



NSW GOVERNMENT

Department of Planning

Contact: Patricia Cabezas
Phone: (02) 9228 6447
Fax: (02) 9228 6366
Email: patricia.cabezas@planning.nsw.gov.au

Our ref: S06/00306
Your ref:

Ms Barbara Crossley
Umwelt (Australia) Pty Limited
PO Box 838
TORONTO NSW 2283

Dear Ms Crossley

Proposed Capacity Increase at Kooragang Coal Terminal, Kooragang Island, Newcastle Local Government Area (Reference: 06_0189)

I refer to your request for the Director-General's assessment requirements for the preparation of an Environmental Assessment in relation to the above project.

The Director-General's Environmental Assessment Requirements are attached, pursuant to section 75F(2) of the *Environmental Planning and Assessment Act 1979*. It should be noted that the Director-General's requirements have been prepared based on the information provided to date. Under section 75F(3) of the Act, the Director-General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the proponent seeking approval for the project.

You should ensure that you consult with the Department prior to submission of a draft Environmental Assessment to determine:

- fees applicable to the application;
- consultation and public exhibition arrangements that will apply; and
- number and format (hard-copy or CD-ROM) of the Environmental Assessments that will be required.

Once you have lodged the Environmental Assessment, the Department will consult with the relevant authorities to determine the adequacy of the Environmental Assessment. Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days.

You should keep the contact officer for this project, Patricia Cabezas ((02) 9228 6447, patricia.cabezas@planning.nsw.gov.au), up to date with the progress of preparation of the Environmental Assessment, and seek clarification of any issues that may be unclear or may arise during this process.

Yours sincerely

IS.P-05

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

KOORAGANG COAL TERMINAL

ENVIRONMENTAL ASSESSMENT REQUIREMENTS UNDER PART 3A OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Project	Proposal to increase the capacity throughput of its Kooragang Coal Terminal to 120 million tonnes per annum (current approved capacity 77 million tonnes per annum). The increase in capacity would be undertaken through operational efficiencies and upgrades to plant and equipment.
Site	Lots 5,7 & 9 DP775774; Lot 1 DP775775; Lot 1 DP869662; Lot 11 DP841542 Lots 2,6,7,8 & 9 DP775772; Lots 11,13,14,17,18,19,20, 22 & 23 DP775773 Lots 10, 29, 31, 34 & 41 DP775776; Lots 48, 49, 51, 53 & 55 DP 775777 Lot 1 DP 1015754; Lots 101, 102, 103, 104, 105, 106, 107, 109 & 111 DP1018591; Lot 131 DP 1018592; Lots 201, 202, 203, 204, 205, 206, 208 & 210 DP 1017038; Lot 211 DP 1018949 and Lot 521 DP1018950.
Proponent	Port Waratah Coal Services Limited
Date of Issue	15 August 2006
Date of Expiration	15 August 2008
General Requirements	<p>The Environmental Assessment must include:</p> <ul style="list-style-type: none"> • an executive summary; • a description of the proposal, including construction, operation, and staging; • an assessment of the environmental impacts of the project, with particular focus on the key assessment requirements specified below; • justification for undertaking the project with consideration of the benefits and impacts of the proposal; • a draft Statement of Commitments detailing measures for environmental mitigation, management and monitoring for the project; and • certification by the author of the Environment Assessment that the information contained in the Assessment is neither false nor misleading.
Key Assessment Requirements	<p>The Environmental Assessment must include assessment of the following key issues:</p> <ul style="list-style-type: none"> • Strategic Planning and Justification – the Environmental Assessment must detail the strategic basis for the project with specific reference to the need for the project, the scale of the project and any staging of works associated with the project. Details must be provided with respect to how the project (or its relevant stages) will be managed or scheduled to accommodate: <ul style="list-style-type: none"> → related and relevant existing development approvals applying to the site and existing development; and → the schedule of works proposed by the Australian Rail Track Corporation with respect to capacity, efficiency or acoustic performance of its rail infrastructure in the region. • Noise Impacts – the Environmental Assessment must include a noise impact assessment for the project site, conducted in accordance with <i>NSW Industrial Noise Policy</i> (EPA, 2000), with particular focus on the increase of train traffic to the site, increased use of both the stockyard and potentially, the late coal arrival facilities and higher loadings on equipment. The noise assessment must consider impacts on the residential areas of Warabrook, Mayfield, Maryville, Carrington, Fern Bay and Stockton and must consider the impact from the project in isolation and in a cumulative context with relevant existing and approved development. As part of the noise assessment, noise emissions associated with coal trains servicing the receival station must be assessed as a 'stationary' noise source. <p>The Environmental Assessment must also include an assessment of the construction noise impacts of the project, against the criteria provided in Chapter 171 of the <i>Environmental Noise Control Manual</i> (EPA, 2004) and an assessment of road traffic noise in accordance with methodology and criteria detailed in <i>NSW Environmental Criteria for Road Traffic Noise</i> (EPA, 1999).</p> <p>The Environmental Assessment must clearly outline the noise mitigation,</p>

	<p>monitoring and management measures the Proponent intends to apply to the project.</p> <ul style="list-style-type: none"> • Air Quality Impacts – the Environmental Assessment must include an air quality impact assessment prepared in accordance with the <i>Approved Methods for Modelling and Assessment of Air Pollutants in NSW</i> (DEC, 2005), with particular of total suspended particulates (TSP) and particulates of less than 10 micrometres in aerodynamic diameter (PM₁₀). The assessment must consider the impacts of the project during construction and operation (and each phase of construction and operation if the project is to be staged), and with respect to impacts from the project in isolation and in a cumulative context with relevant existing and approved development (ie the subject of a development consent, whether or not the development has partially or fully commenced. The Environmental Assessment must clearly outline the air quality mitigation, monitoring and management measures the Proponent intends to apply to the project. • General Environmental Risk Analysis – notwithstanding the above key assessment requirements, the Environmental Assessment must include an environmental risk analysis to identify potential environmental impacts associated with the project (construction and operation), proposed mitigation measures and potentially significant residual environmental impacts after the application of proposed mitigation measures. Where additional key environmental impacts are identified through this environmental risk analysis, an appropriately detailed impact assessment of these additional key environmental impacts must be included in the Environmental Assessment.
Consultation Requirements	<p>You must undertake an appropriate and justified level of consultation with the following parties during the preparation of the Environmental Assessment:</p> <ul style="list-style-type: none"> • Commonwealth Department of Environment and Heritage; • NSW Department of Environment and Conservation; • Newcastle Port Corporation; • Australian Rail Track Corporation and NSW Rail Infrastructure Corporation; • Newcastle City Council and Port Stephens Council; • Community action groups such as the Mayfield Residents Group, Stockton Community Forum, Citizens and Kooragang Alliance (CAKA) and the Hunter Bird Observers Club; and • the local community. <p>The Environmental Assessment must clearly indicate issues raised by stakeholders during consultation, and how those matters have been addressed in the Environmental Assessment.</p>
Deemed refusal period	<p>Under clause 8E(2) of the <i>Environmental Planning and Assessment Regulation 2000</i>, the applicable deemed refusal period is 120 days from the end of the proponent's environmental assessment period for the project.</p>