Appendix A

Existing development consent (as modified)

A

Development Consent

Section 80 of the *Environmental Planning & Assessment Act 1979*

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), approve the Development Application referred to in Schedule 1, subject to the conditions in Schedules 2 to 6.

These conditions are required to:
(i) Prevent, minimise, and/or offset adverse environmental impacts;
(ii) Set standards and performance measures for acceptable environmental performance;
(iii) Require regular monitoring and reporting; and
(iv) Provide for the on-going environmental management of the development.

Diane Beamer, MP
Minister Assisting the
Minister for Infrastructure and Planning
(Planning Administration)

Sydney, 2003 File No. S02/02198

SCHEDULE 1

Development Application:	DA-300-9-2002-i.
Applicant:	Warkworth Mining Limited.
Consent Authority:	Minister for Planning.
Land:	See Appendix 1.
Proposed Development:	The expansion of the Warkworth open cut coal mine, which includes: • Extending the existing North & West pits west towards Wallaby Scrub Road; • Extending the existing Woodlands pit south towards Putty Road; • Constructing a new conveyor between the Warkworth mine and the Mount Thorley mine and coal loader; • Constructing 2 new bridges over Putty Road between the Warkworth and Mount Thorley mines; • Constructing a bypass road adjacent to Putty Road; • Continuing use of existing facilities and infrastructure; • Extracting up to 18 million tonnes of ROM coal a year; and • Operating the mine 24 hours a day, 7 days a week.
State Significant Development:	The proposal is classified as State significant development, under Section 76A(7) of the *Environmental Planning and Assessment Act 1979*, because it involves coal-mining related development associated with a development approval previously given by the Minister after 4 June 1987, and consequently satisfies the criteria in the Minister's direction, dated 29 June 2001.
Integrated Development:	The proposal is classified as integrated development, under Section 91 of the *Environmental Planning and Assessment Act 1979*, because it requires additional approvals from the:

- Environment Protection Authority under the *Protection of the Environment Operations Act 1997*;
- Department of Land & Water Conservation under the *Water Act 1912*;
- National Parks & Wildlife Service under the *National Parks & Wildlife Act 1974*;
- Roads & Traffic Authority under the *Roads Act 1993*; and
- Mine Subsidence Board under the *Mine Subsidence Act 1961*.

Designated Development: The proposal is classified as designated development, under Section 77A of the *Environmental Planning & Assessment Act 1979*, because it is for an open cut coal mine that would produce or process more than 500 tonnes of coal a day and disturb more than 4 hectares of land…"; and consequently meets the criteria for designated development in Schedule 3 of the *Environmental Planning & Assessment Regulation 2000*.

BCA Classification:

Class 5:	Office Upgrade
Class 8:	Heavy Vehicle Workshop
Class 9b:	Bathhouse
Class 10a:	Car Park Heavy Vehicle Wash Station
Class 10b:	Coal Conveyor

Note:
1) *To find out when this consent becomes effective, see Section 83 of the Act;*
2) *To find out when this consent is liable to lapse, see Section 95 of the Act; and*
3) *To find out about appeal rights, see Section 97 of the Act.*

SCHEDULE 2
DEFINITIONS

AEMR	Annual Environmental Management Report
Applicant	Warkworth Mining Limited
BCA	Building Code of Australia
CCC	Community Consultative Committee
Council	Singleton Shire Council
DA	Development Application
Day	Day is defined as the period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
DECCW	Department of Environment, Climate Change and Water
Department	Department of Planning
DII	Department of Industry and Investment
Director-General	Director-General of the Department of Planning, or delegate
EA	Environmental Assessment
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	*Environmental Planning and Assessment Regulation 2000*
Evening	Evening is defined as the period from 6pm to 10pm
Extension area	Land within the red boundary in Figure EIS-2 of Volume 4 of the EIS.
GTA	General Term of Approval
HMA	Habitat Management Area
Land	Land means the whole of a lot in a current plan registered at the Land Titles Office at the date of this consent
Minister	Minister for Planning
MOP	Mining Operations Plan
MSB	Mine Subsidence Board
NDA	Non-Disturbance Area
Night	Night is defined as the period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
NOW	NSW Office of Water
PCA	Principal Certifying Authority appointed under Section 109E of the Act
Privately-owned land	Land where: • A private agreement does not exist between the Applicant and the land owner; and • There are no land acquisition provisions requiring the Applicant to purchase the land upon request from the land owner
NPWS	National Parks and Wildlife Service
RTA	Roads and Traffic Authority
Site	Land to which the DA applies
Vacant land	Vacant land is defined as the whole of the lot in a current plan registered at the Land Titles Office that does not have a dwelling situated on the lot and is permitted to have a dwelling on that lot at the date of this consent.

SCHEDULE 3
ADMINISTRATIVE CONDITIONS

Green type represents October 2004 modification
Blue type represents February 2007 modification
Red type represents October 2007 modification
Violet type represents September 2008 modification
Aqua type represents October 2009 modification

Obligation to Minimise Harm to the Environment

1. The Applicant shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or decommissioning of the development.

Terms of Approval

2. The Applicant shall carry out the development generally in accordance with the:
   (a) DA 300-09-2002-i;
   (b) EIS titled *Extension of Warkworth Coal Mine*, volumes 1-4, dated August 2002, and prepared by Environmental Resources Management Australia Pty. Ltd.;
   (c) Letter from Coal & Allied to the Department, dated 23 October 2002, and titled *Proposed Extension of Warkworth Coal Mine – Additional Flora Survey*;
   (d) Letter from Coal & Allied to the Department, dated 24 October 2002, and titled *Additional Information Request – Aboriginal Heritage*;
   (e) Letter from Coal & Allied to the Department, dated 19 November 2002, and titled *Proposed Extension of Warkworth Mine Archaeological Assessment Response*;
   (f) Letter from Holmes Air Sciences to the Department, dated 19 November, and titled *Additional Information Relating to Air Quality Issues for the Proposed Extension to Warkworth Mine*s;
   (g) Letter from Coal & Allied to the Department, dated 29 November 2002, titled *Extension of Warkworth Coal Mine*;
   (h) Letter from Coal & Allied to the Department, dated 13 December 2002, and titled *Extension of Warkworth Coal Mine*;
   (i) Report titled *Extension of Warkworth Coal Mine – Green Offsets Strategy*, dated December 2002, and prepared by Environmental Resources Management Australia Pty Ltd;
   (j) Modification application MOD 64-7-2004-i and the accompanying document Statement of Environmental Effects, Section 96 (1A) Modification of Development Consent – Warkworth Coal Mine, dated July 2004, and prepared by Environmental Resource Management Australia Pty Ltd;
   (k) Modification Application DA 300-9-2002 MOD 3 by Coal and Allied, lodged 16 October 2007, and accompanying supporting information;
   (l) Modification Application DA 300-9-2002 MOD 4, and accompanying EA titled Mount Thorley Warkworth – Coal Bed Methane, dated May 2008;
   (m) Modification Application DA 300-9-2002-i MOD 5, and accompanying letter titled *"Relocation of explosives reload facility and light vehicle wash bay"*, dated October 2009; and
   (n) Conditions of this consent.

3. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.

4. The Applicant shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:
   (a) Any reports, plans or correspondence that are submitted in accordance with this consent; and
   (b) The implementation of any actions or measures contained in these reports, plans or correspondence.

   Note: Before any mining is carried out in accordance with this consent, the Applicant is required to get a Mining Operations Plan approved by the DII.

Limits of Approval

5. With regards to mining-related development, this consent lapses 18 years after DII approves the initial MOP for development in the extension area.

Note: Once the mining-related development is completed, the Applicant is required, under this consent, to continue implementing the flora and fauna offset strategy for the life of the impact, which could take between 25-50 years. This consent will continue to operate during this period.

6. The Applicant shall not extract more than 18 million tonnes of ROM coal a year from the development.

Surrender of Consents

7. Within 3 months of the DII approving the initial MOP for development in the extension area, the Applicant shall surrender all existing development consents associated with the Warkworth Mine in accordance with Clause 97 of EP&A Regulation.

Structural Adequacy

8. The Applicant shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.

   Notes:
   - *Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.*
   - *Part 8 of the EP&A Regulation sets out the detailed requirements for the certification of development.*
   - *The development is located in the Patrick Plains Mine Subsidence District. Under Section 15 of the Mine Subsidence Act 1961, the Applicant is required to get the Mine Subsidence Board's approval before constructing or relocating any improvements on the site.*

Demolition

9. The Applicant shall ensure that all demolition work is carried out in accordance with *AS 2601-2001: The Demolition of Structures*.

Protection of Public Infrastructure

10. The Applicant shall:
    (a) Repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development;
    (b) Relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

Operation of Plant and Equipment

11. The Applicant shall ensure that all plant and equipment at the site, or used in connection with the development, are:
    (a) Maintained in a proper and efficient condition; and
    (b) Operated in a proper and efficient manner.

Section 94 Contribution

12. Before carrying out the development, or as agreed otherwise by Council, the Applicant shall pay Council $60,000 in accordance with Council's Section 94 Contribution Plan.

    Note: This contribution is subject to indexation by the Implicit Price Deflator, as published by the Australian Bureau of Statistics.

Community Enhancement Contribution

13. Within 6 months of the DII approving the initial MOP for development in the extension area, the Applicant shall pay Council up to $15,000 for water quality enhancement works in either the Hunter River or Wollombi Brook.

SCHEDULE 4
SPECIFIC ENVIRONMENTAL CONDITIONS

FAUNA & FLORA

Offset Strategy

1. Within the limits of current technology and best practice flora & fauna management, as determined by the Director-General, the Applicant shall implement:
   (a) The offset strategy described in the report titled *Extension of Warkworth Coal Mine – Green Offset Strategy*, dated December 2002, and summarised in Table 1; and
   (b) Any subsequent revisions to the strategy, as outlined in the Flora and Fauna Management Plan and Monitoring Program, and

   to the satisfaction of the Director-General.

Parameter	***NDA***	***HMA***	***On-site***
Woodland (including Warkworth Sands Woodland)	316ha	453ha	645ha
Open Woodland	317ha	412.3ha	510.5ha
Native Pasture	37.6ha	-	1143.5ha
Cleared Land	86.3ha	23.4ha	-

Table 1: Broad Targets for Offset Strategy

Warkworth Sands Woodland Endangered Ecological Community

2. Prior to clearing any Warkworth Sands Woodland on the site, the Applicant shall
   (a) Accurately determine the quantity and quality of Warkworth Sands Woodland to be cleared on the site;
   (b) Identify and Map areas where the Warkworth Sands Woodland could be reestablished in the NDAs, HMAs, on land adjacent to these areas, and on-site (consistent with Condition 3);
   (c) Examine options for the permanent protection of an area, or areas, of Warkworth Sands Woodland in consultation with the owners of the Wambo mine; and
   (d) Permanently protect, to the greatest extent practicable, an area, or areas of Warkworth Sands Woodland, at a ratio of at least 2:1 and with equivalent habitat value compared to what would be cleared on the site, in the NDAs, HMAs, or on land adjacent to these areas;

   to the satisfaction of the Director-General.

   The applicant shall re-establish Warkworth Sands Woodland in areas identified in (b) at a ratio of at least 2:1 (or to the greatest extent practicable) compared to what would be cleared on the site, in the NDAS, HMAs, on land adjacent to these areas, or on-site, to the satisfaction of the Director-Genral

Research – Warkworth Sands Woodland

3. Prior to clearing any Warkworth Sands Woodland on the site, the Applicant shall conduct research, or support research, to:
   (a) Improve existing knowledge on the Warkworth Sands Woodland Community;
   (b) Identify the extent of Warkworth Sands Woodland Community in the NDAs, HMAs, and on-site;
   (c) Identify areas within the NDAs, HMAs, and either on or off-site where the Warkworth Sands Community could be re-vegetated; and

   to the satisfaction of the Director-General.

   Based on this research, the Applicant shall determine the best practice for re-establishing the Warkworth Sands Woodland Community to the satisfaction of the Director-General.

   Note: The Applicant may require a licence for science, education or conservation under Section 132C of the National Parks & Wildlife Act 1974.

Deed of Agreement

4. Prior to carrying out any development in the extension area, the Applicant shall enter into a Deed of Agreement with the Minister. In this agreement, the Applicant shall agree to:
   (a) Conserve and manage the land in the NDAs and HMAs in accordance with the offset strategy (see Condition 1), as set out in the Flora and Fauna Management Plan (see Condition 11), and best practice;
   (b) Permanently protect the land in the NDAs for conservation and exclude open cut mining; and

(c) Exclude open cut mining in the HMAs, unless, in the opinion of the Minister, the Applicant has demonstrated that there is a clear justification for this on social, economic, and environmental grounds. To assist the Minister in his decision-making, the Applicant shall:
- Establish the coal reserve in the HMAs;
- Investigate the options for mining this reserve;
- Assess the implications of any open cut coal mining proposal on the offset strategy (see Condition 1), as set out in the Flora and Fauna Management Plan (see Condition 11), and broad conservation outcomes; and
- Assess the environmental, economic and social aspects of any open cut mining proposal in the area.

Strategic Study Contribution

5. If, during the development, the Department, NOW, or the NPWS commissions a strategic study into the regional vegetation corridor across stretching from the Wollemi National Park to the Barrington Tops National Park, then the Applicant shall contribute a reasonable amount, up to $20,000, towards the completion of this study.

Operating Conditions

6. The Applicant shall implement best practice fauna and flora management.

7. The Applicant shall salvage and reuse as much material as possible from the land that will be mined, such as soil, seeds, tree hollows, rocks, logs, etc..

8. The Applicant shall develop a detailed vegetation clearing protocol to reduce the potential impact of the development on threatened fauna.

9. To the greatest extent possible, the Applicant shall collect and use seed from the local area for any planting associated with the offset strategy.

10. The Applicant shall take all practicable measures to minimise the potential flora and fauna impacts of the development.

Flora and Fauna Management Plan

11. The Applicant shall prepare and implement a detailed Flora & Fauna Management Plan for the development. This plan must:
(a) Describe the offset strategy in broad terms;
(b) Define the completion criteria for the components of the offset strategy;
(c) Identify best practice flora & fauna management, having regard to Australian and international literature;
(d) Describe in detail what actions and measures would be implemented over the next 5 years to;
- Protect, conserve, and improve the quality of existing vegetation in the NDAs, HMAs, and on-site;
- Re-vegetate land in the NDAs, HMAs, and on-site;
- Recreate, to the greatest extent practicable, the characteristics of the vegetation communities that will be cleared during the development; and
- Minimise the potential impacts of the development on threatened fauna;

(e) Include a detailed research program for the Warkworth Sands Woodland Community (see Condition 3);
(f) Describe the detailed procedures to:
- Salvage and reuse material from the site;
- Clear vegetation on-site;
- Control erosion and sediment flows in the NDAs, HMAs, and on-site;
- Manage soil and water in the NDAs, HMAs, and on-site;
- Manage bushfires in the NDAs, HMAs, and on-site;
- Collect and propagate seeds from the local area;
- Control weeds in the NDAs, HMAs, and on-site;
- Control access to the NDAs and HMAs; and
- Manage any potential conflicts between the offset strategy and Aboriginal cultural heritage in the NDAs and HMAs;

(g) Identify who would be responsible for monitoring, reviewing, and implementing the plan.

The Applicant shall submit a copy of this plan to the Director-General for approval within 12 months of the date of this consent.

Monitoring

12. The Applicant shall:
    (a) Establish detailed baseline data on the flora & fauna in the NDAs, HMAs, and on-site by the end of December 2005; and
    (b) Monitor the performance of the offset strategy over time.

13. The Applicant shall prepare and implement a detailed Fauna & Flora Monitoring Program for the development. This program must:
    (a) Be based on sound statistical principles;
    (b) Describe in detail what actions and measures would be implemented to:
        - Establish detailed baseline data on the Flora & Fauna in the NDAs, HMAs, and on-site;
        - Monitor the performance of the offset strategy over time;

    The Applicant shall monitor the parameters outlined in the Flora and Fauna Monitoring Program, which must include (as a minimum) the parameters in Table 2:

Monitoring Component	***Monitoring Description***
Flora	*A number of permanent flora survey quadrats (which may vary in size to survey tree, shrubs and ground cover) should be established in woodland enhancement areas to obtain quantitative data on plant species diversity and abundance.*
Habitat Complexity	*Habitat complexity should be monitored using a number of permanent transects established within woodland enhancement areas. Habitat complexity parameters such as canopy cover, shrub cover, ground vegetation cover, the amount of litter, fallen logs and rocks should be surveyed.*
Terrestrial Fauna	*Terrestrial fauna surveys should be conducted to monitor the usage of enhancement areas by vertebrate fauna. Monitoring may include fauna species diversity and abundance, or alternatively, the use of indicator species to measure the effectiveness of enhancement measures.*
Specific Enhancement Initiatives	*Monitoring of specific enhancement initiatives (e.g. the provision of nesting/roosting boxes, weed control or feral animal control).*

Table 2: Parameters for Fauna and Flora Monitoring

The Applicant shall submit a copy of this program to the Director-General for approval with the Flora & Fauna Management Plan within 12 months of the date of this consent.

Annual Review

14. The Applicant shall
    (a) Review the performance of the Flora & Fauna Management Plan and Fauna and Flora Monitoring Program annually and, if necessary,
    (b) Revise these documents to take into account any recommendations from the annual review.

Independent Audit

15. At the end of year 5 of the development, and every 5 years thereafter, unless the Director-General directs otherwise, the Applicant shall commission, and pay the full cost of, an independent Audit of the offset strategy. This audit must:
    (a) Be conducted by a suitably qualified, experienced, and independent person whose appointment has been endorsed by the Director-General;
    (b) Assess the performance of the offset strategy;
    (c) Review the adequacy of the Flora & Fauna Management Plan and Flora & Fauna Monitoring Program; and, if necessary
    (d) Recommend actions or measures to improve the performance of the offset strategy, and the adequacy of the Flora & Fauna Management Plan and/or the Flora & Flora & Fauna Monitoring Program.

16. Within 3 months of commissioning this audit, the Applicant shall submit a copy of the audit report to the Director-General with a detailed response to any of the recommendations in the audit report.

Conservation Bond

17. Following the independent audit of the offset strategy at the end of year 15 of the development, the Applicant shall lodge a conservation bond with the Department to ensure that there are sufficient resources available to fully implement the offset strategy. The size of the bond will be set by the Director-General, in consultation with the Applicant, and will reflect the costs, at that time, of fully implementing the offset strategy. The bond will be adjusted after each subsequent independent audit of the offset strategy.

AIR QUALITY

Impact Assessment Criteria

18. The Applicant shall ensure that the air pollution generated by the development does not exceed the criteria listed in Tables 3, 4, and 5 at any privately-owned land.

Pollutant	Averaging period	Criterion
Total suspended particulate (TSP) matter	Annual	90 µg/m^3
Particulate matter < 10 µm (PM_{10})	Annual	30 µg/m^3

Table 3: Long term impact assessment criteria for particulate matter

Pollutant	Averaging period	Criterion
Particulate matter < 10 µm (PM_{10})	24 hour	50 µg/m^3

Table 4: Short term impact assessment criterion for particulate matter

Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level
Deposited dust	Annual	2 g/m^2/month	4 g/m^2/month

Table 5: Long term impact assessment criteria for deposited dust

Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 1991, AS 3580.10.1-1991: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.

Land Acquisition Criteria

19. The land acquisition criteria for air pollution generated by the development are listed in Tables 6, 7 and 8.

Pollutant	Averaging period	Criterion
Total suspended particulate (TSP) matter	Annual	90 µg/m^3
Particulate matter < 10 µm (PM_{10})	Annual	30 µg/m^3

Table 6: Long term land acquisition criteria for particulate matter

Pollutant	Averaging period	Criterion	Percentile[1]	Basis
Particulate matter < 10 µm (PM_{10})	24 hour	150 µg/m^3	99[2]	Total[3]
Particulate matter < 10 µm (PM_{10})	24 hour	50 µg/m^3	98.6	Increment[4]

Table 7: Short term land acquisition criteria for particulate matter

[1]Based on the number of block 24 hour averages in an annual period.
[2]Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity agreed by the Director-General in consultation with the DECCW.
[3]Background PM_{10} concentrations due to all other sources plus the incremental increase in PM_{10} concentrations due to the mine alone.
[4]Incremental increase in PM_{10} concentrations due to the mine alone.

Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level
Deposited dust	Annual	2 g/m^2/month	4 g/m^2/month

Table 8: Long term land acquisition criteria for deposited dust

Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 1991, AS 3580.10.1-1991: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.

Operating Conditions

20. The Applicant shall carry out the development in a way that prevents and/or minimises the air pollution generated by the development.

21. The Applicant shall ensure that any visible air pollution generated by the development is assessed regularly, and that mining operations are relocated, modified, and/or stopped as required to prevent air quality impacts occurring on any privately-owned land, and ensure that the visibility and safety of motorists using the surrounding public roads are not compromised.

22. The Applicant shall ensure that the real-time ambient air quality monitoring for 24 hour average PM_{10} (see Conditions 23 and 24) and the meteorological monitoring data (see Conditions 26 and 27) are assessed continuously, and that mining operations are relocated, modified and/or stopped as required to prevent air quality impacts occurring on any privately-owned land.

Monitoring

23. [1]The Applicant shall establish air quality monitoring stations at the residences on the land numbered 13 and 26 in the EIS, whilst privately-owned, and at least 4 other locations approved by the DECCW, and to the satisfaction of the Director-General. These stations shall monitor the dust deposition rate, and concentrations of TSP matter and PM_{10}.

24. [2]The Applicant shall monitor (by sampling and obtaining results by analysis) the concentration of each pollutant in Table 9, using the specified units of measure, averaging period, frequency, and sampling method in the table.

[1] Incorporates DECCW GTA
[2] Incorporates DECCW GTA

Pollutant	Units of measure	Averaging period	Frequency	Sampling method[1]
Dust deposition	$g/m^2/month$	Month, annual	Continuous	AM-19
TSP matter	$\mu g/m^3$	24 hour, annual	1 day in 6	AM-15
PM_{10}	$\mu g/m^3$	24 hour, annual	Continuous	AS3580.9.8 – 2001[2]
Siting	-		-	AM-1

Table 9: Air quality monitoring

[1] NSW DECCW, 2001, Approved Methods for the Sampling and Analysis of Air Pollutants in NSW.
[2]Standards Australia, 2001, AS3580.9.8-2002, Method for Sampling and Analysis of Ambient Air - Determination of Suspended Particulate Matter - PM_{10} Continuous Direct Mass Method using a Tapered Element Oscillating Microbalance Analyser, or any other method that is approved by the DECCW and the Director-General.

25. The Applicant shall prepare and implement a detailed Air Quality Monitoring Program for the development in consultation with the DECCW. The Applicant shall not carry out any development in the extension area before the Director-General has approved this program.

Meteorological Monitoring

26. [3]The Applicant shall establish a permanent meteorological station at a location approved by the DECCW, and to the satisfaction of the Director-General. The meteorological station shall continuously measure and record wind speed, wind direction, total solar radiation, temperature (i.e. at two levels), sigma theta and rainfall.

27. [4]The Applicant shall monitor the parameters specified in Table 10, using the specified units of measure, averaging period, frequency, and sampling method in the table.

Parameter	*Units of measure*	*Averaging period*	Frequency	*Sampling method[1]*
Lapse rate	*°C/100m*	*1 hour*	Continuous	*Note[2]*
Rainfall	*mm/hr*	*1 hour*	Continuous	*AM-4*
Sigma Theta @ 10 m	*°*	*1 hour*	*Continuous*	*AM-2*
Siting	-	-	-	*AM-1*
Temperature @ 10 m	*K*	*1 hour*	*Continuous*	*AM-4*
Temperature @ 2 m	*K*	*1 hour*	*Continuous*	*AM-4*
Total Solar Radiation @ 10m	*W/m^2*	*1 hour*	*Continuous*	*AM-4*
Wind Direction @ 10 m	*°*	*1 hour*	*Continuous*	*AM-2*
Wind Speed @ 10 m	*m/s*	*1 hour*	Continuous	*AM-2*

Table 10: Meteorological monitoring

[1] NSW DECCW, 2001, Approved Methods for the Sampling and Analysis of Air Pollutants in NSW.
[2]The Applicant shall calculate lapse rate from measurements made at 2m and 10m.

NOISE

Impact Assessment Criteria

28. [5]The Applicant shall ensure that the noise generated by the development does not exceed the criteria in Table 11 at any privately-owned land.

Day/Evening/Night $L_{Aeq(15\ minute)}$	*Land Number*
40	*26 - Henderson J*
39	*1 - Kannar H*
	31 - Russell C
	38 - Heuston P/L
	58 - Russell BJ & R
38	*5 - Berry KG, TK, GE & LA*
	35 - Kelly CM
	47 - Hall J

[3] Incorporates DECCW GTA
[4] Incorporates DECCW GTA
[5] Incorporates DECCW GTA

	70 - Langdon B
	Bulga Village[6]
	Warkworth Village[7]
37	*2 - Lucas JL & KA*
	4 - O'Hara J & R
	8 - Russell B & C
	12 - Headly J
	39 - Heuston P/L
	40 - Ball WEA
	41 - Ball CS & GA
	45 - Marendale P/L
	48 - Slade C & L
	49 - R Thriff & Co
	50 - Ventra F & J
	56 - Langdon L & S
	57 - Kannar RW
	69 - Headly S
36	*7 - Waldock K*
	9 - Isaac K
	11 - Headly S
	42 - Topdock
	43 - Moore
	54 - Edward & Haynes K & LF
	55 - Wellard M & F
	106 - Welsh G & L
	125 - Clemson D
35	*All other residential or sensitive receptors, excluding the following:* • *6 - Klasen J & R;* • *10 - Russell P & C;* • *34 - O'Hara R & J;* • *36 - Heuston P/L;* • *46 - Berry GE & EA;* • *127 & 128 – Stuart D, B & P; and* • *129 – Kime V.*

Table 11: Noise impact assessment criteria

Notes:

a) Noise from the development is to be measured at the most affected point on or within the residential boundary, or at the most affected point within 30 metres of a dwelling (rural situations) where the dwelling is more than 30 metres from the boundary, to determine compliance with the $L_{Aeq(15\ minute)}$ noise limits in the above table. If it can be demonstrated that direct measurement of noise from the development is impractical, the DECCW may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.

b) Noise from the development is to be measured at 1 metre from the dwelling façade to determine compliance with the $L_{A1(1\ minute)}$ noise limits in the above table.

c) The noise emission limits identified in the above table apply under meteorological conditions of:

- *Wind speeds of up to 3 m/s at 10 metres above ground level;*
- *Temperature inversion conditions of up to 3ºC/100m, and wind speeds of up to 3m/s at 10 metres above ground level.*

Land Acquisition Criteria

29. The land acquisition criteria for noise generated by the development are listed in Table 12[8].

[6] Bulga Village includes the residential or sensitive receptors generally within the area bounded by properties 18, 20, 23, 22, 117, 122, 89, and 111 on the map EIS-35 in Volume 4 of the EIS.
[7] Warkworth Village includes the residential or sensitive noise receptors generally within the area bounded by properties 29, 68, and 121 on the map EIS-35 in Volume 4 of the EIS.
[8] See Notes in Condition 28 for guidance on how to interpret this Table.

Day/Evening/Night *$L_{Aeq(15\ minute)}$*	*Land Number*
44	*129 - Kime V*
43	*1 – Kannar H*
	26 – Henderson J
	127 – Stuart D, B & P
	128 – Stuart D, B & P
	Bulga Village[9]
	Warkworth Village[10]
42	*10 - Russell P & C*
40	*All other residential or sensitive receptors*

Table 12: Land acquisition criteria

Operating Conditions

30. The Applicant shall carry out the development in a way that prevents and/or minimises the noise generated by the development.

Monitoring

31. The Applicant shall establish permanent real-time noise monitoring stations at the residence on the land numbered 129 in the EIS, whilst privately-owned, and at least 6 other locations approved by the DECCW, and to the satisfaction of the Director-General. These stations shall monitor the noise generated by the development, in general accordance with the *NSW Industrial Noise Policy* and *AS 1055: Acoustics – Description and Measurement of Environmental Noise*.

32. The Applicant shall prepare a detailed Noise Monitoring Program for the development in consultation with the DECCW, which includes a detailed noise monitoring protocol for evaluating compliance with the criteria in Conditions 28 & 29. The Applicant shall not carry out any development in the extension area before the Director-General has approved this program.

BLASTING & VIBRATION

Airblast Overpressure Impact Assessment Criteria

33. [11]The Applicant shall ensure that the airblast overpressure level from blasting at the development does not exceed the criteria in Table 13 at any residence on privately-owned.

Airblast overpressure level (dB(Lin Peak))	Allowable exceedance
115	5% of the total number of blasts over a period of 12 months
120	0%

Table 13: Airblast overpressure impact assessment criteria

Ground Vibration Impact Assessment Criteria

34. [12]The Applicant shall ensure that the ground vibration level from blasting at the development does not exceed the criteria in Table 14 at any residence on privately-owned land.

Peak particle velocity (mm/s)	Allowable exceedance
5	5% of the total number of blasts over a period of 12 months

[9] Bulga Village includes the residential or sensitive receptors generally within the area bounded by properties 18, 20, 23, 22, 117, 122, 89, and 111 on the map EIS-35 in Volume 4 of the EIS.
[10] Warkworth Village includes the residential or sensitive noise receptors generally within the area bounded by properties 29, 68, and 121 on the map EIS-35 in Volume 4 of the EIS.
[11] Incorporates DECCW GTA
[12] Incorporates DECCW GTA

10	0%

Table 14: Ground vibration impact assessment criteria

Blasting Hours

35. [13]The Applicant shall only carry out blasting at the development between 7 am and 6 pm, Monday to Saturday inclusive. No blasting is allowed on Sundays or public holidays.

Public Notice

36. During the life of the development, the Applicant shall:
    (a) Operate a Blasting Hotline, or alternate system agreed to by the Director-General, to enable the public to get up-to-date information on blasting operations at the development; and
    (b) Notify the occupants of any land within 2 kilometres of the site about this hotline or system on a regular basis.

Property Inspection

37. Before carrying out any development in the extension area, the Applicant shall advise all landowners within 2 kilometres of the site that they are entitled to a property inspection.

38. If the Applicant receives a written request for a property inspection from any landowner within 2 kilometres of the site, the Applicant shall:
    (a) Commission a suitably qualified person within 14 days of receiving the request – whose appointment is acceptable to both parties - to inspect the condition of any building or structure on the land, and recommend any preventative and/or remedial measures to minimise any potential blasting impacts; and
    (b) Give the landowner a copy of this property inspection report within 14 days of receiving the report.

    If the Applicant or the landowner disagree with the findings of the property inspection report, either party may refer the matter to the Director-General for resolution.

    If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (See Appendix 2).

Operating Conditions

39. The Applicant shall carry out blasting at the development to:
    (a) Prevent and/or minimise the airblast overpressure, ground vibration and air pollution generated by the development; and
    (b) Ensure that no people, property and/or livestock are damaged as a result of blasting operations.

40. The Applicant shall co-ordinate blasting at the development with the blasting at surrounding mines – such as Bulga, Mount Thorley, Wambo, and Hunter Valley Operations – to minimise the cumulative impacts of blasting in the region.

Monitoring

41. [14]The Applicant shall monitor airblast overpressure and ground vibration at the:
    (a) Residence on the land numbered 26 in the EIS, whilst privately-owned; and
    (b) Any residence or other noise-sensitive buildings, such as hospitals and schools, on land within 2 kilometres of the site if it receives a written request from the landowner, unless the Director-General agrees otherwise.

42. [15]The Applicant shall monitor the parameters in Table 15, using the specified units of measure, frequency, sampling method, and location in the table.

[13] Incorporates DECCW GTA
[14] Incorporates DECCW GTA
[15] Incorporates DECCW GTA

Parameter	Units of Measure	Frequency	Sampling Method	Location
Airblast overpressure	dB(Lin Peak)	During every blast	AS2187.2-1993[1]	Not less than 3.5 m from a building or structure
Peak particle velocity	mm/s	During every blast	AS2187.2-1993	Not more than 30 m from a building or structure

Table 15: Airblast overpressure and ground vibration monitoring

[1]Standards Australia, 1993, AS2187.2-1993: Explosives - Storage, Transport and Use - Use of Explosives.

43. The Applicant shall prepare and implement a detailed Blasting Monitoring Program for the development in consultation with the DECCW. The Applicant shall not carry out any development in the extension area before the Director-General has approved this program.

Property Investigations

44. If any landowner within a 2 kilometre radius of the site claims that his/her property has been damaged as a result of blasting at the development, the Applicant shall:
   (a) Commission a suitably qualified person within 14 days of receiving this claim in writing – whose appointment is acceptable to both parties - to investigate the claim in detail; and
   (b) Give the landowner a copy of the property investigation report within 14 days of receiving the report.

   If this independent investigation confirms the landowner's claim, and both parties agree with these findings, then Applicant shall repair the damages to the satisfaction of the Director-General.

   If the Applicant or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Director-General for resolution.

   If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (See Appendix 2).

SURFACE WATER

Pollution of Waters

45. Except as may be expressly provided by a DECCW licence, the Applicant shall comply with Section 120 of the *Protection of the Environment Operations Act 1997* during the carrying out of the development.

Discharge Limits

46. [16]Except as may be expressly provided by a DECCW licence or the *Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002*, the Applicant shall not discharge more than 100ML/day from any licenced discharge point at the development.

47. [17]Except as may be expressly provided by a DECCW licence or the *Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002*, the Applicant shall ensure that discharges from any licensed discharge point at the development comply with the limits in Table 16:

Pollutant	Units of measure	100 percentile concentration limit
pH	pH	6.5 ≤ pH ≤ 9
Non-filterable residue	mg/litre	NFR ≤ 120

Table 16: Discharge Limits

Note: This condition does not authorise the pollution of waters by any other pollutants.

[16] Incorporates existing DECCW Licence condition
[17] Incorporates existing DECCW Licence condition

Impact Assessment Criteria

48. Before carrying out any development in the extension area, the Applicant shall establish a set of surface water impact assessment criteria for the surface water monitoring locations determined by the DECCW to the satisfaction of the DECCW and the Director-General.

Transfer of Water

49. During the development, the Applicant may transfer water to, and receive water from, the Redbank Power Station, and the Lemington and Mount Thorley Mines.

Operating Conditions

50. The Applicant shall carry out the development in a way that prevents and/or minimises the potential surface water impacts of the development.

51. The Applicant shall take all practicable measures to minimise the diversion of run-on water into the mine water management system.

Monitoring

52. [18]The Applicant shall:
(a) Continuously measure the following parameters at any licenced discharge point at the development during discharge:
- The volume of the wastewater discharged (in megalitres per day);
- The conductivity of the wastewater discharged (in MicroSiemans per centimeter);
- Non-filterable residue (in milligrams per litre); and
- pH.

(b) Forward the results of this continuous monitoring to the regional water quality monitoring network, operated by NOW, via the Hunter Integrated Telemetry System.

53. [19]The Applicant shall measure the following parameters in the receiving waters at locations to be determined by the DECCW:
(a) Non-filterable residue;
(b) pH; and
(c) Conductivity.

54. The Applicant shall establish a network of water meters to measure the following on a monthly basis:
(a) Water use on-site;
(b) Dam and water structure storage levels;
(c) Water management flows;
(d) Transfers of water between the mine, and the Lemington and Mount Thorley Mines and Redbank Power Station; and
(e) All uncontrolled discharges.

55. The Applicant shall prepare and implement a detailed Surface Water Monitoring Program for the development, in consultation with the DECCW and NOW. The Applicant shall not carry out any development in the extension area before the Director-General has approved this program.

Site Water Balance Review

56. Each year, the Applicant shall:
(a) Review the site water balance for the development against the predictions in the EIS;
(b) Recalculate the site water balance for the development[20]; and
(c) Report on the results of this review in the AEMR.

Audit of Dams

57. At the end of Year 2 of the development, and every 3 years thereafter, the Applicant shall:

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[18] Incorporates DECCW GTA
[19] Incorporates DECCW GTA
[20] These calculations must exclude the clean water system, including any sediment control structures, and any dams in the mine lease area which fall under the Maximum Harvestable Right Dam Capacity; include any dams that are licensable under Section 205 of the Water Act 1912, and water harvested from any non-harvestable rights dam on the mine lease area; address balances of inflows, licenced water extractions, and transfers of water from the site to other sites; include an accounting system for water budgets; and include a salt budget.

(a) Conduct an audit of the all the dams in the mining lease area in terms of their status as Harvestable Rights dams, excluding any dams or licensable structures, in consultation with NOW; and
(b) Report on the results of this audit in the AEMR.

GROUNDWATER

Note: The Applicant is required to get a licence from NOW under Part 5 of the Water Act 1912 for bores, wells and excavations that will intersect the groundwater table.

Impact Assessment Criteria

58. Before carrying out any development in the extension area, the Applicant shall establish detailed groundwater impact assessment criteria for the development to the satisfaction of NOW and the Director-General.

Operating Conditions

59. The Applicant shall carry out the development in a way that prevents and/or minimises the potential groundwater impacts of the development.

60. [21]The Applicant shall ensure that any works used to convey, distribute, or store groundwater extracted during the development do not obstruct the free passage of floodwaters in, to, or from a river or lake.

Monitoring

61. The Applicant shall:
(a) Measure the quantity of groundwater extracted by the development; and
(b) Conduct quarterly monitoring of groundwater levels and groundwater quality up and down gradient of the development, in accordance with NOW's *Draft Groundwater Monitoring Guidelines for Mine Sites Within the Hunter Region,*
to the satisfaction of NOW.

62. The Applicant shall prepare and implement a detailed Groundwater Monitoring Program for the development. The Applicant shall not carry out any development in the extension area before NOW and the Director-General have approved this program.

Investigations

63. If any landowner of land on Map EIS-26 in Volume 4 of the EIS, claims that the development is adversely affecting his/her groundwater supply, the Applicant shall, in consultation with NOW:
(a) Commission a suitably qualified person within 14 days of receiving this claim in writing – whose appointment is acceptable to both parties – to investigate the claim in detail; and
(b) Give the landowner a copy of the groundwater investigation report within 14 days of receiving this report.

If this investigation confirms the landowner's claim, and both parties agree with the findings of the report, then the Applicant shall provide the landowner with a replacement water supply or suitable compensation, to the satisfaction of NOW.

If the Applicant or the landowner disagrees with the findings of the report, then either party may refer the matter to the Director-General for resolution.

If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (See Appendix 2).

[21] Incorporates NOW GTA

EROSION AND SEDIMENT CONTROL

64. The Applicant shall implement all practicable measures to minimise soil erosion and the discharge of sediments and water pollutants from the site.

65. The Applicant shall prepare and implement an Erosion and Sediment Control Plan for the development, in consultation with Council and NOW. This plan must:
    (a) Be consistent with the requirements in NOW's draft guideline for the *Establishment of Stable Drainage Areas on Rehabilitated Mine Sites*, and the Department of Housing's *Managing Urban Stormwater: Soils and Construction* manual;
    (b) Identify the development that could cause soil erosion or discharge sediment or water pollutants from the site;
    (c) Describe the location and capacity of all erosion and sediment control structures, and nominate which, if any, of these structures would be used as water sources for the development;
    (d) Describe in detail what actions and measures would be implemented to minimise soil erosion and the discharge of sediments or water pollutants from the site; and
    (e) Describe how the effectiveness of these actions and measures would be monitored during the development;

    The Applicant shall not carry out any development before the Director-General has approved this plan. However, with the agreement of the Director-General, this plan may be prepared and approved in stages, during the life of the development; and the Applicant may carry out any development that is covered by an approved Erosion and Sediment Control Plan.

ABORIGINAL & EUROPEAN HERITAGE

Archaeological Salvage Excavations

66. [22]The Applicant shall conduct archaeological salvage excavations in the landform zones listed in Table 17, and depicted in Figure 4 of Part E of the EIS, to the satisfaction of the NPWS.

Landform Zone	Description
4	The sand sheet
1	Along the upper reaches of Sandy Hollow Creek
8a	On the relatively less disturbed areas along the ridge-tops
8c	on the relatively less disturbed areas along the ridge-tops

Table 17: Landform Zones for Archaeological Salvage Excavations

Note: Before carrying out these excavations, the Applicant is required to obtain an Excavation Permit from the NPWS, under Section 87 of the National Parks & Wildlife Act 1974

Consent to Destroy

67. [23]The Applicant must obtain consent from the National Parks and Wildlife Service, under Section 90 of the *National Parks & Wildlife Act 1974,* to destroy the Aboriginal sites and artefacts listed in Table 18, and depicted in Figures 8 and 10 of Part E of the EIS.

Site Name	*Site Type*	*Landform Zone*
B	A	1. Sandy Hollow Creek
K	A	3. Unnamed Tributary to Wollombi Brook
PN1	A	8c. Undulating Terrain
PN2	IF	8c. Undulating Terrain
PN3	IF	8c. Undulating Terrain
PN7	IF	2. Longford Creek
PN8	A	2. Longford Creek
PN9	IF	2. Longford Creek
PN10	GG	2. Longford Creek
PN11	A	2. Longford Creek
PN12	IF	8a. Undulating Terrain
PC1	IF	8c. Undulating Terrain
PC2	A	8c. Undulating Terrain
PC3	A	8c. Undulating Terrain

[22] Incorporates NPWS GTA
[23] Incorporates NPWS GTA

Site Name	Site Type	Landform Zone
PC4	IF	3. Unnamed Tributary to Wollombi Brook
PC5	A	3. Unnamed Tributary to Wollombi Brook
PL12	A	3. Unnamed Tributary to Wollombi Brook
PL13	A	3. Unnamed Tributary to Wollombi Brook
PL14	A	3. Unnamed Tributary to Wollombi Brook
PL15 ('X')	IF	3. Unnamed Tributary to Wollombi Brook
F1	IF	7. Woodlands
F2	IF	7. Woodlands
F3	IF	7. Woodlands
W1	A	7. Woodlands
W6 (Remainder – not already covered by Consent #435)	A	1. Sandy Hollow Creek
W7	A	1. Sandy Hollow Creek
W8	A	1. Sandy Hollow Creek
W9	IF	1. Sandy Hollow Creek
W10	A	1. Sandy Hollow Creek
W11	A	1. Sandy Hollow Creek
W14	A	1. Sandy Hollow Creek, and 4. Sand Sheet Adjacent to Sandy Hollow Creek
W15	A	1. Sandy Hollow Creek
W16	A	1. Sandy Hollow Creek
W17	A	1. Sandy Hollow Creek
W18	A	1. Sandy Hollow Creek
W19	A	1. Sandy Hollow Creek
W22	A	3. Unnamed Tributary to Wollombi Brook
W23	A	8c. Undulating Terrain
W24	IF	8c. Undulating Terrain
W30	IF	8a. Undulating Terrain
W37	A	8a. Undulating Terrain
W38	A	8a. Undulating Terrain
W39	A	8a. Undulating Terrain
W40	IF	8a. Undulating Terrain
W41	A	8a. Undulating Terrain
W42	A	7. Woodlands
W43	IF	3. Unnamed Tributary to Wollombi Brook
W44	IF	3. Unnamed Tributary to Wollombi Brook
W45	IF	8c. Undulating Terrain
W46	A	8c. Undulating Terrain
W62	1F	1. Sandy Hollow Creek
W63	A	1. Sandy Hollow Creek
W65	A	8b. Undulating Terrain
W66	A	1. Sandy Hollow Creek
W67	A	8b. Undulating Terrain
W68	1F	8b. Undulating Terrain
W69	A	4. Sand Sheet Adjacent to Sandy Hollow Creek
W72	IF	7. Woodlands
W73	IF	7. Woodlands
W74	IF	3. Unnamed Tributary to Wollombi Brook
W75	IF	8c. Undulating Terrain
W76	A	8c. Undulating Terrain
W77	A	8b. Undulating Terrain
W78	IF	8b. Undulating Terrain
W79	A	8b. Undulating Terrain
W80	A	8b. Undulating Terrain
W81	IF	8b. Undulating Terrain
W82	A	8b. Undulating Terrain
W83	A	8c. Undulating Terrain
W84	IF	4. Sand Sheet Adjacent to Sandy Hollow Creek

Table 18: List of Section 90 Artefacts and Sites

Cultural Salvage

68. Before it destroys the archaeological sites listed in Table 17, the Applicant shall allow local Aboriginal groups to collect, salvage, and/or record material from these sites in accordance with the Cultural Salvage Program (see Condition 71).

Conservation

69. Throughout the development, the Applicant shall actively protect and conserve the archaeological sites and artefacts in the NDAs and HMAs in accordance with the Conservation Program (see Condition 71).

Trust Fund Contribution

70. Within 6 months of DII approving the initial MOP for development in the extension area, or as agreed otherwise by the Director-General, the Applicant shall contribute $50,000 to the Hunter Aboriginal Cultural Heritage Trust Fund for further investigations into Aboriginal cultural heritage, as defined by the Trust Deed.

Archaeology and Cultural Heritage Management Plan

71. The Applicant shall prepare and implement an Archaeology and Cultural Heritage Management Plan, in consultation with the NPWS and local Aboriginal groups including the Wonnarua Nation Aboriginal Corporation, Upper Hunter Wonnarua Council, Lower Hunter Tribal Council, Ungooroo Aboriginal Corporation, and Wonaruah Local Aboriginal Land Council. This plan must:
    (a) Describe the following in detail:
        - Archaeological Salvage Excavation Program;
        - Cultural Salvage Program;
        - Destruction Program; and
        - Conservation Program.
    (b) Establish a consultation protocol for Aboriginal Cultural Heritage Management on-site during the development; and
    (c) Describe the procedures that would be implemented if any new heritage or archaeological sites are discovered during the development.

    The Applicant shall not carry out any development in the extension area before the Director-General has approved this plan.

Reporting

72. The Applicant shall give a detailed progress report on the Archaeological Salvage Excavation, Cultural Salvage, Destruction, and Conservation programs in the AEMR.

TRAFFIC & TRANSPORT

[24]Road Works in MR503

73. Before carrying out any development in the MR503 (The Putty Road) road reserve, the Applicant shall execute a Deed with the RTA for the proposed construction, operation, and maintenance of this development.

74. The Applicant shall bear all the costs associated with the design, survey, approval, construction, maintenance, monitoring, rehabilitation, and removal of the development, as described in the EIS, in the MR503 road reserve.

75. Development in the MR 503 road reserve shall remain the property and responsibility of the Applicant, and shall not become part of the State Road reserve.

76. The Applicant shall ensure that the development in the MR503 road reserve complies with current RTA and Austroads Design Standards, and the RTA's Quality Assurance Specifications.

77. Before carrying out any development in the MR503 road reserve, the Applicant shall submit detailed engineering plans and a Traffic Control Plan for the proposed development to the RTA for approval. The Applicant shall not carry out any of this development before the RTA has approved these plans.

[24] Incorporates the RTA GTAs

Note: For more information on the RTA's assessment process see the RTA's publication "Private Sector Development Work on the Road Network – Developer's Notes".

78. The Applicant shall ensure that a RTA Pre-qualified Contractor, whose appointment has been approved in writing by the RTA before construction starts, carries out all development in the MR503 road reserve.

79. Following the construction of any development in the MR503 road reserve, the Applicant shall commission a suitably qualified person to carry out an annual inspection of this development, and provide the RTA with a written report detailing the condition and safety of the development, identifying any maintenance works that are required, and describing when and how these works would be carried out.

80. When the mining-related development ends, the Applicant shall remove all redundant development from within the MR503 road reserve, and rehabilitate the associated land to the satisfaction of the RTA.

Road Closure

81. The Applicant shall not close any public roads without the approval of the relevant road authority.

Parking

82. The Applicant shall provide at least 240 parking spaces on-site.

83. The Applicant shall ensure that these parking spaces comply with the minimum standard for car park construction in Singleton Council's *Car Parking Development Control Plan*.

Coal Haulage

84. The Applicant shall not haul any coal from the mine on public roads, except in an emergency, as agreed by the Director-General in consultation with Council.

Conveyor

85. The Applicant shall construct the proposed conveyor between the Warkworth and Mount Thorley mines by the end of Year 5 of the development, unless otherwise agreed by the Director-General.

WASTE MANAGEMENT

86. [25]The Applicant shall not cause, permit or allow any waste generated outside the mine to be received at the mine for storage, treatment, processing, reprocessing or disposal, or any waste generated at the mine to be disposed of at the mine, except as expressly permitted by a DECCW licence[26].

Note: This condition only applies to the storage, treatment, processing, reprocessing, or disposal of waste that requires a licence under the Protection of the Environment Operations Act 1997.

VISUAL IMPACT

Visual Amenity

87. The Applicant shall carry out the development in a way that prevents and/or minimises the visual impacts of the development.

88. The Applicant shall install bunds at strategic locations around the site, and plant additional trees along the boundary of the site to the satisfaction of the Director-General in order to screen the development, as far as is practicable, from external viewers.

89. If a landowner of any dwelling located at raised elevations to the west of the development requests the Applicant in writing to investigate ways to minimise the visual impact of the development on his/her dwelling, the Applicant shall:

[25] Incorporates an Existing Condition on DECCW Licence

[26] The current DECCW licence allows the Applicant to accept the following waste generated at the Redbank Power Station:

(a) Ash;
(b) Brine in ash;
(c) Boiler chemical cleaning solutions;
(d) Water treatment plant solid residues;
(e) Rock removed from back-up fuel; and

Any other matter approved in writing approved by the DECCW.

(a) Commission a suitably qualified person within 14 days of receiving this request – to investigate ways to minimise the visual impacts of the development on the landowner's dwelling;

(b) Give the landowner a copy of the visual impact mitigation report within 14 days of receiving this report.

If both parties agree on the measures that should be implemented to minimise the visual impact of the development, then the Applicant shall implement these measures to the satisfaction of the Director-General.

If the Applicant and the landowner disagree on the measures that should be implemented to minimise the visual impact of the development, then either party may refer the matter to the Director-General for resolution.

If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (see Appendix 2).

Overburden Dumps

90. The Applicant shall construct the overburden emplacements generally in accordance with the EIS, and to the satisfaction of DII.

Lighting Emissions

91. The Applicant shall take all practicable measures to prevent and/or minimise any off-site lighting impacts from the development.

92. All external lighting associated with the development shall comply with *Australian Standard AS4282(INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting*.

HAZARDS MANAGEMENT

Spontaneous Combustion

93. The Applicant shall:
    (a) Take the necessary measures to prevent, as far as is practical, spontaneous combustion on the site; and
    (b) Manage any spontaneous combustion on-site to the satisfaction of DII.

Dangerous Goods

94. The Applicant shall ensure that the storage, handling, and transport of:
    (a) Dangerous goods is done in accordance with the relevant *Australian Standards*, particularly *AS1940* and *AS1596*, and the *Dangerous Goods Code*; and
    (b) Explosives are carried out in accordance with the requirements of DII.

BUSHFIRE MANAGEMENT

95. The Applicant shall:
    (a) Ensure that the development is suitably equipped to respond to any fires on-site;
    (b) Assist the Rural Fire Service and emergency services as much as possible if there is a fire on-site during the development.

96. Before carrying out any development, the Applicant shall prepare a Bushfire Management Plan for the site, to the satisfaction of Council and the Rural Fire Service.

REHABILITATION

97. The Applicant shall:
    (a) Rehabilitate all mining areas in accordance with the requirements of any Mining Lease granted by the Minister for Mineral Resources, having regard to the *Synoptic Plan – Integrated Landscapes for Mine Site* Rehabilitation; and
    (b) Ensure that the progressive rehabilitation is carried out to the satisfaction of the DII and NOW.

FINAL VOID MANAGEMENT

98. At the end of Year 13 of the development, the Applicant shall prepare a Final Void Management Plan for the development, in consultation with the DII, NOW and Council, and to the satisfaction of the Director-General. This Plan must:
    (a) Investigate options for the future use of t-he final void;
    (b) Re-assess the potential groundwater impacts of the development;
    (c) Describe what actions and measures would be implemented to:
        - Minimise any potential adverse impacts associated with the final void; and
        - Manage, and monitor the potential impacts of, the final void over time.

SCHEDULE 5
ADDITIONAL PROCEDURES FOR AIR QUALITY & NOISE MANAGEMENT

Notify Landowners

1. If the air dispersion and/or noise dispersion model predictions in the documents listed in Condition 2 (of Schedule 3) suggest that the air pollution and/or noise generated by the development are likely to be greater than the air quality and/or noise impact assessment criteria in Conditions 18 & 28 (of Schedule 4), then the Applicant shall notify the relevant landowners and/or existing or potential tenants (including tenants of mine-owned properties) accordingly before it carries out any development in the extension area.

2. If the results of the air quality and/or noise monitoring required in Schedule 4 suggest that the air pollution and/or noise generated by the development are greater than the air quality and/or noise impact assessment criteria in Schedule 4, then the Applicant shall notify the relevant landowners and/or existing or potential tenants (including tenants of mine-owned properties) accordingly on a quarterly basis.

3. Before carrying out the development in the extension area, the Applicant shall develop a procedure in consultation with DECCW and NSW Health, for notifying the landowners and tenants referred to in Conditions 1 & 2. This procedure must ensure that:
   (a) All existing and potential (prior to signing a residential tenancy agreement to occupy the residence) tenants are advised in writing about: the air quality impacts likely to occur at the residence during the operational life of the mine; and the likely health and amenity impacts associated with exposure to particulate matter;
   (b) The written advice in (a) is based on current air quality monitoring data, dispersion modelling results, research and literature; and
   (c) There is an ongoing process for providing current air quality monitoring data, dispersion modelling results, research and literature to the tenants.

Independent Review

4. If a landowner considers the development to be exceeding the air quality and/or noise impact assessment criteria listed in Schedule 4 at his/her dwelling, or at any proposed dwelling on his/her vacant land, then he/she may ask the Applicant for and independent review of the air pollution and/or noise impacts of the development on his/her dwelling, or proposed dwelling.

   If the Director-General is satisfied that an independent review is warranted, the Applicant shall:
   (a) Consult with the landowner to determine his/her concerns; and
   (b) Commission a suitably qualified person – whose appointment has been approved by the Director-General – to conduct air quality and/or noise monitoring at the relevant dwelling to determine whether the development is complying with the relevant impact assessment criteria, and identify the source(s) and scale of any air quality and/or noise impact at the dwelling, and the development's contribution to this impact.

   Within 14 days of receiving the results of this independent review, the Applicant shall give a copy of these results to the Director-General and landowner.

5. If the independent review (referred to in Condition 4) determines that the development is complying with the relevant impact assessment criteria listed in Schedule 4 at the dwelling, then the Applicant may discontinue the independent review with the approval of the Director-General.

6. If the independent review (referred to in Condition 4) determines that the development is not complying with the relevant impact assessment criteria listed in Schedule 4 at the dwelling, and that the development is primarily responsible for this non-compliance, then the Applicant shall:
   (a) Take all practicable measures, in consultation with the landowner, to ensure that the development complies with the relevant impact assessment criteria; and conduct further air quality and/or noise monitoring at the dwelling to determine whether these measures ensure compliance; or
   (b) Secure a written agreement with the landowner to allow exceedances of the air quality and/or noise impact assessment criteria listed in Schedule 4.

   If the additional monitoring referred to above subsequently determines that the development is complying with the relevant impact assessment criteria listed in Schedule 4 at the dwelling, then the Applicant may discontinue the independent review with the approval of the Director-General.

   If the measures referred to in (a) do not ensure compliance with the air quality and/or noise land acquisition criteria listed in Schedule 4 at the dwelling, and the Applicant cannot secure a written agreement with the landowner to allow exceedances of the air quality and/or noise impact assessment criteria listed in Schedule 4, then the Applicant shall, upon receiving a written request from the landowner, acquire all or part of the landowner's land in accordance with the procedures in Conditions 9-11 below.

7. If the independent review determines that the development is not complying with the air quality and/or noise impact assessment criteria listed in Schedule 4 at the dwelling, but that several mines are responsible for this non-compliance, then the Applicant shall, with the agreement of the landowner and other mine(s), prepare and implement a Cumulative Air Quality and Noise Impact Management Plan to the satisfaction of the Director-General. This plan must provide details of the joint approach to be adopted by the Applicant and other mine(s) to manage cumulative air quality and/or noise impacts at the landowner's dwelling, and the acquisition of any land.

   If the Applicant is unable to finalise an agreement with the landowner and/or other mine(s), and/or prepare a Cumulative Air Quality and Noise Impact Management Plan, then the Applicant or landowner may refer the matter to the Director-General for resolution.

   If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process.

   If, following the Independent Dispute Resolution Process, the Director-General decides that the Applicant shall acquire all or part of the landowner's land, then the Applicant shall acquire this land in accordance with the procedures in Conditions 9 - 11 below.

8. If the landowner disputes the results of the independent review (referred to in Condition 4), either the Applicant or the landowner may refer the matter to the Director-General for resolution.

   If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process.

Land Acquisition

9. Within 6 months of receiving a written request from the landowner, the Applicant shall pay the landowner:
   (a) The current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the development the subject of the DA, having regard to the:
      - Existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and
      - Presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date;
   (b) The reasonable costs associated with:
      - Relocating within the Singleton local government area, or to any other local government area determined by the Director-General;
      - Obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is required; and
   (c) Reasonable compensation for any disturbance caused by the land acquisition process.

   However, if within 6 months of receiving this written request, the Applicant and landowner cannot agree on the acquisition price of the land, and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Director-General for resolution.

   Upon receiving such a request, the Director-General shall request the President of the Australian Institute of Valuers and Land Economists to appoint a qualified independent valuer or Fellow of the Institute, to consider submissions from both parties, and determine a fair and reasonable acquisition price for the land, and/or terms upon which the land is to be acquired.

   If either party disputes the independent valuer's determination, then the independent valuer must refer the matter back to the Director-General.

   Upon receiving such a referral, the Director-General shall appoint a panel to determine a fair and reasonable acquisition price for the land, and/or the terms upon which the land is to be acquired, comprising the:
   (i) Appointed independent valuer,
   (ii) Director-General or her nominee, and
   (iii) President of the Law Society of NSW or his nominee.

   Within 14 days of receiving the panel's determination, the Applicant shall make a written offer to purchase the land at a price not less than the panel's determination.

If the landowner refuses to accept this offer within 6 months of the date of the Applicant's offer, the Applicant's obligations to acquire the land shall cease, unless otherwise agreed by the Director-General.

10. The Applicant shall bear the costs of any valuation or survey assessment requested by the independent valuer, panel, or the Director-General and the costs of determination referred to in Condition 9.

11. If the Applicant and landowner agree that only part of the land should be acquired, then the Applicant shall pay all reasonable costs associated with obtaining Council approval for any plan of subdivision, and registration of the plan at the Office of the Registrar-General.

SCHEDULE 6
ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING & REPORTING

ENVIRONMENTAL MANAGEMENT STRATEGY

1. The Applicant shall prepare and implement an Environmental Management Strategy for the development. This strategy must:
   (a) Provide the strategic context for environmental management of the development;
   (b) Identify the statutory requirements that apply to the development;
   (c) Describe in general how the environmental performance of the development would be monitored and managed during the development;
   (d) Describe the detailed procedures that would be implemented to:
      - Keep the local community and relevant agencies informed about the operation and environmental performance of the development;
      - Receive, handle, respond to, and record complaints;
      - Resolve any disputes that may arise during the course of the development;
      - Respond to any non-compliance;
      - Manage cumulative impacts; and
      - Respond to emergencies; and
   (e) Describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the development.

2. The Applicant shall not carry out any development in the extension area before the Director-General has approved this strategy.

3. Within 14 days of the Director-General's approval, the Applicant shall:
   (a) Send copies of the approved strategy to the relevant agencies, Council, and the CCC; and
   (b) Ensure the approved strategy is publicly available during the development.

ENVIRONMENTAL MONITORING PROGRAM

4. The Applicant shall prepare a detailed Environmental Monitoring Program for the development in consultation with the relevant agencies. This program must consolidate the various monitoring requirements in Schedule 4 of this consent into a single document.

5. The Applicant shall not carry out any development in the extension area before the Director-General has approved this program.

6. The Applicant shall keep this program up to date, in consultation with the Director-General and the relevant agencies, and notify the relevant agencies, Council, CCC, and general public of any changes to the program.

7. The Applicant shall regularly review, and if necessary update, this program in consultation with the Director-General, and notify the relevant agencies, Council, CCC, and general public of any changes to the strategy.

ANNUAL REPORTING

8. The Applicant shall submit an Annual Environmental Management Report to the Director-General and the relevant agencies. This report must:
   (a) Identify the standards and performance measures that apply to the development;
   (b) Include a detailed summary of the complaints received during the past year, and compare this to the complaints received in the previous 5 years;
   (c) Include a detailed summary of the monitoring results on the development during the past year,
   (d) Include a detailed analysis of these monitoring results against the relevant:
      - Impact assessment criteria;
      - Monitoring results from previous years; and
      - Predictions in the EIS;
   (e) Identify any trends in the monitoring over the life of the development;
   (f) Identify any non-compliance during the previous year; and
   (g) Describe what actions were, or are being, taken to ensure compliance.

INDEPENDENT ENVIRONMENTAL AUDIT

9. At the end of year 2 of the development, and every 5 years thereafter, unless the Director-General directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:
   (a) Be conducted by a suitably qualified, experienced, and independent person whose appointment has been endorsed by the Director-General;
   (b) Be consistent with *ISO 14010 – Guidelines and General Principles for Environmental Auditing*, and *ISO 14011 – Procedures for Environmental Auditing*, or updated versions of these guidelines/manuals;
   (c) Assess the environmental performance of the development, and its effects on the surrounding environment;
   (d) Assess whether the development is complying with the relevant standards, performance measures, and statutory requirements;
   (e) Review the adequacy of the Applicant's Environmental Management Strategy and Environmental Monitoring Program; and, if necessary,
   (f) Recommend measures or actions to improve the environmental performance of the development, and/or the environmental management and monitoring systems.

10. Within 3 months of commissioning this audit, the Applicant shall submit a copy of the audit report to the Director-General, with a detailed response to any of the recommendations contained in the audit report.

COMMUNITY CONSULTATIVE COMMITTEE

11. The Applicant shall ensure that there is a Community Consultative Committee to oversee the environmental performance of the development. This committee shall:
   (a) Be comprised of:
      - 2 representatives from the Applicant, including the person responsible for environmental management at the mine;
      - 1 representative from Council; and
      - 3 representatives from the local community,

      whose appointment has been approved by the Director-General in consultation with the Council;
   (b) Be chaired by the representative from Council;
   (c) Meet at least twice a year; and
   (d) Review and provide advice on the environmental performance of the development, including any construction or environmental management plans, monitoring results, audit reports, or complaints.

12. The Applicant shall, at its own expense:
   (a) Ensure that 2 of its representatives attend the Committee's meetings;
   (b) Provide the Committee with regular information on the environmental performance and management of the development;
   (c) Provide meeting facilities for the Committee;
   (d) Arrange site inspections for the Committee, if necessary;
   (e) Take minutes of the Committee's meetings;
   (f) Make these minutes available to the public for inspection within 14 days of the Committee meeting, or as agreed to by the Committee;
   (g) Respond to any advice or recommendations the Committee may have in relation to the environmental management or performance of the development;
   (h) Forward a copy of the minutes of each Committee meeting, and any responses to the Committee's recommendations to the Director-General within a month of the Committee meeting.

13. The Applicant shall ensure that the Committee has its first meeting before the Environmental Management Strategy (see Condition 1) is submitted to the Director-General for approval.

Appendix 1

Extension of Warkworth Coal Mine

DP	Lot	Portion	Part	Volume	Folio	Property Owner
260663	271					Miller Pohang Coal Company
658927	17					Miller Pohang Coal Company
247340	9			12454	109	Miller Pohang Coal Company
247339	19			12454	156	Miller Pohang Coal Company
612684	341			14527	42	Miller Pohang Coal Company
251238	6			13281	145	Public Transport Commission of NSW
260663	272					Warkworth Mining Limited
260663	273					Miller Pohang Coal Company
260056	36					Warkworth Mining Limited
43383	5					Warkworth Mining Limited
1041796	1					Warkworth Mining Limited
1026900	6					Warkworth Mining Limited
248186	140			14430	229	Warkworth Mining Limited
248186	139			12586	107	Warkworth Mining Limited
113342	21			5527	10	Warkworth Mining Limited
755267	136			5527	10	Warkworth Mining Limited
113342	20			5527	10	Warkworth Mining Limited
657481	166					Warkworth Mining Limited
113342	19			5527	10	Warkworth Mining Limited
182301	B			5527	10	Warkworth Mining Limited
755267	162			5527	10	Warkworth Mining Limited
113342	18			5527	10	Warkworth Mining Limited
755267	105			5527	10	Warkworth Mining Limited
113342	16			5527	10	Warkworth Mining Limited
113342	17			5527	10	Warkworth Mining Limited
755267	102			5527	10	Warkworth Mining Limited
755267	154			5527	10	Warkworth Mining Limited
755267	91			5527	10	Warkworth Mining Limited
755267	104			5527	10	Warkworth Mining Limited
755267	185			5527	10	Warkworth Mining Limited
755267	170			5527	10	Warkworth Mining Limited
182301	A			5527	10	Warkworth Mining Limited
755267	165			14430	217	Warkworth Mining Limited
755267	190			14430	217	Warkworth Mining Limited
248570	6			14527	44	Warkworth Mining Limited
755267	130			14430	217	Warkworth Mining Limited
113342	6					Warkworth Mining Limited
755267	182			14096	188	Warkworth Mining Limited
113342	13			5527	10	Warkworth Mining Limited
755267	179			5527	10	Warkworth Mining Limited
755267	103			5527	10	Warkworth Mining Limited
248186	138			14430	228	Warkworth Mining Limited
248186	137			14430	227	Warkworth Mining Limited
113342	5			11241	191	Warkworth Mining Limited
248186	135			14430	224	Warkworth Mining Limited
573290	141			14430	230	Warkworth Mining Limited
573290	142			14430	231	Warkworth Mining Limited
573290	143			14430	232	Warkworth Mining Limited
531116	841			10913	132	Warkworth Mining Limited
949066	1			2577	229	Warkworth Mining Limited

43383	2					Warkworth Mining Limited
248186	136					Warkworth Mining Limited
248186	134			14430	223	Warkworth Mining Limited
248186	133			14430	222	Warkworth Mining Limited
755267	184			5527	10	Warkworth Mining Limited
113342	12			5527	10	Warkworth Mining Limited
755267	106			5527	10	Warkworth Mining Limited
113342	22			5527	10	Warkworth Mining Limited
755267	89			5527	10	Warkworth Mining Limited
755267	46			5527	10	Warkworth Mining Limited
755267	183			5527	10	Warkworth Mining Limited
113342	15			5527	10	Warkworth Mining Limited
755267	48			5527	10	Warkworth Mining Limited
113342	14			5527	10	Warkworth Mining Limited
755267	189			5527	10	Warkworth Mining Limited
755267	110			5527	10	Warkworth Mining Limited
755267	180			14096	188	Warkworth Mining Limited
755267	187			14096	188	Warkworth Mining Limited
248570	7			14527	44	Warkworth Mining Limited
43383	3					Warkworth Mining Limited
248186	132			14430	221	Warkworth Mining Limited
248186	131			14430	220	Warkworth Mining Limited
573290	144			14430	233	Warkworth Mining Limited
248186	130			14430	219	Warkworth Mining Limited
704466	203					Warkworth Mining Limited
705493	2					Warkworth Mining Limited
130275	1					Warkworth Mining Limited
755267	27			14430	214	Warkworth Mining Limited
573286	1			14430	211	Warkworth Mining Limited
755267	172			14430	237	Warkworth Mining Limited
755267	200			13802	218	Warkworth Mining Limited
755267			47	14430	240	Warkworth Mining Limited
755267		90		14430	240	Warkworth Mining Limited
755267		134		14430	240	Warkworth Mining Limited
113342	10			14430	240	Warkworth Mining Limited
755267			175	13802	219	Warkworth Mining Limited
227280	1			14430	243	Warkworth Mining Limited
227280	2			14430	244	Warkworth Mining Limited
227280	3			14430	244	Warkworth Mining Limited
176095	1			14430	247	Warkworth Mining Limited
130276	1					Warkworth Mining Limited
755267	178			14096	188	Warkworth Mining Limited
755267		167		14430	240	Warkworth Mining Limited
755267		1		14430	240	Warkworth Mining Limited
755267	177			14096	188	Warkworth Mining Limited
755267	63			14430	215	Warkworth Mining Limited
113342	7			14096	186	Warkworth Mining Limited
755267	111			14430	216	Warkworth Mining Limited
755267	132			14430	218	Warkworth Mining Limited
755267	168			14430	236	Warkworth Mining Limited
43383	1					Warkworth Mining Limited
755267	196			14430	238	Warkworth Mining Limited
245850	6			12361	137	Warkworth Mining Limited
245850	7			12361	138	Warkworth Mining Limited
245850	8			12361	139	Warkworth Mining Limited
755267		157		13802	219	Warkworth Mining Limited

755267		156		13802	219	Warkworth Mining Limited
755267		155		13802	219	Warkworth Mining Limited
755267		150		13802	219	Warkworth Mining Limited
755267			149	13802	219	Warkworth Mining Limited
326244	1			13802	219	Warkworth Mining Limited
326245	1			14926	241	Warkworth Mining Limited
248570	1			14527	44	Warkworth Mining Limited
657482	197					Warkworth Mining Limited
755267	173			14096	188	Warkworth Mining Limited
245850	1			12361	132	Warkworth Mining Limited
245850	2			12361	133	Warkworth Mining Limited
245850	3			12361	134	Warkworth Mining Limited
248570	2			14527	44	Warkworth Mining Limited
755267	159			14430	234	Warkworth Mining Limited
755267	137			14430	226	Warkworth Mining Limited
248570	5			14527	44	Warkworth Mining Limited
248570	4			14527	44	Warkworth Mining Limited
246201	9			12330	226	Warkworth Mining Limited
246201	10			12330	227	Warkworth Mining Limited
246201	5			14430	212	Warkworth Mining Limited
245850	5			12361	136	Warkworth Mining Limited
755267	152			14430	242	Warkworth Mining Limited
245850	4			12361	135	Warkworth Mining Limited
625709	21			14926	239	Warkworth Mining Limited
130264	2					Warkworth Mining Limited
130264	1			5168	244	Warkworth Mining Limited
43383	4					Warkworth Mining Limited
129822	2					Warkworth Mining Limited
755267			120	14926	241	Warkworth Mining Limited
755267	151			14430	242	Warkworth Mining Limited
755267	131			14430	242	Warkworth Mining Limited
129822	1			14430	242	Warkworth Mining Limited
129819	3			13283	151	Warkworth Mining Limited
129819	2			13261	239	Warkworth Mining Limited
129819	1			14522	177	Warkworth Mining Limited
129812	1			12601	84	Warkworth Mining Limited
129811	3					Warkworth Mining Limited
129811	2					Warkworth Mining Limited
129811	1					Warkworth Mining Limited
755267	201					Crown Land
246201	8			12330	225	Warkworth Mining Limited
129799	2			12330	224	Warkworth Mining Limited
129799	1			12330	223	Warkworth Mining Limited
705493	1					Warkworth Mining Limited
113342	11			14430	240	Warkworth Mining Limited
625709	22					Warkworth Mining Limited
1026900	7					Warkworth Mining Limited
1026900	8					Warkworth Mining Limited
705493	3					Crown Land
658759	4			14430	245	Warkworth Mining Limited
1026537	371					Singleton Shire Council
260066	35					Warkworth Mining Limited
600747	272					Miller Pohang Coal Company Pty Ltd
247340	8					Miller Pohang Coal Company Pty Ltd
1026900	4					Roads and Traffic Authority (vested in Singleton Shire Council)

1026900	3	Roads and Traffic Authority (vested in Singleton Shire Council)
1026900	2	Roads and Traffic Authority (vested in Singleton Shire Council)

Roads
Road West of DP 1026900 Lot 6 (Crown Land)
Old Putty Road Alignment (Singleton Shire Council)

Appendix 2

Independent Dispute Resolution Process (Indicative only)