

**Major Projects Assessment****Mining & Industry Projects**

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Our Ref: 10/21705

Mr Ian Follington  
Chief Executive Officer  
Coalpac Pty Ltd  
Invincible Colliery  
Castlereagh Highway  
CULLEN BULLEN NSW 2790

Dear Mr Follington,

**Coalpac Consolidation Project (10\_0178)  
Director-General's Requirements**

The Department has received your application for the Coalpac Consolidation 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.

The Department expects that the project will require separate approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and that the EPBC approval process will be integrated with the NSW approval process. The Department is aware that the project is not yet subject to a declaration as a controlled action under the EPBC Act. Nonetheless, the Commonwealth Department of Sustainability Environment, Water, Population and Communities (DSEWPC) has provided some preliminary advice on the project which has been attached to these requirements. However, if the project is subsequently declared to be a controlled action, I would appreciate it if you would advise the Department accordingly as supplementary requirements may need to be issued for the project.

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

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

Once it receives the EA, 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 EA to be hosted on a suitable website.

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

Yours sincerely



Howard Reed 16.12.10  
**A/Director**  
**Mining and Industry**  
As delegate for the Director-General

# Director-General's Requirements

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

<b>Application Number</b>	10_0178
<b>Project</b>	<p>The Coalpac Consolidation Project, which includes:</p> <ul style="list-style-type: none"> <li>expanding open cut and high wall mining areas, clearing approximately 995 hectares of vegetation, to gain access up to an additional 83 million tonnes of coal resource;</li> <li>upgrading and building associated infrastructure to produce up to 3.5 million tonnes of product coal a year for domestic and international markets;</li> <li>producing up to 640,000 tonnes of sand products a year for transport to domestic markets; and</li> <li>consolidating existing development consents and project approvals for the Cullen Valley Coal Mine and the Invincible Colliery.</li> </ul>
<b>Location</b>	Cullen Bullen (about 25 kilometres north west of Lithgow)
<b>Proponent</b>	Coalpac Pty Limited
<b>Date of Issue</b>	16 December 2010
<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>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> <li>the existing, approved, and proposed mining operations in the vicinity of the site;</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>alternatives considered including justification for the proposed mine plan;</li> <li>likely staging of the project;</li> <li>likely interactions between the project and existing, approved and proposed mining operations 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, <u>including any cumulative impacts</u>, taking into consideration any relevant guidelines, policies, plans and statutory provisions (see below); and</li> <li>a description of the measures that would be implemented to avoid, minimise and if necessary, 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</li> </ul>

<p><b>Key Issues</b></p>	<ul style="list-style-type: none"> <li>• <b>Biodiversity</b> – including: <ul style="list-style-type: none"> <li>– measures taken to avoid, reduce or mitigate impacts on biodiversity;</li> <li>– accurate estimates of proposed vegetation clearing;</li> <li>– a detailed assessment of the potential impacts of the project on any: <ul style="list-style-type: none"> <li>○ terrestrial or aquatic threatened species or populations and their habitats, endangered ecological communities and water dependent ecosystems; and</li> <li>○ regionally significant remnant vegetation, or vegetation corridors; and</li> </ul> </li> <li>– a comprehensive offset strategy to ensure the project maintains or improves the terrestrial and aquatic biodiversity values of the region in the medium to long term (in accordance with NSW and Commonwealth policies), and considers offsets or compensation in relation to forestry production;</li> </ul> </li> <li>• <b>Traffic &amp; Transport</b> – including: <ul style="list-style-type: none"> <li>– economic justification of transporting coal and sand products on public roads, including an assessment of the costs and benefits of alternative transport methods;</li> <li>– an assessment of the potential traffic impacts from the proposal on the safety and efficiency of the rail and road networks; and</li> <li>– a description of the measures that would be implemented to upgrade and/or maintain rail and road infrastructure over the life of the project;</li> </ul> </li> <li>• <b>Air Quality</b> – including a quantitative assessment of potential: <ul style="list-style-type: none"> <li>– construction, operational and blasting impacts;</li> <li>– reasonable and feasible mitigation measures, including costing of the proposed measures;</li> <li>– monitoring and management measures, in particular real-time and attended air quality monitoring (including predictive meteorological modelling) to facilitate reactive management of activities to ensure impacts are within relevant criteria and goals throughout the life of the project;</li> </ul> </li> <li>• <b>Noise &amp; Blasting</b> – including a quantitative assessment of potential: <ul style="list-style-type: none"> <li>– construction, operational, transport and offsite rail and road noise impacts;</li> <li>– blasting impacts on people, livestock and property;</li> <li>– reasonable and feasible mitigation measures, including costing of the proposed measures;</li> <li>– monitoring and management measures, in particular real-time and attended noise monitoring (including predictive meteorological modelling) to facilitate reactive management of noise to ensure impacts are within relevant criteria and goals throughout the life of the project;</li> </ul> </li> <li>• <b>Heritage</b> – both Aboriginal and non-Aboriginal, including a landscape heritage assessment;</li> <li>• <b>Soil and Water</b> – including: <ul style="list-style-type: none"> <li>– a detailed project water balance, including a description of site water demands, water disposal methods, water supply infrastructure and water storage structures;</li> <li>– a detailed assessment of potential impacts on: <ul style="list-style-type: none"> <li>○ the quality and quantity of existing surface and ground water resources;</li> <li>○ affected licensed water users and basic landholder rights; and</li> <li>○ environmental flows;</li> </ul> </li> <li>– a detailed description of the proposed water management system and water monitoring program for the project and other measures to mitigate surface and groundwater impacts; and</li> <li>– detailed assessment of the likely impacts on soil and the proposed soil management measures to avoid, mitigate or offset those impacts;</li> </ul> </li> </ul>
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	<ul style="list-style-type: none"> <li>• <b>Visual</b> - including a detailed assessment of the pre-mining, operational and proposed post mining landforms;</li> <li>• <b>Rehabilitation</b> - a detailed description of the proposed rehabilitation strategy for the project area having regard to the key principles in the Strategic Framework for Mine Closure, including: <ul style="list-style-type: none"> <li>– rehabilitation objectives, methodology, monitoring programs, performance standards and proposed completion criteria; and</li> <li>– the potential for integrating this strategy with any other offset and rehabilitation strategies in the area;</li> </ul> </li> <li>• <b>Greenhouse Gases</b> – including: <ul style="list-style-type: none"> <li>– a quantitative assessment of the potential scope 1, 2 and 3 greenhouse gas emissions of the project;</li> <li>– a qualitative assessment of the potential impacts of these emissions on the environment; and</li> <li>– an assessment of all reasonable and feasible measures that could be implemented to minimise greenhouse gas emissions and ensure energy efficiency;</li> </ul> </li> <li>• <b>Waste</b> - including: <ul style="list-style-type: none"> <li>– accurate estimates of the quantity and nature of the potential waste streams of the project, including tailings, coarse reject and sand processing waste; and</li> <li>– a detailed description of the measures that would be implemented to minimise the production of waste on site, and ensure that any waste produced is appropriately handled and disposed of;</li> </ul> </li> <li>• <b>Hazards</b> - including bushfires; and</li> <li>• <b>Social &amp; Economic</b> - including: <ul style="list-style-type: none"> <li>– an assessment of the potential impacts of the project on the local and regional community;</li> <li>– an assessment of the demand the project may generate for the provision of additional infrastructure and services; and</li> <li>– a detailed assessment of the costs and benefits of the project as a whole, and whether it would result in a net benefit for NSW.</li> </ul> </li> </ul>
<b>References</b>	<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 some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this project.</p>
<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 the:</p> <ul style="list-style-type: none"> <li>• Commonwealth Department of Sustainability, Environment, Water, Population and Communities;</li> <li>• Department of Environment, Climate Change and Water, including the NSW Office of Water;</li> <li>• Industry and Investment NSW, including Forestry NSW;</li> <li>• Roads and Traffic Authority;</li> <li>• Australian Rail Track Corporation;</li> <li>• Lithgow City Council;</li> <li>• Central West Catchment Management Authority; and</li> <li>• Sydney Catchment Authority.</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

## 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 November 2004  
 Draft Guidelines for Threatened Species Assessment under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) (DEC)  
 NSW State Groundwater Dependent Ecosystem Policy (DLWC)  
 Policy & Guidelines - Aquatic Habitat Management and Fish Conservation (NSW Fisheries)  
 Policy & Guidelines - Fish Friendly Waterway Crossings (NSW Fisheries)  
 State Environmental Planning Policy No. 44 – Koala Habitat Protection

## Traffic & Transport

Guide to Traffic Generating Development (RTA)  
 Road Design Guide (RTA)

## 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)  
 Environmental Criteria for Road Traffic Noise (NSW EPA)  
 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 (ANZEC)  
 Interim Construction Noise Guideline (DECC)  
 DIN 4150 Part 3 - Structural Vibration: effects of vibration on structures (ISO, 1999)

## Heritage

*Aboriginal* Draft 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)

## Soil & Water

*Soil* Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC)  
 Rural Land Capability Mapping (DLWC)  
 Agricultural Land Classification (DPI)

*Surface Water* 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
	Gazetted relevant Water Sharing Plan
	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)
	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)
Groundwater	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	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)
<b>Rehabilitation</b>	
	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)
<b>Greenhouse Gases</b>	
	National Greenhouse Accounts Factors (Australian Department of Climate Change (DCC))
	Guidelines for Energy Savings Action Plans (DEUS)
<b>Waste</b>	
	Waste Classification Guidelines (DECC)
<b>Hazards</b>	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DUAP)
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
<b>Social &amp; Economic</b>	
	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)