



Planning

Major Projects Assessment

Mining & Industry

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Mr Graham Collis
Chief Operating Officer
Duralie Coal Pty Ltd
PO Box 137
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Our ref: S03/02277

Dear Mr Collis

Duralie Coal Project (08_0203) Director-General's Requirements

I wish to advise you that in accordance with section 75F(3) of the *Environmental Planning and Assessment Act 1979*, the Director-General has modified his requirements for the Duralie Coal Project (08_0203) issued on 28 January 2008. I have attached a copy of the modified Director-General's requirements (DGRs) for the project.

The DGRs now reflect the changes identified by the company to this proposal; principally, the removal of a proposed scheme to allow minewater to be discharged to Mammy Johnsons River and plans to irrigate minewater to alluvial lands in the vicinity of the mine, the proposed construction and use of a larger Auxillary Dam No. 2 and the removal of the Clareval West pit from the proposal.

Please note that under section 75F(3) of the *Environmental Planning and Assessment Act 1979*, the Director-General may further alter these requirements at any time.

I would appreciate it if you would contact the Department at least two weeks before you propose to submit your 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.

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

If your proposal 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.

The Department is required to make all the relevant information associated with the project 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 an electronic version of the Environmental Assessment to be hosted on a suitable website.

If you have any enquiries about these requirements, please contact Carl Dumpleton on the details listed above.

Yours sincerely

Handwritten signature of David Kitto and the date 5/11/09.

David Kitto
Director
Mining & Industry
As Delegate for the Director-General

Director-General's Requirements

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

Application number	08_0203
Project	<p>The Duralie Coal Project, which includes:</p> <ul style="list-style-type: none"> • extending open cut mining operations; • extracting up to 3 million tonnes of ROM coal a year; • transporting ROM coal to the Stratford coal mine by rail for processing; • developing a range of associated infrastructure; and • progressively rehabilitating the site.
Location	Approximately 5 kilometres (km) north of Stroud Road village.
Proponent	Duralie Coal Pty Limited.
Date of Issue	5 November 2009
General Requirements	<p>The Environmental Assessment of the project must include:</p> <ul style="list-style-type: none"> • an executive summary; • a detailed description of: <ul style="list-style-type: none"> - historical operations on the site; - existing and approved operations and infrastructure on site; and - the existing environmental management and monitoring regime; • a detailed description of all aspects of the project, including the: <ul style="list-style-type: none"> - need for the project; - alternatives considered; - likely interactions between existing and proposed operations; and - plans of any proposed building works; • a risk assessment of the potential environmental impacts of the project, 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 project, including any cumulative impacts associated with the concurrent operation of the project with any other existing or approved mining (including coal-bed methane) 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, rehabilitate/remediate, monitor and/or offset the potential impacts of the project, 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 project on economic, social and environmental grounds, taking into consideration whether the project is consistent with the objects of the <i>Environmental Planning & Assessment Act 1979</i>; and • 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"> • Surface and Ground Water – including: <ul style="list-style-type: none"> - detailed modelling of the potential surface and ground water impacts of the project; - a site water balance, salinity balance, and an assessment of the suitability of minewater for irrigation use; - a detailed description of the proposed final voids and their management; and

	<ul style="list-style-type: none"> - a detailed assessment (environmental, hydrogeological, and geomorphic) of the proposed final alignment of Coal Shaft Creek; • Noise & Blasting – including the operational noise on site and the potential off-site road and rail noise; • Air Quality – including the potential dust impacts associated with transporting coal to the Stratford mine; • 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; • Traffic – including a detailed traffic impact study; • Heritage – both Aboriginal and non-Aboriginal; • Greenhouse Gases – including: <ul style="list-style-type: none"> - a quantitative assessment of the potential scope 1, 2 and 3 greenhouse gas emissions of the project and qualitative assessment of the potential impacts of these emissions on the environment; - identify which of these emissions would be covered by the Federal Government's proposed Carbon Pollution Reduction Scheme (CPRS); - a detailed description of the measures that would be implemented on site to minimise the greenhouse gas emissions of the project, concentrating on those emissions that would not be covered by the proposed CPRS; • Visual – with particular emphasis on the measures that would be implemented to minimise the visual impacts of the project on the Bucketts Way; • Rehabilitation/Mine Closure - including a detailed description of the proposed rehabilitation/mine closure strategy for the mine, taking into consideration any relevant strategic land use planning or resource management plans or policies, and the scope for integrating this strategy with any biodiversity offset strategy for the mine; and • Social and Economic – including: <ul style="list-style-type: none"> - an assessment of the demand the project may generate for the provision of local infrastructure and services; and - an assessment of the costs and benefits of the project, and whether the project would pass the net benefit test.
References	<p>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 project.</p>
Consultation	<p>During the preparation of the EA, you should consult with the relevant local, State or Commonwealth government authorities, service providers, community groups and affected landowners. The consultation process and the issues raised must be described in the Environmental Assessment.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> • Department of Environment, Climate Change and Water; • NSW Office of Water of Department of Environment, Climate Change and Water; • Department of Industry and Investment; • Dam Safety Committee; • Roads and Traffic Authority; • Gloucester Shire Council; and • Great Lakes Council.
Deemed refusal period	90 days

Policies, Guidelines & Plans

Aspect	Policy /Methodology
Soil and Water	
<i>Soil</i>	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC)
	National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC)
	State Environmental Planning Policy No. 55 – Remediation of Land
<i>Surface Water</i>	Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (DOP)
	Agricultural Land classification (DPI)
	Rural Land Capability Mapping (DLWC)
<i>Groundwater</i>	Australian Drinking Water Guidelines 2004 (NWQMS)
	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Effluent Management (ARMCANZ/ANZECC)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Use of Reclaimed Water (ARMCANZ/ANZECC)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC)
	State Water Management Outcomes Plan
	NSW Government Water Quality and River Flow Environmental Objectives (DECC)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)
	Managing Urban Stormwater: Soils & Construction (Landcom)
	Managing Urban Stormwater: Treatment Techniques (DECC)
	Managing Urban Stormwater: Source Control (DECC)
	A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH)
	Water Sharing Plan for the Karuah River Water Source (DIPNR)
	Technical Guidelines: Bunding & Spill Management (DECC)
<i>Transport</i>	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	NSW State Groundwater Policy Framework Document (DLWC)
	NSW State Groundwater Quality Protection Policy (DLWC)
	NSW State Groundwater Quantity Management Policy (DLWC) Draft
	Murray-Darling Basin Groundwater Quality. Sampling Guidelines. Technical Report No 3 (MDBC)
	Murray-Darling Basin Commission. Groundwater Flow Modelling Guideline (Aquaterra Consulting Pty Ltd)
	Draft Guidelines for the Assessment & Management of Groundwater Contamination (DECC)
<i>Transport</i>	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RTA)
	Interim Guidelines for Applicants – Consideration of rail noise and vibration in the planning process (Rail Infrastructure Corporation)

Biodiversity	
	Draft Guidelines for Threatened Species Assessment under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> (DEC)
	NSW Groundwater Dependent Ecosystem Policy (DLWC)
	Policy & Guidelines - Aquatic Habitat Management and Fish Conservation (NSW Fisheries)
	State Environmental Planning Policy No. 44 – Koala Habitat Protection
	Policy & Guidelines - Fish Friendly Waterway Crossings (NSW Fisheries)
Noise & Vibration	
	NSW Industrial Noise Policy (DECC)
	Environmental Criteria for Road Traffic Noise (NSW EPA)
	Interim Construction Noise Guideline (DECC)
	ANZECC Guideline to Minimise Annoyance Due to Blasting Overpressure & Ground Vibration (ANZECC)
	Environmental Noise Management - Assessing Vibration: A Technical Guideline (DEC)
Air Quality	
	Protection of the Environment Operations (Clean Air) Regulation 2002
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)
Greenhouse Gas	
	National Greenhouse Accounts (NGA) Factors (Australian Department of Climate Change (DCC))
	Guidelines for Energy Savings Action Plans (DEUS)
Risk Assessment	
	AS/NZS 4360:2004 Risk Management (Standards Australia)
	HB 203: 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)
Heritage	
<i>Aboriginal</i>	Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DoP & DEC)
	NSW Heritage Manual (NSW Heritage Office)
<i>Non- Aboriginal</i>	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
Visual	
	Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, AS 4282)
Rehabilitation	
	Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth of Australia)
	Mine Closure and Completion – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth of Australia)
	Strategic Framework for Mine Closure (ANZMEC/MCA)
Social & Economic	
	Draft Economic Evaluation in Environmental Impact Assessment (DOP)
	Techniques for Effective Social Impact Assessment: A Practical Guide (Office of Social Policy, NSW Government Social Policy Directorate)