



NSW GOVERNMENT  
**Department of Planning**

**Major Project Assessment  
Industry & Mining**  
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Mr Ian Callow  
Project Manager  
Moolarben Coal Mines Pty Ltd  
PO BOX 1320  
North Sydney NSW 2059

Our Ref: S04/01440

Dear Mr Callow

**Director-General's Requirements  
Moolarben Coal Project  
Proposed Modification (05\_0117 MOD 3)**

The Department has received your application to modify the Minister's approval of the Moolarben Coal Project.

I have attached a copy of the Director-General's requirements for the proposed modification.

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 may need to be issued.

I would appreciate it if you would contact the Department before you propose to submit your Environmental Assessment for the proposed modification. This will enable the Department to determine the:

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

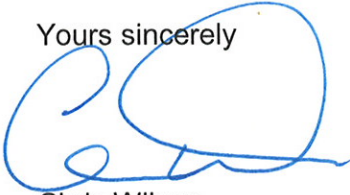
Once it receives the Environmental Assessment, the Department will review it to determine if it adequately addresses the Director-General's requirements, and may require you to revise it prior to public exhibition.

The Department is required to make all the relevant information associated with the proposed modification 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.

If you have any enquiries about these requirements, please contact Belinda Parker on 9228 6306 or [belinda.parker@planning.nsw.gov.au](mailto:belinda.parker@planning.nsw.gov.au).

Yours sincerely



18.2.09

Chris Wilson  
**Executive Director**  
**Major Project Assessment**  
As delegate for the Director-General

# Director-General's Requirements

## Section 75W of the *Environmental Planning and Assessment Act 1979*

<b>Application Number</b>	05_0117 MOD 3
<b>Proposed Modification</b>	<p>Modification of the Moolarben Coal Project (MCP), which includes:</p> <ul style="list-style-type: none"> <li>• augmenting, upgrading and using the approved Stage 1 infrastructure area at the mine to cater for both Stages 1 and 2 of the project;</li> <li>• receiving, handling, storing and loading coal from Stage 2 of the project;</li> <li>• processing up to 17 million tonnes of run-of-mine coal a year from both Stages 1 and 2 of the project (i.e. 5 Mtpa from Stage 2);</li> <li>• transporting up to 13 million tonnes of product coal a year from Stages 1 and 2 of the project to domestic and export markets by rail (i.e. 3 Mtpa increase);</li> <li>• relocating the two drift entries, run-of-mine coal stockpile and pit top facilities for the Underground No. 4 mine from within the Stage 1 infrastructure area to the Open Cut 1 north east highwall;</li> <li>• extending the operational life of the approved Stage 1 infrastructure at the mine until 2033;</li> <li>• disposing of coal rejects onsite; and</li> <li>• rehabilitating the site.</li> </ul>
<b>Location</b>	Approximately 40km north east of Mudgee and 25km east of Gulgong
<b>Proponent</b>	Moolarben Coal Pty Ltd
<b>Date of Issue</b>	18 February 2009
<b>General Requirements</b>	<p>The Environmental Assessment of the proposed modification 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>- the existing and approved mining operations and infrastructure on site, including a copy of all statutory approvals that apply to these operations and infrastructure; and</li> <li>- the environmental management and monitoring regime onsite;</li> </ul> </li> <li>• a detailed description of the proposed modification, including a justification for the proposed modification;</li> <li>• a risk assessment of the potential environmental impacts of the proposed modification, 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 proposed modification, taking into consideration any relevant statutory provisions and technical or policy guidelines (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 proposed modification, 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 proposed modification on economic, social and environmental grounds, taking into consideration whether the proposed modification 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, certifying that the information contained within the document is neither false nor misleading.</li> </ul>

<b>Key Issues</b>	<ul style="list-style-type: none"> <li>• <b>Air Quality;</b></li> <li>• <b>Noise</b> – including potential construction, operational and off-site road and rail noise impacts;</li> <li>• <b>Soil &amp; Water</b> – including: <ul style="list-style-type: none"> <li>- a revised site water balance, which includes a detailed description of the measures that would be implemented to minimise water use on site and ensure that there is a secure water supply for processing coal from both Stages 1 &amp; 2 of the Moolarben Coal Project;</li> <li>- a detailed assessment of the potential impacts of the modified project on the quantity, quality and long-term integrity of the surface and ground water resources in the project area, paying particular attention to all significant watercourses and their associated tributaries;</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 modified project;</li> <li>- a detailed description of the measures that would be implemented to minimise, reuse, recycle and dispose of any waste produced on site, including a revised coal reject and tailings disposal strategy;</li> </ul> </li> <li>• <b>Rehabilitation</b> – including a revised rehabilitation strategy for the project, taking into consideration any relevant strategic land use planning or resource management plans or policies; and</li> <li>• <b>Social &amp; Economic.</b></li> </ul>
<b>References</b>	While not exhaustive, the following attachment contains a list of guidelines, policies, and plans that may be relevant to the environmental assessment of the proposed modification.
<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 or affected landowners.</p> <p>The consultation process, and the issues raised during this process, must be described in the Environmental Assessment.</p>
<b>Deemed Refusal Period</b>	40 days

# Policies, Guidelines & Plans

Aspect	Policy /Methodology
<b>Risk Assessment</b>	<p>AS/NZS 4360:2004 Risk Management (Standards Australia)</p> <p>HB 203: 203:2006 Environmental Risk Management – Principles &amp; Process (Standards Australia)</p>
<b>Air Quality</b>	<p>Protection of the Environment Operations (Clean Air) Regulation 2002</p> <p>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC)</p> <p>Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)</p>
<b>Noise</b>	<p>NSW Industrial Noise Policy (DECC)</p> <p>Environmental Criteria for Road Traffic Noise (NSW EPA)</p> <p>Environmental Noise Control Manual (DECC)</p>
<b>Soil and Water</b>	<p>Rural Land Capability Mapping (DLWC)</p> <p>Agricultural Land Classification (DPI)</p> <p>Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC &amp; NHMRC)</p> <p>National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC)</p> <p>Draft Guidelines for the Assessment &amp; Management if Groundwater Contamination (DECC)</p> <p>State Environmental Planning Policy No. 55 – Remediation of Land</p> <p>Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (DOP)</p>
<i>Soil</i>	
<i>Surface Water</i>	<p>National Water Quality Management Strategy: Water quality management - an outline of the policies (ANZECC/ARMCANZ)</p> <p>National Water Quality Management Strategy: Policies and principles - a reference document (ANZECC/ARMCANZ)</p> <p>National Water Quality Management Strategy: Implementation guidelines (ANZECC/ARMCANZ)</p> <p>National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)</p> <p>National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)</p> <p>Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC)</p> <p>State Water Management Outcomes Plan</p> <p>NSW Government Water Quality and River Flow Environmental Objectives (DECC)</p> <p>Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)</p> <p>Drinking Water Catchments Regional Environmental Plan No. 1</p> <p>Managing Urban Stormwater: Soils &amp; Construction (Landcom)</p> <p>Managing Urban Stormwater: Treatment Techniques (DECC)</p> <p>Managing Urban Stormwater: Source Control (DECC)</p> <p>Floodplain Management Manual (DNR)</p> <p>Floodplain Risk Management Guideline (DECC)</p> <p>A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH)</p> <p>Technical Guidelines: Bunding &amp; Spill Management (DECC)</p>

	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)
	Environmental Guidelines: Use of Effluent by Irrigation (DECC)
	A Rehabilitation Manual for Australian Streams (LWRRDC)
<i>Groundwater</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)
<b>Waste</b>	
	Waste Avoidance and Resource Recovery Strategy 2007 (DECC)
	Environmental Guidelines: Solid Waste Landfills (EPA)
	Environmental Guidelines: Assessment, Classification, and Management of Non-Liquid and Liquid Waste (EPA)
<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)
<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)