



**Planning &
Infrastructure**

**Development Assessment Systems & Approvals
Mining Projects**

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Our Ref: 12/03853

Mr Andrew Myers
General Manager Operations - North
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TORONTO 2283

Dear Mr Myers

**Northern Coal Logistics Project (SSD - 5145)
Revised Director-General's Requirements**

I wish to inform you that under section 75F(3) of the *Environmental Planning and Assessment Act 1979*, the previously issued Director-General's Requirements (DGRs) for the Northern Coal Logistics Project have been revised. A copy of the revised DGRs is attached for your information.

If you have any enquiries regarding this matter, please contact Colin Phillips.

Yours sincerely

David Kitto
Director
Mining & Industry Projects
as the Director-General's nominee

Director General's Environmental Assessment Requirements

Section 78A(8A) of the *Environmental Planning and Assessment Act 1979*

State Significant Development

Application Number	SSD - 5145
Development	<p>The Northern Coal Logistics Project, which involves integration of coal processing, handling and delivery operations at Newstan Colliery and Mandalong Mine and includes:</p> <ul style="list-style-type: none"> • upgrading Newstan Colliery's coal processing plant and coal handling facilities to allow up to 8 million tonnes per annum (Mtpa) of run-of-mine (ROM) coal to be processed, stored and transported from the site by rail to the Port of Newcastle and/or Port Kembla; • transporting, by an existing private haul road: <ul style="list-style-type: none"> ○ up to 4.5 Mtpa of coal from Newstan Colliery to Eraring Power Station; and ○ up to 6 Mtpa from Mandalong Mine to Newstan Colliery; • transporting, by an existing conveyor, up to 6 Mtpa of coal from Mandalong Mine to Eraring Power Station; • transporting coal reject material from Newstan Colliery to the Northern and Southern Reject Emplacement Areas and to the Hawkmount Quarry (owned by Lake Macquarie City Council); • continue to utilise, and upgrade where required the coal processing facility at Mandalong Mine's Cooranbong Entry Site; • transferring water between Newstan and Awaba Collieries and Hawkmount Quarry; • discharging water from Newstan Surface Facilities and Cooranbong Entry Site in accordance with the Project's Environmental Protection Licence; • employing up to 120 full-time personnel; and • continuing to operate 24 hours per day, seven days per week.
Location	Surface facilities located at Miller Road, Fassifern; Cooranbong Entry Site, Dora Creek; and Hawkmount Quarry, Awaba, all in the Lake Macquarie LGA.
Applicant	Centennial Coal Company
Date of Issue	August 2013
General Requirements	<p>The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in Clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>In addition, the EIS must include a:</p> <ul style="list-style-type: none"> • detailed description of the development, including: <ul style="list-style-type: none"> – need for the proposed development; – justification for the proposed configuration of the development, including description of alternatives considered, consideration of safety aspects, and environmental protection; – likely staging of the development - including construction, operational stage/s and rehabilitation; – likely interactions between the development and existing, approved and proposed mining operations in the vicinity of the site; – plans of any proposed building works; • consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments; • risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment;

	<ul style="list-style-type: none"> • detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes: <ul style="list-style-type: none"> – a description of the existing environment, <u>using sufficient baseline data</u>; – an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes; and – a description of the measures that would be implemented to avoid, minimise and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage any significant risks to the environment; and • consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS.
<p>Key Issues</p>	<p>The EIS must address the following specific issues:</p> <ul style="list-style-type: none"> • Land Resources – including a detailed assessment of the potential impacts on: <ul style="list-style-type: none"> - soils (including any acid sulfate soils) and land capability (including land contamination); - landforms and topography; and - land use, including agricultural, forestry, conservation and recreational use; • Water Resources – including: <ul style="list-style-type: none"> - detailed assessment of potential impacts on the quality and quantity of existing surface and ground water resources, including: <ul style="list-style-type: none"> o detailed modelling of potential groundwater impacts; o impacts on affected licensed water users and basic landholder rights; and o impacts on riparian, ecological, geo-morphological and hydrological values of watercourses, including environmental flows; - a detailed site water balance, 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 proposed water discharge quantities quality/ies against receiving water quality and, if relevant, flow objectives; - 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 development 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 detailed description of the proposed water management system (including sewage), water monitoring program and other measures to mitigate surface and groundwater impacts; • Biodiversity – including: <ul style="list-style-type: none"> - measures taken to avoid, reduce or mitigate impacts on biodiversity; - accurate estimates of proposed vegetation clearing; - a detailed assessment of potential impacts of the development on any: <ul style="list-style-type: none"> o terrestrial or aquatic threatened species or populations and their habitats, endangered ecological communities and groundwater dependent ecosystems; and o regionally significant remnant vegetation, or vegetation corridors; and - a comprehensive offset strategy to ensure the development maintains or improves the terrestrial and aquatic biodiversity values of the region in the medium to long term; • Heritage – including an assessment of impacts on Aboriginal cultural heritage and Historic heritage, including:

- an Aboriginal cultural heritage assessment (including both cultural and archaeological significance) which must:
 - o demonstrate effective consultation with Aboriginal communities in determining and assessing impacts, and developing and selecting mitigation options and measures;
 - o outline any proposed impact mitigation and management measures (including an evaluation of the effectiveness and reliability of the measures); and
- a Historic heritage assessment (including archaeology) which must:
 - o include a statement of heritage impact (including significance assessment) for any State significant or locally significant historic heritage items; and,
 - o outline any proposed mitigation and management measures (including an evaluation of the effectiveness and reliability of the measures);
- **Air Quality** – including a quantitative assessment of potential:
 - construction and operational impacts, with a particular focus on dust emissions including PM_{2.5} and PM₁₀ emissions;
 - reasonable and feasible mitigation measures to minimise dust emissions, including evidence that there are no such measures available other than those proposed; and
 - monitoring and management measures, in particular real-time air quality monitoring;
- **Greenhouse Gases** – including:
 - a quantitative assessment of potential Scope 1, 2 and 3 greenhouse gas emissions;
 - a qualitative assessment of the potential impacts of these emissions on the environment; and
 - an assessment of reasonable and feasible measures to minimise greenhouse gas emissions and ensure energy efficiency;
- **Noise** – including a quantitative assessment of potential:
 - construction, operational and off-site transport noise impacts;
 - reasonable and feasible mitigation measures, including evidence that there are no such measures available other than those proposed; and
 - monitoring and management measures, in particular real-time and attended noise monitoring;
- **Traffic & Transport** – including:
 - accurate predictions of the road and rail traffic of the project;
 - a detailed assessment of the potential impacts of this traffic on the capacity, safety and efficiency of the road and rail networks, including the railway crossings that would be impacted; and
 - a detailed description of the measures that would be implemented to maintain and/or upgrade these networks over the life of the project;
- **Visual** – including:
 - a detailed assessment of the potential visual impacts of the project on private landowners in the surrounding area as well as from key vantage points in the public domain; and
 - a detailed description of the measures that would be implemented to minimise the visual impacts of the project;
- **Waste** – including:
 - accurate estimates of the quantity and nature of the potential waste streams of the development; and
 - a description of measures that would be implemented to minimise production of waste on site, and ensure that that waste produced is appropriately managed;
- **Hazards** – paying particular attention to public safety, including bushfires;
- **Social & Economic** – including an assessment of the:
 - potential direct and indirect economic benefits of the project for local and regional communities and the State;
 - potential impacts on local and regional communities, including:
 - o increased demand for local and regional infrastructure and services (such as housing, childcare, health, education and emergency

	<ul style="list-style-type: none"> services); and <ul style="list-style-type: none"> o impacts on social amenity; - a detailed description of the measures that would be implemented to minimise the adverse social and economic impacts of the project, including any infrastructure improvements or contributions and/or voluntary planning agreement or similar mechanism; and - a detailed assessment of the costs and benefits of the development as a whole, and whether it would result in a net benefit for the NSW community; and • Rehabilitation – including the proposed rehabilitation strategy for the site, having regard to the key principles in the Strategic Framework for Mine Closure, including: <ul style="list-style-type: none"> - rehabilitation objectives, methodology, monitoring programs, performance standards and proposed completion criteria; - nominated final land use, having regard to any relevant strategic land use planning or resource management plans or policies; and - the potential for integrating this strategy with any other rehabilitation and/or offset strategies in the region.
Plans and Documents	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i>. These documents should be included as part of the EIS rather than as separate documents.</p>
Consultation	<p>During the preparation of the EIS, you must consult with relevant local, State and Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with the:</p> <ul style="list-style-type: none"> • Commonwealth Department of Sustainability, Environment, Water, Population and Communities; • Office of Environment and Heritage (including the Heritage Branch); • Environment Protection Authority; • Division of Resources and Energy within the Department of Trade and Investment, Regional Infrastructure and Services; • Department of Primary Industries (including the NSW Office of Water, NSW Forestry, Agriculture and Fisheries sections, Catchments and Lands (Crown Lands Division)); • Transport for NSW (including the Centre for Transport Planning, and Roads and Maritime Services); • Mine Subsidence Board; • NSW Health; • TransGrid; • Hunter Central Rivers Catchment Management Authority; • Dams Safety Committee; • Eraring Energy; • Railcorp; and • Lake Macquarie City Council. <p>The EIS must:</p> <ul style="list-style-type: none"> • describe the consultation process used and demonstrate that effective consultation has occurred; • describe the issues raised by public authorities, service providers, community groups and landowners; • identify where the design of the development has been amended in response to issues raised; and • otherwise demonstrate that issues raised have been appropriately addressed in the assessment.
Further consultation after 2 years	<p>If you do not lodge a DA and an EIS for the development within 2 years of the issue date of these DGRs, you must consult further with the Director-General in relation to the requirements for lodgement.</p>

References

The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, Attachment 1 contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this development.

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.bookshop.nsw.gov.au>

<http://www.publications.gov.au>

Policies, Guidelines & Plans

Risk Assessment

AS/NZS 4360:2004 Risk Management (Standards Australia)

HB 203: 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)

Biodiversity

Threatened Species Survey and Assessment Guidelines: Field Survey Methods for Fauna – Amphibians (DECCW 2009)

Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities – Working Draft (DECC 2004)

BioBanking Assessment Methodology and Credit Calculator Operational Manual (DECCW 2008)

The Threatened Species Assessment Guideline – The Assessment of Significance (DECC 2007)

NSW State Groundwater Dependent Ecosystem Policy (DLWC)

Policy & Guidelines - Aquatic Habitat Management and Fish Conservation (NSW Fisheries)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

Water Resources

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)

Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC)

State Water Management Outcomes Plan

Surface Water

NSW Government Water Quality and River Flow Objectives (DECC)

Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)

Managing Urban Stormwater: Soils & Construction (Landcom) and associated Volume 2E: Mines and Quarries (DECC).

Managing Urban Stormwater: Treatment Techniques (DECC)

Managing Urban Stormwater: Source Control (DECC)

Floodplain Development Manual (DIPNR)

Floodplain Risk Management Guideline (DECC)

A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH)

Technical Guidelines: Bunding & Spill Management (DECC)

Environmental Guidelines: Use of Effluent by Irrigation (DECC)

<i>Groundwater</i>	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	Draft NSW Aquifer Interference Policy – Stage 1(NSW Govt, 2012)
	NSW State Groundwater Policy Framework Document (DLWC, 1997)
	NSW State Groundwater Quality Protection Policy (DLWC, 1998)
	NSW State Groundwater Quantity Management Policy (DLWC, 1998)
	Murray-Darling Basin Groundwater Quality. Sampling Guidelines. Technical Report No 3 (MDBC)
	Murray-Darling Basin Commission. Groundwater Flow Modelling Guideline (Aquaterra Consulting Pty Ltd)
	Guidelines for the Assessment & Management of Groundwater Contamination (DECC, 2007)
Any relevant Water Sharing Plan for groundwater and surface water resources	
Air Quality	
	Protection of the Environment Operations (Clean Air) Regulation 2002
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)
Noise & Blasting	
	NSW Industrial Noise Policy (DECC)
	Environmental Noise Management – Assessing Vibration: a technical guide (DEC)
	NSW Road Noise Policy (DECCW)
	Interim Guidelines for the Assessment of Noise From Rail Infrastructure Projects (DECC)
	Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration (ANZECC)
Land Resources	
	Agricultural Impact Assessment Guidelines 2012 (DP&I)
	Agfact AC25: Agricultural Land Classification (NSW Agriculture)
	State Environmental Planning Policy No. 55 –Remediation of Land
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC)
Traffic & Transport	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RTA)
Heritage	
<i>Aboriginal</i>	Draft Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation (DEC 2005)
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
<i>Historic</i>	NSW Heritage Manual (NSW Heritage Office)
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
Greenhouse Gases	
	National Greenhouse Accounts Factors (Australian Department of Climate Change (DCC))
	Guidelines for Energy Savings Action Plans (DEUS)
Waste	
	Waste Classification Guidelines (DECC)
Hazards	
	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

Rehabilitation

Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth of Australia)

Mine Closure and Completion – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth of Australia)

Strategic Framework for Mine Closure (ANZMEC-MCA)

Socio-Economic

Draft Economic Evaluation in Environmental Impact Assessment (DoP)

Techniques for Effective Social Impact Assessment: A Practical Guide (Office of Social Policy, NSW Government Social Policy Directorate)

ATTACHMENT 2
Agency Input into Key Assessment Issues