

Director General's Environmental Assessment Requirements

Section 78A(8A) of the *Environmental Planning and Assessment Act 1979*

State Significant Development

Application Number	SSD - 5465
Development	<p>The Chain Valley Colliery Mining Extension 1 proposal which includes:</p> <ul style="list-style-type: none"> • extending underground mining operations within and beyond the existing approved mine boundaries to extract up to 1.5 million tonnes per annum (Mtpa) of run-of-mine (ROM) coal until 2027; • utilising, and upgrading where required, the existing infrastructure at the mine surface facilities site; and • transporting coal by road to domestic markets and the Port of Newcastle.
Location	<p>Surface facilities located off Construction Road, Vales Point, about 35 kilometres south of Newcastle, in the Wyong LGA.</p> <p>Underground mining areas for the proposed extension are located under the waters of Lake Macquarie within the Lake Macquarie LGA.</p>
Applicant	LakeCoal Pty Limited
Date of Issue	14 August 2012
General Requirements	<p>The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in Clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>In addition, the EIS must include a:</p> <ul style="list-style-type: none"> • detailed description of the development, including: <ul style="list-style-type: none"> – need for the proposed development; – justification for the proposed mine plan, including efficiency of coal resource recovery, mine safety, and environmental protection; – likely staging of the development - including construction, operational stage/s and rehabilitation; – likely interactions between the development and existing, approved and proposed mining operations in the vicinity of the site, particularly the approved Myuna Coal Project; – plans of any proposed building works; • consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments; • risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment; • detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes: <ul style="list-style-type: none"> – a description of the existing environment, <u>using sufficient baseline data</u>; – an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes; and – a description of the measures that would be implemented to avoid, minimise and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage any significant risks to the environment; and • consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS.

Key Issues

The EIS must address the following specific issues:

- Subsidence – including a detailed quantitative and qualitative assessment of the potential conventional and non-conventional subsidence impacts of the development that includes:
 - accurate predictions of the potential subsidence effects and impacts of the development, paying particular attention to the long-term stability of final pillars, including a robust sensitivity analysis of these predictions;
 - predictions of the potential cumulative subsidence effects and impacts from the development in conjunction with overlying and adjacent mining (whether historical, approved or proposed), including a robust sensitivity analysis of these predictions;
 - a detailed assessment of the potential environmental consequences of these effects and impacts on both the natural and built environment, paying particular attention to:
 - Lake Macquarie, including its bed, seagrass beds and foreshores; and
 - other features considered to have significant economic, social, cultural or environmental values; and
 - a detailed description of the measures that would be implemented to avoid, minimise, remediate and/or offset subsidence impacts and environmental consequences (including adaptive management and proposed performance measures);
- Traffic & Transport – including:
 - a detailed assessment of potential impacts of the development on the capacity, safety and efficiency of the local and regional road network, with particular regard to the condition of the existing road network;
 - a description of the measures that would be implemented to maintain and/or improve the capacity, efficiency and safety of the road network in the surrounding area over the life of the development; and
 - an economic justification of transporting coal on public roads, including an assessment of alternative transport methods;
- Water Resources – including:
 - detailed assessment of potential impacts on the quality and quantity of existing surface and ground water resources, including detailed modelling of potential groundwater impacts;
 - a detailed site water balance, including a description of site water demands, water disposal methods (inclusive of volume and frequency of any water discharges), water supply infrastructure and water storage structures;
 - an assessment of proposed water discharge quantities quality/ies against receiving water quality and, if relevant, flow objectives;
 - identification of any licensing requirements or other approvals under the *Water Act 1912* and/or *Water Management Act 2000*; and
 - a detailed description of the proposed water management system (including sewage), water monitoring program and other measures to mitigate surface and groundwater impacts;
- Biodiversity – including:
 - a detailed assessment of potential impacts of the development on any terrestrial or aquatic threatened species or populations and their habitats, endangered ecological communities, groundwater dependent ecosystems and benthic communities in Lake Macquarie; and
 - measures taken to avoid, reduce or mitigate impacts on biodiversity;
- Noise – including a quantitative assessment of potential:
 - construction, operational and off-site transport noise impacts;
 - reasonable and feasible mitigation measures, including evidence that there are no such measures available other than those proposed; and
 - monitoring and management measures, in particular real-time and attended noise monitoring;
- Air Quality – including a quantitative assessment of potential:
 - construction and operational impacts, with a particular focus on dust emissions including PM_{2.5} and PM₁₀ emissions;
 - reasonable and feasible mitigation measures to minimise dust

	<p>emissions, including evidence that there are no such measures available other than those proposed; and</p> <ul style="list-style-type: none"> - monitoring and management measures; • Greenhouse Gases – including: <ul style="list-style-type: none"> - a quantitative assessment of potential Scope 1, 2 and 3 greenhouse gas emissions; - a qualitative assessment of the potential impacts of these emissions on the environment; and - an assessment of reasonable and feasible measures to minimise greenhouse gas emissions and ensure energy efficiency; • Rehabilitation – including the proposed rehabilitation strategy for the site, having regard to the key principles in the Strategic Framework for Mine Closure, including: <ul style="list-style-type: none"> - rehabilitation objectives, methodology, monitoring programs, performance standards and proposed completion criteria; - nominated final land use, having regard to any relevant strategic land use planning or resource management plans or policies; and - the potential for integrating this strategy with any other rehabilitation and/or offset strategies in the region. • Heritage – both Aboriginal and non-Aboriginal; • Hazards – paying particular attention to public safety, including bushfires; • Waste – including: <ul style="list-style-type: none"> - accurate estimates of the quantity and nature of the potential waste streams of the development; and - a description of measures that would be implemented to minimise production of waste on site, and ensure that that waste produced is appropriately managed; and • Social & Economic – including an assessment of the: <ul style="list-style-type: none"> - potential direct and indirect economic benefits of the development for local and regional communities and the State; - potential impacts on local and regional communities, including: <ul style="list-style-type: none"> ○ increased demand for local and regional infrastructure and services (such as housing, childcare, health, education and emergency services); and ○ impacts on social amenity; - a detailed description of the measures that would be implemented to minimise the adverse social and economic impacts of the development, including any infrastructure improvements or contributions and/or voluntary planning agreement or similar mechanism; and - a detailed assessment of the costs and benefits of the development as a whole, and whether it would result in a net benefit for the NSW community.
Plans and Documents	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Environmental Planning and Assessment Regulation 2000. These documents should be included as part of the EIS rather than as separate documents.</p>
Consultation	<p>During the preparation of the EIS, you must consult with relevant local, State and Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with the:</p> <ul style="list-style-type: none"> • Commonwealth Department of Sustainability, Environment, Water, Population and Communities; • Office of Environment and Heritage (including the Heritage Branch); • Environment Protection Authority; • Division of Resources and Energy within the Department of Trade and Investment, Regional Infrastructure and Services; • Department of Primary Industries (including the NSW Office of Water, NSW Forestry, Agriculture and Fisheries sections, Catchments and Lands (Crown Lands Division));

	<ul style="list-style-type: none"> • Transport for NSW (including the Centre for Transport Planning, and Roads and Maritime Services); • Mine Subsidence Board; • NSW Health; • Hunter Central Rivers Catchment Management Authority; • Gosford – Wyong Councils Water Authority; • Wyong Shire Council; • Newcastle City Council; and • Lake Macquarie City Council. <p>The EIS must:</p> <ul style="list-style-type: none"> • describe the consultation process used and demonstrate that effective consultation has occurred; • describe the issues raised by public authorities, service providers, community groups and landowners; • identify where the design of the development has been amended in response to issues raised; and • otherwise demonstrate that issues raised have been appropriately addressed in the assessment.
Further consultation after 2 years	If you do not lodge a DA and an EIS for the development within 2 years of the issue date of these DGRs, you must consult further with the Director-General in relation to the requirements for lodgement.
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, Attachment 1 contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this development.

ATTACHMENT 1 Technical and Policy Guidelines

The following guidelines may assist in the preparation of the Environmental Impact Statement. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

Many of these documents can be found on the following websites:

<http://www.planning.nsw.gov.au>

<http://www.bookshop.nsw.gov.au>

<http://www.publications.gov.au>

Policies, Guidelines & Plans

Risk Assessment

AS/NZS 4360:2004 Risk Management (Standards Australia)

HB 203: 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)

Biodiversity

Threatened Species Survey and Assessment Guidelines: Field Survey Methods for Fauna – Amphibians (DECCW 2009)

Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities – Working Draft (DECC 2004)

BioBanking Assessment Methodology and Credit Calculator Operational Manual (DECCW 2008)

The Threatened Species Assessment Guideline – The Assessment of Significance (DECC 2007)

NSW State Groundwater Dependent Ecosystem Policy (DLWC)

Policy & Guidelines - Aquatic Habitat Management and Fish Conservation (NSW Fisheries)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

Water Resources

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

Surface Water

NSW Government Water Quality and River Flow Objectives (DECC)

Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)

Managing Urban Stormwater: Soils & Construction (Landcom) and associated Volume 2E: Mines and Quarries (DECC).

Managing Urban Stormwater: Treatment Techniques (DECC)

Managing Urban Stormwater: Source Control (DECC)

Floodplain Development Manual (DIPNR)

Floodplain Risk Management Guideline (DECC)

A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH)

Technical Guidelines: Bunding & Spill Management (DECC)

Environmental Guidelines: Use of Effluent by Irrigation (DECC)

<i>Groundwater</i>	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	Draft NSW Aquifer Interference Policy – Stage 1(NSW Govt, 2012)
	NSW State Groundwater Policy Framework Document (DLWC, 1997)
	NSW State Groundwater Quality Protection Policy (DLWC, 1998)
	NSW State Groundwater Quantity Management Policy (DLWC, 1998)
	Murray-Darling Basin Groundwater Quality. Sampling Guidelines. Technical Report No 3 (MDBC)
	Murray-Darling Basin Commission. Groundwater Flow Modelling Guideline (Aquaterra Consulting Pty Ltd)
	Guidelines for the Assessment & Management of Groundwater Contamination (DECC, 2007)
Any relevant Water Sharing Plan for groundwater and surface water resources	
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)
Noise & Blasting	
	NSW Industrial Noise Policy (DECC)
	Environmental Noise Management – Assessing Vibration: a technical guide (DEC)
	NSW Road Noise Policy (DECCW)
	Interim Guidelines for the Assessment of Noise From Rail Infrastructure Projects (DECC)
	Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration (ANZECC)
Land Resources	
	Agricultural Impact Assessment Guidelines 2012 (DP&I)
	Agfact AC25: Agricultural Land Classification (NSW Agriculture)
	State Environmental Planning Policy No. 55 –Remediation of Land
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC)
Traffic & Transport	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RTA)
Heritage	
<i>Aboriginal</i>	Draft Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation (DEC 2005)
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
<i>Historic</i>	NSW Heritage Manual (NSW Heritage Office)
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
Greenhouse Gases	
	National Greenhouse Accounts Factors (Australian Department of Climate Change (DCC))
	Guidelines for Energy Savings Action Plans (DEUS)
Waste	
	Waste Classification Guidelines (DECC)
Hazards	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Hazardous and Offensive Development Application Guidelines - Applying SEPP 33
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis

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)

Socio-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)

ATTACHMENT 2
Agency Input into Key Assessment Issues
Provided for Domains 1 and 2 Continuation Project (10_0161)