

Secretary's Environmental Assessment Requirements

State Significant Development

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

Application Number	SSD 6464
Proposal	<p>The Warkworth Continuation Project, which includes:</p> <ul style="list-style-type: none">• the continuation of existing and approved development on site;• extending approved open cut mining operations further west;• developing a range of associated infrastructure to support this extension;• maintaining maximum coal extraction rates at 18 million tonnes of run of mine coal a year;• exporting coal, tailings and overburden to the Mt Thorley mine;• water sharing with other mines;• exporting sand and gravel from the site; and• progressively rehabilitating the site.
Location	Approximately 15 km southwest of Singleton
Applicant	Warkworth Mining Limited
Date of Issue	22 May 2014
General Requirements	<p>The Environmental Impact Statement (EIS) for the development must comply with the requirements in Clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>In particular, the EIS must include:</p> <ul style="list-style-type: none">• a full description of the development, including:<ul style="list-style-type: none">– the resource to be extracted, demonstrating efficient resource recovery within environmental constraints;– the mine layout and scheduling;– minerals processing;– a waste (overburden, tailings, etc.) management strategy, dealing with the EPA's requirements (see Attachment 2);– a water management strategy, dealing with the EPA's and NSW Trade and Investment's requirements (see Attachment 2);– a rehabilitation strategy, dealing with NSW Trade and Investment's requirements (see Attachment 2); and– the likely interactions between the development and any other existing, approved or proposed mining development in the vicinity of the site;• 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, focussing on the specific issues identified below, including:<ul style="list-style-type: none">– a description of the existing environment likely to be affected by the development, <u>using sufficient baseline data</u>;– an assessment of the likely impacts of all stages of the development, including any cumulative impacts, taking into consideration any relevant laws, 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:<ul style="list-style-type: none">○ 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; and

	<ul style="list-style-type: none"> ○ whether contingency plans would be necessary to manage any residual risks; – a description of the measures that would be implemented to monitor and report on the environmental performance of the development if it is approved; • a consolidated summary of all the proposed environmental management and monitoring measures, identifying all the commitments in the EIS; • consideration of the development against all relevant environmental planning instruments (including Part 3 of the <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>); and • the reasons why the development should be approved having regard to biophysical, economic and social considerations, including the principles of ecologically sustainable development. <p>While not exhaustive, Attachment 1 contains a list of some of the environmental planning instruments, guidelines, policies, and plans that may be relevant to the environmental assessment of this development.</p> <p>In addition to the matters set out in Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i>, the development application must be accompanied by a signed report from a suitably qualified expert that includes an accurate estimate of the:</p> <ul style="list-style-type: none"> • capital investment value (as defined in Clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>) of the development, including details of all the assumptions and components from which the capital investment value calculation is derived; and • jobs that would be created during each stage of the development.
<p>Specific Issues</p>	<p>The EIS must address the following specific issues:</p> <ul style="list-style-type: none"> • Noise & Blasting – including: <ul style="list-style-type: none"> - an assessment of the likely operational noise impacts of the development (including construction noise) under the <i>NSW Industrial Noise Policy</i>, paying particular attention to establishing accurate background noise levels in the surrounding area, the effect of removing Saddleback Ridge and the obligations in chapters 8 and 9 of the policy; - if a claim is made for specific construction noise criteria for certain activities, then this claim must be justified and accompanied by an assessment of the likely construction noise impacts of these activities under the <i>Interim Construction Noise Guideline</i>; - an assessment of the likely road noise impacts of the development under the <i>NSW Road Noise Policy</i>; and - an assessment of the likely blasting impacts of the development on people, animals, buildings and infrastructure, and significant natural features, having regard to the relevant ANZEC guidelines; • Air – including: <ul style="list-style-type: none"> - an assessment of the likely air quality impacts of the development in accordance with the <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</i> and the EPA's additional requirements (see Attachment 2); and - an assessment of the likely greenhouse gas impacts of the development, dealing with the EPA's requirements (see Attachment 2); • Biodiversity – including: <ul style="list-style-type: none"> - an assessment of the likely biodiversity impacts of the new development, having regard to the principles and strategies in the draft <i>NSW Biodiversity Offsets Policy for Major Projects</i> and the <i>Upper Hunter Strategic Assessment – Interim Policy</i>, using the Biodiversity Certification Assessment Methodology as amended by the Upper Hunter Strategic Assessment for credit calculation, and the Biobanking Assessment Methodology as amended by the Upper Hunter Strategic Assessment for calculating the credits of any

	<p>offsets;</p> <ul style="list-style-type: none"> - specific assessment of the likely impacts of the new development on the Warkworth Sands Woodland endangered ecological community; and - the provision of alternate offsets for the disturbance area approved under the 2003 development consent, using the Biodiversity Certification Assessment Methodology as amended by the Upper Hunter Strategic Assessment for credit calculation and the Biobanking Assessment Methodology as amended by the Upper Hunter Strategic Assessment for calculating the credits of any offsets; <ul style="list-style-type: none"> • Water – including: <ul style="list-style-type: none"> - an assessment of the likely impacts of the development on the quantity and quality of the region's surface and groundwater resources, having regard to the EPA's and NSW Trade and Investment's requirements (see Attachment 2); - an assessment of the likely impacts of the development on aquifers, watercourses, riparian land, water-related infrastructure, and other water users; and - an assessment of the likely flooding impacts of the development; • Land – including: <ul style="list-style-type: none"> - an assessment of the likely impacts of the development on the soils, land capability, and landforms (topography) of the site; and - an assessment of the compatibility of the development with other land uses in the vicinity of the development in accordance with the requirements in Clause 12 of <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>; • Heritage – including an assessment of the likely Aboriginal and historic heritage (cultural and archaeological) impacts of the development having regard to OEH's requirements (see Attachment 2), and paying particular attention to the likely impacts on the Bulga Bora Ground, Great North Road, and former air strip on the site; • Traffic – including: <ul style="list-style-type: none"> - an assessment of the likely impacts of the closure of Wallaby Scrub Road, particularly on the provision of emergency services; and - an assessment of the likely traffic impacts of the development on the capacity, condition, safety and efficiency of the local and State road network, including the impacts associated with the potential tunnel under Putty Road and the haulage of sand and gravel from the site; • Visual – including an assessment of the likely visual impacts of the development on private landowners in the vicinity of the development and key vantage points in the public domain, paying particular attention to the removal of Saddleback Ridge, the creation of new landforms (overburden dumps, bunds, etc.), and minimising the lighting impacts of the development; • Public Safety – including an assessment of the likely risks to public safety off-site, paying particular attention to bushfire risks and the handling and use of any dangerous goods; • Social & Economic – including: <ul style="list-style-type: none"> - an assessment of the likely social impacts of the development (including perceived impacts), paying particular attention to any impacts on Bulga village; and - an assessment of the likely economic impacts of the development, paying particular attention to: <ul style="list-style-type: none"> ○ the significance of the resource; ○ economic benefits of the project for the State and region; and ○ the demand for the provision of local infrastructure and services.
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Consultation	<p>During the preparation of the EIS, you must consult with relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>The EIS must describe the consultation that was carried out, identify the issues raised during this consultation, and explain how these issues have been addressed in the EIS.</p>
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ATTACHMENT 1

Environmental Planning Instruments, Policies, Guidelines & Plans

Noise & Blasting	
	NSW Industrial Noise Policy (EPA)
	NSW Road Noise Policy (EPA)
	Interim Construction Noise Guideline (EPA)
	Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration (ANZEC)
Air	
	Approved Methods 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)
	National Greenhouse Accounts Factors (Commonwealth)
Biodiversity	
	Draft NSW Biodiversity Offset Policy for Major Projects (OEH)
	BioBanking Assessment Methodology (OEH)
	Biodiversity Certification Assessment Methodology (OEH)
	Upper Hunter Strategic Assessment – Interim Policy (DP&E)
	NSW State Groundwater Dependent Ecosystem Policy (NOW)
	Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW)
	State Environmental Planning Policy No. 44 – Koala Habitat Protection
Water	
Water Sharing Plans	Hunter Unregulated and Alluvial Water Sources 2009
	Hunter Regulated River Water Source 2003
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)
	Guidelines for the Assessment & Management of Groundwater Contamination (EPA)
	NSW Government Water Quality and River Flow Objectives (EPA)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (EPA)
	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)
Surface Water	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)
	Hunter River Salinity Trading Scheme (EPA)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (EPA)

	Managing Urban Stormwater: Soils & Construction (Landcom) and associated Volume 2E: 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)
Land	
	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)
Heritage	
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
	Draft Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation (DP&E)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents (OEH)
	Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW (OEH)
	NSW Heritage Manual (OEH)
	Statements of Heritage Impact (OEH)
	Hunter Regional Environmental Plan 1989 (Heritage)
Traffic	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RTA) & relevant Austroads Standards
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
Resource	
	Australasian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves 2012 (JORC)
Waste	
	Waste Classification Guidelines (DECC)
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
	Singleton LEP 2013

ATTACHMENT 2

Agency Correspondence