

# Appendices

---

---

- Appendix 1 Major Projects Application
- Appendix 2 Coverage of Director-General's Requirements and Requirements of Consulted Government Agencies
- Appendix 3 SEPP No 33 Hazardous and Offensive Development

(No. of pages excluding this page = 17)

This page has intentionally been left blank

# Appendix 1

---

---

## Major Projects Application

(No. of pages excluding this page = 7)



**WHITEHAVEN COAL MINING PTY LTD**

Whitehaven Coal Mining Pty Ltd  
ABN 65 086 426 253  
Betalpha Pty Ltd  
ABN 36 375 820 379  
Namoi Mining Pty Ltd  
ABN 24 071 158 373  
Narrabri Coal Pty Ltd  
ABN 76 107 813 963  
Werris Creek Coal Pty Limited  
ABN 69 107169 102

30 October 2006

The Director General  
Department of Planning GPO Box 39  
SYDNEY NSW 2002

Attention: Mr David Kitto

Dear Sir,

Re: Sunnyside Coal Project Gunnedah

I have enclosed for your Department's response our Company's Major Projects Application form and accompanying Background Paper for the above Project. The Background Paper was distributed at the Planning Focus Meeting held in Gunnedah on 17<sup>th</sup> October 2006.

Our Company is keen to progress this development as a logical extension to our existing operations in the Gunnedah/Narrabri area.

The Project has been presented to the Department of Primary Industries Mineral Resources and to a Planning Focus Meeting co-ordinated by your Department.

The various environmental studies are continuing and will address the issues raised at the Planning Focus Meeting and the matters raised in the Director General's Requirements when issued by your Department.

We look forward to receiving the Director General's Requirements for this Project. Should you have any questions about this Project, please do not hesitate to contact either Tony Galligan (0439 040 756) or myself (0419 658 268).

Yours sincerely,

Keith Ross  
**Managing Director**

Enclosed: Application

cc Mr Colin Phillips  
Department of Planning

# Major Projects application



NSW GOVERNMENT  
Department of Planning

Date received: \_\_\_/\_\_\_/\_\_\_

Project Application No. \_\_\_\_\_

## Before you lodge

This form is required to apply for the approval of the Minister to carry out a Project to which Part 3A of the *Environmental Planning and Assessment Act, 1979* (the Act) applies.

Before lodging this application, it is recommended that you first consult with the Department of Planning (the Department) concerning your Project.

Please be aware that you may need to conduct a Planning Focus Meeting before lodging this application involving the Department, relevant agencies, Council or other groups identified by the Department. If you are required to conduct a Planning Focus Meeting, you will need to provide details and outcomes arising from the meeting.

To ensure that your application is accepted as being duly made, you must

- complete ALL parts of this form, **and**
- submit all relevant information required by this form.

All applications must be lodged with the Director-General, by courier or mail.

Ground floor, 23-33 Bridge Street, SYDNEY NSW 2000  
GPO Box 39 SYDNEY NSW 2001  
DX 10181 Sydney Stock Exchange  
t: 02 9228 6111  
f: 02 9228 6455

## 1. Details of the proponent

Company/organisation/agency		ABN	
<input type="text" value="Namoi Mining Pty Ltd"/>		<input type="text" value="24 071 158 373"/>	
x Mr <input type="checkbox"/> Ms <input type="checkbox"/> Mrs <input type="checkbox"/> Dr <input type="checkbox"/> Other <input type="text"/>			
First name		Family name	
<input type="text"/>		<input type="text"/>	
STREET ADDRESS			
Unit/street no.	Street name		
<input type="text" value="1/895"/>	<input type="text" value="Ann Street"/>		
Suburb or town	State	Postcode	
<input type="text" value="Fortitude Valley"/>	<input type="text" value="QLD"/>	<input type="text" value="4006"/>	
POSTAL ADDRESS (or mark 'as above')			
<input type="text" value="PO Box 2440"/>			
Suburb or town	State	Postcode	
<input type="text" value="Fortitude Valley"/>	<input type="text" value="QLD"/>	<input type="text" value="4006"/>	
Daytime telephone	Fax	Mobile	
<input type="text" value="07 3000 5693"/>	<input type="text" value="07 3000 5699"/>	<input type="text" value="0419 658 268"/>	
Email			
<input type="text" value="kross@whitehaven.net .au"/>			





## 2. Identify the land you propose to develop

### STREET ADDRESS

Unit/street no.

Street or property name

Suburb, town or locality

Approx 15km west of Gunnedah

Postcode

Local government area

Gunnedah Shire

### REAL PROPERTY DESCRIPTION

Lots 12, 162, 161 and 462 DP 755503, Lot 1 DP 393755 and public roads and road reserves as indicated on various figures in attached Background Paper.

OR: detailed description of land attached:

The real property description is found on a map of the land or on the title documents for the land. If you are unsure of the real property description, you should contact the Department of Lands.

Please ensure that you place a slash (/) to distinguish between the lot, section, DP and strata numbers. If the Major Project applies to more than one piece of land, please use a comma to distinguish between each real property description.

Where the Major Project is subject to Clause 8F of the *Environmental Planning and Assessment Regulation 2000* and in lieu of completing the above, a description or detailed plan of the land affected must be included with the documents required with Part 4 below.

## 3. Proposed Major Project – Description and other Requirements

Provide a brief title for your Project that includes all significant components. If the application relates to only part of a Project, include a clear title that describes the relevant part.

Sunnyside Coal Project

Is the application related only to a part of a Project?  Yes  No

You are also required to provide a Project Description Report and address any matters required by the Director-General in accordance with 75E of the Act. Failure to do so may lead to your application being rejected.

Is a Project Description attached:

Hard copy:  Yes  No

Electronic version:  Yes  No

(NB: An electronic copy is required as all applications must be provided on the Department's website. You should contact the Department on the correct electronic format).

Is the Project Description Report consistent with the requirements of any Guideline produced by the Department (including any draft)?  Yes  No

Does the Project Description Report include additional matters required by the Director-General, such as evidence of a Planning Focus Meeting and consultation?  Yes  No

### CONCEPT APPROVAL

If you are applying for a concept approval, the Department's *Concept Approval Guideline* should be consulted and the matters identified therein must be addressed as part of your application.

Does the Project Description Report submitted address the relevant guidelines for Concept Approvals?  Yes  No

### FULL TIME EQUIVALENT JOBS

Please indicate the number of jobs created by the proposed Major Project. This should be expressed as a proportion of full time jobs over a full year.

Construction jobs (full-time equivalent)

30

Operational jobs (full-time equivalent)

36

#### 4. Approvals from state agencies

Does the proposed Major Project require any of the following: (tick all appropriate)

- an aquaculture permit under section 144 of the *Fisheries Management Act 1994*
- an approval under section 15 of the *Mine Subsidence Compensation Act 1961*
- a mining lease under the *Mining Act 1992*
- a production lease under the *Petroleum (Onshore) Act 1991*
- an environment protection licence under Chapter 3 of the *Protection of the Environment Operations Act 1997* (for any of the purposes referred to in section 43 of that Act)
- a consent under section 138 of the *Roads Act 1993*

#### 5. Application fee

You are required to pay a fee for the assessment of a Major Project. This fee is based on the estimated cost of the Major Project.

The Department requires that you pay a proportion of the total fee with this application and you should consult with the Department before lodging this application to determine the proportion to be paid.

Estimated Project Cost

Approximately \$15.0 M

#### 6. Owner's Consent

As the owner(s) of the above property, I/we consent to this application being made on our behalf by the Proponent:

Signature

Name

Date

Signature

Name

Date

Note: The Department will not accept an application for a Major Project without having the signature of the owner of the land, unless the Major Project is subject to Clause 8F of the *Environmental Planning and Assessment Regulation 2000*.

#### 7. Proponent's Signatures

As the proponent(s) of the proposed Major Project and in signing below, I/we hereby:

- provide a description of the proposed Project and address all matters required by the Director-General pursuant to Section 75E of the Act, and
- apply, subject to satisfying Clause 8D of the *Environmental Planning and Assessment Regulation 2000*, for the Director-General Environmental Assessment Requirements pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979*, and
- declare that all information contained within this application is accurate at the time of signing.

Signature

Name

Keith Ross

Date

30<sup>th</sup> October 2006

In what capacity are you signing if you are not the proponent

Managing Director

Name, if you are not the proponent

Keith Ross



## Namoi Mining Pty Ltd

### Sunnyside Coal Project

#### Project Description Report – 25 October 2006

**Location:** See attached figures. Approximately 15km west of Gunnedah on the northern side of the Oxley Highway.

**Proponent:** Namoi Mining Pty Ltd part of the Whitehaven Group of Companies.

**Planning Focus Meeting:** 17 October 2006.

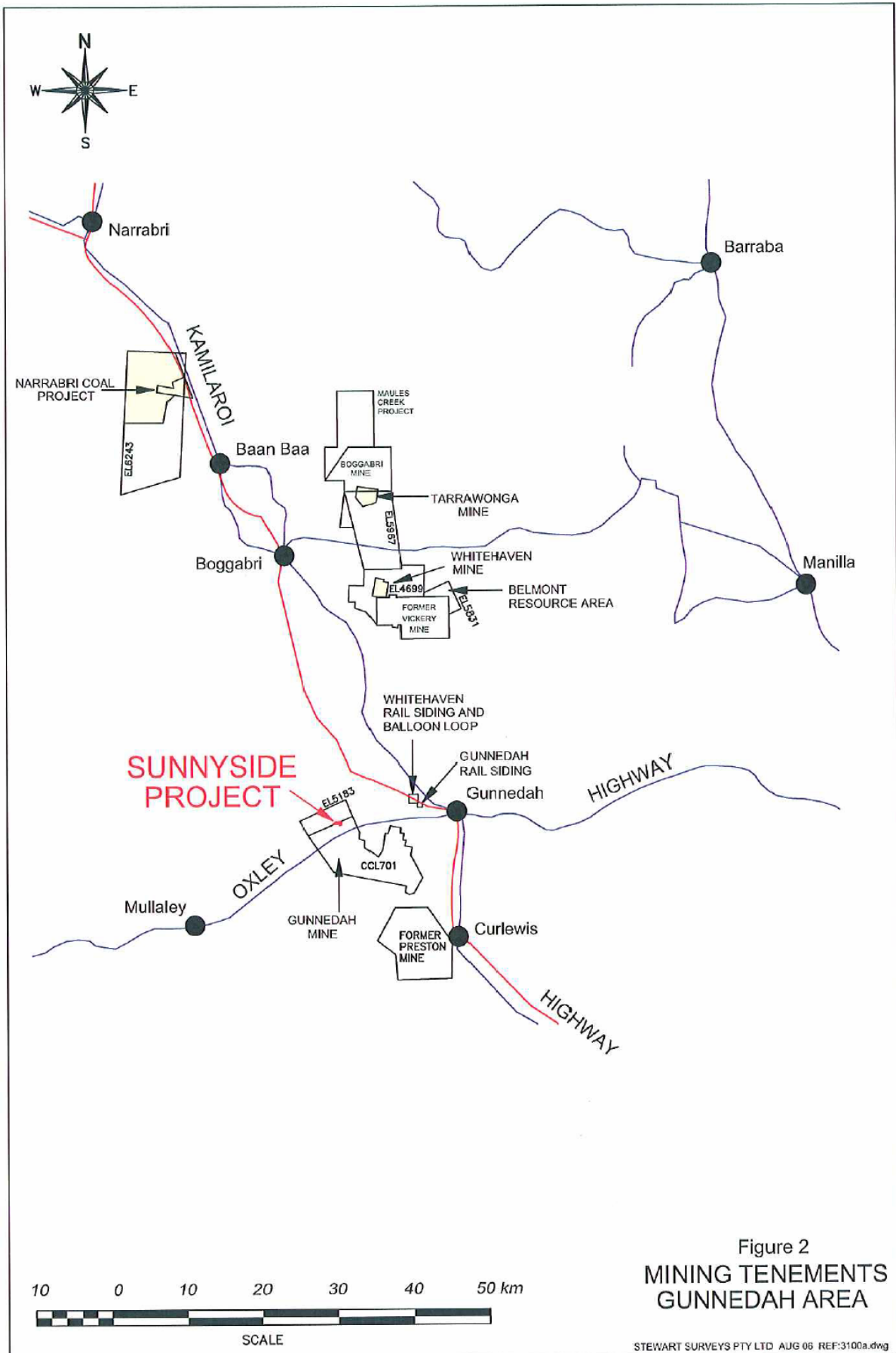
#### **Project Components:**

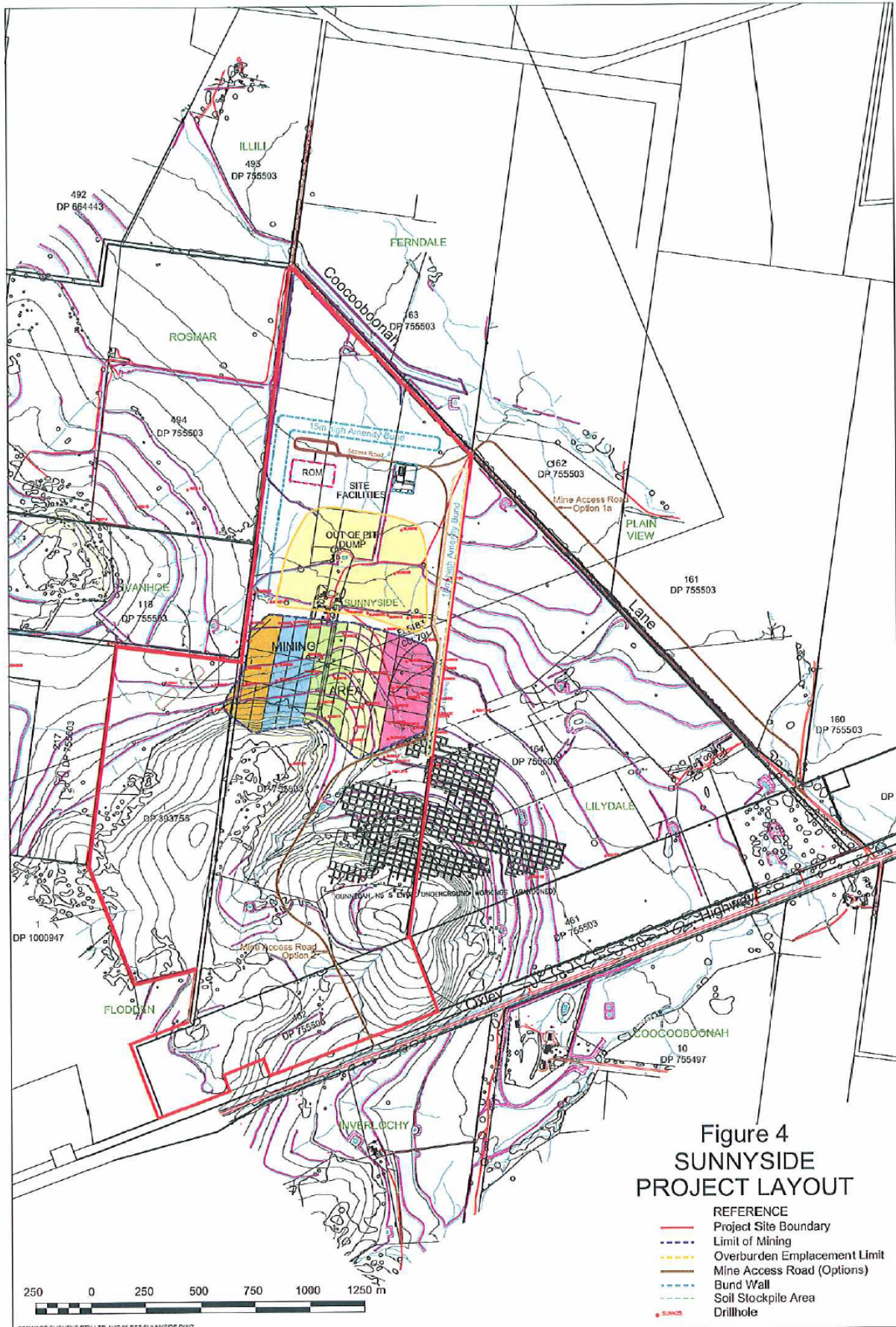
- An open cut coal mine covering approximately 160ha.
- An out of pit emplacement area and mining infrastructure area covering approximately 90ha.
- Infrastructure includes administration employee amenities services and related facilities.
- Coal haulage by road to Whitehaven's Coal Preparation Plant and Coal Loading facility northwest of Gunnedah. In order to avoid Koala habitat, a transport corridor parallel to Coocooboonah Lane will be constructed on privately owned land between the site and the Oxley Highway. All other roads currently exist. All sections of transport route will be sealed and it is approximately 17.1km long, with 15km on public roads.
- At maximum production, transport will require 125 truck loads of coal per day to be delivered to the Whitehaven facility northwest of Gunnedah
- Annual production up to 1Mtpa.
- Possible auger mining from highwall.
- Coal Resource of 5.87 million tonnes of coal in the minable sections of the Hoskisson Seam.
- On site processing confined to crushing and screening. (No washing).
- Project Life approximately 5 to 7 years.

**Land Description:** Gunnedah Shire. Parish of Gill. Lots 12, 162, 161 and 462 DP 755503, Lot 1 DP 393755 and various road reserves and public roads as shown on the attached figures.

**Consultation:** Consultation to date has involved one on one liaison with all landholders and neighbours in the areas surrounding the project. A wider programme of community consultation is planned to commence 1 November 2006.







# Appendix 2

---

---

## Coverage of Director-General's Requirements and Requirements of Consulted Government Agencies

(No. of pages excluding this page = 9)

This page has intentionally been left blank



The following table (**Table A2–1**) provides an itemised and tabulated summary of the Director-General’s Requirements, including the requirements provided by the various government agencies consulted, and reference to the section within the *Environmental Assessment* or *Specialist Consultant Studies Compendium* where they are addressed.

**Table A2–1  
Coverage of Director-General’s Requirements**

Page 1 of 9

Organisation	Issue	Section Where Addressed
1. Department of Planning	1.1. The <i>Environmental Assessment</i> (EA) must include an Executive Summary.	Front of EA.
	1.2. The EA must include a detailed description of the Project including the need for the Project, various components and stages of the Project and alternatives considered.	EA Section 2.
	1.3. The EA must include consideration of any relevant statutory provisions.	EA Section 3.2.3.
	1.4. The EA must include a general overview of the environmental impacts of the Project, identifying the key issues for further assessment, and taking into consideration the issues raised during consultation.	EA Section 3.
	1.5. The EA must include a detailed assessment of the key issues identified in items 1.12 to 1.21 below and any other significant issues identified in the general overview of the Project (See Item 1.4 above).	See below.
	1.6. The EA must include a description of the existing environment.	EA Section 4A.
	1.7. The EA must include an assessment of the potential impacts of the Project including potential cumulative impacts.	EA Section 4B.
	1.8. The EA must include a description of measures that would be implemented to avoid, minimise, mitigate, offset, manage, and/or monitor the impacts of the Project.	EA Section 4B.
	1.9. The EA must include a Draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures.	EA Section 5.
	1.10. The EA must include a conclusion justifying the Project, taking into consideration the environmental impacts of the Project, the suitability of the site, and the benefits of the Project.	EA Section 6.4.
	1.11. The EA must include a signed statement from the author of the EA report certifying that the information contained in the report is neither false nor misleading.	Front of EA.

**Table A2-1 (Cont'd)**  
**Coverage of Director-General's Requirements**

Organisation	Issue	Section Where Addressed
<b>1. Department of Planning (Cont'd)</b>	<b>1.12. Key Issue - Traffic and Transport</b> Including a detailed quantitative traffic impact assessment of the proposed coal transport route and suitability of intersections of the Oxley Highway with Coochooboonah Lane and Blackjack Road, and local roads from the Oxley Highway to the Whitehaven Siding.	Specialist Consultant Studies Compendium (SCSC) Part 6. EA Sections 2.6.5, 3.2.4 and 4B.6.
	<b>1.13. Key Issue - Surface and Groundwater.</b> Including detailed monitoring of potential surface and groundwater impacts, a site water balance, and details of the proposed water monitoring programme. Any proposal to use water from the flooded Gunnedah Colliery must assess potential impacts caused by the extraction and/or use of this resource.	SCSC Parts 1 and 4. EA Sections 2.5.3 and 4, 3.2.4, 4B.1 and 4B.4.
	<b>1.14. Key Issue - Flora and Fauna</b> Including any impacts on critical habitats, threatened species, populations, ecological communities (particularly White Box, Yellow Box, Blakely's Red Gum, Grassy Woodland) and native vegetation. Potential impacts on Koalas and woodland habitat on the site and adjacent to the proposed coal haulage route musty also be assessed (including preparation of a Koala Management Plan to address the potential impacts on the local Koala population).	SCSC Parts 3A, 3B and 8. EA Sections 3.2.4, 4B.3 and 4B.8.
	<b>1.15. Key Issue - Rehabilitation, Final Landform and Final Void Management</b> Including a justification of the proposed final landform and land use for the site, a detailed description of how the site would be progressively rehabilitated and the measures that would be put in place for the long term protection and management of the site (and any biodiversity/Koala habitat offset areas) following cessation of mining.	EA Section 2.11.
	<b>1.16. Key Issue - Noise</b> Including construction, operation, off-site road noise impacts and detailed consideration of the effectiveness of noise mitigation bunds to reduce noise impacts. Blasting and Vibration.	SCSC Part 2. EA Section 3.2.4 and 4B.2.
	<b>1.17. Key Issue - Subsidence</b> Potential auger mining impacts.	EA Section 2.3.6.

**Table A2-1 (Cont'd)**  
**Coverage of Director-General's Requirements**

Page 3 of 9

Organisation	Issue	Section Where Addressed
<b>1. Department of Planning (Cont'd)</b>	<b>1.18. Key Issue – Greenhouse Gases</b> A greenhouse gas assessment (including a quantitative analysis of greenhouse gas emissions associated with the combustion of product coal, and a qualitative assessment of the impact of these emissions on the environment).	SCSC Part 5 Appendix 10. EA Sections 4B.5.7.
	<b>1.19. Key Issue – Heritage</b> Both Aboriginal (particularly protection of known sites on land adjacent to the proposed open cut pit) and non-Aboriginal.	SCSC Part 7. EA Sections 3.2.4, 4B.7 and 4B.13.
	<b>1.20. Key Issue – Visual</b>	EA Section 4B.9.
	<b>1.21. Key Issue- Social and Economic</b>	EA Section 4B.12.
	<b>1.22.</b> The EA must take into account relevant State government technical and policy guidelines.	EA Section 3.2.5.
	<b>1.23.</b> During the preparation of the EA, the Proponent must consult with the relevant local and State government authorities, service providers, community groups, affected landowners and any affected Commonwealth government authorities. In particular, the Proponent must consult with, the Department of Environment and Conservation, Department of Natural Resources, Department of Primary Industries, NSW Roads and Traffic Authority and Gunnedah Shire Council. The consultation process and the issues raised must be described in the EA.	EA Section 3.2.2.
<b>2. NSW Roads and Traffic Authority</b>	<b>2.1.</b> A traffic study should be undertaken that addresses the criteria set out in Table 2.1 of the RTA's Guide to Traffic Generating Developments.	SCSC Part 6.
	<b>2.2.</b> AUSTROADS guidelines Pt. 5-Intersections at Grade should be used to assess improvements to the road network.	SCSC Part 6.
	<b>2.3.</b> Consideration needs to be given to the impact of vibration, dust and road traffic noise on adjoining residences along the route.	EA Section 4B.2.7.
	<b>2.4.</b> Local road network via Blackjack and Quia Road to the existing siding could require upgrading to Council's local road standards and junctions should be assessed in accordance with AUSTROADS junction and sight distance standards.	SCSC Part 6 Sections 3.3.5 to 3.3.7. EA Sections 4B.6.6.5 to 4B.6.6.7.

**Table A2-1 (Cont'd)**  
**Coverage of Director-General's Requirements**

Page 4 of 9

Organisation	Issue	Section Where Addressed
<b>2. NSW Roads and Traffic Authority (Cont'd)</b>	2.5. Existing junction of the Oxley Highway and Blackjack Road does not meet current AUSTROADS guidelines. Facilities for right and left-turning traffic needs to be assessed.	SCSC Part 6 Section 3.3.4. EA Section 4B.6.6.4 and 4B.6.6.5.
	2.6. Existing junction of Coocooboonah Lane and the Oxley Highway would need to be upgraded to AUSTROADS standards. The Lane would require sealing and constructing to Council's local road standards and the access constructed to AUSTROAD standards.	SCSC Part 6 Section 3.3.2. EA Sections 4B.6.6.1, 4B.6.6.2 and 4B.6.6.3.
	2.7. If a new access is to be created to the Oxley Highway then it will need to be located where there is at least 250m or more of safe intersection site distance.	No new access is to be created.
	2.8. Depending on the number of eastbound left-turning trucks, any roadworks could require the construction of an acceleration lane. This needs to be assessed.	SCSC Part 6 Section 3.3.2. EA Sections 4B.6.6.1, 4B.6.6.2 and 4B.6.6.3.
	2.9. Any new connection to the highway will require Council's approval and the RTA's concurrence. Plans would need to be approved by the RTA and road works would require the execution of a Works Authorisation Deed.	EA Sections 2.6.2 and 2.6.5..
	2.10. Impacts on school bus routes need to be assessed.	SCSC Part 6 Section 3.4.
	2.11. If B-Doubles are used then road infrastructure will need to cater for them.	EA Section 4B.6.5.2.
	2.12. Agreement beforehand should be sought from the RTA for scope of any road works on the Oxley Highway so the determination is not delayed.	EA Sections 2.1.5 and 2.6.2..
<b>3. Department of Environment and Climate Change</b>	3.1. The impact on air quality, noise amenity, water quality and quantity for all operations proposed for the mine and its infrastructure.	SCSC Parts 5, 2, 1 and 4.
	3.2. The impact on flora and fauna, particularly White Box, Yellow Box, Blakely's Red Gum Grassy Woodland, which is listed as an Endangered Ecological Community in Schedule 1 of the TSC Act and critically endangered under the Commonwealth EPBC Act.	SCSC Part 8 Section 7.8. EA Sections 3.3.2, 4B.8.5 and 4B.8.6.
	3.3. The impact on Koalas and habitats identified within woodland on the premises and adjacent to potential haulage routes to the coal loader located in Gunnedah.	SCSC Parts 3A and 3B. EA Sections 4B.3.5.2, 4B.3.6 and 4B.3.7.



**Table A2–1 (Cont'd)**  
**Coverage of Director-General's Requirements**

Organisation	Issue	Section Where Addressed
<b>3 Department of Environment and Climate Change (Cont'd)</b>	3.4. Impact assessment and protection of identified Aboriginal heritage, in particular the axe grinding groove located in the hills above the proposed open cut pit which may be impacted by activities at the mine site, including blasting and vibration from operations and potential instability as a result of open cut operations and layout.	SCSC Part 7. EA Parts 4B.7.4, 4B.7.5 and 4B.7.6.
	3.5. The design and layout of facilities to minimise potential impact and achieve ambient goals.	EA Section 2.3.
	3.6. The actions that will be taken to avoid or mitigate environmental impacts, or compensatory measures to minimise unavoidable impacts.	EA Section 5.
<b>4. Department of Water and Energy</b>	4.1. The EA must include a description of all water bodies that may be affected by the proposal. This should include potential impacts on other users and the catchment. A description of current water licences and allocation should be included as well as any further allocation requirements, including the use of the harvestable right policy. The report should also address any flooding impacts in the locality. The report should also contain information of any creek crossings, including the type of structures to be implemented.	SCSC Part 1, Section 3.4 and SCSC Part 4, Section 2.1. EA Section 4B.1.
	4.2. The EA should include a flora and fauna survey including an assessment of relevant species listed on the TSC Act, Fisheries Management Act and the Federal EPBC Act. This should include a description of the amount of clearing to be undertaken and a list of species affected. The report should also include an assessment of the habitat for all relevant species.	SCSC Part 3A, Section 4.1 and SCSC Part 8, Section 4.2.
	4.3. The EA should include a description of the soil types and geology in the area including any potential hazards such as erosion and salinity.	SCSC Part 9 (Soils) and Part 1 (Geology). EA Sections 2.2, 2.3.3 and 4B.10.3.
	4.4. The EA should include a groundwater assessment report including information on the water table in the area, potential impacts on the quality and quantity of groundwater in the area and potential impacts on other users. The report should also contain information on the potential for the mine to intercept the water table and potential contamination issues.	SCSC Part 1. EA Section 4B.1.

**Table A2-1 (Cont'd)**  
**Coverage of Director-General's Requirements**

Organisation	Issue	Section Where Addressed
<b>4. Department of Water and Energy (Cont'd)</b>	4.5. The EA should include a cultural heritage survey including assessment of cultural significance. This should be carried out using the DEC (National Parks) guidelines and recommendations and in consultation with the local Aboriginal community and the Local Aboriginal Land Council.	SCSC Part 7. EA Sections 4B.7.
	4.6. The EA should outline an erosion and sediment control plan for the proposed extension site which details measures to minimise erosion during construction and mine operations. The report should also outline designs for diversion banks and sediment retention dams. These structures should also be tested to ensure there is no potential for leakage or contamination into surface water or groundwater.	SCSC Part 4. EA Section 4B.4.
	4.7. The EA should include a monitoring and mitigation plan for groundwater, surface water, the sediment retention dams and potential impacts on soil quality.	SCSC Part 1 Section 9.1. and Part 4 Section 8. EA Sections 4B.1 and 4B.4.
	4.8. The EA should include a rehabilitation and revegetation for the mine during and post operations, including the proposed final land use for the site.	EA Section 2.11.
<b>5. NSW Department of Primary Industries</b>	5.1. Submission of a MOP will be required as a condition of any mining lease prior to construction/mining commencing.	EA Section 2.1.5.
	5.2. Site rehabilitation should be designed in the context of a property plan for sustainable agricultural use of the Sunnyside property.	EA Section 2.11.
	5.3. The design of the proposed initial out of pit overburden emplacement should integrate with existing landform with slopes less than 10 degrees. The final landform should be subdued and free draining while minimising the size and footprint and maximising in-pit backfill.	EA Section 2.3.4.
	5.4. The EA should identify pre-mine land capability with intent to optimise reinstatement of land capability. Best practice soil stripping, handling and stockpiling is required. Class 3 soil profiles are required to be stripped and handled in two passes (A horizon topsoil and subsoil). Soil stockpiles should be maintained less than 3m high and vegetated to protect viability.	SCSC Part 9 Sections 7, 9.1 and 9.2. EA Sections 4B.10.4 and 4B.10.6.
	5.5. The proposed design and layout of an amenity bund should be assessed to minimise surface disturbance subject to effective visual outcomes and noise mitigation close to the noise source. If applied, the bunds should be rehandled / reshaped at the completion of mining.	EA.

**Table A2-1 (Cont'd)**  
**Coverage of Director-General's Requirements**

Page 7 of 9

Organisation	Issue	Section Where Addressed
<b>5. NSW Department of Primary Industries (Cont'd)</b>	5.6. The EA should identify optimal landform configuration of the final void and predict the quality of stored water post mining. Alternatives should be assessed for sequencing contour mining west to east rather than east to west which may minimise the size and impact of a final void. Potential for restorative blasting of high wall, backfilling at the floor and tree planting should be assessed to reduce potential for saline groundwater recharge / discharge impacts of the final void.	EA Section 2.11.3. Mining to proceed west to east.
	5.7. Provide particular rigour in the monitoring, prediction and assessment of groundwater impacts. The potential drawdown effects during open cut operations and longer term recovery should be modelled.	SCSC Part 1, Section 9.1 and Appendix 5. EA Sections 4B.1.5 and 4B.1.6.
	5.8. A water balance and water management plan should be identified for the Project to establish water supply for mining purposes, containment and reuse of mine waters. Harvesting of surface water runoff should be maximised subject to water regulatory requirements.	SCSC Part 4 Section 6.2.2. EA Section 4B.4.4.1.
	5.9. The EA should assess the potential for supply and reuse of stored underground mine water within the existing Gunnedah Colliery N <sup>o</sup> 5 workings adjacent to the Project Site.	EA Sections 4B.1.2, 4B.1.3.3, and 4B.1.5.8.
	5.10. The EA should include the predicted potential and cumulative environmental and socio-economic impacts on agricultural activities.	EA Sections 4B.10.6 and 4B.10.7.
	5.11. The EA should include objectives for rehabilitation and sustainable post-mining land use.	EA Sections 2.11.6 and 2.11.7.
	5.12. The EA should include future land forms and post mining land capability. Including the indicative size and location of voids, high walls, drainage and vegetation.	EA Sections 2.11.6 and 2.11.7.
	5.13. The EA should include key environmental management and rehabilitation strategies including saline and wastewater management strategies and proposals to effectively re-establish and maintain biodiversity, pastures and water storages, improve or modify existing rehabilitated areas.	EA Sections 2.11.6 and 2.11.7.
	5.14. The EA should include potential opportunities for sustainable agricultural production on land under the control of the Proponent during and post mining.	EA Sections 2.11.6, 2.11.7, 2.11.8 and 2.11.9.

**Table A2-1 (Cont'd)**  
**Coverage of Director-General's Requirements**

Page 8 of 9

Organisation	Issue	Section Where Addressed
<b>5. NSW Department of Primary Industries (Cont'd)</b>	5.15. The EA should include management plans for pasture management, the control of woody weeds and grazing management.	EA Sections 2.11.6, 2.11.7, 2.11.8 and 2.11.9.
	5.16. The EA should include a general description of any aquatic habitat, including any potential blockages to fish habitat.	Apart from small farm dams, there is no aquatic habitat.
	5.17. The EA should include an assessment of the extent of any dredging or reclamation activities within "water land". This assessment should include any need for stream or creek realignment or placement of overburden on "water land" or construction of roads/access routes through watercourses.	No water land dredged or reclaimed. Low level construction of Coocooboonah Lane through Coocooboonah Creek.
<b>6. Gunnedah Shire Council</b>	6.1. The nature and standard of Coocooboonah Lane be clarified having particular regard to the status of the road and the access of properties along that section of the haul route.	EA Section 2.6.4 and 2.6.5.
	6.2. The intersection of Coocooboonah Lane and the Oxley Highway be upgraded in accordance with RTA standards.	EA Section 2.6.5.
	6.3. The intersection of Blackjack Road and the Oxley Highway be upgraded in accordance with RTA standards.	EA Section 2.6.5.
	6.4. The standard of existing local road surfaces be analysed having regard to being able to sustain the loads imposed by coal haulage. Particular attention is to be given to Coocooboonah Lane, Blackjack Road, Quia Road and Torrens Road.	EA Sections 2.6.5 and 4B.6.4.
	6.5. Establish a road maintenance and capital improvement agreement with Council in respect of the haul route on local roads having regard to a proportional contribution to maintenance and capital upgrade of the haul road.	EA Sections 2.6.5 and 4B.6.4.
	6.6. Establish a noise monitoring regime in respect of the proposed transport route having regard to existing residential premises and a noise complaints protocol be established to specifically deal with noise issues associated with the transport route.	EA Section 4B.6.3.
	6.7. The Proponent examine the potential long term implications on local communities of the ultimate exhaustion of the coal resource and the potential cost to the community of any possible social and economic dislocation that may result as a result of closure of this mine.	EA Section 4B.12.6.



**Table A2-1 (Cont'd)**  
**Coverage of Director-General's Requirements**

Page 9 of 9

Organisation	Issue	Section Where Addressed
6. Gunnedah Shire Council (Cont'd)	6.8. An extensive community consultation programme be developed and implemented to ensure that local residents and landowners near the mine operation and adjoining the transport haul route are constantly informed of the approval process and ongoing impacts of the mining operations.	EA Section 3.2.2.
	6.9. A detailed analysis be undertaken of the impact of the mining operation on the water quality within the catchment in which the mining operation is located. An ongoing water monitoring programme should be required to ensure that water quality and quantity is not affected by the mining operations.	EA Sections 4B.4.4 and 4B.4.5.

This page has intentionally been left blank

# Appendix 3

---

---

## SEPP No 33 Hazardous and Offensive Development

(No. of pages excluding this page = 1)

### SEPP No 33 Hazardous and Offensive Development

The Department of Urban Affairs and Planning (now Department of Planning) have published a set of Guidelines to be used for Projects that may be affected by State Environmental Planning Policy No 33, Hazardous and Offensive Development (SEPP 33).

These Guidelines were reviewed to determine whether SEPP 33 applied to the Sunnyside Coal Project.

Figure 1 in the Guidelines enables the proponent of a Project to determine whether SEPP 33 applies. There are two basic questions that need to be addressed. These are whether the Project is potentially hazardous and whether it has pollution potential.

Addressing the potentially hazardous issue first. The Sunnyside Coal Project will have diesel, oil and detonators and boosters stored on the site. The diesel and oil will primarily be for mine operational vehicles and the detonators and boosters will be required for mining blasting.

Diesel and oil are classified Class 3, C1 material in the Summary of Dangerous Goods Code of Classification reproduced at Appendix 6 in the Guidelines.

Class 3 means that it is a flammable liquid which is capable of being ignited and of burning. The C1 classification derives from it having a flashpoint above 61 °C but not exceeding 150 °C. Table 1 in the Guidelines, which outlines the screening method to be used includes the following comment. "If Class C1 and/or C2 are present on site and are stored in a separate bund or within a storage area where they are the only flammable liquid present they are not considered to be potentially hazardous".

The diesel at Sunnyside will be stored in a 68 000L tank separately bunded area with no other flammable liquid present. The oil will be stored in a 10 000L tank also separately bunded. Consequently, the Sunnyside Coal Project is not potentially hazardous with respect to diesel and oil storage and SEPP 33 is not triggered for these materials.

Detonators and boosters are classified as Class 1.1 materials in the Summary of Dangerous Goods Code of Classification reproduced at Appendix 6 in the Guidelines. Up to 500kg of these materials would be stored in explosive magazines located 275m from the nearest boundary. This distance is almost three times the required distance as identified in Figure 5.1 of the Screening Method to be Used to determine if SEPP 33 applies. Consequently the Sunnyside Coal Project is not potentially hazardous with respect to detonators and boosters.

Now turning to the issue of whether the Project is potentially polluting. Operation of the Sunnyside Coal Project will be subject to a Pollution Control Licence issued by the DECC. The DECC have commented on their requirements to be addressed in this Environmental Assessment. It is likely that, providing certain issues are addressed, they will issue a licence to enable the Project to operate. Consequently, in accordance with the Guidelines, it is likely that a Pollution Control Licence can be obtained and that the development is permissible and can proceed to detailed assessment.