



NSW GOVERNMENT  
**Department of Planning**

**Mining & Extractive Industries  
Major Development Assessment**  
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John Carmody  
Chief Executive Officer  
Apex Energy  
Suite 14/44 Bridge Street  
SYDNEY NSW 2000

Our ref: 9042505

Dear Mr Carmody

**Director-General's Requirements  
Apex Energy Exploration Drilling Project  
Project Application No: 07\_0103**

The Department has received your application for the Apex Energy Illawarra Coal Seam Gas Exploration Drilling Project in the Wollongong local government area.

I have attached a copy of the Director-General's requirements (DGRs) for the project. These requirements have been prepared in consultation with the relevant Government authorities, and are based on the information you have provided to date. I have also attached a copy of the Government authorities' comments for your information.

Please note that under section 75F(3) of the *Environmental Planning and Assessment Act 1979*, 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 additional 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 and Water Resources in Canberra (6274 1111 or <http://www.environment.gov.au>) to determine if the proposal is likely to have a significant impact on matters of National Environmental Significance, and would require an approval under the EPBC Act. The Commonwealth Government has accredited the NSW environmental assessment process for assessing any impacts on matters of National Environmental Significance. As a result, if it is determined that an approval is required under the EPBC Act, please contact me immediately as supplementary Director-General's requirements will 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 project to determine:

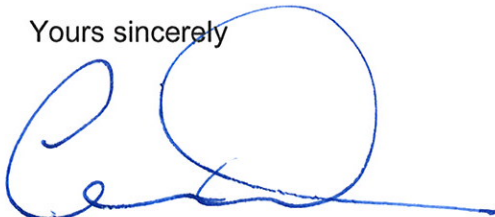
- whether the proposal requires an assessment under the EPBC Act and any assessment obligations under that Act;
- the consultation and public exhibition arrangements that will apply; and
- the number of copies (hard-copy or CD-ROM) of the Environmental Assessment that will be required for exhibition purposes.

As you may know, the Department will review the Environmental Assessment in consultation with the relevant authorities to determine if it adequately addresses the Director-General's requirements. If the Director-General considers the Environmental Assessment to be inadequate, you will be required to revise it prior to public exhibition.

The Director-General's requirements will be placed on the Department's website along with other relevant information which becomes available during the assessment of the project. As a result, I would appreciate it if the documents submitted to the Department are in a suitable format for the web, and if you would arrange for an electronic version of the Environmental Assessment for the project to be hosted on a suitable website with a link to the Department's website.

If you have any enquiries about these requirements, please contact Rebecca Ward of the Department's Mining & Extractive Industries team (02 9228 6495).

Yours sincerely



18.9.07

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

# Director-General's Requirements

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

<b>Application number</b>	07_0103
<b>Project</b>	Drilling of approximately 20 exploratory wells to test "goaf gas" from abandoned mine workings and to determine the gas potential in un-mined coal seams in the Illawarra region
<b>Location</b>	Within Petroleum Exploration Licences 442 and 444 and Metropolitan Collieries' Consolidated Coal Lease 703 in the Illawarra region
<b>Proponent</b>	Apex Energy NL
<b>Date of Issue</b>	18 September 2007
<b>Date of Expiration</b>	18 September 2009
<b>General Requirements</b>	<p>The Environmental Assessment must include</p> <ul style="list-style-type: none"> <li>• an executive summary;</li> <li>• a detailed description of the project including the: <ul style="list-style-type: none"> <li>- need for the project;</li> <li>- alternatives considered;</li> <li>- various components and stages of the project; and</li> <li>- the likely inter-relationship between the proposed works and the existing or approved mining operations in the region;</li> </ul> </li> <li>• consideration of any relevant statutory provisions;</li> <li>• a general overview of the environmental impacts of the project, identifying the key issues for further assessment, and taking into consideration the issues raised during consultation;</li> <li>• a detailed assessment of the key issues specified below, and any other significant issues identified in the general overview of environmental impacts of the project (see above), which includes: <ul style="list-style-type: none"> <li>- a description of the existing environment;</li> <li>- an assessment of the potential impacts of the project;</li> <li>- a description of the measures that would be implemented to avoid, minimise, mitigate, offset, manage and/or monitor the impacts of the project, and how the environmental monitoring and management programs/plans will be reported;</li> </ul> </li> <li>• a Statement of Commitments, outlining environmental management, mitigation and monitoring measures;</li> <li>• a conclusion justifying the project, taking into consideration the environmental impacts of the project, the suitability of the sites, and the benefits of the project; and</li> <li>• a signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading.</li> </ul>
<b>Key Issues</b>	<ul style="list-style-type: none"> <li>• <b>Soil and Water</b> - particularly sediment and surface water control during and following construction, soil disturbance and compaction, and groundwater quantity and quality;</li> <li>• <b>Flora and Fauna</b> – including impacts on native vegetation through clearing and disturbance, and the requirement for offsetting;</li> <li>• <b>Noise and Vibration;</b></li> <li>• <b>Greenhouse Gases;</b></li> <li>• <b>Aboriginal Heritage;</b> and</li> <li>• <b>Rehabilitation.</b></li> </ul>
<b>References</b>	The Environmental Assessment must take into account relevant State Government technical and policy guidelines. While not exhaustive, guidelines which may be relevant to the project are included in the attached list.
<b>Consultation</b>	During the preparation of the Environmental Assessment, you should consult with the relevant local, State or Commonwealth government authorities, service

	<p>providers, community groups or affected landowners. The consultation process and the issues raised must be described in the Environmental Assessment. In particular you should consult with:</p> <ul style="list-style-type: none"> <li>• Department of Environment and Climate Change;</li> <li>• Department of Primary Industries;</li> <li>• Department of Water and Energy; and</li> <li>• Wollongong City Council.</li> </ul> <p>The consultation process and the issues raised must be described in the Environmental Assessment.</p>
<b>Deemed refusal period</b>	60 days

## State and Commonwealth Government Technical and Policy Guidelines - For Reference

Aspect	Policy /Methodology
<b>Soil and Waters</b>	
<i>Erosion &amp; Sediment Control</i>	Managing Urban Stormwater: Soils & Construction (Landcom)
<i>Groundwater</i>	NSW State Groundwater Policy Framework Document (DLWC)
	NSW State Groundwater Quality Protection Policy (DLWC)
	NSW State Groundwater Quantity Management Policy (DLWC) Draft
<i>Water Quality</i>	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC)
<b>Flora and Fauna</b>	
	Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities. Working Draft (DEC)
	Draft Guidelines for Threatened Species Assessment under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> (DEC)
	Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 - Guide to implementation in NSW (DoP)
<b>Noise and Vibration</b>	
	NSW Industrial Noise Policy (DECC)
	Environmental Noise Control Manual (DECC)
<b>Greenhouse Gas</b>	
	AGO Factors and Methods Workbook (AGO)
<b>Heritage</b>	
<i>Aboriginal</i>	Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC)
	Aboriginal Cultural Heritage Standards and Guidelines Kit (NSW EPA)