailed assessment of the likely blasting impacts of the development (including ground vibrations, overpressure, flyrock, visual and fumes/odour) on people, animals, buildings/structures, infrastructure and significant natural features, having regard to the relevant ANZECC guidelines.

7. Heritage – including:

- an Aboriginal cultural heritage impact assessment prepared in accordance with the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (2011)* and the *Code of practice for archaeological investigation of Aboriginal objects in NSW (2010)*, and including consultation in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010); and
- an assessment of the potential impacts on historic heritage in accordance with the *NSW Heritage Manual* and the *Guidelines for Preparing a Statement of Heritage Impact*.

8. Closure, rehabilitation and final landform – including:

- a conceptual final landform design that is aimed at achieving a natural landform that is safe, stable, non-polluting, fit for the nominated post-mining land use and in keeping with local and regional surrounding landforms and land use objectives;
- identification of how the rehabilitation of the project will relate to the rehabilitation strategies of any neighbouring mines within the region;
- a strategy for an integrated waste landform for managing waste rock and tailings; and
- identification and assessment of post-mining land use options, having regard to any relevant strategic land use planning or resource management plans/policies.

9. Social – including:

- a Social Impact Assessment prepared in accordance with the *Social Impact Assessment Guideline for State Significant Projects*, paying particular attention to the Wollar community and surrounding localities.

10. Soils and land – including:

- an assessment of the likely impacts of the development on the soils and land capability of the site and surrounds, including consideration of potential geochemical impacts;

	• consideration of potential land contamination consistent with the requirements of <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>; • an assessment of the likely agricultural impacts of the development including cumulative impacts on agriculture located on surrounding land; • an assessment of the likely impact of the development on landforms (topography), including the long-term geotechnical stability of any new landforms proposed on site; • consideration 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 <i>State Environmental Planning Policy (Resources and Energy) 2021</i>, paying particular attention to the agricultural land use in the region; and • consideration of the likely impact of the development on any Crown roads, Crown waterways and Crown Land and demonstrated ability to comply with the relevant regulatory framework, specifically the <i>Mining Act 1992</i> and <i>Crown Land Management Act 2016</i>, as relevant. 11. Economic – including: • an assessment of the economic impacts or benefits of the development for the region and the state of NSW. 12. Cumulative impacts – including: • a detailed assessment of the cumulative impacts of the development, in combination with changes to existing projects, approved projects and projects under assessment in the broader region and locality, having regard to the <i>Cumulative Impact Assessment Guideline</i> (DPIE, 2021).
Other Assessments	The EIS must provide an assessment of the following other issues: 13. Hazards and risk – including: • a preliminary risk screening assessment completed in accordance with the <i>Applying SEPP 33</i> guidelines and, if required following this screening, a Preliminary Hazard Analysis (PHA) prepared consistent with <i>No. 6 – Guidelines for Hazard Analysis</i> (DPE, 2011) and <i>Assessment Guideline Multi-level Risk Assessment</i> (Department of Planning & Infrastructure 2011), covering all aspects of the development that may pose risks to the public • a bush fire assessment report prepared in accordance with Planning for Bush Fire Protection 2019 (NSW RFS, 2019); and • a health risk assessment commensurate with the likely level of risk, having regard to the <i>Environmental Health Risk Assessment—Guidelines for assessing human health risks from environmental hazards</i>. 14. Visual amenity – including: • an assessment of the likely visual and landscape character impacts of the development on the amenity of the surrounding area and private residences in the vicinity of the development.

	15. Waste – including: the identification, quantification and classification of the likely waste streams to be generated during construction and operation, and a description of the measures to be implemented to manage, reuse, recycle and safely dispose of this waste.
Plans and Documents	Include all documentation required under Part 8 of the EP&A Regulation and the <i>State Significant Development Guidelines – Preparing an Environmental Impact Statement</i> .
Engagement	Describe the consultation undertaken in accordance with the <i>Undertaking Engagement Guidelines for State Significant Projects</i> . The EIS must detail how issues raised and feedback provided have been considered and responded to in the development.
Expiry Date	If you do not lodge a Development Application and EIS 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. A list of some of the legislation, policies and guidelines that may be relevant to the assessment of the project can be found at: https://www.planning.nsw.gov.au/policy-and-legislation/planning-reforms/rapid-assessment-framework/improving-assessment-guidance ; https://www.planningportal.nsw.gov.au/major-projects/assessment/policies-and-guidelines ; and https://www.dcceew.gov.au/environment/epbc/publications#assessments