



NSW GOVERNMENT  
**Department of Planning**

Contact: Rohan Tayler  
Phone: 02 9228 6465  
Fax: 02 9228 6466  
Email: [rohan.tayler@planning.nsw.gov.au](mailto:rohan.tayler@planning.nsw.gov.au)

Our ref: S97/00573  
Your ref:

Mr Ian Follington  
Managing Director Coalpac Pty Limited  
Invincible Colliery  
Castlereagh Highway  
CULLEN BULLEN NSW 2790

Dear Mr Follington,

**Director-General's Requirements  
Proposed Invincible Open Cut Extension Project**

The Department has received your application for the proposed Invincible Open Cut Extension Project (reference number: 07\_0127).

I have attached a copy of the Director-General's requirements (DGRs) for the project. These requirements have been prepared in consultation with the relevant government authorities, based on the information you have provided to date. I have also attached a copy of the government authority comments for your information.

Please note that under section 75F(3) of the *Environmental Planning and Assessment Act 1979*, 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 additional 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 and Water Resources in Canberra (6274 1111 or <http://www.environment.gov.au>) to determine if the proposal is likely to have a significant impact on matters of National Environmental Significance, and would require an approval under the EPBC Act. The Commonwealth Government has accredited the NSW environmental assessment process for assessing any impacts on matters of National Environmental Significance. As a result, if it is determined that an approval is required under the EPBC Act, please contact me immediately as supplementary Director-General's requirements will need to be issued.

I would appreciate it if you would contact the Department at least two weeks before you propose to submit your draft Environmental Assessment for the project to determine:

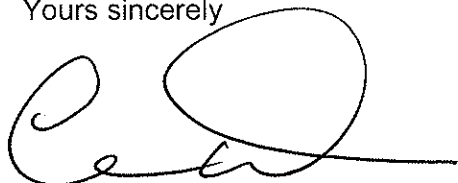
- the fees applicable to the application;
- relevant land owner notification requirements;
- consultation and public exhibition arrangements that will apply; and
- number and format (hard-copy or CD-ROM) of the Environmental Assessment that will be required.

As you may know, the Department will review the draft Environmental Assessment in consultation with the relevant agencies to determine if it adequately addresses the Director-General's requirements. If the Director-General considers the Environmental Assessment to be inadequate, you will be required to revise it prior to public exhibition.

The Director-General's requirements will be placed on the Department's website along with other relevant information which becomes available during the assessment of the project. As a result, the Department would appreciate it if the documents submitted to the Department are in a suitable format for the web. In addition, it would be appreciated if you would arrange for an electronic version of the Environmental Assessment for the project to be hosted on your website and provide a link to place on the Department's website.

If you have any enquiries about these requirements, please contact Rohan Tayler of the Department's Mining & Extractive Industries team (02 9228 6465).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Chris Wilson', with a large, stylized loop at the end.

25.0.07

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

## Director-General's Requirements

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

<b>Application number</b>	MP 07_0127
<b>Project</b>	The proposed Invincible Open Cut Extension Project which involves: <ul style="list-style-type: none"> <li>• increasing annual coal production from 0.5 to 1.2 million tonnes a year;</li> <li>• expanding open cut and auger mining activities;</li> <li>• crushing and processing coal on site;</li> <li>• trucking coal to Mount Piper and Wallerawang power stations; and</li> <li>• progressively rehabilitating the site.</li> </ul>
<b>Location</b>	Approximately 20 kilometres northwest of Lithgow, NSW
<b>Proponent</b>	Coalpac Pty Limited
<b>Date of Issue</b>	October 2007
<b>Date of Expiration</b>	October 2009
<b>General Requirements</b>	<p>The Environmental Assessment (EA) must include</p> <ul style="list-style-type: none"> <li>• an executive summary;</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; and</li> <li>- various components and stages of the project; including the interaction between the proposed activities and existing operations;</li> </ul> </li> <li>• consideration of any relevant statutory provisions, including an assessment of the consistency of the project with the objects of the <i>Environmental Planning and Assessment Act 1979</i>;</li> <li>• 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;</li> <li>• a detailed assessment of the key issues specified below, which includes: <ul style="list-style-type: none"> <li>- description of the existing environment;</li> <li>- an assessment of the potential impacts of the project including cumulative impacts (particularly on noise, air quality, surface water, and groundwater) that may arise from the combined operation of the project, together with the other existing and approved mines in the area; and</li> <li>- a description of the measures that would be implemented to avoid, minimise, mitigate, offset, manage, and/or monitor the impacts of the project;</li> </ul> </li> <li>• a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures;</li> <li>• 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; and</li> <li>• a signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading.</li> </ul>
<b>Key Issues</b>	<ul style="list-style-type: none"> <li>• <b>Traffic and Transport</b> – including a traffic impact assessment of proposed transportation methods and consideration of alternatives;</li> <li>• <b>Flora and Fauna</b> – including impacts on threatened species (particularly Capertee Stringybark), populations, ecological communities and native vegetation, and comprehensive offset measures to ensure no net loss of biodiversity values in the medium to long term;</li> <li>• <b>Soil &amp; Water</b>;</li> </ul>

<b>Key Issues</b>	<ul style="list-style-type: none"> <li>• <b>Noise;</b></li> <li>• <b>Blasting;</b></li> <li>• <b>Visual;</b></li> <li>• <b>Air Quality</b> – including a detailed greenhouse gas assessment;</li> <li>• <b>Heritage</b> – both Aboriginal and non-Aboriginal;</li> <li>• <b>Subsidence</b> – potential impacts of auger mining; and</li> <li>• <b>Rehabilitation and Final Landform</b> – including a detailed Rehabilitation and Landscape Management Strategy that describes how the site would be progressively rehabilitated and integrated into the landscape.</li> </ul>
<b>References</b>	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.
<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. The consultation process and the issues raised must be described in the Environmental Assessment.</p> <p>In particular you should consult with:</p> <ul style="list-style-type: none"> <li>• Department of Environment and Climate Change;</li> <li>• Department of Water and Energy;</li> <li>• Department of Primary Industries (Minerals)</li> <li>• NSW Roads and Traffic Authority;</li> <li>• Lithgow City Council; and</li> <li>• Invincible Community Consultative Committee.</li> </ul>
<b>Deemed refusal period</b>	60 days

## State Government Technical and Policy Guidelines - For Reference

Aspect	Policy/Methodology
<b>Traffic</b>	<ul style="list-style-type: none"> <li>• <i>Guide to Traffic Generating Development and Road Design Guide (RTA);</i></li> <li>• <i>RTA Road Design Guide (RTA);</i> and</li> <li>• <i>relevant Austroad standards</i></li> </ul>
<b>Flora and Fauna</b>	<ul style="list-style-type: none"> <li>• <i>draft Guidelines for Threatened Species Assessment (DEC);</i></li> <li>• <i>Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities (DEC);</i></li> <li>• <i>NSW Groundwater Dependent Ecosystem Policy (DNR)</i></li> </ul>
<b>Soil and Water</b>	<ul style="list-style-type: none"> <li>• <i>Design Manual for Soil Conservation Works - Technical Handbook No. 5 (DoL);</i></li> <li>• <i>Managing Urban Stormwater: Soils &amp; Construction (Landcom);</i></li> <li>• <i>Guidelines for Fresh and Marine Water Quality (ANZECC);</i></li> <li>• <i>Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC);</i></li> <li>• <i>Rehabilitation Manual for Australian Streams (Land and Water Resources Research and Development Corporation);</i></li> <li>• <i>Works and Watercourse Design Guideline (DNR);</i></li> <li>• <i>the various State Groundwater Policy documents (DWE)</i></li> </ul>
<b>Noise</b>	<ul style="list-style-type: none"> <li>• <i>NSW Industrial Noise Policy (DEC);</i></li> <li>• <i>Environmental Criteria for Road Traffic Noise (DEC);</i></li> <li>• <i>Environmental Noise Control Manual (DEC)</i></li> </ul>
<b>Blasting and Vibration</b>	<ul style="list-style-type: none"> <li>• <i>Technical Basis for Guidelines to Minimise Annoyance due to Blasting and Ground Vibration (ANZECC);</i></li> <li>• <i>AS 2187.2-2006 Explosives – Storage and Use – Use of Explosives (Standards Australia);</i></li> <li>• <i>Assessing Vibration – A Technical Guideline (DEC)</i></li> </ul>
<b>Air Quality</b>	<ul style="list-style-type: none"> <li>• <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC);</i></li> <li>• <i>Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)</i></li> </ul>
<b>Greenhouse Gases</b>	<ul style="list-style-type: none"> <li>• <i>AGO Factors and Methods Workbook (Australian Greenhouse Office)</i></li> </ul>
<b>Heritage</b>	<ul style="list-style-type: none"> <li>• <i>draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC);</i></li> <li>• <i>Aboriginal Cultural Heritage Standards and Guidelines Kit (DEC);</i></li> <li>• <i>NSW Heritage Manual (NSW Heritage Office);</i></li> <li>• <i>Archaeological Assessment Guidelines (NSW Heritage Office)</i></li> </ul>
<b>Subsidence</b>	<ul style="list-style-type: none"> <li>• <i>Guideline for Application for Subsidence Management Approvals (NSW Department of Mineral Resources)</i></li> <li>• <i>New Approval Process for Management of Coal Mining Subsidence. Policy (NSW Department of Mineral Resources)</i></li> </ul>
<b>Rehabilitation</b>	

- |  |   |
|--|---|
|  | <ul style="list-style-type: none"><li>• <i>Mine Rehabilitation – A Handbook For The Coal Mining Industry (NSW Coal Association);</i></li><li>• <i>Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth of Australia);</i></li><li>• <i>Mine Closure and Completion – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth of Australia)</i></li></ul> |
|--|---|