



NSW GOVERNMENT
Department of Planning

**Major Development Assessment
Mining & Extractive Industries**
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Mr David Lee
General Manager
Wyong Areas Coal Joint Venture
PO Box 3039
TUGGERAH NSW 2259

Dear Mr Lee

**Wallarrah Coal Project (07_0170)
Director-General's Requirements**

I refer to your application for the above project.

The Department has now considered the:

- recommendations of the strategic inquiry into the *Impacts of Potential Underground Coal Mining in the Wyong Local Government Area* (Wyong Inquiry) and (to the extent that they are relevant to mining in the Wyong LGA) the recommendations of the *Strategic Inquiry into Underground Coal Mining in the Southern Coalfield*;
- issues raised in public submissions, on both the recommendations of the Wyong Inquiry and the matters that should be addressed in any environmental assessment of the Wallarrah Coal Project under Part 3A of the *Environmental Planning & Assessment Act 1979*; and
- specific environmental assessment requirements of relevant Government agencies.

Following this consideration, the Department has prepared the Director-General's requirements for the environmental assessment of the project. Please note that the Director-General may alter these requirements at any time.

The Department is aware that the project needs a separate approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). As the EPBC approval process will be integrated with the NSW approval process under the current bilateral agreement, the Department has included the Department of Environment, Water, Heritage and the Arts' environmental assessment requirements for the project into the Director-General's requirements.

Given the high level of public interest in the project, it is critically important that you ensure that the environmental assessment of the project complies with the Director-General's requirements, and provides an accurate and technically robust assessment of the potential impacts of the project. The environmental assessment must clearly demonstrate that the project is in the public interest, and can be carried out without compromising the integrity of the Central Coast's water supply or causing unacceptable impacts on either the community or the environment.

As you are aware, the Minister has announced that she will:

- refer the project to the Planning Assessment Commission (PAC) for an independent review of the major issues associated with the project;
- appoint an independent expert to review the adequacy of the surface and groundwater data in the sub-catchments that will be affected by the project; and
- commission an international peer review of this water review.

This will ensure that the merits of the project are assessed by some of the best technical experts in the country, just as it will ensure that the general public is given an opportunity to attend public hearings and make detailed submissions on the project.

The specific composition of the PAC's expert panel and its terms of reference for the independent review of the project will be announced in due course, along with the experts for the water review.

I would appreciate it if you would contact the Department at least two weeks before you propose to submit your environmental assessment of the project. This will enable the Department to determine the:

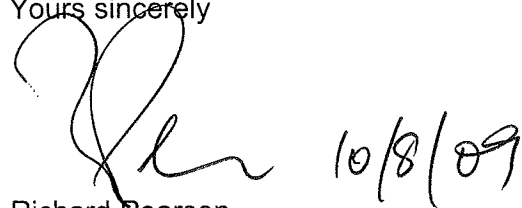
- applicable fee (see Division 1A, Part 15 of the *Environmental Planning & Assessment Regulation 2000*); and
- number of copies (hard-copy or CD-ROM) of the environmental assessment that will be required for exhibition purposes.

Once you submit the environmental assessment of the project, both the PAC and the Department of Planning will review the documentation to ensure that it adequately addresses the Director-General's requirements. If either the PAC or the Department consider the environmental assessment of the project to be inadequate, then you will be required to revise it prior to public exhibition.

At this stage, I can advise that the Department is likely to exhibit the environmental assessment of the project for at least 60 days to ensure that both the agencies and the general public have sufficient time to review the detailed technical information in the environmental assessment.

If you have any enquiries about these requirements or the proposed assessment process for the project, please contact David Kitto, Director of the Department's Major Development Assessment branch (9228 6487).

Yours sincerely



Richard Pearson
Deputy Director-General
Development Assessment and Systems Performance
As delegate for the Director-General