



Planning

**Major Projects Assessment
Mining & Industry**

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Mr Steve Dunn
General Manager, Technical Services
Bloomfield Collieries Pty Limited
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Our ref: S07/01215

Dear Mr Dunn

**Bloomfield Coal Project
Section 75W Modification (07_0087 MOD 1)
Director-General's Requirements**

The Department has received your application to modify the approval for the Bloomfield Coal Project (07_0087 MOD 1) under section 75W of the *Environmental Planning and Assessment Act 1979*.

I have attached the Director-General's requirements (DGRs) for the proposed modification. Please note that the Director-General may alter these requirements at any time.

If the proposed modification 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 the Department 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 the 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 and CD-ROM) of the Environmental Assessment that will be required for exhibition purposes.

Following receipt the Department will review the Environmental Assessment in consultation with the relevant agencies to determine if it adequately addresses the Director-General's requirements. The Department may require you to revise the Environmental Assessment prior to public exhibition.

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, and arrange for the Environmental Assessment to be hosted on a suitable website.

If you have any enquiries about these requirements, please contact Paul Freeman.

Yours sincerely

David Kitto 14/12/09

David Kitto
Director
Major Development Assessment
As delegate for the Director-General

Director-General's Requirements

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

Application number	07_0087 MOD 1
Modification Description	<p>Modifying the Bloomfield Coal Project, including:</p> <ul style="list-style-type: none"> • emplacing overburden on, reshaping and rehabilitating an area of previously rehabilitated land south-east of the S Cut Pit; • reshaping and rehabilitating two non-vegetated areas, north of the Creek Cut Pit and east of the S Cut Pit respectively; • constructing a new haul road from the northern area of the Creek Cut Pit to the washery stockpile; and • establishing an easement and overhead powerline west of the S Cut Pit.
Location	North of John Renshaw Drive, Buttai.
Proponent	Bloomfield Collieries Pty Limited.
Date of Issue	14 December 2009
General Requirements	<p>The Environmental Assessment of the proposed modification must include:</p> <ul style="list-style-type: none"> • an executive summary; • a detailed description of: <ul style="list-style-type: none"> - existing and approved operations and infrastructure on site; and - the existing environmental management and monitoring regime on site; • a detailed description of the modification, including the: <ul style="list-style-type: none"> - need for the modification; - alternatives considered; - likely interactions between existing and approved mining operations; - likely staging of the modification; and - plans of any proposed construction works; • 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, using sufficient baseline data; - an assessment of the potential impacts of all stages of the modification, including any cumulative impacts associated with the concurrent operation of the modification with any other existing or approved mining operations in the region, taking into consideration any relevant policies, guidelines, plans and statutory provisions (see below); and - a description of the measures that would be implemented to avoid, minimise, mitigate and/or offset the potential impacts of the modification, including detailed contingency plans for managing any significant risks to the environment; • a statement of commitments, outlining all the proposed environmental management and monitoring measures; • a conclusion justifying the modification on economic, social and environmental grounds, taking into consideration whether the modification is consistent with the objects of the <i>Environmental Planning & Assessment Act 1979</i>; • 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"> • Rehabilitation and Final Landform – including a justification of the revised final landform; how the site would be progressively rehabilitated; and the measures which would be put in place for the long term protection and management of the site; • Biodiversity – including: <ul style="list-style-type: none"> - accurate predictions of any vegetation clearing on site; - a detailed assessment of the potential impacts of the project on any terrestrial and aquatic threatened species, populations, ecological communities or their habitats; and - a detailed description of the measures that would be implemented to maintain or improve the biodiversity values of the surrounding region in the medium to long term; • Air Quality; • Noise – including operational and construction noise; • Greenhouse Gases; • Heritage – both Aboriginal and non-Aboriginal; and • Visual.
References	The environmental assessment of the key issues listed above must take into account relevant guidelines, policies, and plans. While not exhaustive, the following attachment contains a list of guidelines, policies and plans that may be relevant to the environmental assessment of this modification.
Consultation	<p>During the preparation of the EA, you should consult with the relevant local, State or Commonwealth government authorities, service providers, community groups or affected landowners. The consultation process and the issues raised must be described in the Environmental Assessment.</p> <p>In particular you should consult with:</p> <ul style="list-style-type: none"> • Department of Environment, Climate Change and Water; • NSW Office of Water (within DECCW); • Department of Industry and Investment; • Cessnock City Council; and • Maitland City Council.
Deemed refusal period	60 days

Policies, Guidelines & Plans

Aspect	Policy /Methodology
Rehabilitation	<p>Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth of Australia)</p> <p>Mine Closure and Completion – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth of Australia)</p> <p>Strategic Framework for Mine Closure (ANZMEC/MCA)</p>
Flora & Fauna	<p>Draft Guidelines for Threatened Species Assessment under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> (DEC)</p> <p>Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 - Guide to implementation in NSW (DoP)</p>
Noise	<p>NSW Industrial Noise Policy (DEC)</p> <p>Environmental Criteria for Road Traffic Noise (NSW EPA)</p> <p>Interim Construction Noise Guideline (DECC)</p>
Air Quality	<p>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC)</p> <p>Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)</p>
Greenhouse Gas	<p>National Greenhouse Accounts (NGA) Factors</p>
Heritage	<p>Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC)</p> <p>NSW Heritage Manual (NSW Heritage Office & DUAP)</p> <p>The Burra Charter (The Australia ICOMOS charter for places of cultural significance)</p>