



# Appendix 1B

## Director General's Requirements

South East Open Cut Project  
&  
Modification to the  
Existing ACP Consent





NSW GOVERNMENT  
**Department of Planning**

**Major Projects Assessment**

**Mining**

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SYDNEY NSW 2001

Mr Peter Barton  
General Manager  
Ashton Coal Operations Ltd  
PO BOX 699  
SINGLETON NSW 2330

Our Ref: S03/00074-28

Dear Mr Barton

**Ashton Open Cut Coal Project (08\_0182 and DA 309-11-2001 MOD 5)  
Director-General's Requirements**

I refer to your applications for the Ashton Open Cut Coal 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 public authorities, and are based on the information you have provided to date. I have also attached a copy of the authorities' comments for your information.

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 at least two weeks before you propose to submit the Environmental Assessment for the project. This will enable the Department to determine the:

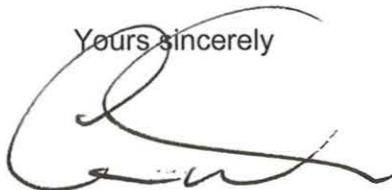
- applicable fee (see Division 1A, Part 15 of the Environmental Planning and Assessment Regulation 2000); and
- number of copies (hard-copy and CD-ROM) of the Environmental Assessment that will be required for exhibition purposes.

Once the Department receives the Environmental Assessment, it 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 Environmental Assessment to be hosted on a suitable website during the assessment process.

If you have any enquiries about these requirements, please contact Rohan Tayler on 9228 6465 or [rohan.tayler@planning.nsw.gov.au](mailto:rohan.tayler@planning.nsw.gov.au).

Yours sincerely



20.5.09

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

# Director-General's Requirements

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

<b>Application Numbers</b>	08_0182 and DA 309-11-2001 MOD 5
<b>Project</b>	<p>The Ashton Open Cut Coal Project, which includes:</p> <ul style="list-style-type: none"> <li>• constructing a new open-cut pit in an area approximately 3km to the south of the existing North Open Cut, for the extraction of approximately 20.6 million tonnes of run-of-mine coal over 7 years, at a maximum extraction rate of 3.6 million tonnes a year;</li> <li>• increasing the maximum extraction rate of the existing underground operations from 2.95 to 5 million tonnes run-of-mine coal a year (bringing the overall maximum extraction rate from both underground and open-cut mining operations to 8.6 million tonnes a year);</li> <li>• upgrading, augmenting and using the existing surface infrastructure at the mine, including processing and rail loading facilities;</li> <li>• disposal of coal rejects and tailings from both open-cut and underground operations in the final void; and</li> <li>• rehabilitating the site.</li> </ul>
<b>Location</b>	Approximately 14km northwest of Singleton
<b>Proponent</b>	Ashton Coal Operations Pty Limited
<b>Date of Issue</b>	19 May 2009
<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 in the vicinity of the site;</li> <li>- historical mining operations on the site;</li> <li>- existing and approved mining operations and infrastructure on the site, including a copy of all relevant statutory approvals;</li> <li>- any existing and/or approved biodiversity and heritage offset areas relating to these operations; and</li> <li>- the existing environmental management regimes for these operations;</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 and approved mining operations; 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 all stages of the project on this environment, including any cumulative impacts, taking into consideration any relevant laws, policies, guidelines and plans, and the findings of the Independent Review of Cumulative Impacts on Camberwell Village; 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 the proposed environmental management and monitoring measures;</li> </ul>

	<ul style="list-style-type: none"> <li>• a conclusion justifying the project, taking into consideration: the suitability of the site; the economic, social and environmental impacts of the project as a whole; and whether the project 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>
<p><b>Key Issues</b></p>	<ul style="list-style-type: none"> <li>• <b>Air Quality</b> – including a quantitative assessment of the potential air quality impacts of the project;</li> <li>• <b>Noise &amp; Blasting</b> – including a quantitative assessment of the potential: <ul style="list-style-type: none"> <li>- construction, operational and off-site road and rail noise impacts;</li> <li>- blasting impacts of the project on people, livestock and property (paying particular attention to those properties with heritage significance);</li> </ul> </li> <li>• <b>Soil &amp; Water</b> – including: <ul style="list-style-type: none"> <li>- a site water balance for the project;</li> <li>- a detailed assessment of the potential impacts of the project, using quantitative modelling, on: <ul style="list-style-type: none"> <li>o the quantity and quality of both surface and ground water resources;</li> <li>o water users, both in the vicinity of and downstream of the project;</li> <li>o the riparian and ecological values of the watercourses both on site and downstream of the project;</li> <li>o environmental flows; and</li> <li>o flooding;</li> </ul> </li> <li>- detailed design plans for the proposed levee, including a clear demonstration that there would be no adverse effects on the integrity of the watercourses to the west of the pit boundary;</li> </ul> </li> <li>• <b>Biodiversity</b> – including: <ul style="list-style-type: none"> <li>- accurate predictions of the proposed vegetation clearing;</li> <li>- a detailed assessment of the potential impacts of the project on any terrestrial and aquatic threatened species, populations, ecological communities or their habitats; and</li> <li>- an offset strategy to ensure that the project will maintain or improve the biodiversity conservation value of the region;</li> </ul> </li> <li>• <b>Transport</b> – including: <ul style="list-style-type: none"> <li>- accurate predictions of the road and rail traffic of the project;</li> <li>- a detailed assessment of the potential impacts of this traffic on the capacity, efficiency, and safety of the road and rail networks; and</li> </ul> </li> <li>• <b>Heritage</b> – both Aboriginal and non-Aboriginal;</li> <li>• <b>Visual</b> – including detailed specifications for the proposed environmental bund adjacent to the New England Highway and accurate estimates of the construction timeframes;</li> <li>• <b>Greenhouse Gas</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 on site to minimise the greenhouse gas emissions of the project and ensure it is energy efficient;</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 and coarse reject; 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>Rehabilitation</b> – including a detailed description of the proposed rehabilitation strategy for the project area, having particular regard to: <ul style="list-style-type: none"> <li>- the key objectives and principles in the Strategic Framework for Mine</li> </ul> </li> </ul>

	<p>Closure (ANZMEC/MCA);</p> <ul style="list-style-type: none"> <li>- any relevant strategic land use planning or resource management plans or policies;</li> <li>- the potential for integrating this strategy with any other offset strategies in the region;</li> </ul> <ul style="list-style-type: none"> <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, paying particular attention to its potential impact on the village of Camberwell, and the demand it 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 the NSW community.</li> </ul> </li> </ul>
<b>References</b>	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.
<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>In particular you must consult with the:</p> <ul style="list-style-type: none"> <li>• Department of Environment and Climate Change;</li> <li>• Department of Primary Industries;</li> <li>• Department of Water and Energy;</li> <li>• Roads and Traffic Authority; and</li> <li>• Singleton Council.</li> </ul> <p>The consultation process, and the issues raised during this process, must be described in the Environmental Assessment.</p>
<b>Deemed refusal period</b>	120 days

# Policies, Guidelines & Plans

Aspect	Policy /Methodology
<b>Risk Assessment</b>	AS/NZS 4360:2004 Risk Management (Standards Australia) HB 203: 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)
<b>Air Quality</b>	Protection of the Environment Operations (Clean Air) Regulation 2002 Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA) Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (EPA)
<b>Noise &amp; Blasting</b>	NSW Industrial Noise Policy (EPA, 1999) Environmental Criteria for Road Traffic Noise (EPA, 1999) Interim Guideline for the Assessment of Noise From Rail Infrastructure Projects (DECC) Draft NSW Construction Noise Guideline (DECC, 2008) ANZECC Guideline to Minimise Annoyance Due to Blasting Overpressure & Ground Vibration (ANZECC)
<b>Soil and Water</b>	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 Hunter Regulated River Water Source Water Sharing Plan (DIPNR, 2004) Draft Hunter Unregulated and Alluvial Water Sources Water Sharing Plan 2008 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 Management Manual (DNR) 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)
	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)
<b>Biodiversity</b>	
	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
<b>Transport</b>	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RTA)
<b>Heritage</b>	
	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)
<b>Greenhouse Gas</b>	
	National Greenhouse Accounts (NGA) Factors (AGO)
	Guidelines for Energy Savings Action Plans (DEUS)
<b>Waste</b>	
	Environmental Guidelines: Solid Waste Landfills (EPA)
	Waste Classification Guidelines (DECC)
<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)
	Synoptic plan: Integrated Landscapes for Coal Mine Rehabilitation in the Hunter Valley of NSW (DMR, 1999)
<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)