

# Project Approval

## Section 75J of the *Environmental Planning and Assessment Act 1979*

I, the Minister for Planning, approve the project referred to in schedule 1, subject to the conditions in schedules 2 to 5.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the on-going environmental management of the project.

Frank Sartor MP  
**Minister for Planning**

**Signed by Minister Sartor 13 September 2006**

Blue text represents MOD 1 August 2011

Sydney

2006

File No: 9038493

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### SCHEDULE 1

|                             |                                    |
|-----------------------------|------------------------------------|
| <b>Project Application:</b> | 06_0021                            |
| <b>Proponent:</b>           | Centennial Angus Place Pty Limited |
| <b>Approval Authority:</b>  | Minister for Planning              |
| <b>Land:</b>                | See Appendix 1                     |
| <b>Project:</b>             | Angus Place Coal Project           |

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## DEFINITIONS

|                                        |                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Adaptive management                    | Adaptive management includes monitoring subsidence effects and impacts and, based on the results, modifying the mine plan as mining proceeds to ensure that the effects, impacts and/or associated environmental consequences remain within the predicted and/or designated ranges                                                                                                                          |
| AEMR                                   | Annual Environmental Management Report                                                                                                                                                                                                                                                                                                                                                                      |
| BCA                                    | Building Code of Australia                                                                                                                                                                                                                                                                                                                                                                                  |
| Bore                                   | Any bore or well or excavation or other work connected or proposed to be connected with sources of sub-surface water, and used or proposed to be used or capable of being used to obtain supplies of such water whether the water flows naturally at all times or has to be raised whether wholly or at times by pumping or other artificial means                                                          |
| Built features                         | Includes any building or work erected or constructed on land, and includes dwellings and infrastructure such as any formed road, street, path, walk, or driveway; and any pipeline, water, sewer, telephone, gas or other service main                                                                                                                                                                      |
| CCC                                    | Community Consultative Committee                                                                                                                                                                                                                                                                                                                                                                            |
| CEF                                    | Community Enhancement Fund                                                                                                                                                                                                                                                                                                                                                                                  |
| Conditions of this approval            | Conditions contained in Schedules 2 to 5 inclusive                                                                                                                                                                                                                                                                                                                                                          |
| Council                                | Council of the City of Lithgow                                                                                                                                                                                                                                                                                                                                                                              |
| Day                                    | Day is defined as the period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and public holidays                                                                                                                                                                                                                                                                                           |
| Department                             | Department of Planning and Infrastructure                                                                                                                                                                                                                                                                                                                                                                   |
| Director-General                       | Director-General of the Department, or delegate                                                                                                                                                                                                                                                                                                                                                             |
| DRE                                    | Division of Resources and Energy (within the Department of Trade and Investment, Regional Infrastructure and Services)                                                                                                                                                                                                                                                                                      |
| EA                                     | Environmental Assessment titled <i>Angus Place Colliery Proposed Mining and Coal Transport</i> , dated January 2006; the associated <i>Response to DEC Submission</i> , dated 8 March 2006 and the associated <i>Angus Place – Response to Submissions</i> , dated 31 March 2006                                                                                                                            |
| EA – Mod 1                             | Environmental Assessment titled <i>Angus Place Colliery, NSW Modification of Project Approval 06_0021 under Section 75W, Part 3A</i> , prepared by RPS and dated November 2010 and the associated <i>Response to Submissions</i> , prepared by Centennial Coal and dated April 2011, including its letter of clarification dated 23 May 2011 and the revised Statement of Commitments (see also Appendix 4) |
| Environmental consequences             | Environmental consequences of Subsidence Impacts, including: damage to infrastructure, buildings and residential dwellings; loss of surface flows to the subsurface; loss of standing pools; adverse water quality impacts; development of iron bacterial mats; cliff falls; rock falls; damage to Aboriginal heritage sites; impacts on aquatic ecology; ponding; etc                                      |
| EP&A Act                               | <i>Environmental Planning and Assessment Act 1979</i>                                                                                                                                                                                                                                                                                                                                                       |
| EP&A Regulation                        | <i>Environmental Planning and Assessment Regulation 2000</i>                                                                                                                                                                                                                                                                                                                                                |
| Evening                                | Evening is defined as the period from 6pm to 10pm                                                                                                                                                                                                                                                                                                                                                           |
| Executive Director Mineral Resources   | The Executive Director Mineral Resources (or the equivalent position) in the DRE                                                                                                                                                                                                                                                                                                                            |
| Existing strategies, plans or programs | Any strategy, plan or program described as existing in the EA referenced in condition 2(c) of schedule 2.                                                                                                                                                                                                                                                                                                   |
| Feasible                               | Feasible relates to engineering considerations and what is practical to build or carry out                                                                                                                                                                                                                                                                                                                  |
| First Workings                         | Development of main headings, longwall gate roads, related cut throughs and the like                                                                                                                                                                                                                                                                                                                        |
| Land                                   | In general, the definition of land is consistent with the definition in the EP&A Act. However, in relation to the noise and air quality conditions in Schedules 3 and 4 it means the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this approval                                                                    |
| Minister                               | Minister for Planning and Infrastructure, or delegate                                                                                                                                                                                                                                                                                                                                                       |
| Minor                                  | Small in quantity, size and degree given the relative context                                                                                                                                                                                                                                                                                                                                               |
| Mitigation                             | Activities associated with reducing impacts of the project                                                                                                                                                                                                                                                                                                                                                  |
| Modification 1                         | Modification application 06_0021 MOD 1                                                                                                                                                                                                                                                                                                                                                                      |
| Mod 1 Statement of Commitments         | The Proponent's commitments for the implementation of Modification 1, as set out in Appendix 4                                                                                                                                                                                                                                                                                                              |
| Negligible                             | Small and unimportant, such as not worth considering                                                                                                                                                                                                                                                                                                                                                        |

|                                |                                                                                                                                                                                                                                            |
|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Night                          | Night is defined as the period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and public holidays                                                                                                                      |
| OEH                            | Office of Environment and Heritage                                                                                                                                                                                                         |
| Privately-owned land           | Land that is not owned by a public agency, or a mining company or its subsidiary                                                                                                                                                           |
| Project                        | The project described in the EAs listed in condition 2 of schedule 2                                                                                                                                                                       |
| Proponent                      | Centennial Angus Place Pty Limited, or its successors in title                                                                                                                                                                             |
| Reasonable                     | Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements   |
| Reasonable costs               | The costs agreed between the Department and the Proponent for obtaining independent experts to review the adequacy of any aspects of an extraction plan                                                                                    |
| Rehabilitation                 | The treatment or management of land disturbed by the development for the purpose of establishing a safe, stable and non polluting environment, including the remediation of impacts                                                        |
| ROM                            | Run-of-mine                                                                                                                                                                                                                                |
| Safe, serviceable & repairable | Safe means no danger to users who are present, serviceable means available for its intended use, and repairable means damaged components can be repaired economically                                                                      |
| SCA                            | Sydney Catchment Authority                                                                                                                                                                                                                 |
| Second Workings                | Extraction of coal from longwall panels, mini-wall panels or pillar extraction                                                                                                                                                             |
| Site                           | Land to which the project application applies, including any land subject to an existing consent for the Angus Place Coal Mine                                                                                                             |
| SMP                            | Subsidence Management Plan                                                                                                                                                                                                                 |
| Subsidence                     | The totality of subsidence effects and impacts and their associated environmental consequences                                                                                                                                             |
| Subsidence effects             | Deformation of the ground mass due to mining, being all mining-induced ground movements, including both vertical and horizontal displacement, tilt, strain and curvature                                                                   |
| Subsidence impacts             | Physical changes to the ground and its surface caused by Subsidence Effects, including tensile and shear cracking of the rock mass, localised buckling of strata caused by valley closure and upsidence and surface depressions or troughs |

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## TABLE OF CONTENTS

|                                                    |    |
|----------------------------------------------------|----|
| ADMINISTRATIVE CONDITIONS                          | 5  |
| SPECIFIC ENVIRONMENTAL CONDITIONS                  | 7  |
| Acquisition Upon Request                           | 7  |
| Subsidence                                         | 7  |
| Surface and Ground Water                           | 9  |
| Air Quality                                        | 11 |
| Noise                                              | 12 |
| Meteorological Monitoring                          | 13 |
| Flora and Fauna                                    | 13 |
| Traffic and Transport                              | 13 |
| Visual Impact                                      | 14 |
| Greenhouse Gas                                     | 14 |
| Waste Minimisation                                 | 14 |
| Hazards Management                                 | 14 |
| Bushfire Management                                | 14 |
| Mine Closure Strategy                              | 15 |
| Rehabilitation                                     | 15 |
| ADDITIONAL PROCEDURES                              | 16 |
| Notification of Landowners                         | 16 |
| Independent Review                                 | 16 |
| Land Acquisition                                   | 17 |
| ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING   | 18 |
| Environmental Management                           | 18 |
| Reporting                                          | 19 |
| Independent Environmental Audit                    | 19 |
| Access to Information                              | 19 |
| APPENDIX 1: SCHEDULE OF LAND                       | 21 |
| APPENDIX 2: ANGUS PLACE COAL PROJECT PLAN          | 23 |
| APPENDIX 3: INDEPENDENT DISPUTE RESOLUTION PROCESS | 24 |
| APPENDIX 4: MOD 1 STATEMENT OF COMMITMENTS         | 25 |

## **SCHEDULE 2 ADMINISTRATIVE CONDITIONS**

### **Obligation to Minimise Harm to the Environment**

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

### **Terms of Approval**

2. The Proponent shall carry out the project generally in accordance with the:
  - (a) EA;
  - (b) EA – Mod 1;
  - (c) Mod 1 Statement of Commitments; and
  - (d) conditions of this approval.

*Note: The general layout of the project is shown in Appendix 2.*

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 approval shall prevail to the extent of any inconsistency.
4. The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:
  - (a) any reports, strategies, plans, programs, reviews, audits or correspondence that are submitted in accordance with this approval; and
  - (b) the implementation of any actions or measures contained in these documents.

### **Limits on Approval**

5. This approval lapses on 18 August 2024.
6. The Proponent shall not extract more than 4.0 million tonnes of ROM coal per calendar year from the project by underground mining methods.

### **Surrender of Consents**

7. Within 6 months of the date of this approval, the Proponent shall surrender all existing consents for the Angus Place Coal Mine to the satisfaction of the Director-General.

*Note: This approval will apply to all components of the Angus Place Coal Mine from the date of approval.*

### **Structural Adequacy**

8. The Proponent 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 Proponent is required to obtain construction and occupation certificates for any proposed building works.
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.

### **Demolition**

9. The Proponent shall ensure that all demolition work is carried out in accordance with AS 2601-2001: *The Demolition of Structures*, or its latest version.

### **Operation of Plant and Equipment**

10. The Proponent shall ensure that all plant and equipment used at the site are:
  - (a) maintained in a proper and efficient condition; and
  - (b) operated in a proper and efficient manner.

### **Community Enhancement Contribution**

11. Within 6 months of the date of this approval, and for 2 years thereafter, the Proponent shall pay Council \$25,000 (ie. a total of \$75,000), for improvements to Wolgan Road between the entrance of the mine and the old Castlereagh Highway at Lidsdale. If Council has not carried out these

enhancement works within 2 years of final payment, the Proponent may retrieve the funds from Council.

12. Within 6 months of the date of this approval, the Proponent shall establish a Community Enhancement Fund of at least \$30,000 to fund projects of benefit to the local community. The Proponent shall consult with Council and the CCC regarding distribution of monies from the fund.
13. Within six months of the approval of Modification 1, the Proponent shall enter into a Voluntary Planning Agreement with Council to pay Council \$68,000 for expenditure on local Lidsdale projects, in accordance with Centennial's formal letter of offer to Council, dated 4 May 2011.

#### **Continuation of Existing Management Plans**

14. The Proponent shall continue to implement existing strategies, plans or programs that apply to existing activities on the site until they are replaced by an equivalent strategy, plan or program approved under this approval.

## SCHEDULE 3 SPECIFIC ENVIRONMENTAL CONDITIONS

### ACQUISITION UPON REQUEST

1. Upon receiving a written request for acquisition from the landowner of the land listed in Table 1, the Proponent shall acquire the land in accordance with the procedures in conditions 7-9 of schedule 4:

*Table 1: Land subject to acquisition upon request*

| Land         |
|--------------|
| Mason (east) |

*Note: For more information on the references to land used in this condition, see the 'Property Details' figure of the EA.*

2. While the land listed in condition 1 is privately-owned, the Proponent shall implement all practicable measures to ensure that the impacts of the project comply with the predictions in the EA, to the satisfaction of the Director-General.

*Note: The noise predictions in the EA are 48dB(A) day time, 45dB(A) evening time and 37dB(A) night time, under the meteorological conditions specified in the notes to condition 17.*

### SUBSIDENCE

#### Performance Measures – Natural and Heritage Features, etc

3. The Proponent shall ensure that underground mining does not cause any exceedances of the performance measures in Table 1A, to the satisfaction of the Director-General.

*Table 1A: Subsidence Impact Performance Measures*

| <b>Water</b>                                                                                                                 |                                                                                                                                                                                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Natural watercourses.                                                                                                        | No greater environmental consequences than predicted in EA – Mod 1.                                                                                                                                                                                                               |
| <b>Biodiversity</b>                                                                                                          |                                                                                                                                                                                                                                                                                   |
| Threatened species, populations or their habitats; endangered ecological communities, including Newnes Plateau Shrub Swamps. | Negligible environmental consequences.                                                                                                                                                                                                                                            |
| <b>Land</b>                                                                                                                  |                                                                                                                                                                                                                                                                                   |
| Cliffs and pagodas.                                                                                                          | Negligible subsidence impacts and environmental consequences (that is occasional rockfalls, displacement or dislodgement of boulders or slabs, or fracturing that in total do not impact more than 0.5% of the total face area of such cliffs within any longwall mining domain). |
| Forestry operations.                                                                                                         | As specified or agreed by Forests NSW.                                                                                                                                                                                                                                            |
| <b>Aboriginal heritage features</b>                                                                                          |                                                                                                                                                                                                                                                                                   |
| Sites that may be determined to hold "special significance" as a result of studies required for extraction plans.            | Negligible subsidence impacts or environmental consequences.                                                                                                                                                                                                                      |
| Other Aboriginal heritage sites                                                                                              | Less than 10% of Aboriginal heritage sites within any longwall mining domain are affected by subsidence impacts.                                                                                                                                                                  |

*Notes:*

- 1) *The Proponent will be required to define more detailed performance indicators for each of these performance measures in the various management plans that are required under this approval (see condition 3C(g) below).*
- 2) *The requirements of this condition only apply to the impacts and consequences of mining operations undertaken following the date of approval of Modification 1.*

- 3A. The Proponent shall ensure that underground mining does not cause any exceedances of the performance measures in Table 1B, to the satisfaction of the Executive Director Mineral Resources.

*Table 1B: Subsidence Impact Performance Measures*

| <b>Built features</b>                                                                                                        |                                                                                                                                                                                                      |
|------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 66 kV transmission line.                                                                                                     | Always safe and serviceable.<br>Damage that does not affect safety or serviceability must be fully repairable, and must be fully repaired, unless the owner agrees otherwise in writing.             |
| Other built features, including powerlines, forest access roads and tracks, water pipelines and other public infrastructure. | Always safe.<br>Serviceability should be maintained wherever practicable. Loss of serviceability must be fully compensated.<br>Damage must be fully repaired or replaced, or else fully compensated. |
| <b>Public safety</b>                                                                                                         |                                                                                                                                                                                                      |
| Public safety                                                                                                                | No additional risk.                                                                                                                                                                                  |

*Notes:*

- 1) *The Proponent will be required to define more detailed performance indicators for each of these performance measures in Built Features Management Plans (see condition 3C(g) below).*
- 2) *The requirements of this condition only apply to the impacts and consequences of mining operations undertaken following the date of approval of Modification 1.*
- 3) *Requirements regarding "safe" or "serviceable" do not prevent preventative or mitigatory actions being taken prior to or during mining in order to achieve or maintain these outcomes.*
- 4) *Compensation required under this condition includes any compensation payable under the Mine Subsidence Compensation Act 1961 and/or the Mining Act 1992.*

- 3B. Any dispute between the Proponent and the owner of any built feature over the interpretation, application or implementation of the performance measures in Table 1B is to be settled by the Executive Director Mineral Resources. The Executive Director Mineral Resources may seek the advice of the Mine Subsidence Board on the matter. Any decision by the Executive Director Mineral Resources shall be final and not subject to further dispute resolution under this approval.

### **Extraction Plans**

- 3C. The Proponent shall prepare and implement Extraction Plan/s for the second workings in Longwalls 910 and 900W to the satisfaction of the Director-General. Each Extraction Plan must:
- (a) be prepared by a team of suitably qualified and experienced persons whose appointment has been endorsed by the Director-General;
  - (b) be approved by the Director-General before the Proponent carries out any of the second workings covered by the plan;
  - (c) include detailed plans of existing and proposed first and second workings and any associated surface development;
  - (d) include detailed performance indicators for each of the performance measures in Tables 1A and 1B;
  - (e) provide revised predictions of the potential subsidence effects, subsidence impacts and environmental consequences of the proposed second workings, incorporating any relevant information obtained since this approval;
  - (f) describe the measures that would be implemented to ensure compliance with the performance measures in Tables 1A and 1B, and remediate any impacts and/or environmental consequences;
  - (g) include the following to the satisfaction of the Executive Director Mineral Resources:
    - a Coal Resource Recovery Plan that demonstrates effective recovery of the available resource;
    - a Subsidence Monitoring and Reporting Program to:
      - provide data to assist with the management of the risks associated with subsidence;
      - validate the subsidence predictions;
      - analyse the relationship between the subsidence effects and impacts under the plan and any ensuing environmental consequences; and
      - report the outcomes of collected subsidence monitoring data and analysis of that data;
    - a Built Features Management Plan, which has been prepared in consultation with the owner/s of potentially affected feature/s, to manage the potential subsidence impacts and/or environmental consequences of the proposed second workings;

- a Public Safety Management Plan to ensure that mining-related activities do not impact public safety in the mining area; and
  - appropriate revisions to the Rehabilitation Management Plan required under condition 37; and
- (h) include:
- appropriate revisions to the Site Water Management Plan required by conditions 8-13, which has been prepared in consultation with OEH, SCA and NOW, which provides for the management of the potential impacts and/or environmental consequences of the proposed second workings on surface water resources and groundwater resources;
  - appropriate revisions to the Flora and Fauna Management Plan required by condition 24, which has been prepared in consultation with OEH and DRE, which provides for the management of the potential impacts and/or environmental consequences of the proposed second workings on aquatic and terrestrial flora and fauna;
  - a Land Management Plan, which has been prepared in consultation with any affected public authorities, to manage the potential impacts and/or environmental consequences of the proposed second workings on land in general; and
  - a Heritage Management Plan, which has been prepared in consultation with OEH and relevant stakeholders for Aboriginal heritage, to manage the potential environmental consequences of the proposed second workings on Aboriginal heritage sites or values; and
- (i) include a program to collect sufficient baseline data for future Extraction Plans.

*Note: A Subsidence Management Plan approved by DRE prior to 31 March 2012 is taken to satisfy the requirements of this condition.*

- 3D. The Proponent shall ensure that the management plans required under conditions 8-13, 24, 36 and 37 include:
- (a) an assessment of the potential environmental consequences of the impacts identified in the Extraction Plan, incorporating any relevant information that has been obtained since this approval;
  - (b) a detailed description of the measures that would be implemented to remediate predicted impacts; and
  - (c) a contingency plan that expressly provides for adaptive management.

### **First Workings**

- 3E. The Proponent may carry out first workings within the underground mining area, other than in accordance with an approved extraction plan, provided that DRE is satisfied that the first workings are designed to remain long term stable and non-subsiding in the long term, except insofar as they may be impacted by approved second workings.

*Note: The intent of this condition is not to require an additional approval for first workings, but to ensure that first workings are built to geotechnical and engineering standards sufficient to ensure long term stability, with negligible resulting direct subsidence impacts.*

### **Payment of Reasonable Costs**

- 3F. The Proponent shall pay all reasonable costs incurred by the Department to engage independent experts to review the adequacy of any aspect of an Extraction Plan.

## **SURFACE AND GROUND WATER**

### **Pollution of Waters**

5. Except as may be expressly provided by an [OEH](#) Environment Protection Licence, the Proponent shall comply with section 120 of the *Protection of the Environment Operations Act 1997* during the carrying out of the project.

### **Discharge Limits**

6. Except as may be expressly provided by a [OEH](#) Environment Protection Licence, the Proponent shall ensure that the discharges from any licensed discharge points comply with the limits in Table 2:

Table 2: Discharge Limits

| Pollutant              | Units of measure | 100 percentile concentration limit |
|------------------------|------------------|------------------------------------|
| pH                     | pH               | $6.5 \leq \text{pH} \leq 8.5$      |
| Non-filterable residue | mg/litre         | $\text{NFR} \leq 30$               |
| Oil and Grease         | mg/litre         | 10                                 |

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

### Water Resource Impacts

7. The Proponent shall ensure that the project does not result in any significant:
  - (a) reduction in pumping yield in privately-owned groundwater bores;
  - (b) reduction in surface flows and groundwater baseflow to upland swamps (Newnes Plateau Shrub Swamps) and wetlands; and
  - (c) reduction in surface flows and groundwater baseflow to waterbodies including Kangaroo Creek, Wogan River, Lambs Creek and Coxs River,
 to the satisfaction of the Director-General.

Note: The respective sub-plans of the Site Water Management Plan (see condition 8 below) must include quantifiable impact assessment criteria for these water resource impacts, as well as measures to monitor, investigate and mitigate the impacts.

### Site Water Management Plan

8. The Proponent shall prepare (and following approval implement) a Site Water Management Plan for the project, to the satisfaction of the Director-General. The Plan shall be prepared in consultation with [OEH](#) and SCA, and be submitted to the Director-General within 12 months of the date of this approval. The Plan must include:
  - (a) a Water Balance;
  - (b) an Erosion and Sediment Control Plan;
  - (c) a Surface Water Monitoring Program;
  - (d) a Ground Water Monitoring Program;
  - (e) a Surface and Ground Water Response Plan; and
  - (f) a strategy for decommissioning water management structures on the site.
9. The Water Balance shall:
  - (a) include details of all water extracted, dewatered, transferred, used and/or discharged by the mine; and
  - (b) provide for the annual re-calculation of the water balance and its reporting in the AEMR.
10. The Erosion and Sediment Control Plan shall:
  - (a) be consistent with the requirements of the Department of Housing's *Managing Urban Stormwater: Soils and Construction* manual;
  - (b) identify activities that could cause soil erosion and generate sediment;
  - (c) describe measures to minimise soil erosion and the potential for the transport of sediment to downstream waters;
  - (d) describe the location, function, and capacity of erosion and sediment control structures; and
  - (e) describe what measures would be implemented to maintain the structures over time.
11. The Surface Water Monitoring Program shall include:
  - (a) detailed baseline data on surface water flows (including ground water baseflows) and quality in waterbodies and wetlands above the mine;
  - (b) surface water impact assessment criteria;
  - (c) a program to monitor surface water flows (including ground water baseflows) and quality;
  - (d) a protocol for the investigation, notification and mitigation of identified exceedances of the surface water impact assessment criteria; and
  - (e) a program to monitor the effectiveness of the Erosion and Sediment Control Plan.
- 11A. The Proponent shall revise the Surface Water Monitoring Program to provide for the establishment by 31 October 2011 of a program for investigating and monitoring water quality and aquatic ecosystems in the Kangaroo Creek / Coxs River system upstream and downstream of the project's licensed water discharge points, in consultation with [OEH](#) and SCA and to the satisfaction of the Director-General.
- 11B. By 31 October 2012, the Proponent shall report on this program of investigations and propose:
  - (a) water quality criteria to be applied to any groundwater (minewater) discharged from the mine to the Kangaroo Creek / Coxs River catchment that will protect water quality and aquatic

- ecosystems within the catchment, having appropriate regard to relevant ANZECC water quality guidelines and SCA's "neutral or beneficial impact" test;
- (b) measures to treat, transfer or re-use any groundwater (minewater) that does not meet these criteria; and
  - (c) a timeline to implement these measures, to the satisfaction of the Director-General.
12. The Ground Water Monitoring Program shall include:
- (a) detailed baseline data on ground water levels and quality, based on statistical analysis;
  - (b) ground water impact assessment criteria;
  - (c) a program to monitor the volume and quality of ground water seeping into the underground mine workings;
  - (d) a program to monitor regional ground water levels and quality; and
  - (e) a protocol for the investigation, notification and mitigation of identified exceedances of the ground water impact assessment criteria.
13. The Surface and Ground Water Response Plan shall include:
- (a) the procedures that would be followed in the event of any exceedance of the surface or ground water impact assessment criteria, or other identified impact on surface or ground water; and
  - (b) measures to mitigate, remediate and/or compensate any identified impacts.

## AIR QUALITY

### Impact Assessment Criteria

14. The Proponent shall ensure that the dust emissions generated by the project do not cause additional exceedances of the air quality criteria listed in Tables 3, 4, and 5 at any residence on, or more than 25 percent of, privately-owned land.

*Table 3: Long term impact assessment criteria for particulate matter*

| Pollutant                                      | Averaging period | Criterion            |
|------------------------------------------------|------------------|----------------------|
| Total suspended particulate (TSP) matter       | Annual           | 90 µg/m <sup>3</sup> |
| Particulate matter < 10 µm (PM <sub>10</sub> ) | Annual           | 30 µg/m <sup>3</sup> |

*Table 4: Short term impact assessment criterion for particulate matter*

| Pollutant                                      | Averaging period | Criterion            |
|------------------------------------------------|------------------|----------------------|
| Particulate matter < 10 µm (PM <sub>10</sub> ) | 24 hour          | 50 µg/m <sup>3</sup> |

*Table 5: Long term impact assessment criteria for deposited dust*

| Pollutant      | Averaging period | Maximum increase in deposited dust level | Maximum total deposited dust level |
|----------------|------------------|------------------------------------------|------------------------------------|
| Deposited dust | Annual           | 2 g/m <sup>2</sup> /month                | 4 g/m <sup>2</sup> /month          |

*Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 2003, AS 3580.10.1-2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.*

### Odour

15. Except as may be expressly provided by an [OEHS](#) Environmental Protection Licence, the Proponent shall not cause or permit the emission of offensive odour beyond the site.

### Air Quality Monitoring Program

16. The Proponent shall prepare (and following approval implement) an Air Quality Monitoring Program for the project, to the satisfaction of the Director-General. The program must include an air monitoring protocol for evaluating compliance with the air quality criteria in this approval. The program shall be

prepared in consultation with [OEHL](#), and be submitted to the Director-General within 6 months of the date of this approval.

## NOISE

### Impact Assessment Criteria

17. From no later than 28 February 2007, the Proponent shall ensure that the noise generated by the project, including the Proponent's operation of the haul road to the Wallerawang power station, does not exceed the noise impact assessment criteria presented in Table 6 at any residence on privately-owned land.

Table 6: Noise impact assessment criteria dB(A)  $L_{Aeq(15 \text{ minute})}$

| Land                                                | Day | Evening | Night |
|-----------------------------------------------------|-----|---------|-------|
| Sharpe                                              | 42  | 38      | 36    |
| Mason (West) and other Wolgan Road rural properties | 41  | 37      | 35    |
| Lidsdale village residents                          | 44  | 40      | 35    |

**Notes:**

- For more information on the references to land in this condition, see 'Property Details' figure of the EA.
- The noise criteria do not apply where the Proponent and the affected landowner have reached a negotiated agreement in regard to noise, and a copy of the agreement has been forwarded to the Director-General and [OEHL](#).
- Noise from the project is to be measured at the most affected point 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  $L_{Aeq(15 \text{ minute})}$  noise limits in the above table. Where it can be demonstrated that direct measurement of noise from the project is impractical, the [OEHL](#) 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.
- 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; or
  - Temperature inversion conditions of up to 3°C/100m, and wind speeds of up to 2 m/s at 10 metres above ground level.

### Land Acquisition Criteria

18. If, after 31 August 2007, the noise generated by the project, including the operation of the haul road to the Wallerawang power station, exceeds the criteria in Table 7, the Proponent shall, upon receiving a written request for acquisition from the landowner (excluding the landowners listed in Table 1), acquire the land in accordance with the procedures in conditions 7-9 of schedule 4.

Table 7: Land acquisition criteria dB(A)  $L_{Aeq(15 \text{ minute})}$

| Land                                                        | Day | Evening | Night |
|-------------------------------------------------------------|-----|---------|-------|
| Sharpe, Mason (West) and other Wolgan Road rural properties | 44  | 40      | 40    |
| Lidsdale village residents                                  | 47  | 43      | 43    |

Note: The notes under Table 6 also apply to Table 7.

### Operating Hours – Wallerawang Power Station Haul Road

19. The Proponent shall not use the Wallerawang power station haul road at night.

Note: Night is defined as the period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and public holidays.

### Additional Noise Mitigation Measures

20. Upon receiving a written request from a landowner in Table 8 (unless that landowner has acquisition rights and has requested acquisition), the Proponent shall implement additional noise mitigation measures such as double glazing, insulation, and/or air conditioning at any residence on the land in

consultation with the landowner. These additional mitigation measures must be reasonable and feasible. If within 3 months of receiving this request from the landowner, the Proponent and the landowner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Director-General for resolution.

*Table 8: Land subject to additional noise mitigation*

| Property     |
|--------------|
| Mason (east) |
| Sharpe       |

### **Continuous Improvement**

21. The Proponent shall:
- (a) implement all reasonable and feasible best practice noise mitigation measures;
  - (b) investigate ways to reduce the noise generated by the project, including noise generated from use of the Wallerawang power station haul road; and
  - (c) report on these investigations and the implementation and effectiveness of these measures in the AEMR, to the satisfaction of the Director-General.

### **Noise Monitoring Program**

22. The Proponent shall prepare (and following approval implement) a Noise Monitoring Program for the project, to the satisfaction of the Director-General. This program must include a combination of attended and unattended noise monitoring, and a noise monitoring protocol for evaluating compliance with the noise impact assessment criteria in this approval. The program shall be prepared in consultation with [OEH](#), and be submitted to the Director-General within 6 months of the date of this approval.

### **METEOROLOGICAL MONITORING**

23. Within 6 months of the date of this approval, the Proponent shall ensure that there is a suitable meteorological station operating in the vicinity of the project in accordance with the requirements in *Approved Methods for Sampling of Air Pollutants in New South Wales*, and to the satisfaction of the [OEH](#) and the Director-General.

### **FAUNA AND FLORA**

#### **Flora and Fauna Management Plan**

24. The Proponent shall prepare (and following approval implement) a Flora and Fauna Management Plan for the project, to the satisfaction of the Director-General. The Plan shall be submitted to the Director-General within 12 months of the date of this approval. The Plan must include:
- (a) baseline data of the existing habitat on site;
  - (b) detailed procedures to:
    - clear vegetation on site;
    - control weeds;
    - control access to environmentally sensitive areas on site;
    - manage any potential conflicts between flora and fauna and Aboriginal heritage;
  - (c) a flora and fauna monitoring program; and
  - (d) procedures for monitoring, reviewing, and implementing the plan.

### **TRAFFIC AND TRANSPORT**

#### **Transport of Coal**

25. The Proponent shall not cause any coal truck movements on public roads, except in the event of emergencies with the prior approval of the Director-General, Council or [OEH](#).
26. The Proponent shall maintain the surface of the haul road to Wallerawang power station to minimise the generation of noise and dust impacts, to the satisfaction of the Director-General.

#### **Coal Conveyor**

27. Within 18 months of the date of this approval, the Proponent shall provide the Director-General with a report on the feasibility of installing the previously approved conveyor from the coal mine to the Wallerawang power station. The report shall include:

- (a) cost-benefit analyses for both the conveyor and continued road haulage options, including analysis of economic, social and environmental considerations; and
- (b) a long term strategy for continued coal haulage, including detailed justification for the proposed coal haulage method/s.

### **Parking**

28. The Proponent shall provide:
- (a) in accordance with Council's parking codes, provide sufficient vehicle parking on-site for all project and visitor-related traffic;
  - (b) within 6 months of approval of Modification 1, provide a sealed car park of a minimum of 40 parking spaces on-site to the west of Wolgan Road and additional signage directing contractors to this car park,
- in consultation with Council and to the satisfaction of the Director-General.

### **VISUAL IMPACT**

#### **Haul Road Landscaping**

29. The Proponent shall prepare (and following approval implement) a Landscape Plan for the Wallerawang power station haul road, to the satisfaction of the Director-General. The Plan shall provide for the establishment and maintenance of reasonable and feasible landscaping measures to minimise the visual impacts of the haul road. The Plan shall be prepared in consultation with Council, and be submitted to the Director-General within 12 months of the date of this approval.

*Note: The Landscaping Plan should focus on those areas of the haul road that are visible from residential and other public areas.*

### **Lighting Emissions**

30. The Proponent shall:
- (a) take all practicable measures to mitigate off-site lighting impacts from the project; and
  - (b) ensure that all external lighting associated with the project complies with *Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting*, to the satisfaction of the Director-General.

### **GREENHOUSE GAS**

31. The Proponent shall:
- (a) monitor the greenhouse gas emissions generated by the project;
  - (b) investigate ways to reduce greenhouse gas emissions generated by the project; and
  - (c) report on these investigations in the AEMR, to the satisfaction of the Director-General.

### **WASTE MINIMISATION**

32. The Proponent shall minimise the amount of waste generated by the project to the satisfaction of the Director-General.

### **HAZARDS MANAGEMENT**

#### **Spontaneous Combustion**

33. The Proponent shall take the necessary measures to prevent, as far as is practical, spontaneous combustion on the site.

#### **Dangerous Goods**

34. The Proponent shall ensure that the storage, handling, and transport of dangerous goods is done in accordance with the relevant *Australian Standards*, particularly *AS1940* and *AS1596*, and the *Dangerous Goods Code*.

### **BUSHFIRE MANAGEMENT**

35. The Proponent shall:
- (a) ensure that the project is suitably equipped to respond to any fires on-site; and
  - (b) assist the Rural Fire Service, Forests NSW, and emergency services as much as possible if there is a fire on-site during the project.

## **MINE CLOSURE STRATEGY**

36. The Proponent shall prepare a Mine Closure Strategy for the project, to the satisfaction of the Director-General. The Strategy shall be prepared in consultation with Council, **DRE**, SCA and **OEH**, and be submitted to the Director-General at least 3 years prior to the cessation of mining. The Plan must:
- (a) define the objectives and criteria for mine closure;
  - (b) investigate options for the future use of the site, including the pit top and surface facilities area;
  - (c) investigate ways to minimise the adverse socio-economic effects associated with mine closure, including reduction in local employment levels;
  - (d) define a strategy for the ongoing management of water flow into the underground mine workings;
  - (e) describe the measures that would be implemented to minimise or manage the ongoing environmental effects of the project; and
  - (f) describe how the performance of these measures would be monitored over time.

## **REHABILITATION**

37. The Proponent shall prepare and implement a Rehabilitation Management Plan for the project, to the satisfaction of the Director-General and Executive Director Mineral Resources. This plan must be:
- (a) submitted to the Director-General for approval prior to the commencement of secondary extraction in either of longwalls 900W or 910;
  - (b) prepared in consultation with DRE, Forests NSW, OEH, NOW, SCA and Council; and
  - (c) prepared in accordance with the relevant DRE guideline.

## **SCHEDULE 4 ADDITIONAL PROCEDURES**

### **NOTIFICATION OF LANDOWNERS**

1. If the results of monitoring required in schedule 3 identify that impacts generated by the project are greater than the impact assessment criteria in schedule 3, except where this is predicted in the EA, then the Proponent shall notify the Director-General and the affected landowners and/or existing or future tenants (including tenants of mine-owned properties) accordingly, and provide quarterly monitoring results to each of these parties until the results show that the project is complying with the criteria in schedule 3.

### **INDEPENDENT REVIEW**

2. If a landowner (excluding mine owned properties) considers the project to be exceeding the impact assessment criteria in schedule 3, except where this is predicted in the EA, then he/she may ask the Proponent in writing for an independent review of the impacts of the project on his/her land.

If the Director-General is satisfied that an independent review is warranted, the Proponent shall within 3 months of the Director-General advising that an independent review is warranted:

- (a) consult with the landowner to determine his/her concerns;
  - (b) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to conduct monitoring on the land, to determine whether the project is complying with the relevant criteria in schedule 3, and identify the source(s) and scale of any impact on the land, and the project's contribution to this impact;
  - (c) give the Director-General and landowner a copy of the independent review.
3. If the independent review determines that the project is complying with the relevant criteria in schedule 3, then the Proponent may discontinue the independent review with the approval of the Director-General.
  4. If the independent review determines that the project is not complying with the criteria in schedule 3, and that the project is primarily responsible for this non-compliance, then the Proponent shall:
    - (a) take all practicable measures, in consultation with the landowner, to ensure that the project complies with the relevant criteria; and
    - (b) conduct further monitoring to determine whether these measures ensure compliance; or
    - (c) secure a written agreement with the landowner to allow exceedances of the relevant criteria in schedule 3,to the satisfaction of the Director-General.

If the additional monitoring referred to above subsequently determines that the project is complying with the relevant criteria in schedule 3, then the Proponent may discontinue the independent review with the approval of the Director-General.

If the Proponent is unable to finalise an agreement with the landowner, then the Proponent 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 (see Appendix 3).

If the measures referred to in (a) do not achieve compliance with the noise land acquisition criteria in schedule 3, and the Proponent cannot secure a written agreement with the landowner to allow these exceedances within 3 months, then the Proponent shall, upon receiving a written request from the landowner, acquire the landowner's land in accordance with the procedures in conditions 7-9 below.

5. If the independent review determines that the relevant criteria in schedule 3 are being exceeded, but that the project and another project/mine are responsible for this exceedance, then the Proponent shall, together with the relevant project/mine:
  - (a) take all practicable measures, in consultation with the landowner, to ensure that the relevant criteria are complied with; and
  - (b) conduct further monitoring to determine whether these measures ensure compliance; or
  - (c) secure a written agreement with the landowner to allow exceedances of the relevant criteria in schedule 3,to the satisfaction of the Director-General.

If the Proponent is unable to finalise an agreement with the landowner and/or other project/s, then the Proponent 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 (see Appendix 3).

6. If the landowner disputes the results of the independent review, either the Proponent 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**

7. Within 3 months of receiving a written request from a landowner with acquisition rights, the Proponent shall make a binding written offer to the landowner based on:
- (a) the current market value of the landowner's interest in the property at the date of this written request, as if the property was unaffected by the project the subject of the project application, 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 property 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, but excluding any improvements that have resulted from the implementation of the 'additional noise mitigation measures' in condition 20 of schedule 3;
  - (b) the reasonable costs associated with:
    - relocating within the Lithgow 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 at the end of this period, the Proponent 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 NSW Division of the Australian Property Institute 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.

Within 14 days of receiving the panel's determination, the Proponent 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 Proponent's offer, the Proponent's obligations to acquire the land shall cease, unless otherwise agreed by the Director-General.

8. The Proponent shall bear the costs of any valuation or survey assessment requested by the independent valuer, or the Director-General and the costs of determination referred above.
9. If the Proponent and landowner agree that only part of the land shall be acquired, then the Proponent shall pay all reasonable costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of the plan at the Office of the Registrar-General.

**SCHEDULE 5**  
**ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING**

**ENVIRONMENTAL MANAGEMENT**

**Environmental Management Strategy**

1. The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy must:
  - (a) be submitted for approval to the Director-General within 6 months of this approval;
  - (b) provide the strategic framework for the environmental management of the project;
  - (c) identify the statutory approvals that apply to the project;
  - (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;
  - (e) describe the procedures that would be implemented to:
    - keep the local community and relevant agencies informed about the operation and environmental performance of the project;
    - receive, handle, respond to, and record complaints;
    - resolve any disputes that may arise during the course of the project;
    - respond to any non-compliance;
    - respond to emergencies; and
  - (f) include:
    - copies of any strategies, plans and programs approved under the conditions of this approval; and
    - a clear plan depicting all the monitoring required to be carried out under the conditions of this approval.

**Management Plan Requirements**

2. The Proponent shall ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:
  - (a) detailed baseline data;
  - (b) a description of:
    - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
    - any relevant limits or performance measures/criteria;
    - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures;
  - (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
  - (d) a program to monitor and report on the:
    - impacts and environmental performance of the project;
    - effectiveness of any management measures (see c above);
  - (e) a contingency plan to manage any unpredicted impacts and their consequences;
  - (f) a protocol for managing and reporting any:
    - incidents;
    - complaints;
    - non-compliances with statutory requirements; and
    - exceedances of the impact assessment criteria and/or performance criteria; and
  - (g) a protocol for periodic review of the plan.

**Annual Review**

3. By the end of December 2012, and annually thereafter, the Proponent shall review the environmental performance of the project to the satisfaction of the Director-General. This review must:
  - (a) describe the development (including any rehabilitation) that was carried out in the past calendar year, and the development that is proposed to be carried out over the next year;
  - (b) include a comprehensive review of the monitoring results and complaints records of the project over the past calendar year, which includes a comparison of these results against the
    - the relevant statutory requirements, limits or performance measures/criteria;
    - the monitoring results of previous years; and
    - the relevant predictions in the EA;
  - (c) identify any non-compliance over the past year, and describe what actions were (or are being) taken to ensure compliance;
  - (d) identify any trends in the monitoring data over the life of the project;
  - (e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and

- (f) describe what measures will be implemented over the next year to improve the environmental performance of the project.

#### **Revision of Strategies, Plans and Programs**

4. Within 3 months of:
- the submission of an annual review under Condition 3 above;
  - the submission of an incident report under Condition 6 below;
  - the submission of an audit under Condition 8 below; and
  - any modification to the conditions of this approval (unless the conditions require otherwise),
- the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Director-General.

*Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.*

#### **Community Consultative Committee**

5. The Proponent shall maintain and operate a Community Consultative Committee (CCC) for the project in general accordance with the *Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects* (Department of Planning, 2007, or its latest version), and to the satisfaction of the Director-General.

*Notes:*

- *The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Proponent complies with this approval;*
- *In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the Proponent, Council, recognised environmental groups and the local community; and*
- *With the approval of the Director-General, this CCC may be combined with other CCCs operated by the Proponent in the area.*

#### **REPORTING**

##### **Incident Reporting**

6. The Proponent shall notify the Director-General and any other relevant agencies of any incident caused or contributed to by the project as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent shall provide the Director-General and any relevant agencies with a detailed report on the incident.

##### **Regular Reporting**

7. The Proponent shall provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval, and to the satisfaction of the Director-General.

#### **INDEPENDENT ENVIRONMENTAL AUDIT**

8. Prior to 31 December 2013, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:
- be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General;
  - include consultation with the relevant agencies;
  - assess the environmental performance of the project and assess whether it is complying with the requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals); and
  - recommend appropriate measures or actions to improve the environmental performance and rehabilitation of the project while on care and maintenance or following mine closure.

*Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Director-General.*

9. Within 6 weeks of the completion of this audit, or as otherwise agreed by the Director-General, the Proponent shall submit a copy of the audit report to the Director-General, together with its response to any recommendations contained in the audit report.

#### **ACCESS TO INFORMATION**

10. Prior to 31 December 2011, the Proponent shall:

- (a) make copies of the following publicly available on its website:
- the monitoring results of the project, reported in accordance with the specifications in any approved plans or programs required under the conditions of this or any other approval;
  - a complaints register, which is to be updated on a monthly basis;
  - minutes of CCC meetings;
  - the documents referred to in condition 2 of schedule 2;
  - all relevant statutory approvals for the project;
  - all approved strategies, plans and programs required under the conditions of this approval;
  - the annual reviews required under this approval;
  - any independent environmental audit of the project, and the Proponent's response to the recommendations in any audit;
  - any other matter required by the Director-General; and
- (b) keep this information up-to-date,  
to the satisfaction of the Director-General.

**APPENDIX 1  
SCHEDULE OF LAND**

| Lot  | DP      | County | Parish |
|------|---------|--------|--------|
| 7    | 751634  | Cook   | Cook   |
| 13a  | 751666  | Cook   | Wolgan |
| 173  | 751666  | Cook   | Wolgan |
| 40   | 751666  | Cook   | Wolgan |
| 3    | 722335  | Cook   | Wolgan |
| 34   | 751666  | Cook   | Wolgan |
| 39   | 751666  | Cook   | Wolgan |
| 33   | 751666  | Cook   | Wolgan |
| 10d  | 751666  | Cook   | Wolgan |
| 11c  | 751666  | Cook   | Wolgan |
| 40   | 751636  | Cook   | Cox    |
| 7002 | 1026540 | Cook   | Cox    |
| 51   | 751636  | Cook   | Cox    |
| 56   | 751636  | Cook   | Cox    |
| 63   | 751636  | Cook   | Cox    |
| 62   | 751636  | Cook   | Cox    |
| 71   | 751636  | Cook   | Cox    |
| 72   | 751636  | Cook   | Cox    |
| 73   | 751636  | Cook   | Cox    |
| 74   | 751636  | Cook   | Cox    |
| 75   | 751636  | Cook   | Cox    |
| 76   | 751636  | Cook   | Cox    |
| 77   | 751636  | Cook   | Cox    |
| 78   | 751636  | Cook   | Cox    |
| 79   | 751636  | Cook   | Cox    |
| 60   | 751636  | Cook   | Cox    |
| 358  | 44086   | Cook   | Cox    |
| 24   | 751636  | Cook   | Cox    |
| 248  | 751636  | Cook   | Cox    |
| 1    | 751636  | Cook   | Cox    |
| A    | 418163  | Cook   | Cox    |
| B    | 418163  | Cook   | Cox    |
| C    | 418163  | Cook   | Cox    |
| 26   | 751636  | Cook   | Cox    |
| 54   | 751636  | Cook   | Cox    |
| 55   | 751636  | Cook   | Cox    |
| 350  | 751636  | Cook   | Cox    |
| 340  | 751636  | Cook   | Cox    |
| 1    | 542432  | Cook   | Cox    |
| 2    | 542432  | Cook   | Cox    |
| 3    | 542432  | Cook   | Cox    |
| 25   | 751636  | Cook   | Cox    |
| 2    | 751636  | Cook   | Cox    |
| 6    | 751636  | Cook   | Cox    |
| 15   | 751636  | Cook   | Cox    |
| 1    | 825887  | Cook   | Cox    |
| 2    | 825887  | Cook   | Cox    |
| 41   | 751636  | Cook   | Cox    |
| 20   | 827626  | Cook   | Cox    |
| 21   | 827626  | Cook   | Cox    |
| 22   | 827626  | Cook   | Cox    |
| 23   | 827626  | Cook   | Cox    |
| 24   | 827626  | Cook   | Cox    |
| 25   | 827626  | Cook   | Cox    |
| 26   | 827626  | Cook   | Cox    |
| 27   | 827626  | Cook   | Cox    |
| 4    | 751636  | Cook   | Cox    |
| 43   | 751636  | Cook   | Cox    |
| 34   | 751636  | Cook   | Cox    |
| 5    | 751636  | Cook   | Cox    |
| 354  | 751636  | Cook   | Cox    |
| 1    | 260621  | Cook   | Cox    |
| 2    | 260621  | Cook   | Cox    |
| 3    | 260621  | Cook   | Cox    |
| 4    | 260621  | Cook   | Cox    |

| Lot                 | DP      | County | Parish   |
|---------------------|---------|--------|----------|
| 5                   | 260621  | Cook   | Cox      |
| 31                  | 751636  | Cook   | Cox      |
| 33                  | 751636  | Cook   | Cox      |
| 28                  | 751636  | Cook   | Cox      |
| 1                   | 552422  | Cook   | Cox      |
| 2                   | 552422  | Cook   | Cox      |
| 1                   | 732119  | Cook   | Cox      |
| 2                   | 732119  | Cook   | Cox      |
| 57                  | 751636  | Cook   | Cox      |
| 32                  | 751636  | Cook   | Cox      |
| 351                 | 751636  | Cook   | Cox      |
| 1                   | 65810   | Cook   | Lidsdale |
| 1                   | 860363  | Cook   | Cox      |
| 101                 | 1033592 | Cook   | Cox      |
| 100                 | 1033592 | Cook   | Cox      |
| 2                   | 860363  | Cook   | Lidsdale |
| 1                   | 568265  | Cook   | Lidsdale |
| 11                  | 864305  | Cook   | Lidsdale |
| 16                  | 855844  | Cook   | Lidsdale |
| 5                   | 115922  | Cook   | Wolgan   |
| 1                   | 523671  | Cook   | Lidsdale |
| 2                   | 523671  | Cook   | Lidsdale |
| 1                   | 652799  | Cook   | Lidsdale |
| 406                 | 751651  | Cook   | Lidsdale |
| 51                  | 751651  | Cook   | Lidsdale |
| 15                  | 751651  | Cook   | Lidsdale |
| 418                 | 751651  | Cook   | Lidsdale |
| 419                 | 751651  | Cook   | Lidsdale |
| 2                   | 609683  | Cook   | Lidsdale |
| 403                 | 751651  | Cook   | Lidsdale |
| 404                 | 751651  | Cook   | Lidsdale |
| 405                 | 751651  | Cook   | Lidsdale |
| 176                 | 751651  | Cook   | Lidsdale |
| 5                   | 829137  | Cook   | Lidsdale |
| 16                  | 855844  | Cook   | Lidsdale |
| 17                  | 855844  | Cook   | Lidsdale |
| 12                  | 864305  | Cook   | Lidsdale |
| 30                  | 751651  | Cook   | Lidsdale |
| 173                 | 666814  | Cook   | Lidsdale |
| 1                   | 386554  | Cook   | Lidsdale |
| 2                   | 386554  | Cook   | Lidsdale |
| 40                  | 751651  | Cook   | Lidsdale |
| 43                  | 751651  | Cook   | Lidsdale |
| 1                   | 52865   | Cook   | Lidsdale |
| 2541-3090           |         | Cook   | Cox      |
| 1                   | 651723  | Cook   | Cox      |
| 359                 | 44086   | Cook   | Cox      |
| 2                   | 722335  | Cook   | Wolgan   |
| 7003                | 1026540 | Cook   | Cox      |
| Newnes State Forest |         | Cook   | Cook     |

**LOTS WITHIN COLLIERY HOLDING**

| Lot  | DP      |
|------|---------|
| 359  | 44086   |
| 2    | 732119  |
| 1    | 732119  |
| 2    | 860363  |
| 3    | 545089  |
| 29   | 827626  |
| 1    | 651723  |
| 1    | 597541  |
| 700  | 1067040 |
| 1    | 825124  |
| 1    | 568265  |
| 2    | 1139982 |
| 1    | 1139982 |
| 4    | 1139982 |
| 3    | 1139982 |
| 2    | 722335  |
| 7006 | 1055080 |
| 5    | 115922  |
| 101  | 1033592 |
| 40   | 751636  |
| 7003 | 1026540 |
| 11   | 751636  |
| 100  | 1033592 |
| 52   | 751636  |
| 7001 | 1055079 |
| 7318 | 1149348 |
| 7300 | 1139065 |

**KEROSENE VALE STOCKPILE AREA**

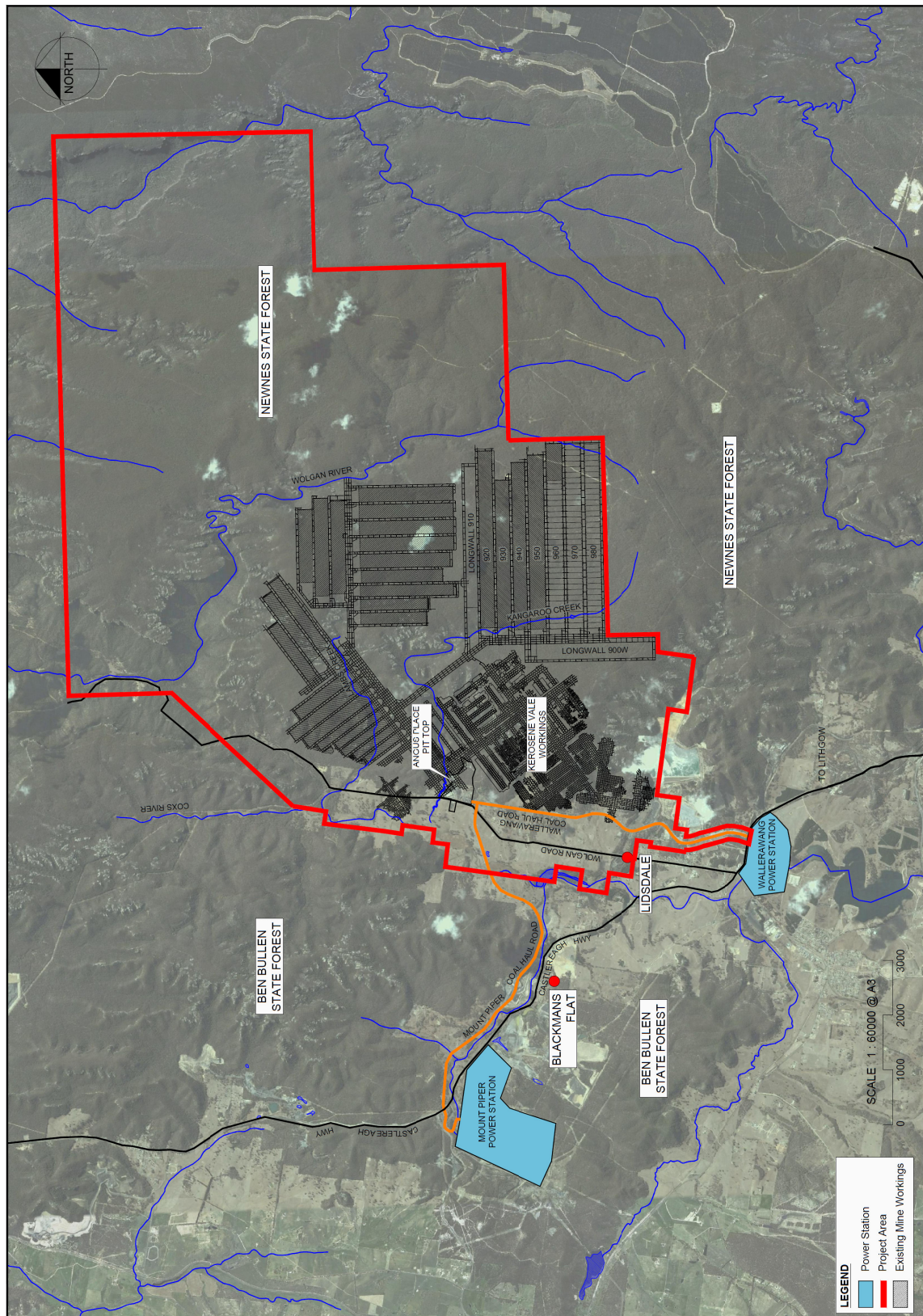
| Lot | DP      |
|-----|---------|
| 4   | 1139982 |
| 1   | 386554  |
| 1   | 1139982 |
| 2   | 1139982 |

Parts of Ben Bullen State Forest  
Parts of Newnes State Forest

**MINING AUTHORITIES**

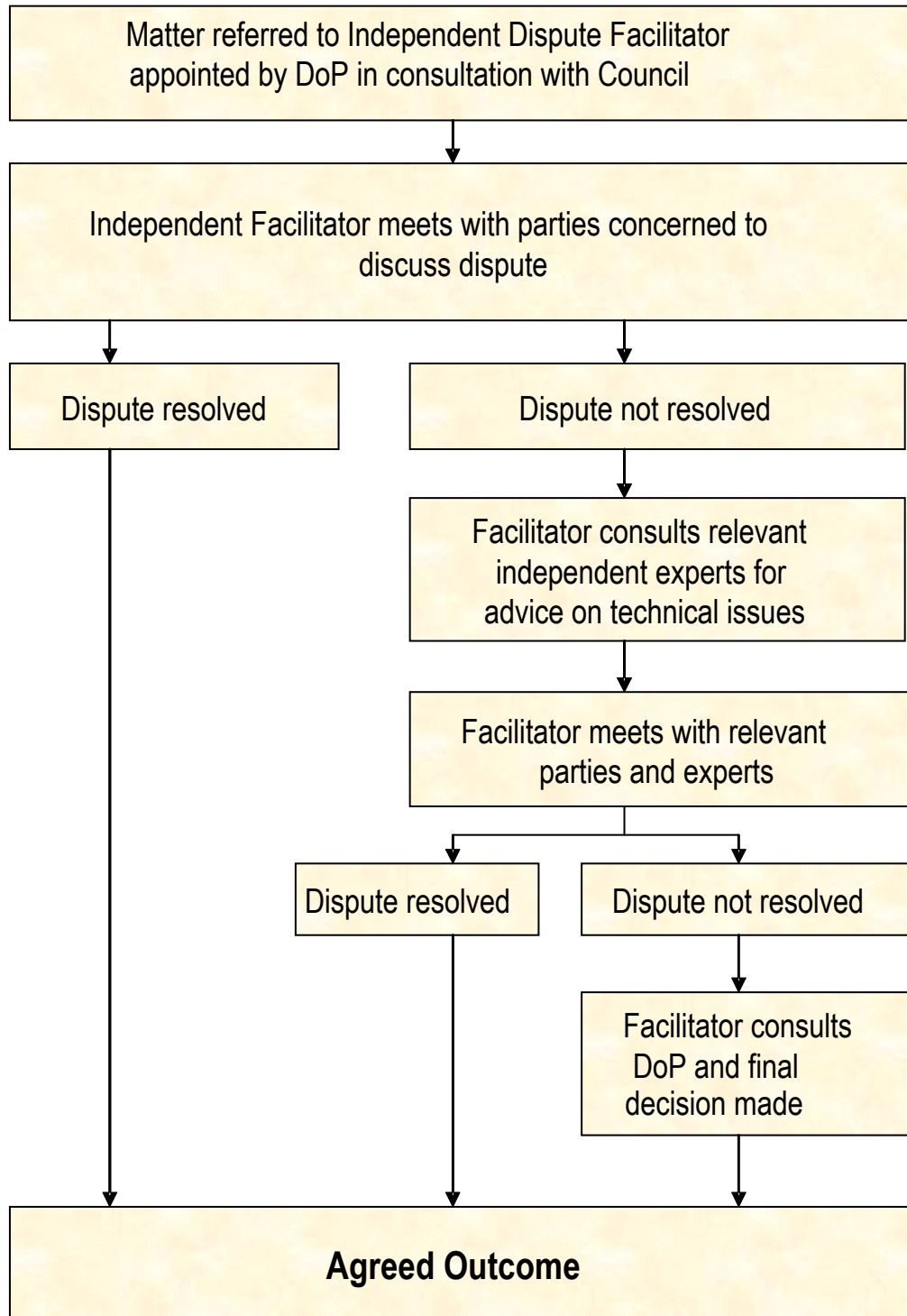
Consolidated Coal Lease 704  
Mining Lease 1424  
Sublease Area of Consolidated Coal Lease 702  
Part lease transfer ML1326  
Exploration Licence 6856  
Exploration Licence 6293

## APPENDIX 2 ANGUS PLACE COAL PROJECT PLAN



**APPENDIX 3  
INDEPENDENT DISPUTE RESOLUTION PROCESS**

**Independent Dispute Resolution Process  
(Indicative only)**



**APPENDIX 4  
MOD 1 STATEMENT OF COMMITMENTS**

| <b>Desired Outcome</b>                                                                                                                                                          | <b>Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1. Rehabilitation</b>                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| To ensure that any land disturbed due to exploration or mining activities is rehabilitated to an appropriate standard.                                                          | <ul style="list-style-type: none"> <li>A Rehabilitation Strategy as set out in Appendix 7.6 and revised in relation to the measures identified for the rehabilitation of areas of construction for the dewatering bore at Longwall 910 and its associated infrastructure that have been withdrawn from the proposals of the EA will be developed for approval by the Director-General I&amp;I NSW prior to commencement of Longwalls 910 and 900 west and within 12 months of the date of approval.</li> </ul> |
| <b>2. Cultural Heritage</b>                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| To minimise impacts on aboriginal heritage.                                                                                                                                     | Within 6 months of obtaining approval, the Environmental Management Plan will be revised to require ongoing liaison with Aboriginal Community as per the DECCW Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 during the proposed works, should any matters relating to Aboriginal heritage occur.                                                                                                                                                                                 |
| <b>3. Surface Water</b>                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| To improve understanding of water quality impacts from approved license discharge points on the receiving environment.                                                          | <ul style="list-style-type: none"> <li>Within 6 months of obtaining approval review the Site Water Management Plan that takes into account mitigation measures identified in Appendix 7.3 Surface Water Assessment.</li> <li>Continue to assess the wider catchment areas and specific downstream influences of approved licensed discharge points. Angus Place has extended its current aquatic monitoring suite aiming to achieve ANZECC trigger levels for high risk parameters.</li> </ul>                 |
| <b>4. General</b>                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| To ensure the existing management plans, procedures and protocols are reviewed to include the measures identified in Table 6.1.                                                 | <ul style="list-style-type: none"> <li>Within 6 months of obtaining approval relevant management plans (Table 6.1) will be reviewed and updated as required.</li> </ul>                                                                                                                                                                                                                                                                                                                                        |
| To ensure the proper and orderly management of car parking during operations.                                                                                                   | <ul style="list-style-type: none"> <li>Within 6 months of approval the formalisation of the western car park in accordance with AS2890.1:2004 will be investigated and constructed to provide a minimum of 40 car parking spaces.</li> <li>In consultation with Lithgow City Council, additional signage will be installed to direct contractors to the contractor car park within 6 months of obtaining approval.</li> </ul>                                                                                  |
| To confirm that the 910 dewatering bore and its associated infrastructure (new track, widening of track, powerline and pipeline) are withdrawn from the proposed modifications. | <ul style="list-style-type: none"> <li>Approval for the dewatering bore at Longwall 910 and its associated infrastructure (new track, widening of track, powerline and pipeline) is no longer sought by Centennial.</li> </ul>                                                                                                                                                                                                                                                                                 |