
Appendix 1 Department of Planning
Director General's Requirements

Director-General's Requirements

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

Application Number	DA 309-11-2001 MOD 6
Proposal	The Bowmans Creek Diversion Proposal, which includes: <ul style="list-style-type: none"> • extracting approximately 2.7 million tonnes of run-of-mine coal from within existing mining leases by longwall mining methods in four coal seams; • constructing two realignments of Bowmans Creek; and • deleting development consent condition 1.18.
Location	Approximately 14 kilometres northwest of Singleton
Proponent	Ashton Coal Operations Limited
Date of Issue	7 September 2009
General Requirements	<p>The Environmental Assessment of the proposal must include:</p> <ul style="list-style-type: none"> • an executive summary; • a detailed description of: <ul style="list-style-type: none"> - existing and approved mining operations in the vicinity of the site; - historical mining operations on the site; - existing and approved mining operations and infrastructure on the site, including a copy of all relevant statutory approvals; - any existing and/or approved biodiversity and heritage offset areas relating to these operations; and - the existing environmental management regimes for these operations; • a detailed description of the proposal, including the: <ul style="list-style-type: none"> - need for the proposal; - alternatives considered, including justification for the proposed mine plan; - likely staging of the proposal; - likely interactions between the proposal and existing and approved mining operations; and - projected life of the proposal; • a risk assessment of the potential environmental impacts of the proposal, identifying the key issues for further assessment; • a 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, using sufficient baseline data; - an assessment of the potential impacts of all stages of the proposal on this environment, including any cumulative impacts, taking into consideration any relevant laws, policies, guidelines and plans; and - a description of the measures that would be implemented to avoid, minimise, and if necessary offset the potential impacts of the proposal; • a statement of commitments, outlining the proposed environmental management and monitoring measures; • a conclusion justifying the proposal, taking into consideration the economic, social and environmental impacts of the proposal as a whole; and whether the proposal is consistent with the objects of the <i>Environmental Planning & Assessment Act 1979</i>; and • a signed statement from the author of the Environmental Assessment, certifying that the information contained within the document is neither false nor misleading.

<p>Key Issues</p>	<ul style="list-style-type: none"> • Subsidence – including accurate predictions of the potential subsidence effects and an assessment of the potential impacts of these subsidence effects on the natural and built environment, with particular reference to Bowmans Creek and the associated riparian environment; • Soil and Water; including: <ul style="list-style-type: none"> - a detailed assessment of the potential impacts of the proposal, using appropriate quantitative modelling, on: <ul style="list-style-type: none"> ○ the quantity and quality of both surface and ground water resources, with particular reference to alluvial groundwater; ○ water users, both in the vicinity of and downstream of the project; ○ the riparian and ecological values of the watercourses both on site and downstream of the proposal; ○ environmental flows; and ○ flooding; - a comparison of these impact predictions against those associated with the existing mine plan, including detailed explanations for any differences; - plans for the proposed realignments of Bowmans Creek, including: <ul style="list-style-type: none"> ○ detailed design and completion criteria; ○ timeframes; ○ a detailed assessment of the environmental, hydrogeological, hydrological and geomorphic considerations of the final alignment; and - a revised site water balance for the Ashton Coal Project; • Biodiversity – including: <ul style="list-style-type: none"> - accurate predictions of any proposed vegetation clearing; and - a detailed assessment of the potential impacts of the proposal on any terrestrial and aquatic threatened species, populations, ecological communities or their habitats; • Aboriginal Heritage; • Air Quality & Noise; and • Rehabilitation – including details for the long-term management of additional reject and tailings material.
<p>References</p>	<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 proposal.</p>
<p>Consultation</p>	<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>In particular you must consult with the:</p> <ul style="list-style-type: none"> • Department of Environment, Climate Change and Water, including its Office of Water; • Department of Industry and Investment; • Roads and Traffic Authority; and • Singleton Shire Council. <p>The consultation process, and the issues raised during this process, must be described in the Environmental Assessment.</p>
<p>Deemed refusal period</p>	<p>60 days</p>

Policies, Guidelines & Plans

Aspect	Policy /Methodology
Risk Assessment	AS/NZS 4360:2004 Risk Management (Standards Australia) HB 203: 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)
Subsidence	Guideline for Application for Subsidence Management Approvals (DMR)
Soil and Water	Rural Land Capability Mapping (DLWC) Agricultural Land Classification (DPI)
<i>Soil</i>	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC) National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC, 1999) State Environmental Planning Policy No. 55 – Remediation of Land Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (DOP)
<i>Surface Water</i>	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 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 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) NSW State Groundwater Policy Framework Document (DLWC) NSW State Groundwater Quality Protection Policy (DLWC) Draft NSW State Groundwater Quantity Management Policy (DLWC) 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)
Biodiversity	Draft Guidelines for Threatened Species Assessment under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> (DEC) NSW 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
	Guidelines for Developments Adjoining DEC Land (DEC)
Aboriginal Heritage	
	Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC, 2005)
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
	NSW Heritage Manual (NSW Heritage Office & DUAP)
Air Quality	
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA)
Greenhouse Gas	
	National Greenhouse Accounts (NGA) Factors (AGO)
Noise	
	NSW Industrial Noise Policy (EPA)
Social & 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)