



NSW GOVERNMENT
Department of Planning

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Mr Michael England
Senior Principal, National Practice Leader
Environmental Planning
HLA Envirosciences
PO Box 726
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23 DEC 2005

Our ref: 9040403
Your ref:

Dear Mr England

**Proposed Emergency Gas Turbine Generator and Expansion of the Ash Dam Facility,
Eraring Power Station, – Lake Macquarie Local Government Area**

I refer to your correspondence of 7 October 2005, in which you sought the Environmental Assessment requirements under Part 3A of the *Environmental Planning and Assessment Act 1979* for the above project.

Pursuant to section 75(3) of the Act, you are hereby notified of the Director-General's Environmental Assessment requirements for the proposed remediation project, which are provided in the attachment to this letter.

It should be noted that the Director-General's requirements have been prepared based on the information provided to date. Under section 75F(3) of the Act, the Director-General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the proponent seeking approval for the project.

You should ensure that you consult with the Department prior to submission of a draft Environmental Assessment to determine:

- 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 Assessments that will be required.

Once you have lodged the Environmental Assessment, the Department will consult with the relevant authorities to determine the adequacy of the Environmental Assessment. Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days.

You should keep the contact officer for this project, Chris Ritchie ((02) 9228 6413, chris.ritchie@dipnr.nsw.gov.au), up to date with the progress of preparation of the Environmental Assessment, and seek clarification of any issues that may be unclear or may arise during this process.

Yours sincerely

19.12.05

Chris Wilson
A/ Deputy Director General

ENVIRONMENTAL ASSESSMENT REQUIREMENTS UNDER PART 3A OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Project	The construction and operation of an emergency gas turbine generator and upgrade and expansion of the existing ash dam facility at the Eraring Power Station.
Site	Lots 301 & 302 DP 806475, Lot 3/8 Section L DP 6747, Lots 13/16 Section O & Part Lot 13/16 Section U DP 6747 and Lot 7/16 DP 262501, Eraring, in the Lake Macquarie Local Government Area
Proponent	Eraring Energy
Date of Issue	19 December 2005
Date of Expiration	19 December 2007
General Requirements	<p>The Environmental Assessment must include:</p> <ul style="list-style-type: none"> • an executive summary; • a description of the proposal, including construction, operation and staging; • details of the location of the project and environmental planning provisions applicable to the site and the project; • consideration of alternatives to the project; • an assessment of the environmental impacts of the project, with particular focus on the key assessment requirements specified below; • proposed mitigation/ management measures of residual environmental impacts; • justification for undertaking the project with consideration of the benefits/ impacts of the proposal, and proposed management/ mitigation/ monitoring; • a draft Statement of Commitments for environmental mitigation, management and monitoring for the project; and • certification by the author of the Environment Assessment that the information contained in the Assessment is neither false nor misleading.
Key Assessment Requirements	<p>The Environmental Assessment must include assessment of the following key issues:</p> <ul style="list-style-type: none"> • Air Quality Impacts – the Environmental Assessment must include an assessment of the air quality implications of the project, particularly in relation to petrochemical smog formation (including details of the types of fuel on which the assessment is based), dust and odour during the construction and operational phases of the development and proposed management measures. In relation to the gas turbine, the assessment must also assess local, regional, interregional and cumulative air quality impacts. The air quality assessment must assess relevant parameters and air pollutants in accordance with <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</i> (EPA, 2000) and the draft policy <i>Assessment and Management of Odour from Stationary Sources in NSW</i> (EPA, 2001). • Ash Waste Disposal – the Environmental Assessment must outline the scope of the ash disposal process and any proposed development options, details of any proposed staged implementation of the disposal option, scale of the proposed disposal area, the proposed ash process, the anticipated quantity to be disposed and consideration of options for developing and expanding the beneficial reuse of power station ash as an alternative to land disposal. • Noise and Vibration – the Environmental Assessment must include an assessment of the predicted noise impacts resulting from the operation of the project and the measures to manage any noise impacts and proposed management measures. The noise assessment must be undertaken in accordance with the <i>Industrial Noise Policy</i> (EPA, 1999) and <i>Environmental Criteria for Road Traffic Noise</i> (EPA, 1999). The assessment must extend to noise emissions from traffic associated with the project, and must identify all noise sources from the project and specify the times of operation for all noise producing activities; • Ecological Impacts - the Environmental Assessment must include an assessment of ecological impact as a result of the proposed development including a description of the type of vegetation in the immediate and surrounding area, an outline of the level of vegetation to be cleared, measures to minimise any impacts such as level of clearing required and

	<p>any rehabilitation proposed. The ecological assessment must also assess the potential impacts of the proposal on both terrestrial and aquatic critical habitats; threatened species, populations or ecological communities, or their habitats in accordance with section 5A of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <ul style="list-style-type: none"> • Heritage - include an assessment of heritage impact of the development the site and surrounds, including identification of all areas of archaeological potential as well as the significance and any potential impacts on all indigenous, non-indigenous and natural heritage items, draft items and elements of historic/heritage significance (i.e. elements not specifically identified as individual items) on the site. • Soil and Water – the Environmental Assessment must include an assessment of the water and soil quality impacts associated with the development, taking into account surface water, stormwater and groundwater. This must include an assessment of the potential works within or adjacent to the waterways (including Lake Macquarie) present at the site and the long-term management of these aquatic and riparian ecosystems during site operations. The assessment must also have consideration to potential impacts on the flooding regime in the locality; • General Environmental Risk Analysis – notwithstanding the above key assessment requirements, the Environmental Assessment must include an environmental risk analysis to identify potential environmental impacts associated with the project, proposed mitigation measures and potentially significant residual environmental impacts after the application of proposed mitigation measures. Where additional key environmental impacts are identified through this environmental risk analysis, an appropriately detailed impact assessment of these additional key environmental impacts must be included in the Environmental Assessment. • Environmental Planning Instruments – the Environmental Assessment must include an assessment of the project against the relevant heads of consideration in applicable environmental planning instruments, including the <i>State Environmental Planning Policy No. 14 0 Coastal Wetlands</i>, <i>State Environmental Planning Policy No.33 – Hazardous and Offensive Development</i>, <i>State Environmental Planning Policy No.55 – Remediation of Land</i>, <i>Hunter Regional Environmental Plan 1989</i> and <i>Lake Macquarie Local Environmental Management Plan 2004</i>. • Other matters - all relevant matters raised in the Brief for the Planning Focus Meeting and at the Planning Focus Meeting of 30 September 2005.
<p>Consultation Requirements</p>	<p>You must consult with the following parties during the preparation of the Environmental Assessment:</p> <ul style="list-style-type: none"> • NSW Department of Environment and Conservation; • Lake Macquarie Council; • Department of Lands; • Department of Natural Resources; and • affected residents and relevant community groups.
<p>Deemed refusal period</p>	<p>Pursuant to clause 8E(2) of the <i>Environmental Planning and Assessment Regulation 2000</i>, the deemed refusal period for the project will be 60 days.</p>