

Environmental Assessment Requirements

State Significant Development

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

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| Application Number | SSD 16_7480 |
| Proposal | <p>The Vickery Extension Project, which includes:</p> <ul style="list-style-type: none">• a physical extension to the approved Vickery Coal Mine footprint to gain access to additional coal reserves;• an increase in the approved run-of-mine coal mining rate; and• construction and operation of an on-site coal handling and preparation plant, train load-out facility, water supply borefield and pipeline, and rail spur. |
| Location | Blue Vale Road, Boggabri |
| Applicant | Vickery Coal Pty Ltd |
| Date of Issue | 19 July 2018 |
| 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;– surface infrastructure and facilities (including any infrastructure that would be required for the development, but the subject of a separate approvals process);– a waste (overburden, tailings, etc.) management strategy;– a water management strategy, having regard to the EPA's and DPI Water's requirements and recommendations (see Attachment 2);– a rehabilitation strategy, having regard to DRE's requirements (see Attachment 2); and– the likely interactions between the development and any other existing, approved or proposed mining related 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, focusing 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, using sufficient baseline data;– an assessment of the likely impacts of all stages of the development, including any cumulative impacts, 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:<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, including performance measures where relevant; and |

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| | <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 environmental, 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 and experienced person that includes an accurate estimate of the 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.</p> |
| <p>Specific Issues</p> | <p>The EIS must address the following specific issues:</p> <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 DPI's requirements and recommendations (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 potential flooding impacts of the development; • Noise – including: <ul style="list-style-type: none"> - an assessment of the likely operational noise impacts of the development (including construction noise) under the <i>Noise Policy for Industry</i> (EPA); - 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>; • 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 and Guidance for the Modelling and Assessment of Air Pollutants in NSW</i>, having regard to EPA's requirements (see Attachment 2); and - an assessment of the likely greenhouse gas impacts of the development; • Biodiversity – including: <ul style="list-style-type: none"> • an assessment of the likely biodiversity impacts of the development, in accordance with the Framework for Biodiversity Assessment, by a person accredited in accordance with s142(B)(1)(c) of the <i>Threatened Species Conservation Act 1995</i>, and having regard to OEH's and DPI's requirements and recommendations (see Attachment 2); and |

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| | <ul style="list-style-type: none"> • a strategy to offset any residual impacts of the development in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects</i>; • Land – including: <ul style="list-style-type: none"> - an Agricultural Impact Statement, prepared in accordance with DPI's Agricultural Impact Statement: Technical Notes, to assess the likely impacts of the development on the soils and land capability of the site and surrounds, paying particular attention to any Biophysical Strategic Agricultural Land (BSAL) and having regard to DPI's requirements (see Attachment 2); - an assessment of the likely impact of the development on landforms (topography), including 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 12 of <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>, paying particular attention to the agricultural land uses in the region; • 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); • 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 the rail network, having regard to Transport for NSW's and RMS's requirements (see Attachment 2); and • Visual and Light – 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 creation of any new landforms and minimising the lighting impacts of the development, with particular consideration of impacts on the Siding Springs Observatory; • Hazards - 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 • Social & Economic – including: <ul style="list-style-type: none"> - an assessment of the likely social impacts of the development on the local and regional community generally in accordance with the <i>Social Impact Assessment Guidelines for State Significant Mining, Petroleum Production and Extractive Industry Development (2017)</i>; 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, having regard to Gunnedah Shire Council's and Narrabri Shire Council's requirements (see Attachment 2). |
| 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. 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> |

ATTACHMENT 1

Environmental Planning Instruments, Policies, Guidelines & Plans

| Land | |
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| | Guideline for Agricultural Impact Statements (DP&E) |
| | Agricultural Impact Statement: Technical Notes (DPI) |
| | Agfact AC25: Agricultural Land Classification (NSW Agriculture) |
| | Interim Protocol for Site Verification & Mapping of Biophysical Strategic Land (OEH) |
| | Soil and Landscape Issues in Environmental Impact Assessment (NOW) |
| | State Environmental Planning Policy No. 55 – Remediation of Land |
| | Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC) |
| Water | |
| Water Sharing Plans | Water Sharing Plan for the Upper and Lower Namoi Groundwater Sources 2003; Water Sharing Plan for the NSW Murray Darling Basin Porous Rock Water Sources 2011; Water Sharing Plan for the Upper Namoi and Lower Namoi Regulated River Water Sources 2003; Water Sharing Plan for the Namoi Unregulated and Alluvial Water Sources 2012; and any other relevant Water Sharing Plans |
| | NSW State Groundwater Policy Framework Document (NOW) |
| Groundwater | 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 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) |
| | 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) |
| | 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) |

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| Biodiversity | <p>Framework for Biodiversity Assessment (OEH)</p> <p>NSW Biodiversity Offsets Policy for Major Projects (OEH)</p> <p>Threatened Species Assessment Guidelines (OEH)</p> <p>Policy and Guidelines for Aquatic Habitat Management and Fish Conservation (Fisheries NSW)</p> <p>NSW State Groundwater Dependent Ecosystem Policy (NOW)</p> <p>Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW)</p> <p>State Environmental Planning Policy No. 44 – Koala Habitat Protection</p> |
| Heritage | <p>The Burra Charter (The Australia ICOMOS charter for places of cultural significance)</p> <p>Draft Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation (DP&E)</p> <p>Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (OEH)</p> <p>Code of Practice for Archaeological Investigations of Objects in NSW (OEH)</p> <p>Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (OEH)</p> <p>NSW Heritage Manual (OEH)</p> <p>Statements of Heritage Impact (OEH)</p> |
| Noise | <p>Noise Policy for Industry (EPA)</p> <p>Interim Construction Noise Guideline (EPA)</p> <p>NSW Road Noise Policy (EPA)</p> <p>Assessing Vibration: a Technical Guideline (EPA)</p> <p>Voluntary Land Acquisition and Mitigation Policy (DP&E)</p> |
| Air | <p>Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW (EPA)</p> <p>Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (EPA)</p> <p>Coal Mine Particulate Matter Control Best Practice – Site Specific Determination Guideline (EPA)</p> <p>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)</p> <p>Voluntary Land Acquisition and Mitigation Policy (DP&E)</p> <p>National Greenhouse Accounts Factors (Commonwealth)</p> |
| Transport | <p>Guide to Traffic Generating Development (RTA)</p> <p>Road Design Guide (RMS) & relevant Austroads Standards</p> |
| Public Safety | <p>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</p> <p>Hazardous and Offensive Development Application Guidelines – Applying SEPP 33</p> <p>Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis</p> |
| Resource | <p>Australasian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves 2012 (JORC)</p> |
| Waste | <p>Waste Classification Guidelines (EPA)</p> |
| Rehabilitation | <p>Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)</p> <p>Mine Closure and Completion – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)</p> |

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 No. 44 – Koala Habitat Protection

Gunnedah Local Environmental Plan 2012

Narrabri Local Environmental Plan 2012

ATTACHMENT 2

AGENCIES' CORRESPONDENCE

