

APPENDIX 2

Director-General's Requirements





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Mr Trevor Simmons
Engineering Manager – Expansion
Port Waratah Coal Services Ltd
PO Box 57 Carrington
NEWCASTLE NSW 2294

Our ref: S06/00306-3
Your ref:

Dear Mr Simmons

Proposed Modification to the Kooragang Coal Terminal – Director-General's Environmental Assessment Requirements (06-0189 MOD 1)

I refer to Port Waratah Coal Services's application received on 13 March 2009 to modify its existing project approval for the Kooragang Coal Terminal (KCT) under section 75W of the *Environmental Planning and Assessment Act 1979* (the Act).

The proposed modification involves the construction and operation of a fourth dump station, a fourth ship loader, and associated coal handling infrastructure at the KCT. The Department understands that the proposal (fourth coal handling stream) would enable PWCS to achieve 'sprint capacity' in its operations at the terminal and will not require any change to the size of the approved footprint area or approved capacity of 120 million tonnes per annum.

In accordance with section 75W(3) of the *Environmental Planning and Assessment Act 1979*, and based on the supporting Preliminary Environmental Assessment (Stage 4, dated January 2009), the Director-General requires that PWCS undertake an environmental assessment of the proposal. In doing so, the environmental assessment must include, but not necessarily be limited to the following matters:

- **Description of the Proposal:** describe the following matters:
 - the strategic context and justification for the modification's need and design;
 - details of the proposed modification, clearly identifying its relationship with the existing and approved operations, adjoining land and infrastructure;
 - the activities proposed on site as part of the modification during construction and operation, including the intensity of operations and management responsibilities, and the transport, storage and use of dangerous goods (if any); and
 - the staging (if any) and timing of the proposal.
- **Environmental Assessment:** identify any new impacts or changes to impacts associated with the proposal and outline any new measures to minimise, manage, mitigate, monitor and/or off-set impacts, including how any new measures relate to the requirements of the existing project approval. The assessment shall address, but not necessarily be limited to:
 - **Noise and vibration** – noise and vibration impacts of the proposal, consistent with the *NSW Industrial Noise Policy* (EPA, 2000).
 - **Air quality** – detail all sources of air pollution and activities/processes with the potential to cause air pollutants, including odours and fugitive dust emissions beyond the boundary of the project site, during construction and operation;
 - **Water quality** – impacts to water quality (surface and ground waters) and use from the proposal, including documentation and justification of the methodology, data and assumptions used in the development and retention of water management and reuse measures;

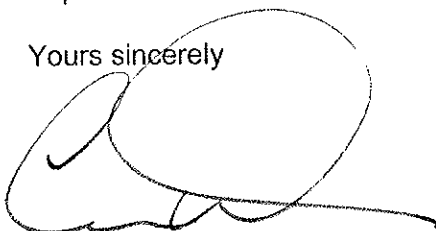
- **Transport** – impacts to surrounding local and regional road network and port operations during construction of the proposal;
- **Visual amenity** – visual impact of the proposed additional facility (including the proposed conveyor bridge over Teal Street). The assessment must be accompanied by illustrative drawings or photomontages;
- **Ecology** – impacts to threatened species, ecological communities and their habitats and ground water dependent systems on directly affected and adjoining lands; and
- **Cumulative impacts** – interactions with other development in the vicinity of the site.
- **Consultation:** you must undertake an appropriate and justified level of consultation with relevant agencies and the community, including (but not necessarily limited to) Newcastle City Council, Department of Environment and Climate Change, Department of Primary Industries, Department of Water and Energy, Roads and Traffic Authority, Newcastle Port Corporation, and NSW Maritime. The results of consultation regarding the proposed modification and how their concerns have been addressed shall be presented in the environmental assessment.

I would appreciate it if you could contact the Department at least two weeks before you propose to submit the environmental assessment to allow the Department to determine consultation and public exhibition arrangements that will apply.

Prior to exhibiting the environmental assessment, the Department will review the document to determine if it adequately addresses these requirements. If the Director-General considers that the environmental assessment does not adequately address these requirements, the Director-General may require the proponent to revise the environmental assessment to address the matters notified to the proponent.

Please do not hesitate to contact Rebecca Newman on (02) 9228 6340 or via email at rebecca.newman@planning.nsw.gov.au should you require clarification of the above requirements.

Yours sincerely



19.3.04

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