

17 Statement of commitments

17.1 Introduction

This section identifies the commitments proposed to manage the potential impacts resulting from the proposed modification, as well as the requested amendments to PA 06_0014.

17.2 Statement of commitments

Commitments to specific mitigation and management measures proposed in Chapters 8 to 16 of this EA to manage potential impacts resulting from the proposed modification are listed in Table 17.1. These measures have been considered in the context of the current operations and the environmental monitoring and management plans already in place as required by PA 06_0014 (refer Section 3.4). Appendix 3 of PA 06_0014 lists commitments related to the current operations which are to be implemented for the life of the mine.

Table 17.1 Statement of commitments

Environmental matter	Reference*	Commitment
Noise	6.4.10	Xstrata Mangoola proposes to modify the management and acquisition zones to reflect the revised noise and air modelling undertaken for Modification 6: - Noise mitigation and management – only those residences identified as having predicted noise impacts under the proposed modification greater than 35 dB(A) will be afforded noise mitigation and management. - Acquisition – those residences identified in Appendix 5 of PA 06_0014 predicted to move out of the acquisition zone as a result of the proposed modification (ie noise/air quality predictions meet the relevant criteria) will be offered a 12 month period from the date of the modified project approval to request acquisition in accordance with Schedule 3 of PA 06_0014.
	6.4.11	Infrastructure and bypass coal conveyors will consist of partial acoustic enclosures.
	6.4.12	At night, operating below the maximum elevation of the overburden emplacement areas.
	6.4.13	The NMP will be updated to reflect changes resulting from the proposed modification, and will consider pro-active and predictive modelling and management, and protocols for managing noise during adverse meteorological conditions.
Blast and vibration	6.5.17	The Blast Monitoring Program will be updated where necessary in accordance with the proposed modification.
Air quality	6.6.15	Xstrata Mangoola will install first flush systems on residential rain water tanks, at the request of landowners within 6 km of active mining within the approved project disturbance boundary. Xstrata Mangoola will clean residential rainwater tanks at privately-owned properties at the request of landowners; once per year up to a 4 km radius from active mining within the approved project disturbance boundary; once every two years up to a 6 km radius from active mining within the approved project disturbance boundary.
	6.6.16	The AQMP will be updated to include commissioning of two additional monitors; one to the west-south-west of the mine, between the approved project disturbance boundary and sensitive receptors, and one to the north-west of the mine, near the township of Wybong and receptor 110.

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Environmental matter	Reference*	Commitment
Water management	6.7.9	The SWMP will be updated to include: - the rules, regulations and operating parameters of the HRSTS and Mangoola Coal's responsibilities; - include a requirement for notification of downstream water users within 1 km of the proposed discharge point when discharges to the Hunter River (dictated by the rules and regulations of the HRSTS) are scheduled; - regular monitoring of water quality in the saline water zone, including the PWD, and monitoring prior to discharge, to ensure that guideline trigger values are met; - monitoring of bank erosion at the discharge outlet on Hunter River during HRSTS discharges, and corrective actions if any unexpected erosion of the bank occurs; - monitoring of the Hunter River channel at the discharge outlet annually and during and following any HRSTS discharge to assess channel stability, and corrective actions if any unexpected impacts arise to channel stability as a result of discharges at the outlet; and - an annual review of the site water balance in order to forecast potential water supply shortages.
Social commitments	6.14.1	Engage with relevant regulators, health care service providers and stakeholders to discuss recommendations to address social risks related to provision of health care services. This may include: - Discussions with MSC and DP&I regarding distribution of VPA funding for local traineeships in health service sectors. - Participate in the Second Doctor for Denman health care working group. - Investigate actions to facilitate provision of improved health services in Denman. Options include providing assistance with the use of other facilities such as the Denman multi-purpose centre, achieving the status of visiting medical officer and/or initial sponsorship of a relief doctor.
	6.14.2	Engage with relevant regulators, health care service providers and stakeholders to discuss recommendations to address predicted impacts on provision of child-care and pre-school services in Muswellbrook and Denman. This may include: - Focussing proportion of VPA funding on local traineeships in critical service sectors. - Allocation of a proportion of VPA funding to assist with increasing the capacity of pre-school services in Denman. Options include assisting the Denman Child-Care Centre (such as infrastructure, staffing or other needs that would be identified during further consultation).
	6.14.3	Noise effect on social amenity - Communicate operational measures with the community which are investigated and/or implemented to achieve ongoing management of noise levels. - Continue ongoing development of stockpile dozer track-noise mitigation. - Engage with neighbouring mining operations in dealing with cumulative impacts.

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Environmental matter	Reference*	Commitment
	6.14.4	Dust effect on social amenity • Expansion of zone for installation of the first flush system on residential rainwater tanks to include landowners within 6 km of the approved project disturbance boundary. • Rainwater tanks to be cleaned at privately-owned properties; once per year up to 4 km radius from the approved project disturbance boundary; once every 2 years up to 6 km radius. • Engage with neighbouring mining operations in dealing with cumulative impacts. • Development of an ongoing community information program for environmental issues to improve awareness of impact management practices.
	6.14.5	Proportion of VPA funding to be directed to MSC to assist with the upgrade of Muswellbrook Sewerage Treatment Plant – contribution to be based on proposed population increase (Scenario C) shown in the SIOA. Consideration will be given to long-term historical capacity issues and additional development pressure within the Muswellbrook urban area from other sources in determining the extent of contributions required to address potential impacts arising from the proposed modification.
	6.14.6	Local workforce opportunities: • Continue to implement local recruitment drive for the proposed modification operational workforce and expand to Sandy Hollow and Merriwa. • Facilitate a workshop to bring together government and industry stakeholders with an interest in providing housing in the Upper Hunter, and discuss issues such as affordability, diversity, availability, within the Muswellbrook LGA. • Continue to participate in Upper Hunter Mining Dialogue Housing and Social Infrastructure forums.

* Additional commitments to be included in Appendix 3 – Statement of Commitments in PA 06_0014.

In addition, each of the management and monitoring plans and strategies specified in Schedule 3 of PA 06_0014 and listed in Table 3.3 of this EA will be updated to incorporate the elements of the proposed modification, where required.

17.3 Amendments to PA 06_0014

The following amendments are requested to PA 06_0014 as a result of the proposed modification:

Condition 6 of Schedule 2 – delete condition 6 of Schedule 2 and replace with:

6. The Proponent shall not extract more than 13.5 million tonnes of ROM coal a year from the site.

Condition 3 of Schedule 3 – delete Condition 3 Table 1 of Schedule 3 and replace with:

3. The Proponent shall ensure that the noise generated by the project does not exceed the noise impact assessment criteria in Table 1.

Table 1: Noise impact assessment criteria dB(A)

<i>Day</i>	<i>Evening</i>	<i>Night</i>		<i>Land Number</i>
<i>LAeq(15 minute)</i>	<i>LAeq(15 minute)</i>	<i>LAeq(15 minute)</i>	<i>LA1(1 minute)</i>	
40	40	40	45	132A
39	39	39	45	121, 132B
38	38	38	45	176
37	37	37	45	25, 66, 110, 130, 148, 154, 164
36	36	36	45	96B*, 111, 168*, 174A, 174B, 175
41	41	41	-	Anglican Church, Castlerock Road

*Note: * Receptor is owned by Muswellbrook Coal.*

Condition 8 of Schedule 3 – delete the third and fourth bullet points in Condition 8 of Schedule 3 and replace with:

- the owner of any residence where subsequent operational noise monitoring shows the noise generated by the project is greater than $L_{Aeq(15 \text{ minute})}$ 35 dB(A) (except where a negotiated noise agreement is in place); or
- an owner of the five residences on Wybong Road and two residences on Bengalla Link Road where traffic noise levels are predicted in the EA to exceed the traffic noise criteria in Table 3 (ie. Residence numbers 96B, 168, 203F, 203G, 246, 249 and 251; note that 96B and 168 are owned by Muswellbrook Coal and that 203F and 203G are owned by Bengalla Mine);

Condition 13 of Schedule 3 – delete Condition 13 Table 4 and replace with:

13. The Proponent shall ensure that the ground vibration level from blasting at the project does not exceed the criteria in Table 4.

Table 4: Ground vibration impact assessment criteria

<i>Receiver</i>	<i>Peak particle velocity (mm/s)</i>	<i>Allowable exceedance</i>
Residence on privately-owned land	5	5% of the total number of blasts over a period of 12 months
	10	0%
Castle Hill (heritage slab hut)	5 (interim)	0%
500 kV transmission line pylons – tension towers	50	0%
500 kV transmission line pylons – suspension towers	100	0%
Aboriginal rock shelters	40 (interim)	0%
Anvil Road and ‘The Book’ rock formations	40 (interim)	0%

Notes:

- The impact assessment criteria for Castle Hill applies until further monitoring is undertaken to identify either blast control measures or undertake detailed archival recording of the heritage slab hut where measures cannot achieve the criteria. The impact assessment criteria for the Aboriginal rock shelters, Anvil Rock and ‘The Book’ apply until site specific impact assessment criteria are developed, as required by condition 14.
- The impact assessment criteria for residences and the 500kV transmission line pylons apply unless otherwise agreed with the relevant owner/s of the residence or infrastructure, and the Proponent has advised the Department in writing of the terms of this agreement. Once agreed, the new impact assessment criteria will replace those in the table above and be subject to monitoring and annual reporting as outlined in Condition 4 in Schedule 5.

Condition 16(b) of Schedule 3 – delete and replace with:

6 blasts a week, averaged over a 12 month period;

Condition 16(c) of Schedule 3 – delete this condition.

Condition 16(d) of Schedule 3 – delete this condition.

Appendix 5 – Landowners with acquisition rights – delete table and replace with:

Residence ID	Owner	Lot	DP	Significant Noise Impact	Significant Air Impact	Significant Blast Impact - Vibration	Significant Blast Impact - Overpressure
Residences							
34 *	Cole G R	186	750924	Yes	-	-	-
56 *	Buddin KW & Bezzina S	23	240086	Yes	Yes	Yes	Yes
81 *	Phelps JR & CM	12	240086	Yes	-	-	-
83 *	Ray MD & JT	9	750968	Yes	Yes	Yes	Yes
25	Withers KL, LA, RIC & PJ RAY	168	750968	-	-	Yes	Yes
Additional Properties >25% Affected							
83	Ray MD & JT	47	750968	Yes	Yes	-	-
		48	750968	Yes	Yes	-	-
		504	521969	Yes	Yes	-	-

Notes: *Associated Lot and DP specified in the table are also >25% affected by significant noise impacts.

Replace Draft Figure 1 with Figure 8.4 of this report.

Appendix 6 – Conceptual offset strategy and rehabilitation plans

Replace Figure 11.10 with Figure 4.4 of this report.

