



NSW GOVERNMENT
Department of Planning

Mr Shaun Cleary
Environment and Community Manager
Wilpinjong Coal Mine
Locked Bag 2005
MUDGEE NSW 2850

Contact: Rohan Tayler
Phone: 02 9228 6465
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Email: rohan.tayler@planning.nsw.gov.au
Our ref: S04/00699-17
Your ref:

Dear Mr Cleary,

Director-General's Requirements
Wilpinjong Coal Project: Ulan to Wilpinjong Pipeline Modification (05_0021 MOD 2)

The Department has received your application to modify the Minister's approval for the Wilpinjong Coal Project.

I have attached a copy of the Director-General's requirements for the modification. These requirements have been prepared in consultation with the relevant agencies, and are based on the information you have provided to date.

Please note that the Director-General may alter these requirements at any time.

If your proposal is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to any approvals required under NSW legislation. It is your responsibility to contact the Department of Environment, Water, Heritage and the Arts in Canberra (6274 1111 or <http://www.environment.gov.au>) to determine if the proposal requires an approval under the EPBC Act. The Commonwealth Government has accredited the NSW environmental assessment process, so if it is determined that an approval is required under the EPBC Act, please contact me immediately as supplementary Director-General's requirements may need to be issued.

I would appreciate it if you would contact the Department at least two weeks before you propose to submit your Environmental Assessment for the modification. This will enable the Department to determine the:

- applicable fee (see Division 1A, Part 15 of the Environmental Planning and Assessment Regulation 2000); and
- number of copies (hard-copy or CD-ROM) of the Environmental Assessment that will be required for consultation purposes.

Once it receives the Environmental Assessment, the Department will review it in consultation with the relevant agencies to determine if it adequately addresses the Director-General's requirements, and may require you to revise it before proceeding with the assessment process.

The Department is required to make all the relevant information associated with the modification publicly available on its website. Consequently, I would appreciate it if you would ensure that all the documents you subsequently submit to the Department are in a suitable format for the web.

If you have any enquiries about these requirements, please contact Rohan Tayler on 9228 6438 or rohan.tayler@planning.nsw.gov.au.

Yours sincerely

DKitto 25/6/08

David Kitto
A/Executive Director
Major Project Assessment
As delegate for the Director-General

Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application number	MP 05_0021 MOD 2
Proposal	To install a water pipeline between the Ulan and Wilpinjong coal mines.
Location	Wilpinjong, about 45km northeast of Mudgee
Proponent	Wilpinjong Coal Pty Ltd
Date of Issue	26 June 2008
General Requirements	<p>The Environmental Assessment of the modification must include:</p> <ul style="list-style-type: none"> • a detailed description of the proposed modification, including the: <ul style="list-style-type: none"> - need for the modification; - alternatives considered; - plans for the proposed pipeline and any associated infrastructure; and - the potential interaction between the construction of the proposed pipeline with the construction of the proposed Moolarben mine; • a risk assessment of the potential environmental impacts of the modification, identifying the key issues for further assessment; • a detailed assessment of the key issues specified below, and any other significant issues identified in the risk assessment (see above), which includes: <ul style="list-style-type: none"> - a description of the existing environment; - an assessment of the potential impacts of the modification, taking into consideration any relevant statutory provisions and technical or policy guidelines (see below); and - a description of the measures that would be implemented to avoid, minimise, mitigate and monitor the potential impacts of the modification; • a statement of commitments, outlining all the proposed environmental management and monitoring measures; • a conclusion justifying the modification on economic, social and environmental grounds; and • a signed statement from the author of the Environmental Assessment, certifying that the information contained within the document is neither false nor misleading.
Key Issues	<ul style="list-style-type: none"> • Soil & Water – including: <ul style="list-style-type: none"> - an assessment of the potential impacts on the quantity, quality and integrity of the surface and ground water resources; • Biodiversity – including: <ul style="list-style-type: none"> - estimates of any vegetation clearing associated with the modification; - an assessment of the potential impacts of the modification on any threatened species, populations, ecological communities or their habitats; and - a description of the measures that would be implemented to offset any impacts on biodiversity values associated with the modification; • Heritage – both Aboriginal and non-Aboriginal; and • Rehabilitation – including a detailed description of how the decommissioning of the pipeline and rehabilitation of the pipeline would be integrated into the existing rehabilitation plans for the Wilpinjong mine.
References	While not exhaustive, the following attachment contains a list of the guidelines, policies, and plans that may be relevant to the modification.

Consultation	<p>During the preparation of the Environmental Assessment, you should consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups or affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none">• Department of Environment and Climate Change;• Department of Primary Industries;• Department of Water and Energy; and• The Moolarben and Ulan mines. <p>The consultation process and the issues raised must be described in the Environmental Assessment.</p>
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Technical and Policy Guidelines

Aspect	Policy /Methodology
Risk Assessment	
	AS/NZS 4360:2004 Risk Management (Standards Australia)
	HB 203: 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)
	Risk Management Handbook for the Mining Industry (DPI)
Soil and Water	
	Rural Land Capability Mapping (DLWC)
	Agricultural Land Classification (DPI)
Soil	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC)
	National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC)
	Draft Guidelines for the Assessment & Management of Groundwater Contamination (DECC)
	Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (DOP)
Surface Water	National Water Quality Management Strategy: Water quality management - an outline of the policies (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Policies and principles - a reference document (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Implementation guidelines (ANZECC/ARMCANZ)
	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)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC)
	State Water Management Outcomes Plan
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)
	Drinking Water Catchments Regional Environmental Plan No. 1
	Managing Urban Stormwater: Soils & Construction (Landcom)
	Floodplain Management Manual (DNR)
	A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH)
	Technical Guidelines: Bunding & Spill Management (DECC)
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
Groundwater	NSW State Groundwater Policy Framework Document (DLWC)
	NSW State Groundwater Quality Protection Policy (DLWC)
	NSW State Groundwater Quantity Management Policy (DLWC) Draft
Flora and Fauna	
	Draft Guidelines for Threatened Species Assessment under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> (DEC)
	NSW Groundwater Dependent Ecosystem Policy (DLWC)
	Policy & Guidelines - Fish Friendly Waterway Crossings (NSW Fisheries)
	State Environmental Planning Policy No. 44 – Koala Habitat Protection

Heritage	
<i>Aboriginal</i>	Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC)
<i>Non- Aboriginal</i>	NSW Heritage Manual (NSW Heritage Office & DUAP)
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
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)