Planning Secretary's Environmental Assessment Requirements

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

Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD-26254212
Project Name	Angus Place West, which involves continuation of underground mining at the Angus Place Colliery, including: • First workings bord and pillar mining in two areas • Extraction of up to 8.5 million tonnes of coal at a variable rate of up to 2 million tonnes per annum until 2042 • Continued operation of the Angus Place pit top and ancillary infrastructure and construction and operation of additional water management infrastructure.
Location	Wolgan Road, Lidsdale, NSW, 2790 within Lithgow City
Applicant	Centennial Angus Place Pty Ltd
Date of Issue	17/09/2021
General Requirements	The Environmental Impact Statement (EIS) must be prepared in accordance with, and meet the minimum requirements of clauses 6 and 7 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (the Regulation). In particular, the EIS must include: • a stand-alone executive summary; • a full description of the development, including: - historical mining operations at the mine and in the region; - details of the resource to be extracted and justification for the proposed mine design demonstrating efficient resource recovery, mine safety and environmental protection within environmental and geotechnical constraints; - the mine layout and development scheduling; - coal production rates (run-of-mine and product) and production schedule; - coal processing and transportation; - surface infrastructure and facilities (including any infrastructure that would be required for the development, but the subject of a separate approvals process); - workforce requirements during all phases of the development (on a full-time equivalent basis); - a detailed water management strategy; - a rehabilitation strategy;

- a strategic justification of the development focusing on the need for the project and consideration of alternatives, including alternative coal supply options, and how coal production rate from Centennial's operations would be managed to supply coal to Mount Piper Power Station;
- a list of any approvals that must be obtained before the development may commence;
- 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 appropriate worst-case scenarios and consideration of any cumulative impacts and taking into consideration any relevant legislation, 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:
    - whether these measures are consistent with industry best practice, and represent the full range of reasonable and feasible mitigation measures that could be implemented;
    - the likely effectiveness of these measures, including performance measures where relevant; and
    - whether contingency plans would be necessary to manage any residual risks; and
  - a description of the measures that would be implemented to monitor and report on the environmental performance of the development if it is approved;
- consideration of the development against all relevant environmental planning instruments (including Part 3 of the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007);*
- a consolidated summary of all the proposed environmental management and monitoring measures, identifying all the commitments in the EIS;
- the reasons why the development should be approved, having regard to:
  - relevant matters for consideration under the *Environmental Planning and Assessment Act 1979*, including the objects of the Act;
  - the biophysical, economic and social impacts of the development, including the principles of ecologically sustainable 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;
- a conclusion evaluating the merits of the development as a whole, having regard to the requirements in Section 4.15 of the *Environmental Planning and Assessment Act 1979;* and
- a signed statement from the author of the EIS, certifying that the information contained within the document is neither false nor misleading.

Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts

	associated with 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 EIS must also be accompanied by a report from a qualified quantity surveyor providing: • a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the Regulation) of the proposal, including details of all assumptions and components from which the CIV calculation is derived. The report shall be prepared on company letterhead and indicate applicable GST component of the CIV; • an estimate of jobs that will be created during the construction and operational phases of the proposed development; and • certification that the information provided is accurate at the date of preparation.
Key issues	The EIS must address the following specific matters: • **Subsidence** – including - a detailed review of the geological setting; - a detailed review of the status of historical mine workings in the vicinity of the proposed development; - an assessment of the stability of the proposed mine plan and risk associated with pillar failure, taking into consideration potential interactions with historical mine workings; - an assessment of the likely conventional and nonconventional subsidence effects and impacts of the development, supported by independent peer review; - assessment of 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; - details of the proposed subsidence monitoring network capable of detecting vertical, horizontal and far-field subsidence movements. • **Water** – including: - a site layout, including drainage, contour lines, and proximity to waters; - Water Quality Objectives that represent the community's uses and values for the receiving waters; - a description of existing surface water and groundwater quality, making reference to the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (ANZG 2018) where relevant; - an assessment of the likely impacts of the development on the quantity and quality of surface and groundwater resources having regard to the

NSW Aquifer Interference Policy, including groundwater modelling generally consistent with the Australian Groundwater Modelling Guidelines and supported by independent peer review.

- an assessment against the requirements of *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*, including a description and justification as to how the development would achieve a neutral or beneficial effect (NorBE) on water quality;
- an assessment against the WaterNSW Mining Principles;
- 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, including a description of site water demands, water disposal methods (including the location, volume and frequency of any water discharges and management of discharge water quality), water supply arrangements, water supply and transfer infrastructure and water storage structures, including;
  - an assessment of the reliability of water supply, including consideration of climate change; and
  - demonstration that water can be obtained from an appropriately authorised supply in accordance with the operating rules of any relevant Water Sharing Plans (WSP);
- identification of an adequate and secure water supply for the life of the project and any licensing requirements or other approvals under the *Water Act 1912* and/or *Water Management Act 2000*, including 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 detailed description of the proposed water management system (including sewerage), beneficial water re-use program, water monitoring program and other measures to mitigate surface water and groundwater impacts;
- an assessment of the potential flooding impacts of the development;
- a description of proposed surface and groundwater monitoring activities and methodologies; and
- a description of the reasonable and feasible mitigation and management measures to prevent pollution of waters.

- **Biodiversity** – including:
  - an assessment of the likely biodiversity impacts of the development, in accordance with the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report, and a strategy to offset any residual impacts of the development in accordance with the rules under the Biodiversity Offsets Scheme, unless the Planning Secretary and the Environment Agency Head determine that the proposed development is not likely to have any significant impacts on biodiversity values; and
  - an assessment of the likely impacts of the development on aquatic ecology, including aquatic biodiversity and key fish habitats.
- **Heritage** – including an assessment of the likely Aboriginal and historic

heritage (cultural and archaeological) impacts of the development, including consultation with Aboriginal stakeholders in accordance with *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (OEH, 2010).

- **Greenhouse Gas** – including:
  - an assessment of the likely greenhouse gas emissions of the development;
  - analysis of how the development's greenhouse gas emissions would affect State and national greenhouse gas emission reduction targets;
  - a review of available best practice greenhouse gas emissions reduction measures available to the development; and
  - details of proposed greenhouse gas emissions mitigation measures.
- **Air** – including an assessment of the likely air quality impacts of the development in accordance with the *Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW.*
- **Noise and Vibration**– including an assessment of the likely construction, operational and off-site noise and vibration impacts of the development, in accordance with the *Interim Construction Noise Guideline*, *NSW Noise Policy for Industry* (EPA) and *NSW Road Noise Policy*, *Assessing Vibration: A Technical Guideline* (EPA) and having regard to the *Voluntary Land Acquisition and Mitigation Policy.*
- **Transport** – including:
  - an assessment of the likely transport impacts of the development on the capacity, condition, safety and efficiency of the local and State road network; and
  - assessment of impacts of the development on access to, and the condition and safety of, roads/tracks within the Newnes State Forest.
- **Land Resources** – including
  - An assessment of the likely impacts of the development on the soils and land capability of the site and surrounds; and
  - As assessment of the compatibility of the development with other land uses in the vicinity, in accordance with the requirements of Clause 12 of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007;*
  - Consideration of potential land contamination consistent with the requirements *of State Environmental Planning Policy 55 – Remediation of Land*.
- **Socio-Economic** – including an assessment of:
  - the social impacts of the development, prepared in accordance with the Social Impact Assessment Guidelines for State Significant Projects (2021);
  - the likely economic impacts of the development, paying particular attention to:
    - the significance of the resource;
    - the economic benefits of the development for the State and region; and
    - the demand for the provision of local infrastructure and services,

	- the need for a voluntary planning agreement; in relation to infrastructure, services, and community benefits and to address residual social impacts. • **Rehabilitation and Mine Closure** – including: - identifying the intended final land-use for the development, including the mine site and ancillary infrastructure; - 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 lands use and sympathetic with surrounding landforms; and - the proposed rehabilitation and mine closure strategies for the site having regard to the key principles in the Strategic Framework for Mine Closure, including rehabilitation objectives, methodology, monitoring programs, performance standards and proposed completion criteria. • **Waste** – including: - identification, quantification and classification of the waste streams likely to be generated (including tailings and course rejects) during construction and operation, and describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste; and - details of proposed methods of storage and management of chemicals, including consideration of any infrastructure required to prevent spills and leaks. • **Hazard** - 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, and - consideration of *State Environmental Planning Policy 33 – Hazardous and Offensive Development*. with clear justification to support any conclusion that SEPP 33 does not apply.
Consultation	During the preparation of the EIS and subsequent assessment process, you must consult with the Community Consultative Committee (CCC) for the development in accordance with the *Community Consultative Committee Guidelines: State Significant Projects* (2019). You must also consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners. The EIS must describe the consultation process and the issues raised (including by the CCC) and explain how these issues have been addressed in the EIS.
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

Environmental Planning Instruments, Policies, Guidelines & Plans

Please also refer to the Department's Policies and Guidelines including strategic plans and guidelines at: https://www.planningportal.nsw.gov.au/major-projects/assessment/policies-and-guidelines

General	
Environmental Impact Statements	State Significant Development Guidelines (DPIE, 2021) Cumulative Impact Assessment for State Significant Development (DPIE, 2021) Undertaking Engagement for State Significant Projects (DPIE, 2021)
Water	
Water Sharing Plans	Relevant water sharing plans
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)
	Australian Groundwater Modelling Guidelines (National Water Commission 2012)
	Guidelines for the Assessment & Management of Groundwater Contamination (EPA)
Surface Water	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)
	Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG 2018)
	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) Volume 1 and Volume 2 (A: Installation of services; C: Unsealed roads; D: Main Roads; E: 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	
	Biodiversity Assessment Method (OEH)
	Biosecurity Act 2015
	Policy and Guidelines for Aquatic Habitat Management and Fish Conservation (Fisheries NSW)
	Guidelines for developments adjoining Department of Environment, Climate Change and Water (DECCW, 2010)
	NSW State Groundwater Dependent Ecosystem Policy (NOW)
	Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW)
Heritage	
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
	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 and Blasting	
	NSW Noise Policy for Industry (EPA)
	Interim Construction Noise Guideline (EPA)
	NSW Road Noise Policy (EPA)
	Assessing Vibration: A Technical Guideline (EPA)
	Voluntary Land Acquisition and Mitigation Policy (DP&E)
	Australian and New Zealand Environment Council – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration (ANZEC, 1990)
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)
	Voluntary Land Acquisition and Mitigation Policy (DP&E)
	National Greenhouse Accounts Factors (Commonwealth)
Transport	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RMS) & relevant Austroads Standards
Socio-Economic	
	Social Impact Assessment Guidelines For State Significant Projects (2021)
	Guidelines for the economic assessment of mining and coal seam gas proposals (2015)
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
	Planning for Bush Fire Protection (2006)
Resource	
	Australasian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves 2012 (JORC)
Waste	
	Waste Classification Guidelines (EPA)
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
	State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011
	State and Environmental Planning Policy 55- Remediation of Land
	Lithgow Local Environmental Plan 2014

ATTACHMENT 2

Public Authority Advice