

Director-General's Requirements

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

Project	<p>The proposed Moolarben Coal project and associated infrastructure, which includes the:</p> <ul style="list-style-type: none"> • establishment and operation of three open cut coal mines and an underground coal mine, and associated infrastructure including a coal handling and preparation plant and rail facilities; • production of approximately 12 million tonnes of run-of-mine coal a year; and • rehabilitation of the site.
Site	Approximately 40km north east of Mudgee and 25km east of Gulgong
Proponent	Moolarben Coal Pty Limited
Date of Issue	16 March 2006
Date of Expiration	16 March 2008
General Requirements	<p>The Environmental Assessment (EA) must include</p> <ul style="list-style-type: none"> • an executive summary; • a detailed description of the project including the: <ul style="list-style-type: none"> – need for the project; – alternatives considered; and – various components and stages of the project; • consideration of any relevant statutory provisions; • an environmental risk analysis of the project which takes into consideration the issues raised during consultation; • a detailed assessment of the key issues specified below, which includes: <ul style="list-style-type: none"> – description of the existing environment; – an assessment of the potential impacts of the project; – a description of the measures that would be implemented to avoid, minimise, mitigate, offset, manage, and/or monitor the impacts of the project; • a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures; • a conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest; • a signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading.
Key Issues	<ul style="list-style-type: none"> • Surface and Groundwater - including detailed modelling of potential surface and groundwater impacts, a site water balance, and a detailed description of any proposed creek diversions. A surface and groundwater contingency strategy must be included as part of the mitigation measures for the project which details the measures proposed to protect environmental flows and the water supply of landowners in the region; • Subsidence – including impacts on surface and groundwater resources, cliff lines and other geological formations, cultural sites, areas of public access, and surface infrastructure including roads, utilities, buildings and other structures; • Flora and Fauna – including impacts on critical habitats, threatened species, populations, ecological communities, native vegetation and adjacent national park estate. A comprehensive offset strategy must be included as part of the mitigation measures for the project to ensure that there is no net loss of flora and fauna values in the area in the medium to long term;

	<ul style="list-style-type: none"> • Rehabilitation, Final Landform and Final Void Management – including a justification of the proposed final land use for the site in relation to the strategic land use objectives for the Mudgee/Gulgong area; a detailed description of how the site would be progressively rehabilitated and integrated into the biodiversity offset strategy for the project; and the measures which would be put in place for the long term protection and management of the site (and any off-site biodiversity offset areas) following cessation of mining; • Noise – including construction, operation, and on-site and off-site road and rail noise impacts; • Blasting and Vibration; • Air Quality – including a detailed greenhouse gas assessment; • Heritage - both Aboriginal and non-Aboriginal; • Visual; • Traffic and Transport; • Social and Economic; and • Cumulative Impacts – potential cumulative impacts (particularly on surface and groundwater, flora and fauna, noise, and air quality) that may arise from the combined operation of the mine, together with the Ulan Coal Mine and the Wilpinjong Coal Mine.
References	The Environmental Assessment must take into account relevant State government technical and policy guidelines. While not exhaustive, guidelines which may be relevant to the project are included in the attached list.
Consultation	<p>During the preparation of the Environmental Assessment, you must consult with the relevant local and State government authorities, service providers, community groups, affected landowners and any affected Commonwealth government authorities.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> • Department of Environment and Conservation; • Department of Natural Resources; • Department of Primary Industries; • Australian Rail Track Corporation; • NSW Roads and Traffic Authority; and • Mid-Western Regional Council. <p>The consultation process and the issues raised must be described in the Environmental Assessment.</p>
Deemed refusal period	120 days

State Government Technical and Policy Guidelines - For Reference

Aspect	Policy /Methodology
Soil and Water	
	<ul style="list-style-type: none"> • <i>Managing Urban Stormwater: Soils & Construction</i> (Landcom); • <i>Guidelines for Fresh and Marine Water Quality</i> (ANZECC); • <i>Rehabilitation Manual for Australian Streams</i> (Land and Water Resources Research and Development Corporation); • <i>NSW State Rivers and Estuaries Policy</i> (DNR); • the various <i>State Groundwater Policy</i> documents (DNR); • <i>Approved Methods for the Sampling and Analysis of Water Pollutants in NSW</i> (DEC); • <i>Environmental Guidelines: Use of Effluent by Irrigation</i> (DEC);
Flora and Fauna	
	<ul style="list-style-type: none"> • draft <i>Guidelines for Threatened Species Assessment</i> (DEC); • <i>Threatened Biodiversity Survey and Assessment: Guidelines for Development and Activities</i> (DEC); • <i>Guidelines for Developments Adjoining Department of Environment Conservation Land</i> (DEC); • <i>NSW Groundwater Dependent Ecosystem Policy</i> (DNR); • <i>Policy and Guidelines for Fish Friendly Waterway Crossings</i> (DPI);
Blasting and Vibration	
	<ul style="list-style-type: none"> • <i>Technical Basis for Guidelines to Minimise Annoyance due to Blasting and Ground Vibration</i> (ANZECC);
Noise	
	<ul style="list-style-type: none"> • <i>NSW Industrial Noise Policy</i> (DEC); • <i>Environmental Criteria for Road Traffic Noise</i> (DEC); • <i>Environmental Noise Control Manual</i> (DEC);
Air Quality	
	<ul style="list-style-type: none"> • <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</i> (DEC);
Heritage	
	<ul style="list-style-type: none"> • draft <i>Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation</i> (DEC); • <i>Assessing Heritage Significance</i> (NSW Heritage Office); • <i>NSW Heritage Manual</i> (NSW Heritage Office);
Traffic	
	<ul style="list-style-type: none"> • <i>Guide to Traffic Generating Development and Road Design Guide</i> (RTA); • <i>RTA Road Design Guide</i> (RTA); • relevant Austroad standards;
Rehabilitation	
	<ul style="list-style-type: none"> • <i>Guidelines for Rehabilitation of Land for Agricultural End Use</i> (DPI);
Waste	
	<ul style="list-style-type: none"> • <i>Environmental Guidelines: Assessment and Classification and Management of Liquid and Non-Liquid Wastes</i> (DEC).