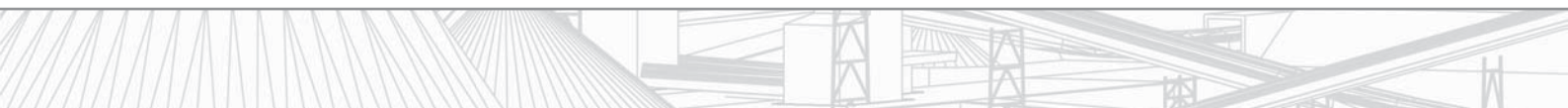


APPENDIX A

ENVIRONMENTAL ASSESSMENT REQUIREMENTS





NSW GOVERNMENT
Department of Planning

Major Development Assessment

Phone: (02) 9228 6487
Fax: (02) 9228 6466
Email: david.kitto@planning.nsw.gov.au

Level 4 Western Gallery
23-33 Bridge Street
GPO Box 39
SYDNEY NSW 2001

Mr Steve Hubert
Operations Manager
Xstrata Mangoola Pty Limited
1st Floor Westpac Building
39-43 Bridge Street
MUSWELLBROOK NSW 2333

Dear Mr Hubert

**Section 75W Modification
Anvil Hill Coal Project**

I refer to your letter to the Department, dated 24 January 2008, proposing minor modifications to the project approval for the Anvil Hill Coal Project.

I wish to advise you that the Department believes the proposed modifications require approval under section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Consequently, I have attached a copy of the relevant application form as well as the Director-General's requirements for the environmental assessment of the proposed modifications.

At this stage, the Department does not think the proposed modifications will require public exhibition. However, the Department will only make a final decision on whether or not to exhibit the application once it has reviewed your environmental assessment for the proposed modifications.

If you have any enquiries on this matter, please contact David Kitto on 9228 6487.

Yours sincerely

A large, stylized handwritten signature in black ink, appearing to read 'CW'.

30.1.08

Chris Wilson
Executive Director
Major Project Assessment
As delegate for the Director-General

Director-General's Requirements

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

Application number	06_0014_MOD2
Project	Anvil Hill Coal Project
Proposed Modification	Allow certain works to occur on site in conjunction with the proposed road upgrade works for the project.
Location	Wybong, approximately 20 kilometres west of Muswellbrook and 10 kilometres north of Denman.
Proponent	Xstrata Mangoola Pty Limited
Date of Issue	24 January 2008
Date of Expiration	24 January 2010
General Requirements	<p>The Environmental Assessment must include:</p> <ul style="list-style-type: none"> • a detailed description of the proposed modification including the need for the modification; • consideration of any relevant statutory provisions; • an assessment of the environmental issues associated with the modification (including the key issues specified below), which includes: <ul style="list-style-type: none"> – a description of the existing environment; – an assessment of the potential impacts of the modification; and – a description of the measures that would be implemented to avoid, minimise, mitigate, offset, manage, and/or monitor the impacts of the modification; and • a conclusion justifying the modification, taking into consideration the environmental impacts of the modification, the suitability of the site, and the benefits of the modification.
Key Issues	<ul style="list-style-type: none"> • Soil and water management; • Traffic management; • Noise and dust; • Flora and fauna; and • Heritage – both Aboriginal and non-Aboriginal.
References	The Environmental Assessment must take into account relevant State Government technical and policy guidelines. While not exhaustive, guidelines which may be relevant to the modification are included in the attached list.
Consultation	<p>During the preparation of the Environmental Assessment, you should consult with:</p> <ul style="list-style-type: none"> • Muswellbrook Shire Council; • Roads and Traffic Authority; and • the local community. <p>The consultation process and the issues raised must be described in the Environmental Assessment.</p>
Deemed refusal period	30 days

State Government Technical and Policy Guidelines - For Reference

Aspect	Policy /Methodology
Traffic & Transport	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RTA)
Noise	
	NSW Industrial Noise Policy (DECC)
	Environmental Criteria for Road Traffic Noise (NSW EPA)
	Environmental Noise Control Manual (DECC)
Soil and Waters	
<i>Construction</i>	Managing Urban Stormwater: Soils & Construction (Landcom)
<i>Water Quality</i>	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DECC)
Flora and Fauna	
	Guidelines for Assessment of Aquatic Ecology in EIA (Department of Planning)
	Policy & Guidelines - Aquatic Habitat Management and Fish Conservation (DPI Fisheries)
	Draft Guidelines for Threatened Species Assessment under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> (DECC)
Heritage	
<i>Indigenous</i>	Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DECC)