



## appendix 3

### **Director-General's Requirements**



## Planning

Contact: Anna Bradley  
Phone: 02 9228 6503  
Fax: 02 9228 6466  
Email: [anna.bradley@planning.nsw.gov.au](mailto:anna.bradley@planning.nsw.gov.au)

Mr Charles Spence  
West Wallsend Colliery Operations Manager  
PO Box 4186  
KILLINGWORTH NSW 2278

Dear Mr Spence,

**West Wallsend Coal Project (MP 09\_0203)  
Director-General's Requirements**

The Department has received your application for the West Wallsend Coal Project.

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

Please note that 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 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 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. 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.

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 Anna Bradley at the details listed above.

Yours sincerely

*David Kitto* 30/11/09

David Kitto  
**Director**  
**Major Development 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>	09_0203
<b>Project</b>	<p>The West Wallsend Coal Project, which includes:</p> <ul style="list-style-type: none"> <li>• continuing underground mining by longwall methods for a further 12 years;</li> <li>• mining up to 5.5 million tonnes per annum of run-of-mine coal;</li> <li>• using existing mine infrastructure including underground main headings, surface facilities and the No. 2 and No.3 ventilation shafts;</li> <li>• constructing and operating additional ventilation infrastructure and other services shafts;</li> <li>• operating 24 hours a day, 7 days a week; and</li> <li>• encompassing all former workings of West Wallsend Colliery under one project approval.</li> </ul>
<b>Location</b>	The Broadway, Killingworth, NSW 2278 (about 18km west of Newcastle)
<b>Proponent</b>	Oceanic Coal Australia Pty Limited
<b>Date of Issue</b>	30 November 2009
<b>General Requirements</b>	<p>The Environmental Assessment of the project must include:</p> <ul style="list-style-type: none"> <li>• an executive summary;</li> <li>• a detailed description of: <ul style="list-style-type: none"> <li>- historical mining operations;</li> <li>- existing and approved mining operations/facilities, including any statutory approvals that apply to these operations/facilities; and</li> <li>- the existing environmental management and monitoring regime;</li> </ul> </li> <li>• a detailed description of the project, including the: <ul style="list-style-type: none"> <li>- need for the project;</li> <li>- proposed modifications or upgrades to activities or infrastructure;</li> <li>- alternatives considered;</li> <li>- various components and stages of the project;</li> <li>- likely interactions between existing and proposed operations;</li> <li>- between the project and other land uses in the vicinity of the site; and</li> <li>- plans of any proposed building works;</li> </ul> </li> <li>• a risk assessment of the potential environmental impacts of the project, identifying the key issues for further assessment;</li> <li>• 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"> <li>- a description of the existing environment, using sufficient baseline data;</li> <li>- an assessment of the potential impacts of the project, including any cumulative impacts, taking into consideration any relevant guidelines, policies, plans and statutory provisions (see below);</li> <li>- 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;</li> </ul> </li> <li>• a statement of commitments, outlining all the proposed environmental management and monitoring measures;</li> <li>• 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 &amp; Assessment Act 1979</i>; and</li> <li>• a signed statement from the author of the Environmental Assessment,</li> </ul>

	certifying that the information contained within the document is neither false nor misleading.
<b>Key Issues</b>	<ul style="list-style-type: none"> <li>• <b>Subsidence</b> – including: <ul style="list-style-type: none"> <li>– baseline assessment of the surface features above underground mining areas;</li> <li>– accurate predictions of subsidence effects using best available predictive formulae, and a sensitivity analysis of these predictions;</li> <li>– a detailed assessment of the potential impacts of these subsidence effects on both the natural and built environment, paying particular attention to significant features of this environment such as the steep slopes of the Sugarloaf State Conservation Area (SCA), cliff lines, groundwater aquifers, alluvial aquifers and groundwater dependant ecosystems; and</li> <li>– details of proposed subsidence management, monitoring, reporting and remediation processes.</li> </ul> </li> <li>• <b>Biodiversity</b> – including: <ul style="list-style-type: none"> <li>– baseline flora and fauna surveys, describing vegetation communities, habitat types and species assemblages present;</li> <li>– assessment of the potential direct and indirect impacts on threatened species, their habitats, populations and ecological communities and a description of any measures taken to avoid and/or mitigate potential impacts;</li> <li>– assessment of the potential impacts on the Sugarloaf SCA; and</li> <li>– details of any measures to avoid or mitigate potential biodiversity impacts and, in instances where impacts can not be avoided, appropriate details on offset habitat packages or strategies.</li> </ul> </li> <li>• <b>Surface &amp; Ground Water</b> – including: <ul style="list-style-type: none"> <li>– a detailed assessment of potential and cumulative surface and groundwater impacts;</li> <li>– a detailed assessment of water supply, water interception and water extraction with reference to the provisions of the Hunter Unregulated Rivers and Alluvial Water Sharing Plan;</li> <li>– a detailed site water balance;</li> <li>– details of proposed erosion, sedimentation and pollution control measures and any other measures proposed to avoid and/or mitigate impacts to surface and ground water; and</li> <li>– details of the proposed surface and ground water monitoring program;</li> </ul> </li> <li>• <b>Air Quality</b> – including a detailed air quality impact assessment which takes into account the cumulative impacts of the project;</li> <li>• <b>Noise</b> – including a comprehensive noise assessment of the existing environment, potential impacts and proposed noise amelioration measures;</li> <li>• <b>Greenhouse Gases</b> – including a comprehensive assessment of the predicted scope 1, 2 and 3 greenhouse gas emissions;</li> <li>• <b>Heritage</b> – both Aboriginal and non-Aboriginal;</li> <li>• <b>Traffic &amp; Transport;</b></li> <li>• <b>Visual;</b></li> <li>• <b>Waste;</b></li> <li>• <b>Social &amp; Economic;</b> and</li> <li>• <b>Rehabilitation</b> – including a conceptual mine closure plan and a detailed description of the proposed rehabilitation strategy for the mine, taking into consideration any relevant strategic land use planning or resource management plans or policies.</li> </ul>
<b>References</b>	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 some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this project.

<b>Consultation</b>	<p>During the preparation of the Environmental Assessment, you should consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> <li>• Department of Environment, Climate Change and Water;</li> <li>• Office of Water of Department of Environment, Climate Change and Water;</li> <li>• Department of Industry and Investment;</li> <li>• Lake Macquarie Council;</li> <li>• Cessnock City Council;</li> <li>• Roads and Traffic Authority; and</li> <li>• Mine Subsidence Board.</li> </ul> <p>The consultation process and the issues raised must be described in the Environmental Assessment.</p>
<b>Deemed Refusal Period</b>	90 days

# Policies, Guidelines & Plans

<b>Subsidence</b>	
	Guideline for Application for Subsidence Management Approvals (DMR)
<b>Biodiversity</b>	
	Draft Guidelines for Threatened Species Assessment under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act) (DEC)
	NSW State Groundwater Dependent Ecosystem Policy (DLWC)
	State Environmental Planning Policy No. 44 – Koala Habitat Protection
<b>Water</b>	
Surface Water	Guidelines for Fresh and Marine Water Quality (ANZECC)
	Guidelines for Water Quality Monitoring and Reporting (ANZECC)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DECC)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (DECC)
	Managing Urban Stormwater: Soils and Construction (Landcom)
	Guideline for Controlled Activities Riparian Corridors (DWE)
Groundwater	Hunter Unregulated and Alluvial Water Sharing Plan (DECCW)
	NSW State Groundwater Policy Framework Document (DLWC)
	NSW State Groundwater Quality Protection Policy (DLWC)
	Draft NSW State Groundwater Quantity Management Policy (DLWC)
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
<b>Air Quality</b>	
	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)
<b>Noise &amp; Blasting</b>	
	NSW Industrial Noise Policy (DECC)
	Environmental Criteria for Road Traffic Noise (NSW EPA)
	Environmental Noise Control Manual (DECC)
	Interim Construction Noise Guideline (DECC)
<b>Greenhouse Gases</b>	
	National Greenhouse Accounts Factors (Australian Department of Climate Change (DCC))
	Guidelines for Energy Savings Action Plans (DEUS)
<b>Heritage</b>	
Aboriginal	Part 3A EP&A Act Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation (DoP and DEC)
Non-Aboriginal	NSW Heritage Manual (NSW Heritage Office)
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
<b>Traffic &amp; Transport</b>	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RTA)



**Waste**

Waste Classification Guidelines (DECC)

**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)

**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)