

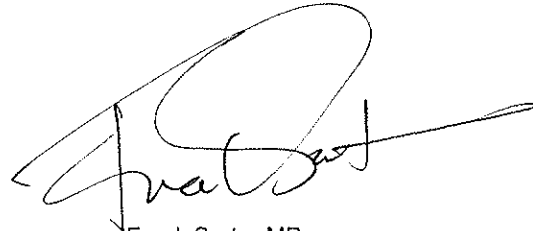
Project Approval

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

I approve the project referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent and/or minimise adverse environmental impacts; and
- provide for the ongoing environmental management of the project.



Frank Sartor MP
Minister for Planning

Sydney

24 Oct

2007

SCHEDULE 1

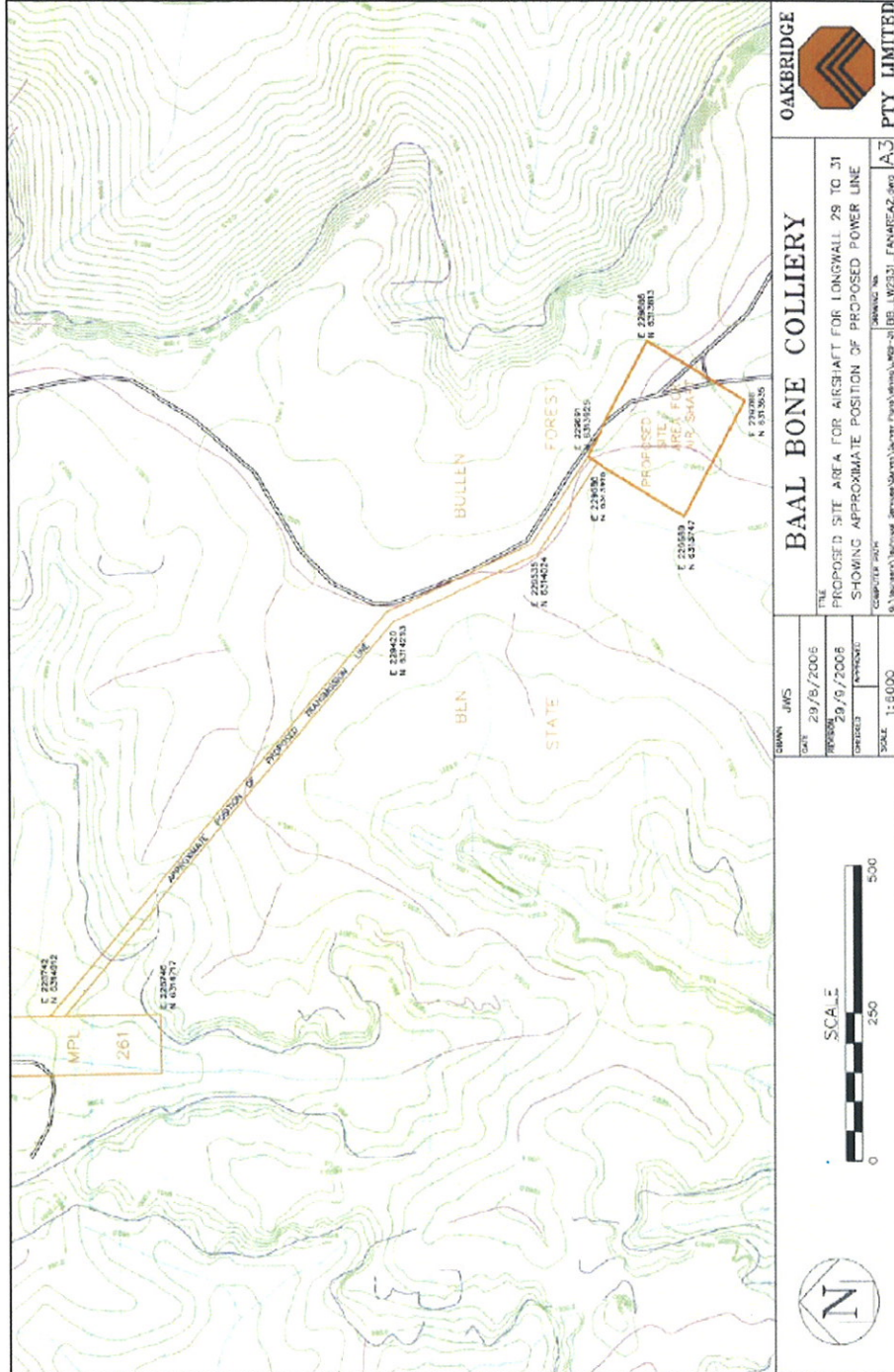
Application No: 07_0035
Proponent: Wallerawang Collieries Limited
Approval Authority: Minister for Planning
Land: Part Ben Bullen and Wolgan State Forest (see Appendix 1)
Project: Ventilation Shaft and Powerline Project – Baal Bone Colliery

SCHEDULE 2

1. The Proponent shall carry out the project generally in accordance with the:
 - (a) environmental assessment titled *Ventilation Shaft and Powerline Corridor for South Eastern Mining Area, Baal Bone Colliery*, dated June 2007 and prepared by Umwelt (Australia) Pty Limited; and associated
 - (b) statement of commitments (see Appendix 2).
 2. If there is any inconsistency between the above documents, the statement of commitments shall prevail to the extent of the inconsistency.
 3. The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of actions undertaken by or on behalf of the Proponent in carrying out the project.
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APPENDIX 1

PROJECT SITE (LAND AFFECTED SHOWN IN BROWN EDGE)



APPENDIX 2 STATEMENT OF COMMITMENTS

Life of Facility and Hours of Operation

1. The life of the ventilation shaft and powerline will correlate with the estimated time it will take to extract Longwalls 29-31.
2. The ventilation fan will be in operation 24 hours per day, seven days per week.
3. Preliminary site works and presinking works associated with the construction of the ventilation shaft will be undertaken between 7.00 am and 6.00 pm Monday to Friday and 8.00 am to 1.00 pm Saturdays. At all other times construction noise will not exceed the noise limits outlined in commitment 18.
4. The construction of the powerline will be undertaken between 7.00 am and 6.00 pm Monday to Friday and 8.00 am to 1.00 pm Saturdays. At all other times construction noise will not exceed the noise limits outlined in commitment 18.
5. Raise boring will be undertaken 24 hours per day, seven days per week.

Ecology

6. Vegetation clearance and lopping will be limited to that required for the construction footprint and bushfire risk management.
7. Vegetation clearance will be undertaken in accordance with the procedure outlined in **Section 6.2.1** of the EA.
8. Upon site decommissioning, disturbed areas will be rehabilitated with local native species.
9. A suitably qualified and experienced ecologist will survey the route of the powerline and site of the vent shaft prior to work commencing to identify hollow bearing habitat trees and threatened flora species. This person will also be in attendance during any clearing activities. Clearing activities and the location of pole supports will be modified to avoid any impacts to threatened species or hollow bearing habitat trees.

Aboriginal Heritage

10. In the event that a 'relic' or other Aboriginal site is found during the course of construction or maintenance work, work will cease and the DECC and the relevant Aboriginal community organisations or LALC will be contacted to discuss an appropriate way to proceed.

Traffic

11. A construction traffic management plan will be prepared and implemented in consultation with Lithgow City Council and Forests NSW for the construction phase of the ventilation shaft and powerline.
12. Wallerawang Collieries Limited will use and maintain the forestry access track in conjunction with Forests NSW and in accordance with DPI (Forests NSW) Forest Practices Code (Part 4 – Forest Roads and Fire Trails) and the RTA's Traffic Control at Worksites.

Soil and Water

13. Drainage and sediment controls will be implemented during both the construction and operational phases of the ventilation shaft. The controls will be designed and constructed in accordance with Landcom's (2004) Managing Urban Stormwater: Soils and Construction.

Bushfire Risk Management

14. The powerline will consist of an insulated bundled cable which will minimise bushfire risk. Asset protection zones as outlined in **Section 6.2.8** of the EA will be maintained around the ventilation shaft and powerline.

Visual

15. Vegetation clearance and lopping will be minimised within the ventilation shaft site and along the powerline corridor to ensure minimal visual impact.
16. All structures will be of a suitable colour that blends with the surrounding landscape where possible.
17. No new access roads will be constructed.

Noise

18. Noise generated at the premises will not exceed the noise limits presented in the following table:
- 19.

Noise limit at nearest affected receiver	Noise Limits (dB(A))			
	Day	Evening	Night	
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _A (max)
	35	35	35	45

- Note:* Day is 7 am to 6 pm Monday to Saturday and 8 am to 6 pm Sundays and Public Holidays
Evening is 6 pm to 10 pm
Night is 10 pm to 7 am Monday to Saturday and 10 pm to 8 am Sundays and Public Holidays
The emission limits identified in this table apply under the following meteorological conditions:
- Wind speeds up to 3m/s at 10 metres above ground level;
 - Temperature inversion conditions of up to 3° C/100m and wind speeds up to 2m/s at 10 metres above ground level

20. Noise generated from the premises is to be measured at the nearest affected point on or within the residential boundary or at the most affected point within 30 metres of the dwelling (rural situations) where the dwelling is more than 30 metres from boundary to determine compliance with the L_{Aeq} (15 minute) noise limits in commitment 18. Noise from the premises is to be measured at 1 metre from the dwelling façade to determine compliance with the L_{A(max)} noise limit outlined in commitment 18. Where it can be demonstrated that direct measurement of noise from the premises is impractical, alternative means of compliance would be sought from the EPA. The modification factors presented in Section 4 of the NSW EPA's (2000) *Industrial Noise Policy* will also apply to measured noise levels where applicable.

Rehabilitation and Site Decommissioning

21. The ventilation fan and powerline will be dismantled, the shaft filled and sealed and site rehabilitation works will commence within 12 months of completion of mining of Longwalls 29-31.
22. Wallerawang Collieries Limited will undertake ongoing monitoring and maintenance of the site until it achieves an acceptable level of rehabilitation, as determined in consultation with DPI (Forests NSW) and DPI (Mineral Resources).

Waste Management

23. No waste will be disposed of on-site (excluding cleared vegetation and collar spoil).
24. All fuels and chemicals will be stored and transported in a manner that does not pose a risk to waterways or contaminating land.

Reporting

25. Details of the operation of the ventilation shaft, including compliance with this Statement of Commitments and any Conditions of Approval, will be reported annually in the Wallerawang Collieries Limited Annual Environmental Management Report (AEMR).

Baal Bone Colliery operates in accordance with an approved Mining Operations Plan (MOP), the DPI (Mineral Resources) Subsidence Management Plan process, and in accordance with the Colliery's Environmental Management System (EMS). A review of the EMS is currently being undertaken and any additional management requirements arising from this Statement of Commitments will be incorporated into the updated system.