

Project Approval

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

As delegate of the Minister for Planning and Infrastructure, the Planning Assessment Commission of NSW approves the project application 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 ongoing environmental management of the project.

Member of the Commission

Member of the Commission

Sydney

2014

SCHEDULE 1

Application Number:

10_0001

Proponent:

Cobbora Holding Company Pty Limited

Approval Authority:

Minister for Planning and Infrastructure

Land:

See Appendix 1

Project:

Cobbora Coal Project

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DEFINITIONS

Agriculture NSW	Agriculture NSW
Annual review	The review required by condition 4 of schedule 5
ANZECC 2000	<i>Australian and New Zealand Guidelines for Fresh and Marine Water Quality</i> , ANZECC, ARMCANZ October 2000.
ARTC	Australian Rail Track Corporation
BCA	Building Code of Australia
Biodiversity offset strategy	The conservation and enhancement strategy described in the EA, and shown conceptually in the figure in Appendix 7.
Blast misfire	The failure of one or more holes in a blast pattern to initiate
CCC	Community Consultative Committee
CHPP	Coal handling and preparation plant
Conditions of this approval	The conditions contained in schedules 1 to 5 inclusive
Construction	The construction works for the project as described in the EA. Construction work does not include surveys, acquisitions, fencing, investigative drilling or excavation, minor clearing, minor access roads, minor adjustments to services/utilities, works which allow isolation of the site so that access for construction can be provided (including service relocations) and establishing temporary facilities for construction (including for example an office and amenities compounds, temporary water and communications, construction compounds, materials storage compounds, maintenance workshops, testing laboratory or material stockpile areas).
Councils	Warrumbungle Shire Council, Wellington Council, Dubbo City Council and Mid Western Regional Council
CPI	Australian Bureau of Statistics Consumer Price Index (General)
DSC	Dams Safety Committee
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
DCC	Dubbo City Council
Department	Department of Planning and Infrastructure
Director-General	Director-General of the Department, or nominee
DoE	Commonwealth Department of the Environment
DPI	Department of Primary Industries
DRE	Division of Resources and Energy (within the Department of Trade and Investment, Regional Infrastructure and Services)
EA	Environmental Assessment titled “ <i>Cobbora Coal Project Environmental Assessment</i> ” dated September 2012 (5 volumes), as amended by the PPR and RTS and Revised PPR.
EEC	Endangered ecological community, as defined under the <i>Threatened Species Conservation Act 1995</i>
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environment protection licence issued under the POEO Act
Evening	The period from 6 pm to 10 pm
Executive Director Mineral Resources	The Executive Director of Mineral Resources within DRE, or equivalent position
Feasible	Feasible relates to engineering considerations and what is practical to build or carry out
Heritage item	An item as defined under the <i>Heritage Act 1977</i> , and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i>
Incident	A set of circumstances that: - causes or threatens to cause material harm to the environment; and/or - breaches or exceeds the limits or performance measures/criteria in this approval
Land	As defined in the EP&A Act, except for where the term is used in the noise and air quality conditions in schedules 3 and 4 of this approval where it is defined to mean 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

LGA	Local Government Area
Linear infrastructure	Includes the rail spur line, transmission line, water pipelines, and road re-alignments and upgrades.
Material harm to the environment	Actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial
MIC	Maximum Instantaneous Charge
Mine water	Water that accumulates within, drains from, or is produced within active mining areas and associated infrastructure areas (synonymous with 'dirty water')
Mining operations	Includes the removal of overburden and extraction, processing, handling, storage and transportation of coal on site
Minister	Minister for Planning and Infrastructure, or delegate
Minor	Not very large, important or serious
Mitigation	Activities associated with reducing the impacts of the project
MWRC	Mid-Western Regional Council
Negligible	Small and unimportant, such as to be not worth considering
Night	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
NOW	NSW Office of Water
OASFS	Office of Agricultural Sustainability and Food Security
OEH	Office of Environment and Heritage
PAD	Potential Archaeological Deposit
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
PPR and RTS	The Preferred Project Report and Response to Submissions provided in the report " <i>Cobbora Coal Project – Preferred Project Report and Response to Submissions, February 2012</i> "
Privately-owned land	Land that is not owned by a public agency or a mining company (or its subsidiary)
Project	The development as described in the EA
Proponent	Cobbora Holding Company Pty Limited, or any person who seeks to carry out the development approved under this approval
Public infrastructure	Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications, etc.
Rail spur line	Cobbora's private rail spur line from the rail loop at the mine infrastructure area to the connection point on the public rail network near Tallawang
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
Rehabilitation	The restoration of land disturbed by the project to a good condition to ensure it is safe, stable and non-polluting
Revised PPR	The Revised Preferred Project Report provided in the report " <i>Response to Recommendations of the Planning Assessment Commission Review incorporating a Revised Preferred Project Report, 13 August 2013</i> "
RFS	Rural Fire Service
RMS	Roads and Maritime Services
ROM coal	Run-of-mine coal
Site	The land described in Appendix 1
Statement of commitments	The Proponent's commitments in Appendix 3
TSC Act	<i>Threatened Species Conservation Act 1995</i>
VPA	Voluntary Planning Agreement
WC	Wellington Council
WSC	Warrumbungle Shire Council

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

1. In addition to meeting the specific performance criteria established under this approval, the Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any material 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) statement of commitments; and
 - (c) conditions of this approval.

Notes:

- The general layout of the project is shown in Appendix 2; and
- The statement of commitments is reproduced in Appendix 3.

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 strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this approval; and
 - (b) the implementation of any actions or measures contained in these documents.

LAPSING OF APPROVAL

5. If the project has not been physically commenced within 5 years of the date of this approval, then this project approval shall lapse.

LIMITS ON APPROVAL

Construction Accommodation Village

6. Unless the Director-General agrees otherwise, the Proponent shall only use the Construction Accommodation Village during the construction of the project. This village must be decommissioned within 12 months of the commencement of mining operations on site.

Mining Operations

7. The Proponent may carry out mining operations on the site for a period of 24 years from the commencement of construction on site.

Note: Under this approval, the Proponent is required to rehabilitate the site and carry out additional undertakings to the satisfaction of both the Director-General and the Executive Director Mineral Resources. Consequently, this approval will continue to apply in all other respects - other than the right to conduct mining operations - until the rehabilitation of the site and these additional undertakings have been carried out satisfactorily.

Coal Extraction

8. The Proponent shall not extract more than 20 million tonnes of ROM coal from the site in any calendar year.

Coal Transport

9. The Proponent shall only transport coal from the site by rail.
10. The Proponent shall not:
 - (a) transport more than 12 million tonnes of coal from the site in any calendar year;
 - (b) dispatch more than 6 laden trains from the site each day; or
 - (c) receive or dispatch more than 3 trains at night, unless the Director-General agrees otherwise.

STRUCTURAL ADEQUACY

11. 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 the proposed building works.
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.

DEMOLITION

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

PROTECTION OF PUBLIC INFRASTRUCTURE

13. Unless the Proponent and the applicable authority agree otherwise, the Proponent shall:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project; and
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the project.

Note: This condition does not apply to any damage to roads caused as a result of general road usage.

OPERATION OF PLANT AND EQUIPMENT

14. The Proponent shall ensure that all the plant and equipment used on site, or in connection with the project, is:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

STAGED SUBMISSION OF STRATEGIES, PLANS AND PROGRAMS

15. With the approval of the Director-General, the Proponent may submit any strategy, plan or program required by this approval on a progressive basis.

Notes:

- While any strategy, plan or program may be submitted on a progressive basis, the Proponent will need to ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times; and
- If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.

COMMUNITY ENHANCEMENT

16. Within six months from the date of project approval, unless the Director-General agrees otherwise, the Proponent shall enter into a planning agreement with the Councils in accordance with:
- (a) Division 6 of Part 4 of the EP&A Act; and
 - (b) the terms of the Proponent's offer in Appendix 4.

SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS

INTEGRATED LAND MANAGEMENT

1. The Proponent shall prepare and implement an Integrated Land Management Plan for the project to the satisfaction of the Director-General. This plan must:
 - (a) be prepared in consultation with WSC, MWRC, WC, OEH, DoE and Agriculture NSW by suitably qualified and experienced persons whose appointment has been approved by the Director-General;
 - (b) be submitted to the Director-General for approval within 6 months of the date of this approval;
 - (c) map the land and soil capability and biodiversity regeneration potential of all of the Proponent's landholdings (including those landholdings in the mining and offset areas), describe the existing land tenure arrangements, and include suitable baseline data on the current condition of the landholdings;
 - (d) include a strategic land use plan for these landholdings that is directed towards:
 - regenerating the biodiversity areas to the maximum extent possible;
 - improving riparian areas and aquatic habitats; and
 - maximising sustainable agricultural production on the remaining land, including through the rehabilitation and repair of eroding areas;
 - (e) describe how the implementation of the strategic land use plan would be integrated with the implementation of the Biodiversity Offset Strategy and rehabilitation of the site following mining;
 - (f) include detailed performance measures and completion criteria for evaluating the performance of the strategic land use plan, and triggering remedial action (if necessary);
 - (g) include a detailed program to implement the strategic land use plan that includes:
 - a land tenure and management program for each of the landholdings at each stage (including prior to the commencement of mining, during mining operations and post mining);
 - a program to carry out a series of trials of various agricultural and biodiversity rehabilitation and endemic vegetation re-establishment techniques, supported by a local seed bank of endemic species;
 - a program to fast track the regeneration of biodiversity values in the Group 1 Biodiversity Offset Areas and Northern Restoration Area (see Table 11), and ensure it is trending towards the relevant completion criteria by Year 8 of the mine plan;
 - an employment, training and skills development program aimed at improving local land management techniques, resources and knowledge; and
 - an integrated bushfire management plan;
 - (h) describe the proposed funding arrangements for the implementation of the strategic land use plan;
 - (i) include a program to monitor and report on the effectiveness to the detailed program to implement the strategic land use plan, and progress against the detailed performance and completion criteria;
 - (j) identify the risks that could prevent the successful implementation of the strategic land use plan, and describe the measures that would be implemented to mitigate against these risks; and
 - (k) describe who would be responsible for implementing, monitoring, and reviewing the plan.

ACQUISITION ON REQUEST

2. Upon receiving a written request for acquisition from the owner of property number 3108, the Proponent shall acquire the land in accordance with the procedures in conditions 5-6 of schedule 4.

Note: To identify property number 3108, see the figures in Appendix 5.

NOISE

Construction – Linear Infrastructure

3. The Proponent shall manage noise from the construction of linear infrastructure in accordance with the noise management levels defined in Table 2 of the *Interim Construction Noise Guideline*.
4. Unless the Director-General agrees otherwise, the Proponent may only undertake the construction of linear infrastructure for the project between:
 - (a) 7 am to 6 pm, Monday to Friday; and
 - (b) 8 am to 1 pm on Saturdays.

In seeking any variations to the construction hours, the Proponent shall submit an Out of Hours Work Protocol to the Director-General. This protocol must:

- (b) be prepared in consultation with the EPA and any people who may be affected by the proposed variation; and
- (c) address the relevant requirements of the *Interim Construction Noise Guideline*.

Noise Criteria - Mine

5. The Proponent shall ensure that noise generated by the project (excluding the noise generated by the use of the rail spur line and construction of the project's linear infrastructure) does not exceed the criteria in Table 1 at any residence on privately-owned land.

Table 1: Noise criteria dB(A)

Land	Day/Evening <i>L_{Aeq}(15 min)</i>	Night <i>L_{Aeq}(15 min)</i>	Night <i>L_{A1} (1 min)</i>
All privately-owned land	35	35	45

Noise generated by the project (excluding the noise generated by the use of the rail spur line and construction of the project's linear infrastructure) is to be measured in accordance with the relevant requirements of the *NSW Industrial Noise Policy*. Appendix 6 sets out the meteorological conditions under which these criteria apply, and the requirements for evaluating compliance with these criteria.

However, these criteria do not apply if the Proponent has an agreement with the owner/s of the relevant land to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.

Noise Criteria – Cobbora Rail Spur Line

6. The Proponent shall ensure that the noise generated by use of the rail spur line (excluding the project's rail loop) does not exceed the criteria in Table 2 at any existing residence on privately-owned land.

Table 2: Noise criteria dB(A) – Cobbora rail spur line

Land	Day	Evening	Night
	<i>L_{Aeq} (period)</i>	<i>L_{Aeq} (period)</i>	<i>L_{Aeq} (period)</i>
All privately-owned land	50	45	40

Noise generated by the use of the rail spur line is to be measured in accordance with the relevant requirements of the *NSW Rail Infrastructure Noise Guideline*. Appendix 6 sets out the meteorological conditions under which these criteria apply, and the requirements for evaluating compliance with these criteria.

However, these noise criteria do not apply if the Proponent has an agreement with the owner/s of the relevant land to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.

Noise Mitigation

7. The Proponent shall:
 - (a) commission a suitably independent, qualified and experienced person whose employment has been endorsed by the Director-General to:
 - review the design of the rail spur line;
 - determine whether it incorporates all reasonable and feasible noise mitigation measures, paying particular attention to the design of any noise attenuation barriers in the vicinity of property numbers 3108 and 3062, and the rail overpass in the vicinity of property number 3108; and
 - recommend whether changes should be made to the proposed noise mitigation measures and/or whether further mitigation measures should be implemented;
 - (b) implement any recommendations of this review, unless the Director-General agrees otherwise;
 - (c) commission the person referred to in (a) above to:
 - review the effectiveness of the implementation of any noise mitigation measures during the commissioning of the rail spur line; and, if necessary,
 - identify any additional measures that should be implemented to minimise the rail noise impacts along the spur line; and
 - (d) implement any additional noise mitigation measures within 3 months of the review, unless the Director-General agrees otherwise.
8. Upon receiving a written request from the owner of any residence on property number 3108, the Proponent shall implement additional noise mitigation measures (such as double glazing, insulation, air filters, a first flush roof water drainage system and/or air conditioning) at the residence in consultation with the owner. These measures must be reasonable and feasible and directed towards reducing the noise and/or air quality impacts of the project on the residence.

If within 3 months of receiving this request from the owner, the Proponent and the owner 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.

Note: To identify property number 3108, see the figures in Appendix 5.

Operating Conditions

9. The Proponent shall:
- implement best management practice to minimise the construction, operational, road and rail noise of the project;
 - minimise the noise impacts of the project during meteorological conditions when the noise limits in this approval do not apply; and
 - ensure that the rail spur line is only accessed by rolling stock and locomotives that are approved to operate on the NSW rail network in accordance with the noise limits in ARTC's EPL, to the satisfaction of the Director-General.

Noise Management Plan

10. The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Director-General. This plan must:
- be prepared in consultation with the EPA, and submitted to the Director-General for approval prior to the commencement of construction on site;
 - describe the measures that would be implemented to ensure compliance with the noise criteria and operating conditions of this approval;
 - describe the proposed noise management system in detail;
 - include a monitoring program that:
 - evaluates and reports on:
 - the effectiveness of the noise management system;
 - compliance against the noise criteria of this approval; and
 - compliance against the noise operating conditions; and
 - defines what constitutes a noise incident and includes a protocol for identifying and notifying the Department and relevant stakeholders of any noise incidents.

BLASTING

Blasting Criteria

11. The Proponent shall ensure that the blasting on the site does not cause exceedances of the criteria in Table 3.

Table 3: Blasting criteria

Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance
Residence on privately owned land	120	10	0%
	115	5	5% of the total number of blasts over a period of 12 months
All public infrastructure	-	50 (or a different limit determined by the structural design methodology in AS 2187.2-2006, or its latest version, or other alternative limit for public infrastructure, to the satisfaction of the Director-General)	0%

However, these criteria do not apply if the Proponent has a written agreement with the relevant owner of the residence or infrastructure, and the Proponent has advised the Department in writing of the terms of this agreement.

Blasting Hours

12. The Proponent shall only carry out blasting on site between 9 am and 5 pm Monday to Saturday inclusive. No blasting is allowed on Sundays, public holidays, or at any other time without the prior written approval of the Director-General.

Blasting Frequency

13. The Proponent may carry out a maximum of:
- (a) 1 blast a day; unless an additional blast is required following a blast misfire; and
 - (b) 5 blasts a week, averaged over a calendar year, for the project.

This condition does not apply to blasts that generate ground vibration of 0.5 mm/s or less at any residence on privately-owned land, or to blasts required to ensure the safety of the mine or its workers.

Notes:

- *For the purposes of this condition, a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the mine.*
- *The EA identified that additional smaller blasts of the coal seams using a lower MIC would be undertaken and predicted that the ground vibration would be less than 0.2 mm/s at private receptors.*

Property Inspections

14. If the Proponent receives a written request from the owner of any privately-owned land within 2 kilometres of approved open cut mining, for a property inspection to establish the baseline condition of any buildings and/or structures on his/her land, or to have a previous property inspection report updated, then within 2 months of receiving this request the Proponent shall:
- o commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties, to:
 - establish the baseline condition of any buildings and/or structures on the land, or update the previous property inspection report; and
 - identify any measures that should be implemented to minimise the potential blasting impacts of the project on these buildings and/or structures; and
 - o give the landowner a copy of the new or updated property inspection report.

If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Proponent or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Director-General for resolution.

Property Investigations

15. If the owner of any privately-owned land claims that the buildings and/or structures on his/her land have been damaged as a result of blasting on site, then within 2 months of receiving this claim in writing from the landowner the Proponent shall:
- (a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties, to investigate the claim; and
 - (b) give the landowner a copy of the property investigation report.

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

If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Proponent or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Director-General for resolution.

Operating Conditions

16. The Proponent shall:
- (a) implement best management practice to:
 - protect the safety of people and livestock in the surrounding area;
 - protect public or private infrastructure/property (including the Laheys Creek Cemetery) in the surrounding area from any damage; and
 - minimise the dust and fume emissions of any blasting;
 - (b) operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site, to the satisfaction of the Director-General.
17. The Proponent shall not undertake blasting on site within 500 metres of:
- (a) any public road; or
 - (b) any land outside the site that is not owned by the Proponent, unless the Proponent has:
 - demonstrated to the satisfaction of the Director-General that the blasting can be carried out closer to the road or land without compromising the safety of people or livestock or damaging buildings and structures; and

- updated the Blast Management Plan to include the specific measures that would be implemented while blasting is being carried out within 500 metres of the road or land; or
- a written agreement with the relevant road owner or landowner to allow blasting to be carried out closer to the road or land, and the Proponent has advised the Department in writing of the terms of this agreement.

Blast Management Plan

18. The Proponent shall prepare and implement a Blast Management Plan for the project to the satisfaction of the Director-General. This plan must:
- be prepared in consultation with the EPA, and submitted to the Director-General for approval prior to undertaking any blasting on site;
 - describe the measures that would be implemented to ensure compliance with the blast criteria and operating conditions of this approval;
 - propose and justify any alternative ground vibration limits for public infrastructure in the vicinity of the site (if relevant);
 - include a monitoring program for evaluating and reporting on compliance with the blasting criteria, hours, frequency and operating conditions of this approval.

AIR QUALITY

Odour

19. The Proponent shall ensure that no offensive odours, as defined under the POEO Act, are emitted from the site.

Air Quality Criteria

20. The Proponent shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the project do not cause exceedances of the criteria listed in Tables 4, 5 and 6 at any residence-on privately-owned land.

Table 4: Long-term criteria for particulate matter

Pollutant	Averaging Period	^d Criterion
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³
Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³

Table 5: Short-term criteria for particulate matter

Pollutant	Averaging Period	^d Criterion
Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³

Table 6: Long-term criteria for deposited dust

Pollutant	Averaging Period	Maximum increase in deposited dust level	Maximum total deposited dust level
^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month

Notes to Tables 4-6:

^a Total impact (ie incremental increase in concentrations due to the project plus background concentrations due to all other sources);

^b Incremental impact (ie incremental increase in concentrations due to the project on its own);

^c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.

^d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Director-General.

Mine-owned Land

21. The Proponent shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the project do not cause exceedances of the criteria listed in Tables 4-6 at any occupied residence on land owned by the Proponent unless:
- the tenant has been notified of any health risks associated with such exceedances in accordance with the notification requirements under schedule 4 of this approval;

- (b) the tenant can terminate their tenancy agreement without penalty at any time, subject to giving reasonable notice;
 - (c) air mitigation measures such as air filters, a first flush roof water drainage system and/or air conditioning) are installed at the residence, if requested by the tenant;
 - (d) air quality monitoring is regularly undertaken to inform the tenant of the actual particulate emissions at the residence; and
 - (e) data from this monitoring is presented to the tenant in an appropriate format for a medical practitioner to be able to help the tenant make informed decisions on the health risks associated with occupying the property,
- to the satisfaction of the Director-General.

Air Quality Acquisition Criteria

22. If particulate matter emissions generated by the project exceed the criteria, or contribute to an exceedance of the relevant cumulative criteria, in Tables 7-9 at any residence on privately-owned land, then upon receiving a written request for acquisition from the landowner the Proponent shall acquire the land in accordance with the procedures in conditions 5-6 of schedule 4.

Table 7: Long term land acquisition criteria for particulate matter

Pollutant	Averaging period	^d Criterion
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³
Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³

Table 8: Short term land acquisition criteria for particulate matter

Pollutant	Averaging period	^d Criterion
Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 150 µg/m ³
Particulate matter < 10 µm (PM ₁₀)	24 hour	^b 50 µg/m ³

Table 9: Long term land acquisition criteria for deposited dust

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

Notes to Tables 7-9:

^a Total impact (ie incremental increase in concentrations due to the project plus background concentrations due to all other sources);

^b Incremental impact (ie incremental increase in concentrations due to the project on its own);

^c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method;

^d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, or any other activity agreed by the Director-General.

Operating Conditions

23. The Proponent shall:
- (a) implement best management practice to minimise the odour, fume and dust emissions of the project;
 - (b) implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site;
 - (c) minimise any visible off-site air pollution generated by the project;
 - (d) minimise the surface disturbance of the site;
 - (e) operate a comprehensive air quality management system that uses a combination of predictive meteorological forecasting and real time air quality monitoring data to guide the day to day planning of mining operations and the implementation of both proactive and reactive air quality mitigation measures to ensure compliance with the relevant conditions of this approval; and
 - (f) minimise the air quality impacts of the project during adverse meteorological conditions and extraordinary events (see note d above under Table 9);

Air Quality Management Plan

24. The Proponent shall prepare and implement an Air Quality Management Plan for the project to the satisfaction of the Director-General. This plan must:
- (a) be prepared in consultation with the EPA, and submitted to the Director-General for approval prior to the commencement of construction;
 - (b) describe the measures that would be implemented to ensure compliance with the relevant air quality criteria and operating conditions of this approval;
 - (c) describe the air quality management system;
 - (d) include an air quality monitoring program that:
 - adequately supports the air quality management system;
 - evaluates and reports on the:
 - effectiveness of the air quality management system;
 - compliance with the air quality criteria;
 - compliance with the air quality operating conditions; and
 - defines what constitutes an air quality incident, and includes a protocol for identifying and notifying the Department and relevant stakeholders of any air quality incidents.

Note: The management plan must be consistent with the EPA's guidance on Best Management Practice reporting and Reactive Particulate Management Strategies.

METEOROLOGICAL MONITORING

25. For the life of the project, the Proponent shall ensure that there is a meteorological station in the vicinity of the site that:
- (a) complies with the requirements in the *Approved Methods for Sampling of Air Pollutants in New South Wales* guideline; and
 - (b) is capable of continuous real-time measurement of temperature lapse rate in accordance with the *NSW Industrial Noise Policy*, unless a suitable alternative is approved by the Director-General following consultation with the EPA.

WATER

Water Supply

26. The Proponent shall ensure that it has sufficient water for all stages of the project, and if necessary, adjust the scale of mining operations on site, to match its available water supply.

Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Proponent is required to obtain the necessary water licences for the project.

Compensatory Water Supply

27. The Proponent shall provide a compensatory water supply to any landowner of privately-owned land whose water supply is adversely and directly impacted (other than an impact that is negligible) as a result of the project, in consultation with NOW, and to the satisfaction of the Director-General.

The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent to the loss attributed to the project. Equivalent water supply should be provided (at least on an interim basis) within 24 hours of the loss being identified, unless otherwise agreed by the landowner.

If 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.

If the Proponent is unable to provide an alternative long-term supply of water, then the Proponent shall provide alternative compensation to the satisfaction of the Director-General.

Water Pollution

28. Unless an EPL authorises otherwise, the Proponent shall comply with section 120 of the POEO Act.

Water Management Performance Measures

29. The Proponent shall comply with the performance measures in Table 10 to the satisfaction of the Director-General.

Table 10: Water Management Performance Measures

Feature	Performance Measure
Water Management – General	- Minimise as far as reasonable and feasible the take of water from the <i>Macquarie and Cudgegong Regulated Rivers Water Source</i> - Minimise the use of clean water on site - Maximise as far as reasonable and feasible the separation of different quality water within the site
Construction and operation of linear infrastructure	- Design, install and maintain erosion and sediment controls generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction including Volume 1, Volume 2A – Installation of Services and Volume 2C – Unsealed Roads</i> - Design, install and maintain infrastructure within 40 m of watercourses generally in accordance with the <i>Guidelines for Controlled Activities on Waterfront Land (July 2012)</i>, or its latest version - Design, install and maintain creek crossings generally in accordance with the <i>Policy and Guidelines for Fish Friendly Waterway Crossings (NSW Fisheries 2003)</i> and <i>Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (NSW Fisheries 2003)</i>, or their latest versions
Mine Sediment Dams	Design, install and maintain the dams generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction – Volume 1 and Volume 2E – Mines and Quarries</i>
Clean Water Diversion and Storage Infrastructure	- Maximise as far as reasonable and feasible the diversion of clean water around disturbed areas on site - Design, install and maintain the clean water system to capture and convey the 100 year average recurrence interval flood
Mine Water Storages and Out-of-Pit Tailings Storage Facility	- No discharges to surface waters from mine water storages or out-of-pit tailings storage facilities - Storages are suitably lined to comply with a permeability standard of $<1 \times 10^{-9}$ metres per second and minimum thickness of 900 mm, or equivalent performance - Adequate freeboard to minimise the risk of discharge to surface waters, and meet DSC requirements (if relevant)
In-pit emplacement of tailings, acid forming and potentially acid forming materials	- Emplacement, encapsulation and capping to prevent or minimise the migration of pollutants beyond the pit shell or seepage from out-of-pit emplacement areas - Adequate freeboard within the pit to minimise the risk of discharge to surface waters
Chemical and petroleum storage	Chemical and hydrocarbon products to be stored in bunded areas in accordance with relevant Australian Standards
Aquatic and riparian ecosystem, including semi-permanent refuge pools in Sandy Creek and Laheys Creek	- Sustain water levels, water quality and temperature requirements for maintenance of aquatic ecology in refuge pools in the Sandy Creek and Laheys Creek potentially impacted by the project - Maintain or improve baseline channel stability particularly in the vicinity of locations where mine related infrastructure encroaches into the 100 year average recurrence interval flood zone - Develop site-specific in-stream water quality objectives in accordance with ANZECC 2000 and <i>Using the ANZECC Guidelines and Water Quality Objectives in NSW (DECC 2006)</i>, or their latest versions

Update Surface Water and Groundwater Modelling

30. Prior to the commencement of mining operations on site, the Proponent shall update the surface and groundwater modelling for the project, in consultation with the EPA and NOW, to the satisfaction of the Director-General.

Note: This modelling must form the basis for the detailed management measures in the Water Management Plan for any mining operations on site.

Water Management Plan

31. The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Director-General. This plan must:
- (a) be prepared in consultation with the EPA, NOW, Fisheries NSW and Central West CMA, by suitably qualified and experienced persons whose appointment has been approved by the Director-General;
 - (b) be submitted to the Director-General for approval prior to the commencement of construction;
 - (c) in addition to the standard requirements for management plans (see condition 3 of schedule 5), this plan must demonstrate how the water management performance measures in Table 10 and relevant rehabilitation objectives in Table 14 are to be met, and include a:
 - (i) Site Water Balance, that:
 - includes details of:
 - the sources, security and reliability of water supply, including contingency planning for future reporting periods;
 - water use and management on site, including the operating rules and emergency procedures for water management (such as pumping of water to or from water storages including sediment dams and tailings dams);
 - reporting procedures, including the preparation of a site water balance for each calendar year of the project life; and
 - a program to validate the surface water model, including monitoring discharge volumes from the site and comparison of monitoring results with modelled predictions;
 - describes the measures that would be implemented to:
 - minimise the take of water from the *Macquarie and Cudgegong Regulated Rivers Water Source*; and
 - minimise clean water use on site;
 - (ii) Surface Water Management Plan, that includes:
 - detailed baseline data on water flows and quality, aquatic ecology, stream and riparian vegetation health in watercourses that could potentially be affected by the project;
 - a detailed description of the water management system for the project, including:
 - clean water diversion systems;
 - erosion and sediment controls (for the mine and associated linear infrastructure); and
 - mine water management systems;
 - detailed plans, including design objectives and performance criteria for:
 - management of effluent during construction and operations, including the beneficial reuse of effluent from the temporary Construction Accommodation Village;
 - any flood mitigation works, including scour protection for permanent structures;
 - emplacement of tailings, reject materials, and acid or potentially acid forming materials;
 - management of sodic and dispersible soils;
 - design and management of the final void;
 - re-instatement of drainage lines on rehabilitated landforms;
 - detailed performance criteria (and trigger levels for investigating any potentially adverse impacts associated with the project, where relevant) for the following:
 - the water management system;
 - downstream surface water quality;
 - downstream flooding impacts, including flood impacts due to the construction and operation of the rail spur line and mine access road; and
 - stream and riparian vegetation health;
 - a program to monitor and report on:
 - the effectiveness of the water management system;
 - surface water flows and quality, aquatic ecology, stream and riparian vegetation health in the watercourses that could be affected by the project, including the degree of dependence on groundwater for potentially impacted refuge pools; and
 - downstream flooding impacts;
 - a program to validate the surface water model for the project;
 - a plan to respond to any exceedances of the performance criteria;
 - (iii) Groundwater Management Plan, that includes:
 - detailed baseline data of groundwater levels, yield and quality in the region, as well as privately-owned groundwater bores and groundwater dependent ecosystems that could be affected by the project;
 - groundwater impact assessment criteria including trigger levels for investigating any potentially adverse groundwater impacts associated with the project;
 - a program to monitor and report on:
 - groundwater inflows to the open cut mining operations;
 - seepage/leachate from water storages, tailings dams, emplacements, backfilled voids, and the final void;
 - background changes in groundwater yield/quality against mine-induced changes;
 - the impacts of the project on:
 - o regional and local (including alluvial) aquifers;
 - o the groundwater supply of potentially affected landowners; and

- o groundwater dependent ecosystems and riparian vegetation.
- a program to validate the groundwater model for the project; and
- a plan to respond to any exceedances of the performance criteria.

BIODIVERSITY

Biodiversity Offset Strategy

32. The Proponent shall implement the Biodiversity Offset Strategy described in the EA, summarised in Table 11 and shown conceptually in Appendix 7, to the satisfaction of the Director-General.

Table 11: Summary of the Biodiversity Offset Strategy

Area	Offset Type	Minimum Size (hectares)
Group 1 – Formal Biodiversity Offset Areas		
Southern	Enhance existing native woodland (1,285 ha) Regenerate: • 82 ha of Blakely's Red Gum - Yellow Box grassy woodland of the NSW South Western Slopes Bioregion EEC derived native grassland; and • 610 ha of low condition native pasture to native woodland to provide habitat for threatened species impacted by the project¹	1,977
Eastern Link	Enhance existing native woodland (797 ha) Regenerate 78 ha of low condition native pasture to native woodland to provide habitat for threatened species impacted by the project ¹	875
Ziera Patch	Enhance existing native woodland (43 ha)	43
Cobbora	Enhance existing native woodland (2,100 ha) Regenerate: • 28 ha of Blakely's Red Gum - Yellow Box grassy woodland of the NSW South Western Slopes Bioregion EEC derived native grassland; and • 153 ha of low condition native pasture to native woodland to provide habitat for threatened species impacted by the project¹	2,281
Adelyne	Enhance existing native woodland (387 ha) Regenerate 26 ha of low condition native pasture to native woodland to provide habitat for threatened species impacted by the project ¹	413
Goonoo	Enhance existing native woodland (3,210 ha) Regenerate 27 ha of low condition native pasture to native woodland to provide habitat for threatened species impacted by the project ¹	3,238
Group 2: Additional areas to the formal biodiversity offset areas to provide biodiversity conservation outcomes		
Rehabilitation Area	Rehabilitate to woodland vegetation communities and provide habitat for threatened species impacted by the project	1,916
Northern Restoration Area	Regenerate 185 ha of low condition native pasture to native woodland to provide habitat for threatened species impacted by the project ¹	185
Other Landholdings owned by the Proponent	Regenerate areas with biodiversity potential under condition 1 of schedule 3.	To be determined

Note 1: These areas require further survey effort to define the condition, class and level of disturbance. Therefore, the areas defined as low condition native pasture may vary once the further survey effort is carried out.

Supplementary Offsets

33. The Proponent shall contribute at least \$500,000 (in total) towards research and/or the implementation of measures to assist the recovery of the following:
- (a) Large-eared Pied Bat (*Chalinolobus dwyeri*);
 - (b) Eastern Cave Bat (*Vespadelus troughtoni*); and

- (c) Fuzzy Box EEC and Inland Grey Box EEC,
to the satisfaction of the Director-General

Translocation of Threatened Flora Species

34. The Proponent shall use its best endeavours to successfully translocate the following threatened flora species located within the project disturbance boundary:
- (a) *Homoranthus darwinoides*;
 - (b) Ingram's zieria; and
 - (c) *Tylophora linearis*,
- to the satisfaction of the Director-General.

Biodiversity Management Plan

35. The Proponent shall prepare and implement a Biodiversity Management Plan for the project to the satisfaction of the Director-General. This plan must:
- (a) be prepared in consultation with OEH, DoE and the Central West CMA by suitably qualified and experienced persons whose appointment has been endorsed by the Director-General;
 - (b) be submitted to the Director-General for approval within 6 months of this approval or prior to construction (whichever is earliest);
 - (c) describe the short, medium, and long term measures that would be implemented to:
 - manage the remnant vegetation and fauna habitat on the site;
 - implement the biodiversity offset strategy; and
 - integrate the implementation of the Biodiversity Offset Strategy to the greatest extent practicable with the implementation of the Integrated Land Management Plan and rehabilitation of the site;
 - (d) include detailed baseline data on each of the biodiversity offset areas, including mapping of the areas of low condition native pasture that are suitable for regeneration to woodland and threatened species habitat;
 - (e) include detailed performance and completion criteria for evaluating the performance of the biodiversity offset strategy, and triggering remedial action (if necessary);
 - (f) include a detailed program for:
 - implementing the supplementary offsets required under condition 33 above;
 - translocating threatened flora species located within the project disturbance boundary, including details of methods and timing of propagation trials and programs and investigations into assisted natural regeneration (see condition 34 above);
 - (g) describe the measures that would be implemented over the next 3 years for:
 - protecting the vegetation and fauna habitat outside the project disturbance area from impact;
 - enhancing the quality of existing vegetation and fauna habitat in the biodiversity offset areas;
 - regenerating native vegetation and fauna habitat in the biodiversity offset areas through focusing on assisted natural regeneration, targeted vegetation establishment and the introduction of naturally scarce fauna habitat features;
 - rehabilitating the relevant parts of the project disturbance area for biodiversity conservation;
 - maximising the salvage of resources within the approved disturbance area – including vegetative and soil resources – for beneficial reuse in the enhancement of the biodiversity areas or rehabilitation area;
 - collecting and propagating seed;
 - minimising the impacts on fauna on site, including undertaking pre-clearance surveys;
 - managing any potential conflicts between the proposed restoration works in the biodiversity areas and any Aboriginal heritage values (both cultural and archaeological) in these areas;
 - managing salinity;
 - controlling weeds and feral pests;
 - controlling erosion;
 - managing grazing and agriculture on site, including detailed assessment of the suitability of grazing for conservation management outcomes;
 - controlling access; and
 - managing bushfire risk;
 - (h) describe the proposed arrangements for protecting the Group 1 biodiversity offset areas in perpetuity;
 - (i) include a seasonally-based program to monitor and report on the effectiveness of these programs and measures, and progress against the detailed performance and completion criteria;
 - (j) identify the risks that could prevent the successful implementation of the biodiversity offset strategy, supplementary offset measures, and translocation program; and describe the contingency measures that would be implemented to mitigate against these risks; and
 - (k) describe who would be responsible for implementing, monitoring, and reviewing the plan.

Long Term Protection of Biodiversity Offset Areas

36. Prior to the commencement of construction, unless the Director-General agrees otherwise, the Proponent shall implement the approved arrangements for protecting the Group 1 biodiversity offset areas in perpetuity to the satisfaction of the Director-General.

Conservation Bond

37. Prior to the commencement of construction, unless the Director-General agrees otherwise, the Proponent shall lodge a Conservation Bond with the Department to ensure that the Biodiversity Offset Strategy is implemented in accordance with the performance and completion criteria of the Biodiversity Management Plan.

The sum of the bond shall be determined by:

- (a) calculating the full cost of implementing the Biodiversity Offset Strategy (other than land acquisition costs) and the threatened flora species translocation program; and
- (b) employing a suitably qualified and experienced person to verify the calculated costs, to the satisfaction of the Director-General.

If the Biodiversity Offset Strategy is completed generally in accordance with the completion criteria in the Biodiversity Management Plan to the satisfaction of the Director-General, the Director-General will release the bond.

If the Biodiversity Offset Strategy is not completed generally in accordance with the completion criteria in the Biodiversity Management Plan, the Director-General will call in all or part of the conservation bond, and arrange for the satisfactory completion of the relevant works.

Notes:

- *Alternative funding arrangements for long term management of the Biodiversity Offset Strategy, such as provision of capital and management funding as agreed by OEH as part of a Biobanking Agreement or transfer to conservation reserve estate can be used to reduce the liability of the conservation bond.*
- *The sum of the bond may be reviewed in conjunction with any revision to the Biodiversity Offset Strategy or the Biodiversity Management Plan.*

HERITAGE

Protection of Aboriginal Heritage Items

38. The Proponent shall ensure that the project does not damage any Aboriginal heritage items located outside the approved disturbance area on site.

Note: See the Table in Appendix 8 for a list of the identified heritage items.

Heritage Management Plan

39. The Proponent shall prepare and implement a Heritage Management Plan for the project to the satisfaction of the Director-General. This plan must:
- (a) be prepared in consultation with the OEH and the local Aboriginal community, by suitably qualified and experienced persons whose appointment has been endorsed by the Director-General;
 - (b) be submitted to the Director-General for approval prior to carrying out any construction on site, unless the Director-General agrees otherwise;
 - (c) include a protocol for responding to the discovery of any human remains on site;
 - (d) in relation to Aboriginal heritage, describe the measures that would be implemented to:
 - ensure ongoing consultation with the Aboriginal community about the conservation and management of Aboriginal cultural heritage items both on site and within biodiversity offset areas;
 - salvage, record and manage the Aboriginal heritage items within the approved disturbance area on site;
 - protect, monitor and/or manage the Aboriginal heritage items on site that are located outside the approved disturbance area, particularly traffic access routes through archaeologically sensitive areas, blasting impacts on grinding grooves and rock shelters with PADs, and potential erosional impacts on archaeologically sensitive areas and known sites;
 - investigate and document the Aboriginal cultural heritage values of the biodiversity offset areas;
 - provide reasonable access to the Aboriginal community to heritage items both on site and in the biodiversity offset areas; and
 - ensure workers on site receive suitable heritage inductions prior to carrying out any activity on site, and keep suitable records of these inductions; and
 - (e) in relation to historic heritage, describe the measures that would be implemented to maintain or enhance the historic heritage items of local significance identified within or adjoining the site, including the locally significant residence "Yukon Paradise".

TRANSPORT

Road Upgrades

40. The Proponent shall implement the measures in Table 12 to the satisfaction of the Appropriate Roads Authority. These measures must be carried out in accordance with the timing specified in the table, and the relevant Austroads guidelines.

Table 12: Road and Ancillary Infrastructure Upgrades

Measures	Timing	Appropriate Roads Authority
Upgrade of existing Spring Ridge Road from the Golden Highway to the Mine Infrastructure Area, approximate 9.7 km length	Prior to construction works commencing on site	WSC
Upgrade of existing Spring Ridge Road/Golden Highway intersection	Prior to construction works commencing on site	RMS
Approximate 19 km Spring Ridge Road Realignment from the Golden Highway	Prior to mining operations commencing and the closure of the existing Spring Ridge Road and Sandy Creek Road	WSC and Wellington Council
Golden Highway and realigned Spring Ridge intersection	Prior to mining operations commencing and the closure of the existing Spring Ridge Road	RMS
Cobbora Road (MR353) and Golden Highway intersection	Prior to mining operations commencing	RMS
Laheys Creek Road and Castlereagh Highway intersection	Prior to mining operations commencing	RMS
Realignment of Brooklyn Road	Prior to mining operations commencing	WSC
Realignment of Suzanne Road	Prior to mining operations commencing	WSC
Realignment of Castlereagh Highway including road-over-rail grade separation	Prior to mining operations commencing	RMS
Saxa Bridge Modification	Prior to construction works commencing on site	Wellington Council
Cobbora Road (MR353) sealing of three unpaved sections	As per Planning Agreement outlined in Appendix 4	Wellington Council
Laheys Creek Road – widening and upgrade and speed limit reduction, approximate 14.7 km length	As per Planning Agreement outlined in Appendix 4	MWRC
Spring Ridge Road (south of mine) – road widening, permanent upgrade and speed limit reduction, approximate 8.5 km length	Prior to construction works commencing on site	WSC
Spring Ridge Road (south of mine) – widening and temporary upgrade, approximate 2.5 km length	Prior to construction works commencing on site	WSC

Notes:

- Under the Roads Act 1993, the Proponent may require separate approvals from RMS, and/or the Councils as the appropriate roads authority prior to construction or closure of public roads; and
- For road and intersection upgrades where the RMS is the appropriate roads authority, the Proponent will need to enter into a Works Authorisation Deed prior to commencing works, including the design, construction, alteration, maintenance, demolition and/or removal of these works.

Railway Crossings

41. The Proponent shall not transport any coal from the site before:
- the railway crossings in column 1 of Table 13 have been upgraded to the satisfaction of ARTC; and
 - suitable safety risk assessments have been carried out of the railway crossings in column 2 of Table 13; and if necessary, these railway crossings have been suitably upgraded to the satisfaction of the ARTC.

Table 13: Rail Crossing Safety Risk Assessments and Upgrades

Rail Crossings Requiring Upgrades	Rail Crossings Requiring Safety Risk Assessments and Upgrades if Required
Black Lead Road	Puggoon Road
Spring Creek Road	Jacksons Lane
Station Street MR 598, Gulgong	
Tallawang Street, Gulgong	
Barneys Reef Road	

Heavy Vehicle Access Restrictions

42. The Proponent shall ensure that no project-related heavy vehicle traffic uses Spring Ridge Road south from the Mid-Western Regional LGA boundary, Laheys Creek road (south) to the intersection with the Castlereagh Highway, or Tucklan Road south from Dunedoo to access the site except:
- in any emergency to avoid loss of life, property and/or to prevent environmental harm; or
 - in the case of Tucklan Road, where there is no other reasonable or feasible alternative, for access to the rail corridor during construction of the Cobbora Rail Spur Line.

Note: This condition does not apply to the infrequent use of the roads for environmental purposes and inspection and maintenance of nearby infrastructure.

43. The Proponent shall not allow heavy vehicles to leave the site or deliver goods or materials to the site outside the following hours:
- Monday to Friday: 7am to 6pm; and
 - Saturday: 8am to 1 pm,
- except in any emergency to avoid loss of life, property and/or to prevent environmental harm.

Traffic Management Plan

44. The Proponent shall prepare and implement a Traffic Management Plan for the project to the satisfaction of the Director-General. This plan must:
- be prepared in consultation with RMS and the Councils;
 - be submitted to the Director-General for approval prior to carrying out any construction on site;
 - describe the measures that would be implemented to:
 - maximise the use of buses and car pooling by the workforce;
 - enforce the heavy vehicle restrictions in conditions 42 and 43 above;
 - minimise the traffic impacts of the project during school bus pick up and drop off times;
 - carry out regular safety audits of the local road network in the vicinity of the site, and implement the relevant recommendations in these audits; and
 - include a program to monitor and report on the:
 - effectiveness of these measures;
 - amount of coal transported from the site (on a monthly basis); and
 - date and time of each train movement generated by the project.

VISUAL

Additional Visual Impact Mitigation

45. Upon receiving a written request from the owner of any residence on privately-owned land which has, or would have, significant direct views of the mining operations and infrastructure on site during the project, the Proponent shall implement additional visual impact mitigation measures (such as landscaping treatments or vegetation screens) to reduce the visibility of these mining operations and infrastructure from the residences on their properties.

These mitigation measures must be reasonable and feasible, and must be implemented within a reasonable timeframe.

If the Proponent and the owner 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.

Notes:

- The additional visual impact mitigation measures must be aimed at reducing the visibility of the mining operations on site from significantly affected residences, and do not require measures to reduce the visibility of the mining operations from other locations on the affected properties.
- The additional visual impact mitigation measures do not necessarily have to include the implementation of measures on the affected property itself (i.e. the additional measures could involve the implementation of measures outside the affected property boundary that provide an effective reduction in visual impacts).
- Except in exceptional circumstances, the Director-General will not require additional visual impact mitigation to be undertaken for residences that are more than 7.5 kilometres from the mining operations.

Operating Conditions

46. The Proponent shall:
- (a) implement best management practice to minimise the visual and off-site lighting impacts of the project;
 - (b) minimise the lighting impacts of the project on the Siding Springs Observatory;
 - (c) ensure no fixed outdoor lights shine above the horizontal;
 - (d) ensure no in-pit mobile lighting rigs shine above the pit wall and other mobile lighting rigs do not shine above the horizontal;
 - (e) ensure that all external lighting associated with the project complies with *Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting* or its latest version;
 - (f) provide for the establishment of trees and shrubs and/or the construction of mounding or bunding to minimise visual and lighting impacts:
 - on the Proponent's land adjoining public roads with views of the site; and
 - along the rail spur line including rail overpasses/underpasses;
 - (g) ensure that the visual appearance of all buildings, structures, facilities or works (including paint colours and specifications) is aimed at blending as far as possible with the surrounding landscape, to the satisfaction of the Director-General.

Light Management Plan

47. The Proponent shall prepare and implement a Light Management Plan for the project to the satisfaction of the Director-General. This plan must:
- (a) be prepared in consultation with representatives of the Siding Springs Observatory (including the Australian National University and the Australian Astronomical Observatory) and WSC by a suitably qualified and experienced person whose appointment has been endorsed by the Director-General;
 - (b) be submitted to the Director-General for approval prior to carrying out any construction on site;
 - (c) incorporate the relevant requirements in WSC's DCP No. 1, AS 4282 and AS/NZS 1158;
 - (d) describe the measures that would be implemented to minimise the lighting impacts of the project, including those impacts associated with using the rail spur line, on the:
 - Siding Springs Observatory;
 - surrounding residents; and
 - public roads; and
 - (e) include a program to monitor and report on the effectiveness of these measures.

BUSHFIRE MANAGEMENT

48. The Proponent shall prepare and implement a Bushfire Management Plan for the project to the satisfaction of the Director-General. This plan must:
- (a) be prepared in consultation with the RFS, NPWS, Forestry Corporation of NSW and WSC;
 - (b) be submitted to the Director-General for approval prior to carrying out any construction on the site;
 - (c) incorporate the RFS's recommendations in its submission on the EA;
 - (d) describe the measures that would be implemented to:
 - ensure there are suitable asset protection zones around all buildings on site on bushfire-prone land;
 - maintain or enhance the capacity of the RFS in the region to be able to respond effectively to bushfires in the local area;
 - minimise the risks of bushfire on site, in the biodiversity offset areas and on the Proponent's landholdings surrounding the site
 - respond to bushfires or emergencies in the region
 - (e) include a program to monitor and report on the effectiveness of these measures.

WASTE

49. The Proponent shall:
- (a) implement all reasonable and feasible measures to minimise the waste (including coal reject) generated by the project;
 - (b) ensure that the waste generated by the project is appropriately stored, handled and disposed of; and
 - (c) monitor and report on the effectiveness of the waste minimisation and management measures in the annual review.

REHABILITATION

Rehabilitation Objectives

50. The Proponent shall rehabilitate the site to the satisfaction of the Executive Director Mineral Resources. This rehabilitation must be generally consistent with the proposed Rehabilitation Strategy described in the EA (depicted conceptually in Appendix 9), and comply with the objectives in Table 14.

Table 14: Rehabilitation Objectives

Feature	Objective
Mine site (as a whole)	• Safe, stable and non-polluting • Restore at least 427 ha of the disturbance area to land with a Class III land and soil capability and agricultural productivity consistent with regional averages • Establish at least 1,916 ha of woodland on site comprising pre-vegetation woodland communities with suitable habitat for threatened species affected by the project • Restore ecosystem function or rural land capability on the remaining land, including maintaining or establishing self-sustaining ecosystems comprised of local native plant species
Final landforms	• Minimise the visual impact of final landforms, and ensure they are consistent with the landforms in the surrounding landscape • Constructed landforms to drain to the natural environment
Final void	• No final voids in Mining Areas A and C. • Minimise the size and depth of the final void in Mining Area B as far as is reasonable and feasible • The size and depth of the final void must be designed having regard to its function as a long-term groundwater sink, to ensure that groundwater flows across the backfilled pit towards the final void. • Minimise the drainage catchment of the final void as far as is reasonable and feasible • Negligible high wall instability risk • Adequate freeboard in the predicted final void lake recovery level to prevent discharge to surface waters • Minimise risk of flood interaction for all flood events up to and including the Probable Maximum Flood level
Surface infrastructure	• To be decommissioned and removed, unless the Executive Director Mineral Resources agrees otherwise
Community	• Ensure public safety • Minimise the adverse socio-economic effects associated with mine closure

Progressive Rehabilitation

51. The Proponent shall rehabilitate the site progressively as soon as reasonably practicable following disturbance. All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Interim rehabilitation strategies shall be employed when areas prone to dust generation cannot yet be permanently rehabilitated.

Note: It is accepted that some parts of the site that are progressively rehabilitated may be subject to further disturbance at some later stage of the project.

Rehabilitation Management Plan

52. The Proponent shall prepare and implement a Rehabilitation Management Plan to the satisfaction of the Executive Director Mineral Resources. This plan must:
- be prepared in consultation with the Department, NOW, Agriculture NSW, OEH, Central West CMA and WSC;
 - be submitted to the Executive Director Mineral Resources prior to carrying out any construction on site;
 - be prepared in accordance with any relevant DRE guideline;
 - incorporate Global Soil Systems' recommendations to the PAC in the report titled *Cobbora Coal Project Advice on Rehabilitation*, dated February 2013;
 - address OASFS's recommendations on the re-establishment of agricultural land;
 - describe how the rehabilitation of the site would be integrated with the implementation of the biodiversity management plan and integrated land management plan;

- (g) include detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site, and triggering remedial action (if necessary);
- (h) describe the measures that would be implemented to ensure compliance with the relevant conditions of this approval, and address all aspects of rehabilitation including mine closure, final landform, and final land use;
- (i) include a program to monitor and report on the effectiveness of these measures, and progress against the detailed performance and completion criteria; and
- (j) build to the maximum extent practicable on the other management plans required under this approval.

SCHEDULE 4 ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS/TENANTS

1. Within 1 month of the date of this approval, the Proponent shall:
 - (a) notify in writing the owner of:
 - the land listed in condition 2 of schedule 3 that they may require the Proponent to acquire their land at any stage during the project and/or request the Proponent to provide additional noise mitigation measures at their residence at any stage during the project ; and
 - any privately-owned land within 2 kilometres of the approved open cut mining pit/s that they are entitled to ask the Proponent for an inspection to establish the baseline condition of any buildings or structures on their land, or to have a previous property inspection report updated;
 - (b) notify the tenants of any mine-owned land of their rights under this approval; and
 - (c) send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the owners and/or existing tenants of any land (including mine-owned land) where the predictions in the EA identify that dust emissions generated by the project are likely to be greater than the relevant air quality criteria in schedule 3 at any time during the life of the project.
2. Prior to entering into any tenancy agreement for any land owned by the Proponent that is predicted to experience exceedances of the recommended dust and/or noise criteria, the Proponent shall:
 - (a) advise the prospective tenants of the potential health and amenity impacts associated with living on the land, and give them a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time);
 - (b) advise the prospective tenants of the rights they would have under this approval; and to the satisfaction of the Director-General.
3. As soon as practicable after obtaining monitoring results showing:
 - (a) an exceedance of the relevant criteria in schedule 3, the Proponent shall notify affected landowners in writing of the exceedance, and provide regular monitoring results to each of these parties until the project is again complying with the relevant criteria again; and
 - (b) an exceedance of the relevant air quality criteria schedule 3, the Proponent shall send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the affected landowners and/or existing tenants of the land (including the tenants of any mine-owned land).

INDEPENDENT REVIEW

4. If an owner of privately-owned land considers the project to be exceeding the criteria in schedule 3, then he/she may ask the Director-General 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, then within 2 months of the Director-General's decision, the Proponent shall:

- (a) commission a suitably qualified, experienced and independent expert, whose appointment has been approved by the Director-General, to:
 - consult with the landowner to determine his/her concerns;
 - conduct monitoring to determine whether the project is complying with the relevant impact assessment criteria in schedule 3; and
 - if the project is not complying with these criteria then identify the measures that could be implemented to ensure compliance with the relevant criteria; and
- (b) give the Director-General and landowner a copy of the independent review.

LAND ACQUISITION

5. 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 land at the date of this written request, as if the land was unaffected by the project, having regard to the:
 - existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and
 - presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date, but excluding any improvements that have resulted from the implementation of the additional mitigation measures required under condition 2 of schedule 3;
 - (b) the reasonable costs associated with:
 - relocating within the MWRC, WSC, Wellington Council or DCC local government areas, or to any other local government area determined by the Director-General; and

- obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired; 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 to:

- consider submissions from both parties;
- determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in paragraphs (a)-(c) above;
- prepare a detailed report setting out the reasons for any determination; and
- provide a copy of the report to both parties.

Within 14 days of receiving the independent valuer's report, the Proponent shall make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination.

However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to the Director-General for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the Director-General will determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in paragraphs (a)-(c) above, the independent valuer's report, the detailed report of the party that disputes the independent valuer's determination and any other relevant submissions.

Within 14 days of this determination, the Proponent shall make a binding written offer to the landowner to purchase the land at a price not less than the Director-General's determination.

If the landowner refuses to accept the Proponent's binding written offer under this condition within 6 months of the offer being made, then the Proponent's obligations to acquire the land shall cease, unless the Director-General determines otherwise.

6. The Proponent shall pay all reasonable costs associated with the land acquisition process described in condition 5 above, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of this plan at the Office of the Registrar-General.
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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. The strategy must:
 - (a) be submitted to the Director-General for approval prior to carrying out any construction on site;
 - (b) provide the strategic framework for 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 to be carried out in relation to the project.

Adaptive Management

2. The Proponent shall assess and manage project-related risks to ensure that there are no exceedances of the criteria and/or performance measures in schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this approval and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.

Where any exceedance of these criteria and/or performance measures has occurred, the Proponent must at the earliest opportunity:

- (a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur ;
- (b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other courses of action; and
- (c) implement remediation measures as directed by the Director-General, to the satisfaction of the Director-General.

Management Plan Requirements

3. 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 development 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 program to investigate and implement ways to improve the environmental performance of the project over time;
 - (g) 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
 - (h) a protocol for periodic review of the plan.

Annual Review

4. By 30 March each year, or an alternative date agreed to by the Director-General, the Proponent shall review the environmental performance of the project for the previous calendar year 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 current calendar year;
 - (b) include a comprehensive review of the monitoring results and complaints records of the project over the past year, which includes a comparison of these results against the:
 - relevant statutory requirements, limits or performance measures/criteria;
 - monitoring results of previous years; and
 - relevant predictions in the EA;
 - (c) identify any non-compliance over the last 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

5. Within 3 months of the submission of:
 - (a) the submission of an annual review under condition 4 above;
 - (b) the submission of an incident report under condition 7 below;
 - (c) the submission of an audit under condition 9 below; or
 - (d) any modification to the conditions of this approval,the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Director-General. Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted to the Director-General for approval.

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

6. The Proponent shall establish and operate a Community Consultative Committee (CCC) for the project to the satisfaction of the Director-General. This CCC must be operated 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 be operating within 6 months of the date of this approval.

Notes:

- The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Proponent complies with this approval; and
- In accordance with the Department's guideline, the CCC should be comprised on an independent chair and appropriate representation from the Proponent, WSC, recognised environmental groups and the local community.

REPORTING

Incident Reporting

7. The Proponent shall immediately notify the Director-General and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the project, the Proponent shall notify the Director-General and any other relevant agencies 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, and such further reports as may be requested.

Regular Reporting

8. 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.

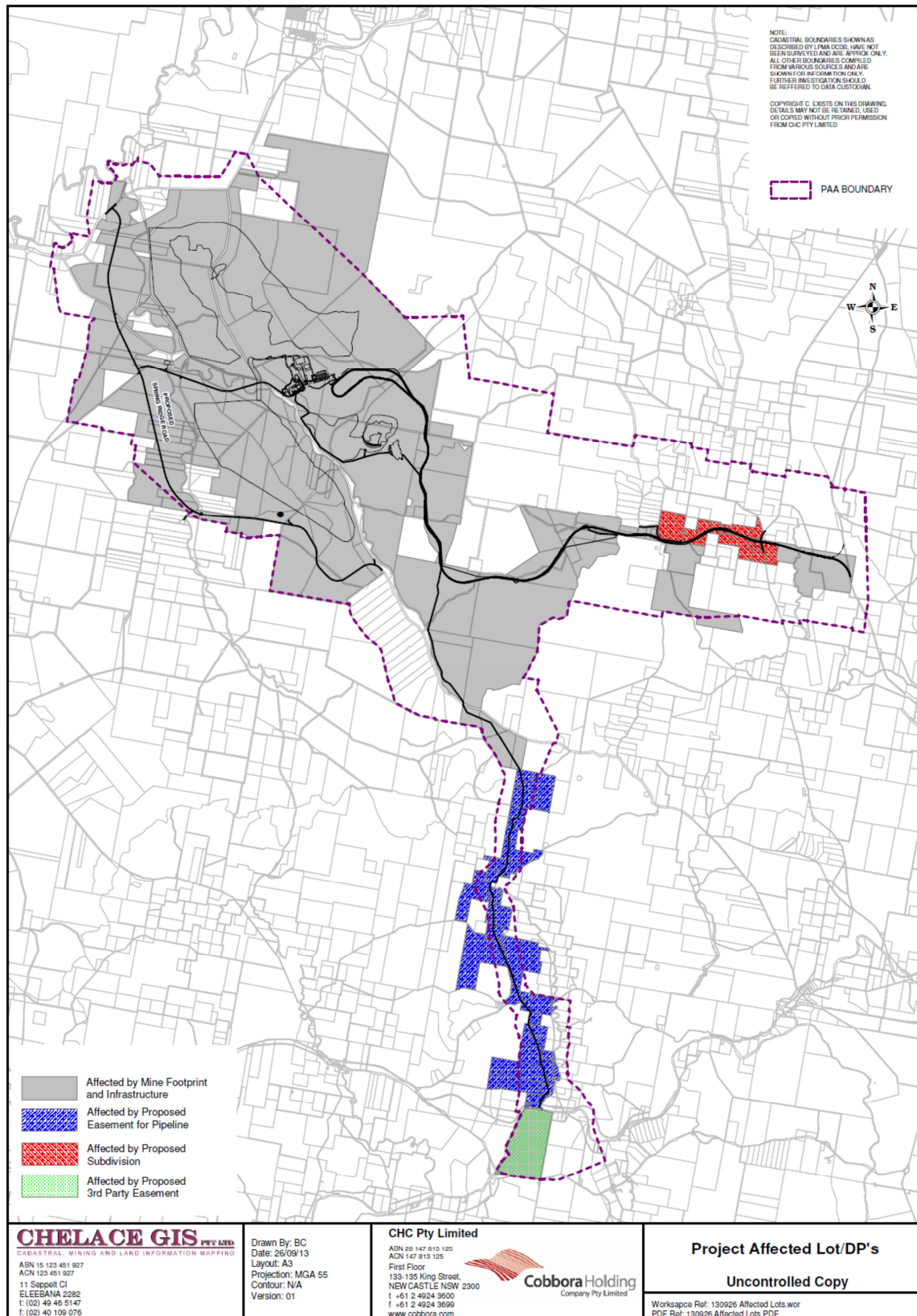
AUDITING

9. By 31 December 2015 and every 3 years thereafter, 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:
- (a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General;
 - (b) include consultation with the relevant agencies;
 - (c) assess the environmental performance of the project and assess whether it is complying with the requirements in this approval, and any other relevant approvals, relevant EPL/s and/or Mining Lease (including any assessment, plan or program required under these approvals);
 - (d) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and
 - (e) recommend measures or actions to improve the environmental performance of the project and/or any strategy, plan or program required under these approvals.
- Note: This audit team must be led by a suitably qualified auditor, and include experts in noise, air quality, ecology, Aboriginal heritage and any other fields specified by the Director-General.*
10. Within 3 months of commissioning 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

11. The Proponent shall:
- (a) within 3 months of the date of this approval, make the following information publicly available on its website:
 - the EA;
 - all current statutory approvals for the project;
 - approved strategies, plans and programs required under the conditions of this approval;
 - a comprehensive summary of the monitoring results of the project, which have been reported in accordance with the various plans and programs approved under the conditions of this approval;
 - a complaints register, which is to be updated on a monthly basis;
 - minutes of CCC meetings;
 - the last five annual reviews;
 - any independent environmental audit, 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,
 - (c) investigate and report on reasonable and feasible measures to make predictive meteorological data and real time monitoring data publicly available on its website, to the satisfaction of the Director-General.

APPENDIX 1 SCHEDULE OF LAND



Lot	DP	Property Owner
INFRASTRUCTURE/MINE FOOTPRINT		
5	130794	ALLAN JOSEPH HALEY
86	750780	ALLAN JOSEPH HALEY
85	750780	ALLAN JOSEPH HALEY
58	750780	ALLAN JOSEPH HALEY
158	750780	ALLAN JOSEPH HALEY, DIANA RUTH HALEY
159	750780	ALLAN JOSEPH HALEY, DIANA RUTH HALEY
151	750780	ALLAN JOSEPH HALEY, DIANA RUTH HALEY
141	721256	COBBORA HOLDING COMPANY PTY LIMITED
119	754305	COBBORA HOLDING COMPANY PTY LIMITED
31	771038	COBBORA HOLDING COMPANY PTY LIMITED
36	754305	COBBORA HOLDING COMPANY PTY LIMITED
37	754305	COBBORA HOLDING COMPANY PTY LIMITED
1	608368	COBBORA HOLDING COMPANY PTY LIMITED
66	754305	COBBORA HOLDING COMPANY PTY LIMITED
106	754305	COBBORA HOLDING COMPANY PTY LIMITED
22	754305	COBBORA HOLDING COMPANY PTY LIMITED
24	754305	COBBORA HOLDING COMPANY PTY LIMITED
21	754305	COBBORA HOLDING COMPANY PTY LIMITED
1	532844	COBBORA HOLDING COMPANY PTY LIMITED
1	652054	COBBORA HOLDING COMPANY PTY LIMITED
96	754305	COBBORA HOLDING COMPANY PTY LIMITED
2	608368	COBBORA HOLDING COMPANY PTY LIMITED
25	754317	COBBORA HOLDING COMPANY PTY LIMITED
5	754305	COBBORA HOLDING COMPANY PTY LIMITED
16	754305	COBBORA HOLDING COMPANY PTY LIMITED
127	754305	COBBORA HOLDING COMPANY PTY LIMITED
97	754305	COBBORA HOLDING COMPANY PTY LIMITED
100	754305	COBBORA HOLDING COMPANY PTY LIMITED
112	754305	COBBORA HOLDING COMPANY PTY LIMITED
38	754289	COBBORA HOLDING COMPANY PTY LIMITED
70	754317	COBBORA HOLDING COMPANY PTY LIMITED
50	754305	COBBORA HOLDING COMPANY PTY LIMITED
107	754305	COBBORA HOLDING COMPANY PTY LIMITED
25	754305	COBBORA HOLDING COMPANY PTY LIMITED
58	754305	COBBORA HOLDING COMPANY PTY LIMITED
24	754317	COBBORA HOLDING COMPANY PTY LIMITED
115	754305	COBBORA HOLDING COMPANY PTY LIMITED
98	754305	COBBORA HOLDING COMPANY PTY LIMITED
54	754305	COBBORA HOLDING COMPANY PTY LIMITED
49	754305	COBBORA HOLDING COMPANY PTY LIMITED
2	605613	COBBORA HOLDING COMPANY PTY LIMITED
105	754305	COBBORA HOLDING COMPANY PTY LIMITED
2	532844	COBBORA HOLDING COMPANY PTY LIMITED
95	754305	COBBORA HOLDING COMPANY PTY LIMITED
29	754317	COBBORA HOLDING COMPANY PTY LIMITED
120	754305	COBBORA HOLDING COMPANY PTY LIMITED
1	754305	COBBORA HOLDING COMPANY PTY LIMITED
33	754317	COBBORA HOLDING COMPANY PTY LIMITED
2	842496	COBBORA HOLDING COMPANY PTY LIMITED
1	1143622	COBBORA HOLDING COMPANY PTY LIMITED
8	754317	COBBORA HOLDING COMPANY PTY LIMITED
23	754317	COBBORA HOLDING COMPANY PTY LIMITED
7	754317	COBBORA HOLDING COMPANY PTY LIMITED
31	754289	COBBORA HOLDING COMPANY PTY LIMITED
31	754317	COBBORA HOLDING COMPANY PTY LIMITED
35	754289	COBBORA HOLDING COMPANY PTY LIMITED
21	754289	COBBORA HOLDING COMPANY PTY LIMITED
44	754289	COBBORA HOLDING COMPANY PTY LIMITED
36	754289	COBBORA HOLDING COMPANY PTY LIMITED
42	754289	COBBORA HOLDING COMPANY PTY LIMITED
18	754289	COBBORA HOLDING COMPANY PTY LIMITED
9	754289	COBBORA HOLDING COMPANY PTY LIMITED
18	754317	COBBORA HOLDING COMPANY PTY LIMITED
33	754289	COBBORA HOLDING COMPANY PTY LIMITED
21	754317	COBBORA HOLDING COMPANY PTY LIMITED
19	754289	COBBORA HOLDING COMPANY PTY LIMITED
17	754289	COBBORA HOLDING COMPANY PTY LIMITED
69	754317	COBBORA HOLDING COMPANY PTY LIMITED
73	132922	COBBORA HOLDING COMPANY PTY LIMITED
34	754289	COBBORA HOLDING COMPANY PTY LIMITED
56	754317	COBBORA HOLDING COMPANY PTY LIMITED
19	754317	COBBORA HOLDING COMPANY PTY LIMITED
32	754289	COBBORA HOLDING COMPANY PTY LIMITED
57	754317	COBBORA HOLDING COMPANY PTY LIMITED
39	754289	COBBORA HOLDING COMPANY PTY LIMITED

37	754289	COBBORA HOLDING COMPANY PTY LIMITED
6	754289	COBBORA HOLDING COMPANY PTY LIMITED
5	754317	COBBORA HOLDING COMPANY PTY LIMITED
68	750751	COBBORA HOLDING COMPANY PTY LIMITED
96	750767	COBBORA HOLDING COMPANY PTY LIMITED
17	754329	COBBORA HOLDING COMPANY PTY LIMITED
16	754329	COBBORA HOLDING COMPANY PTY LIMITED
20	754329	COBBORA HOLDING COMPANY PTY LIMITED
2	586911	COBBORA HOLDING COMPANY PTY LIMITED
18	754329	COBBORA HOLDING COMPANY PTY LIMITED
25	754334	COBBORA HOLDING COMPANY PTY LIMITED
40	754329	COBBORA HOLDING COMPANY PTY LIMITED
2	253275	COBBORA HOLDING COMPANY PTY LIMITED
37	754334	COBBORA HOLDING COMPANY PTY LIMITED
41	754289	COBBORA HOLDING COMPANY PTY LIMITED
19	754329	COBBORA HOLDING COMPANY PTY LIMITED
3	253275	COBBORA HOLDING COMPANY PTY LIMITED
124	754305	COBBORA HOLDING COMPANY PTY LIMITED
32	771038	COBBORA HOLDING COMPANY PTY LIMITED
1	209396	COBBORA HOLDING COMPANY PTY LIMITED
21	253275	COBBORA HOLDING COMPANY PTY LIMITED
44	750751	COBBORA HOLDING COMPANY PTY LIMITED
22	253275	COBBORA HOLDING COMPANY PTY LIMITED
23	754329	COBBORA HOLDING COMPANY PTY LIMITED
11	130757	COBBORA HOLDING COMPANY PTY LIMITED
30	754329	COBBORA HOLDING COMPANY PTY LIMITED
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1	253275	COBBORA HOLDING COMPANY PTY LIMITED
115	721236	COBBORA HOLDING COMPANY PTY LIMITED
2	1041071	COBBORA HOLDING COMPANY PTY LIMITED
46	754329	COBBORA HOLDING COMPANY PTY LIMITED
25	754329	COBBORA HOLDING COMPANY PTY LIMITED
26	754329	COBBORA HOLDING COMPANY PTY LIMITED
87	750780	COBBORA HOLDING COMPANY PTY LIMITED
45	754329	COBBORA HOLDING COMPANY PTY LIMITED
3	802679	COBBORA HOLDING COMPANY PTY LIMITED
88	750780	COBBORA HOLDING COMPANY PTY LIMITED
2	1072945	COBBORA HOLDING COMPANY PTY LIMITED
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1	705670	COBBORA HOLDING COMPANY PTY LIMITED
39	754305	COBBORA HOLDING COMPANY PTY LIMITED
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50	750751	COBBORA HOLDING COMPANY PTY LIMITED
6	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
18	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
12	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
1	869309	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
30	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
74	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
169	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
31	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
39	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
52	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
106	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
75	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
73	665629	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
		CROWN CLOSED ROAD
		CROWN CLOSED ROAD
175	750751	HAMISH BRUCE DRURY, SALLY LAVINIA DRURY
178	750751	HAMISH BRUCE DRURY, SALLY LAVINIA DRURY
104	750751	HAMISH BRUCE DRURY, SALLY LAVINIA DRURY
66	750751	HAMISH BRUCE DRURY, SALLY LAVINIA DRURY
1	1083951	JOHN HENRY HARDING, SANDRA GAIL HARDING
185	750751	MICHAEL RAYMOND NOTT & CRAIG ANDREW NOTT
15	750751	MICHAEL RAYMOND NOTT & CRAIG ANDREW NOTT
10	130791	ROSS JOSEPH GARDINER
14	750780	ROSS JOSEPH GARDINER

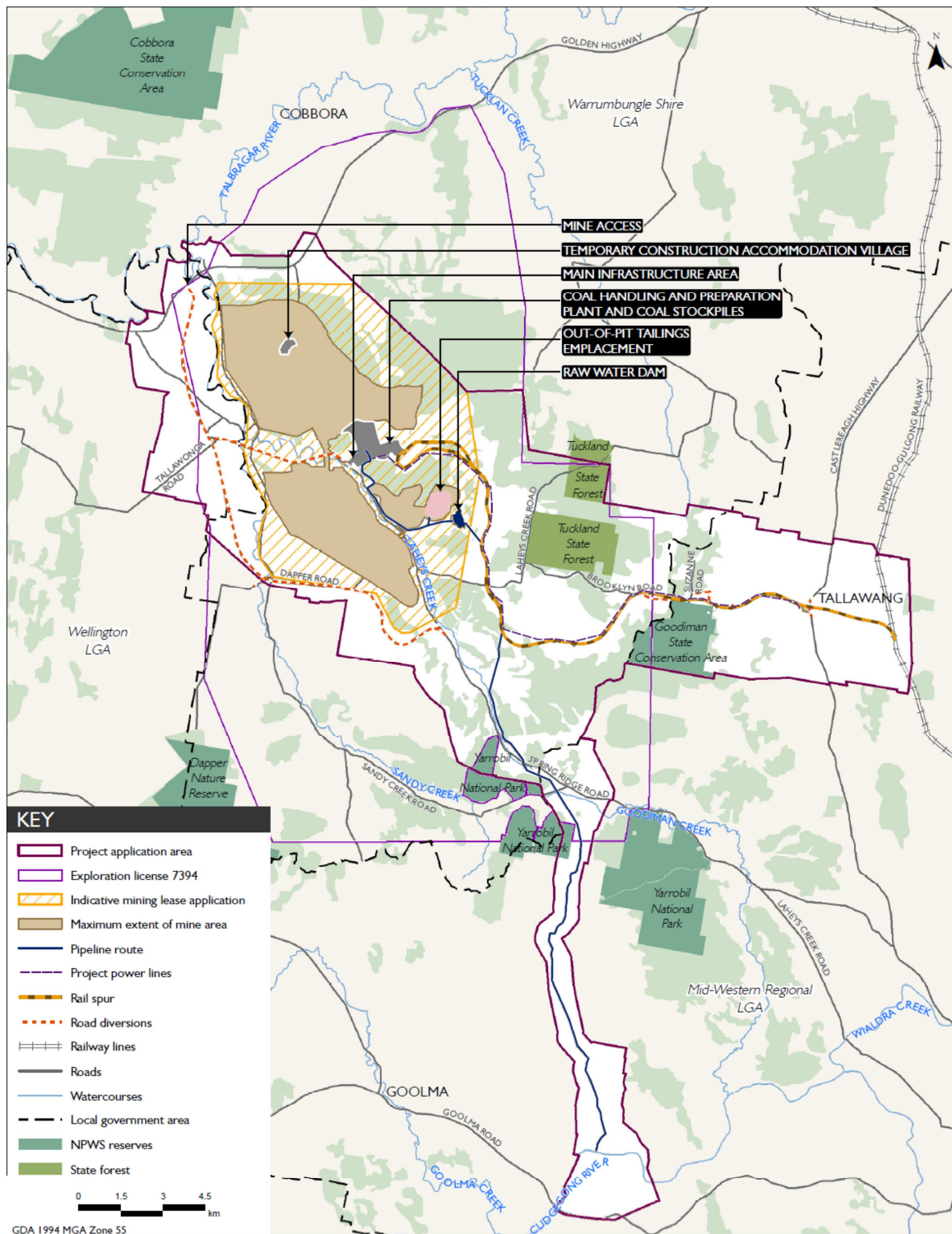
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157	750780	ROSS JOSEPH GARDINER
24	750751	SALLY NOTT
25	750751	SALLY NOTT
97	750751	SALLY NOTT
62	750751	SALLY NOTT
47	750751	SALLY NOTT
9	191226	STATE RAIL AUTHORITY OF NEW SOUTH WALES

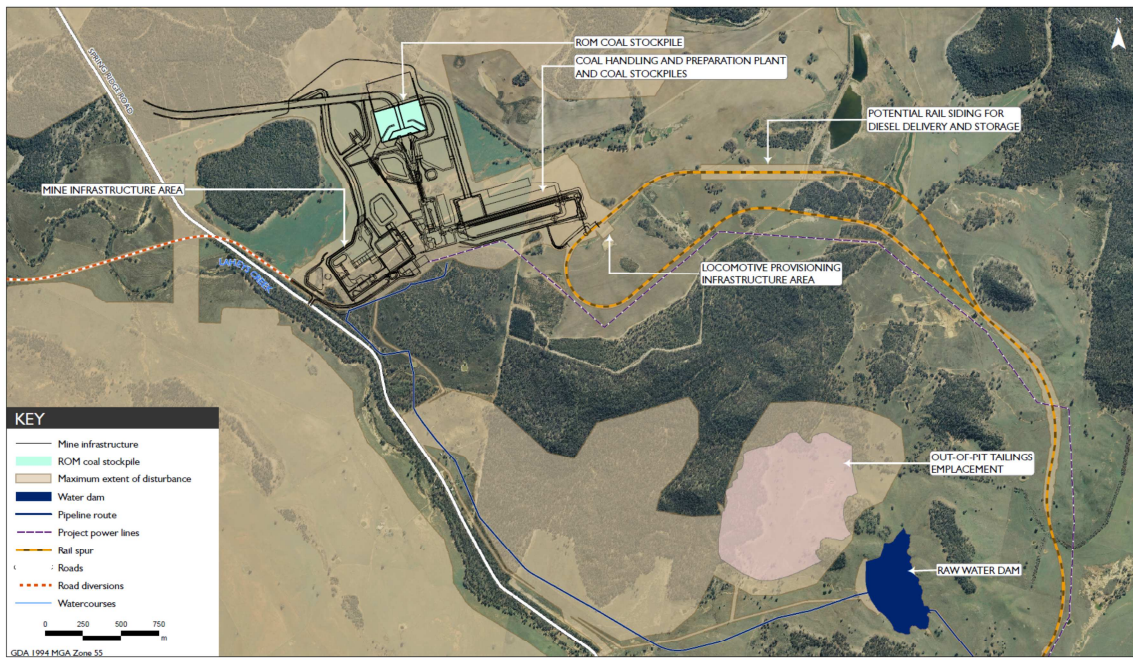
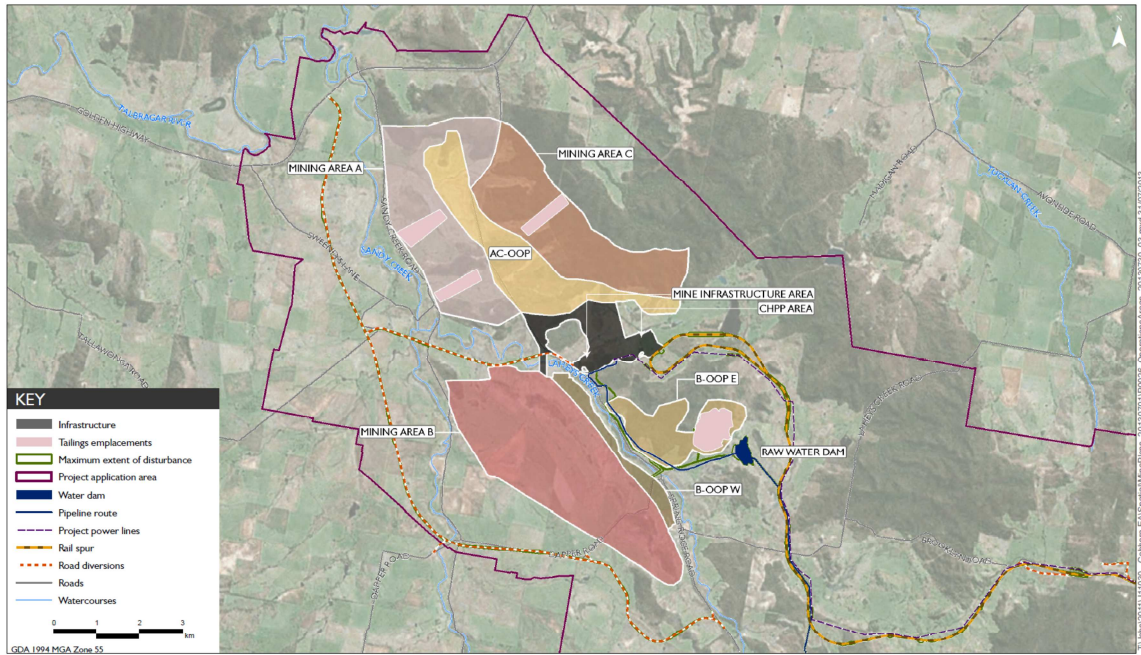
Lot	DP	Property Owner
EASEMENT		
5	130794	ALLAN JOSEPH HALEY
58	750780	ALLAN JOSEPH HALEY
86	750780	ALLAN JOSEPH HALEY
85	750780	ALLAN JOSEPH HALEY
158	750780	ALLAN JOSEPH HALEY, DIANA RUTH HALEY
159	750780	ALLAN JOSEPH HALEY, DIANA RUTH HALEY
151	750780	ALLAN JOSEPH HALEY, DIANA RUTH HALEY
46	750780	COBBORA HOLDING COMPANY PTY LIMITED
47	750780	COBBORA HOLDING COMPANY PTY LIMITED
1	705670	COBBORA HOLDING COMPANY PTY LIMITED
6	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
18	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
12	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
1	869309	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
30	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
74	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
169	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
31	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
39	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
52	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
106	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
75	750780	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
73	665629	COLIN HARRISON MANSFIELD, JANET WINIFRED MANSFIELD
10	130791	ROSS JOSEPH GARDINER
14	750780	ROSS JOSEPH GARDINER
2	747011	ROSS JOSEPH GARDINER
157	750780	ROSS JOSEPH GARDINER
9	191226	STATE RAIL AUTHORITY OF NEW SOUTH WALES

Lot	DP	Property Owner
SUBDIVISION		
175	750751	HAMISH BRUCE DRURY, SALLY LAVINIA DRURY
178	750751	HAMISH BRUCE DRURY, SALLY LAVINIA DRURY
104	750751	HAMISH BRUCE DRURY, SALLY LAVINIA DRURY
66	750751	HAMISH BRUCE DRURY, SALLY LAVINIA DRURY
185	750751	MICHAEL RAYMOND NOTT & CRAIG ANDREW NOTT
15	750751	MICHAEL RAYMOND NOTT & CRAIG ANDREW NOTT
24	750751	SALLY NOTT
25	750751	SALLY NOTT
97	750751	SALLY NOTT
62	750751	SALLY NOTT
47	750751	SALLY NOTT

Lot	DP	Property Owner
3rd PARTY EASEMENT		
1	1083951	JOHN HENRY HARDING, SANDRA GAIL HARDING

APPENDIX 2 PROJECT LAYOUT PLAN





APPENDIX 3 STATEMENT OF COMMITMENTS

Item	Commitment	Section
Ongoing		
1	CHC will continue to work closely with local, State and Commonwealth authorities, service providers, community groups and affected landowners so that the Project meets community expectations to the greatest extent practical.	EA Chapter 5
2	The Project will apply best practice management measures where the application of these measures will reduce risks or impacts to be as low as reasonably possible.	Table 2.1
3	The mine plan will initially focus on mining area A and C before opening up area B subject to the mine plan's ability to meet coal quality requirements.	Table 2.1
Geochemistry		
4	An additional geochemistry assessment report will be provided to DP&I and published on CHC's website [See Supplementary Information Report (May 2013) Appendix C].	PPR&RTS Section 5.2.1
5	A draft waste rock management plan will be submitted to DP&I three months prior to the start of the initial mine box cut and that this plan will be finalised to the satisfaction of the Director-General of DP&I as soon as possible based on the comments received from DP&I, EPA and NOW.	Supp. report Appendix A
6	Surface water monitoring programs will be provided in the groundwater and surface water plans to detect any AMD.	
Groundwater (and groundwater/surface water)		
7	If water levels in a private bore potentially impacted by the Project decrease more than 2 m (ie more than natural variability), the reason will be investigated. CHC will take corrective action if the decrease is a result of the Project.	EA sections 7.4 and 7.6
8	Groundwater licences will be bought to match the quantity of water that enters the pits over the life of the mine.	PPR&RTS Section 6.2.6
9	Groundwater will be monitored during and after the life of the mine.	
10	The following contaminated water storages will be lined with clay to achieve a permeability of 1×10^{-9} m/s or less with a recompacted clay liner at least 90 cm thick (or an equivalent geosynthetic liner): - the out-of-pit tailings storage facility; and - mine water dams.	Supp. report Appendix A
11	An assessment of the clay and its suitability for the contaminated water storages liners (ie to achieve the permeability criteria) will be prepared by a suitably qualified expert based on the results of the test work underway. If there is not suitable clay available, the assessment will assess alternative liners and will provide an alternative liner proposal.	
12	A further assessment of the potential for seepage from contaminated water storages and from in-pit tailings storage facilities to contaminate groundwater will be undertaken by a suitably qualified expert based on the results of the water storages liners assessment.	
13	Additional information regarding the dam liners and potential contamination assessment will be completed in consultation with the EPA and to the satisfaction of the Director-General of the DP&I prior to the start of construction of the contaminated water storages and TSFs.	
14	Contaminated site assessments will be completed for the previous piggeries at "Yallambee" and "Danabar" prior to disturbing the sites or within 2 years of the start of operations (defined by product coal leaving the site), whichever is sooner.	
15	CHC will prepare a groundwater management plan in consultation with EPA and NOW and to the satisfaction of the Director-General of DP&I. The construction plan will be finalised prior to the start of construction and the operations plan will be finalised prior to the start of the initial box-cut.	

Item	Commitment	Section
Surface water		
16	As much water as practical will be recycled on site.	
17	Water will be managed to ensure sufficient is available for operations and that any excess water does not increase flooding or cause material downstream quality impacts.	
18	CHC will enter into an extraction strategy agreement with State Water Corporation to help minimise transmission losses from the Cudgegong River and maximise the use of excess flows in the lower reaches of the river.	EA sections 8.4 and 8.6
19	Excess water access licence entitlements will be sold back into the market wherever practical.	
20	Surface water will be monitored upstream and downstream of the mine.	
21	All contaminated water (runoff from pit, plant and all mine active areas) will be captured and retained on site within the mine water dams.	Table 2.1
22	Where water from sediment dams does not comply with discharge criteria then it will be transferred to the mine water dams.	
23	CHC will monitor the development of dewatering technologies including undertaking testwork and piloting if a technology appears to be environmentally and economically promising. As a minimum, a feasibility study will be undertaken to determine the preferred dewatering option before in-pit tailings placement is required.	
24	Flocculants will be used in sedimentation dams that have low ecotoxicity and records will be maintained of the flocculants used on the site, product ecotoxicity information and application rates.	
25	Sedimentation basins will be designed, constructed and operated in accordance with only the following guidelines: - Managing Urban Stormwater: Soils and Construction Volume 1 (Landcom 2004); and - Managing Urban Stormwater: Soil and Construction: Volume 2E Mines and Quarries (DECC 2008).	Supp. report Appendix A
26	CHC will prepare surface water management plans (SWMPs) in consultation with EPA and NOW and to the satisfaction of the Director-General of the DP&I. The construction SWMP will be finalised prior to the start of construction and the operations SWMP will be finalised prior to the start of the initial box-cut.	
Soils and agriculture		
27	Disturbed areas will be progressively rehabilitated and will include agricultural land to replace impacted areas.	
28	No Rural Land Capability Class I land will be disturbed in the PAA and only about 3 ha of Class II land will be disturbed.	EA sections 9.4 and 9.6
29	The same area of Class III land will be reinstated following mining as currently occurs in the disturbance footprint.	
30	Disruption to agricultural activities outside the disturbance footprint will be minimised by offering long-term licences to affected farmers.	PPR&RTS Section 8.1.3
31	Rehabilitation will be regularly monitored and adapted as required to meet the final landform and landuse objectives.	
32	A draft integrated land management plan will be prepared for review by the Director-General of the DP&I within six months of receiving NSW Project approval.	
33	The integrated land management plan will be prioritised and parts will be implemented prior to finalisation of the plan to the satisfaction of the Director-General, eg land improvements.	
34	The land tenure and management program will be implemented that aggregates properties into larger parcels for tender for long term licences through an open advertised process. Tenderers will be required to demonstrate their understanding and experience of sustainable land management. Licence agreements will require land managers to implement good land management practises.	Table 2.1
35	A bushfire management plan will be part of the integrated land management plan.	

Item	Commitment	Section
36	CHC’s land management budget will include funds for the implementation of the integrated land management plan.	Table 2.2
37	Local land management training opportunities will be developed as part of the integrated land management plan development.	
38	A Land Care Specialist will be appointed by CHC with particular expertise in land rehabilitation and regeneration of native vegetation.	
39	A mine rehabilitation management plan that incorporates the PAC Review recommendations on rehabilitation will be prepared based on the mine rehabilitation strategy.	
40	Soil structure related parameters will be incorporated into the soil monitoring program. Monitored parameters will include organic carbon, Emerson Aggregate Test, available water capacity and bulk density.	
41	A two stage strategy will be implemented to address the short fall in soil organics. This will be based on growing a dense, sterile, cereal cover crop which will be ploughed into the topsoil layer at maturity.	
42	Sodic sub-soil will only be applied to reinstated Class III land.	
Ecology		
43	Impacts on terrestrial and aquatic biodiversity will be avoided or minimised as far as practical.	EA sections 10.4, 10.6 and 10.7 PPR&RTS Section 9.5.3
44	Native vegetation will be progressively cleared and rehabilitated, with only a proportion removed at any one time.	
45	Progressive rehabilitation will re-establish ecological communities.	
46	A biodiversity offset package will initially maintain and ultimately improve the ecological values of the region through the permanent conservation of lands that have no potential for coal mining.	
47	The biodiversity offset package will create or enhance vegetation corridors between remnant vegetation to the north, east and south of the mining area.	
48	Ecological monitoring will allow management to be progressively refined during the life of the Project and beyond.	
49	An aquatic monitoring strategy will be developed to detect changes to the quality and quantity of water in the semi-permanent pools in Laheys and Sandy creeks. A River Monitoring Committee (including Fisheries NSW, NSW Office of Water and other appropriate agencies) will be formed to review the results from this strategy and to assist formulate adaptive management measures.	
50	Once the offset package is agreed, a biodiversity offset management plan will be prepared that will detail the regeneration of biodiversity offset areas.	Table 2.1
Bushfire		
51	Asset protection zones will be provided around all buildings on bushfire-prone land.	EA sections 11.4
52	CHC will maintain resources (water, equipment and personnel) for bushfire control.	
53	CHC will relocate the Dapper Brigade Shed in consultation with NSW Rural Fire Service.	Table 2.1

Item	Commitment	Section
54	CHC is advised that the Dapper Rural Fire Service Brigade may be merging with the Cobbora Rural Fire Service Brigade. Once resolved, CHC will contribute to resourcing the brigade servicing the area surrounding the Project and providing mine personnel to support the brigade for the life of the Project.	
Road transport		
55	Road capacity improvements, traffic management controls and road safety measures will minimise impacts to the road network and ensure that road and intersection services are maintained.	EA sections 12.4 and 12.6
56	Roads that need to be closed will be replaced with new roads that will accommodate the predicted vehicle sizes and traffic frequencies.	
57	The Spring Ridge Road realignment will carry all of the heavy vehicle traffic and most of the light vehicle traffic to and from the mine via the Golden Highway.	PPR&RTS Section 11.2.3
58	CHC will commit the necessary resources to set up and support a workplace travel plan to maximise car pooling for the shift and mine management workforce.	
59	The Spring Ridge Road diversion will be constructed to the meet the relevant standards given in the Austroads <i>Guide to Road Design</i> 2010.	
60	Heavy vehicles (greater than a tare weight of 30 tonnes) will not be permitted to deliver goods or materials to the mine outside of the following hours: - Monday to Friday: 7 am to 6 pm - Saturday: 8 am to 1 pm - no deliveries will be permitted on Sundays or public holidays. These restrictions may be varied as directed by the Police, or Roads and Maritime Services, or other emergency services for safety or emergency reasons.	Table 2.1
61	Heavy vehicles (greater than a tare weight of 30 tonnes) will not be permitted to wait beside local roads around the mine outside of these hours prior to making a delivery.	
Rail transport		
62	CHC will work with ARTC, RailCorp and affected residents to mitigate any significant impacts along relevant sections of the rail system.	EA sections 13.5 and 13.7
63	The rail spur will have no public level crossings.	
Air quality		
64	CHC will offer to purchase privately owned residences where air quality criteria are predicted to be exceeded.	EA sections 14.4 and 14.6
65	CHC-owned houses will not be leased if health-based criteria are likely to be exceeded.	
66	A predictive air quality management system using real-time continuous air quality monitoring and meteorological forecasts will be used to proactively manage short-term particulates emissions from the Project.	
67	CHC will install a bin-based weighing and loading system that minimises dust emissions from coal transport.	Table 2.1
68	The following management measures will be implemented to limit dust emissions: - watering of travel route (75% control efficiency); - average vehicle travel speed on haul roads of 40 km/hr; - routine maintenance of haul roads to ensure low silt content within road surface material; - drop height minimisation; - cease/modify operations during excessively dry and windy conditions; and - progressive rehabilitation of emplacements.	Section 2.2.3
69	The waterbalance will be monitored such that during “dry climate” years chemical dust suppressants will be used as required to reduce water use.	

Item	Commitment	Section
70	The Best Management Practice Review provided in Section 6.4.2 of the <i>Air quality and greenhouse gas assessment</i> (EA Appendix M) will be expanded to form a Best Management Practice (BMP) plan for the Project. The Best Management Practice will be prepared three months prior to the start of operations (defined by product coal leaving the site).	Supp. report Appendix A
71	A construction air quality management plan will be prepared in consultation with EPA and to the satisfaction of the Director-General of DP&I prior to the start of construction.	
72	An operations air quality management plan will be prepared in consultation with EPA and to the satisfaction of the Director-General of DP&I prior to the start of the initial box-cut.	
Greenhouse gases		
73	Most mining equipment will be new and designed to meet the latest emission standards.	EA sections 15.4 and 45.6
74	Buildings will be designed to achieve high energy efficiencies.	
75	Greenhouse gas emissions will be monitored to ensure that emissions per tonne of product coal are minimised.	
Noise and vibration		
76	Equipment will be fitted with contemporary noise suppression measures.	EA sections 16.4 and 16.6
77	CHC will offer to purchase privately owned residences in the PAA where noise criteria are predicted to be exceeded.	
78	Where EPA noise criteria are predicted to be exceeded and owners do not want to sell or enter into amenity agreements, noise levels will be mitigated with acoustic barriers (eg along the rail spur) or acoustic treatments at the residence.	
79	Regular attended and unattended noise monitoring, including permanent real-time noise monitoring, will be undertaken.	
Visual		
80	CHC will reach amenity agreements with private landholders and will use targeted planting or bunds to screen views of mine operations and train movements.	EA sections 17.4 and 17.6 PPR&RTS Section 16.2.3 and 16.2.5
81	Views of the mine from public roads will be screened, generally by planted vegetation.	
82	Lighting will be installed mine that minimises spillage.	
83	Lighting will be designed in accordance with Australian Standards and Warrumbungle Development Control Plan No. 1 – Shire Lighting Control to Protect Siding Spring Observatory.	
84	Following discussions with representatives of AAO and Siding Springs Observatory, an experienced and suitably qualified expert organisation will be engaged to prepare a detailed light management plan which will be provided to AAO and ANU for comment.	
85	CHC will regularly report on its performance against the requirements of the lighting management plan.	
86	Bunding will be used to minimise light spillage from mobile plant operating on emplacement areas.	
Aboriginal heritage		
87	All known Aboriginal objects in the disturbance area will be managed in accordance with the Aboriginal heritage management plan to be developed in consultation with the RAPs and OEH.	EA sections 18.4 and 18.6
Historic heritage		
88	Potentially impacted historic items will be conserved and/or managed appropriately so that their contribution to the historical record is preserved.	EA sections 19.4 and 19.6
Social		
	See ‘soils and agriculture’ for commitments regarding the integrated land management plan	-
89	Local industries and suppliers will be used where cost-effective.	EA sections 21.4 and 21.6
90	Recruitment strategies will foster a local labour force.	
91	CHC will work closely with the Aboriginal community to promote ongoing employment.	
92	A temporary construction accommodation village will be built to minimise impacts to the local housing market.	
93	CHC will continue to work with agencies, councils, education providers and businesses to provide training and education places to create self-sustainable employment without compromising the	

Item	Commitment	Section
	labour pool available to existing local businesses.	
94	CHC will negotiate Voluntary Planning Agreements with the four councils (Warrumbungle, Mid-Western Regional, Wellington and Dubbo) to provide in kind and monetary contributions to mitigate potential social effects of the Project.	
95	CHC will be accountable for implementing these commitments and will regularly report its performance against them.	

**APPENDIX 4
GENERAL TERMS OF PLANNING AGREEMENT**

**CONTRIBUTIONS PER EMPLOYEE – CONSISTENT FOR ALL COUNCIL PLANNING
AGREEMENTS**

Personnel Contribution

Contribution payable

The Proponent must pay Council a Personnel Contribution on an annual basis commencing from the first Count Date to occur following the Construction Period Commencement Date.

Explanation

During the life of the project, the Proponent will make a financial contribution of \$1,000 per employee per annum.

From the total contribution of \$1,000 per employee, each of the four Councils will receive 15% of this amount (four Councils x 15% = 60%) which equates to \$150 per employee per Council.

The remaining 40% of the total \$1,000 will be distributed between the four Councils based on the number of employees residing within the individual LGAs. This means that each Council will receive an additional \$400 per employee that resides in their LGA.

Financial contributions will be based on actual number of workers as at 1 April each year, with payments based on a minimum workforce of 400 people. Therefore, based on a minimum workforce of 400 people, each Council will receive a payment of \$60,000 (400 workers x \$1,000 x 15%) plus potentially a percentage of the remaining \$160,000 based on the number of workers residing in their LGA.

The above arrangement for the payment of financial contributions does not apply to employees residing in the onsite construction camp.

Calculating the Personnel Contribution

The Personnel Contribution received by each Council is determined by the following formulas:

Personnel Contribution if the total number of Personnel is greater than or equal to 400 people (**Personnel Contribution 1**) (\$) = $(\$150 \times WD) + (\$400 \times WLGA)$

Personnel Contribution if the total number of Personnel is less than 400 people (**Personnel Contribution 2**) (\$) = $(\$150 \times WD) + (\$400 \times WLGA) + (\$250 \times MP)$

Where:

WD means the total number of Personnel as at the Count Date.

WLGA means the number of Personnel residing in the Council's Local Government Area as at the Count Date, excluding those Personnel living in the construction camp on-site.

MP means the difference between the Minimum Personnel and WD as at the Count Date.

Definitions

Construction Period Commencement Date

The date on which a Construction Certificate is issued for Construction Works.

Count Date

1 April of each year.

CPI

means the published Consumer Price Index (Sydney – All Groups), or if that index is no longer published, then any other index which, in the reasonable opinion of the Minister, is a similar index.

Personnel

means employee, servant, agent, contractor and any of the contractor's personnel.

INFRASTRUCTURE UPGRADES – WELLINGTON COUNCIL

Road upgrade scope of works

The Proponent will provide the Development Contributions towards each portion of the following road upgrade works:

- a) upgrade and sealing of Cobbora Road (Council Portion Works); and
- b) upgrade works for the intersection of Cobbora Road and the Golden Highway (RMS Portion Works),

(each a Portion).

With regards to the upgrade and sealing of Cobbora Road:

- (a) these works are governed by Council requirements to the extent that the works are located within Council's Local Government Area; and
- (b) the Council Portion Works must be carried out in accordance with the detailed design as approved by the Proponent.

With regards to the upgrade works for the intersection of Cobbora Road and the Golden Highway:

- (a) these works are to be governed by NSW Roads & Maritime Services (**RMS**) requirements; and
- (b) the detailed design is to be prepared by Council, approved by the Proponent and in accordance with RMS requirements.

Final approval of detailed designs for upgrades

Final approval of the detailed design for the Council Portion Works will be negotiated between the Proponent and the Council. Prior to finalising the detailed design for the Council Portion Works, the Council must submit the proposed design to the Proponent for approval. The Proponent must, within 10 Business Days notify Council that the design is or is not suitable. If the Proponent notifies Council that the design is not suitable, the Proponent shall give reasons why it is not suitable and Council shall submit a new or amended design for the Proponent's approval.

The detailed design for the RMS Portion Works will subject to final approval from the Proponent and RMS. Prior to finalising the detailed design for the RMS Portion Works, the Council must submit the proposed design to the Proponent for approval. The Proponent must, within 10 Business Days notify Council that the design is or is not suitable. If the Proponent notifies Council that the design is not suitable, the Proponent shall give reasons why it is not suitable and Council shall submit a new or amended design for the Proponent's approval. Following approval from the Proponent the Council must obtain approval from RMS.

Portion Works Plan

Following final approval of the Council Portion Works and the RMS Portion Works, the Council must develop a Portion Works Plan for all aspects of the Council Portion Works and RMS Portion Works which must include:

- (c) the final approved design;
- (d) a detailed works schedule which must include estimated start, completion and other relevant milestone dates;
- (e) the proposed construction contractor(s); and
- (f) a detailed estimate of the construction cost of the Council Portion Works and RMS Portion Works, including supporting evidence (e.g. contractor estimates);

Each Portion Works Plan must be submitted by Council to the Proponent for review and approval.

The Proponent will provide a monetary contribution in an amount agreed between the Parties towards the cost of the relevant Portion works and once that contribution has been made, Council must commission and construct the Council Portion Works and RMS Portion Works in accordance with the Portion Works Plan.

INFRASTRUCTURE UPGRADES – MID WESTERN REGIONAL COUNCIL

Road upgrade scope of works

The Proponent will provide the Development Contributions towards each portion of the following road upgrade works:

- a) the intersection of Laheys Creek Road and Castlereagh Highway; and
- b) Laheys Creek Road/Spring Ridge Road,

(each a Portion).

With regards to the upgrade works for the intersection of Laheys Creek Road and the Castlereagh Hwy:

- (g) these works are to be governed by NSW Roads & Maritime Services (**RMS**) requirements; and
- (h) the scope of these works is to be consistent with the detailed design submitted to the RMS under the "Works Authorisation Deed" number 12.2601.2740 (the **RMS WAD**) or any further works authorisation deed issued by RMS.

With regards to the targeted upgrade and speed limit reduction works for Spring Ridge Road and Laheys Creek Road (**Council Portion Works**):

- (i) these works are governed by Council requirements to the extent that the works are located within Council Local Government Area;
- (j) the scope of these works will be generally consistent with Revision 1 of the report prepared for the Proponent by Constructive Solutions Pty Ltd titled "Spring Ridge Road & Laheys Creek Road Upgrade Proposed Road Upgrades & Associated Works" dated 21 May 2013; and
- (k) Council must prepare a detailed design for the Council Portion Works to be approved by the Proponent.

Final approval of detailed designs for upgrades

Final approval of the detailed design for the upgrade of the intersection of Laheys Creek Road and Castlereagh Highway will be subject to the process outlined in the RMS WAD. No Portion Works Plan is required for this work as the Proponent will engage the works contractor directly.

Final approval of the detailed design for the Council Portion Works will be negotiated between the Proponent and the Council. Prior to finalising the detailed design for the Council Portion Works, the Council must submit the proposed design to the Proponent for approval. The Proponent must, within 10 Business Days notify Council that the design is or is not suitable. If the Proponent notifies Council that the design is not suitable, the Proponent shall give reasons why it is not suitable and Council shall submit a new or amended design for the Proponent's approval.

Portion Works Plan

Following final approval of the Council Portion Works, the Council must develop a Portion Works Plan for all aspects of the Council Portion Works which must include:

- (l) the final approved design;
- (m) a detailed works schedule which must include estimated start, completion and other relevant milestone dates;
- (n) the proposed construction contractor(s); and
- (o) a detailed estimate of the construction cost of the Council Portion Works, including supporting evidence (e.g. contractor estimates);

Each Portion Works Plan must be submitted by Council to the Proponent for review. The Proponent will provide an agreed contribution towards the cost of the relevant Portion works and once that contribution has been committed, Council must commission and construct the Council Portion Works in accordance with the Portion Works Plan.

Rail upgrades

After the Construction Period Commencement Date, the Proponent will enter into a separate agreement with Australian Rail Track Corporation (**ARTC**) for the purpose of providing financial contributions towards the identified level crossing upgrades between Gulgong and Tallawang. The scope of works for the rail upgrade will be consistent with the findings of the ALCAM Report conducted by ARTC for the Proponent dated November 2012.

INFRASTRUCTURE UPGRADES – WARRUMBUNGLE COUNCIL

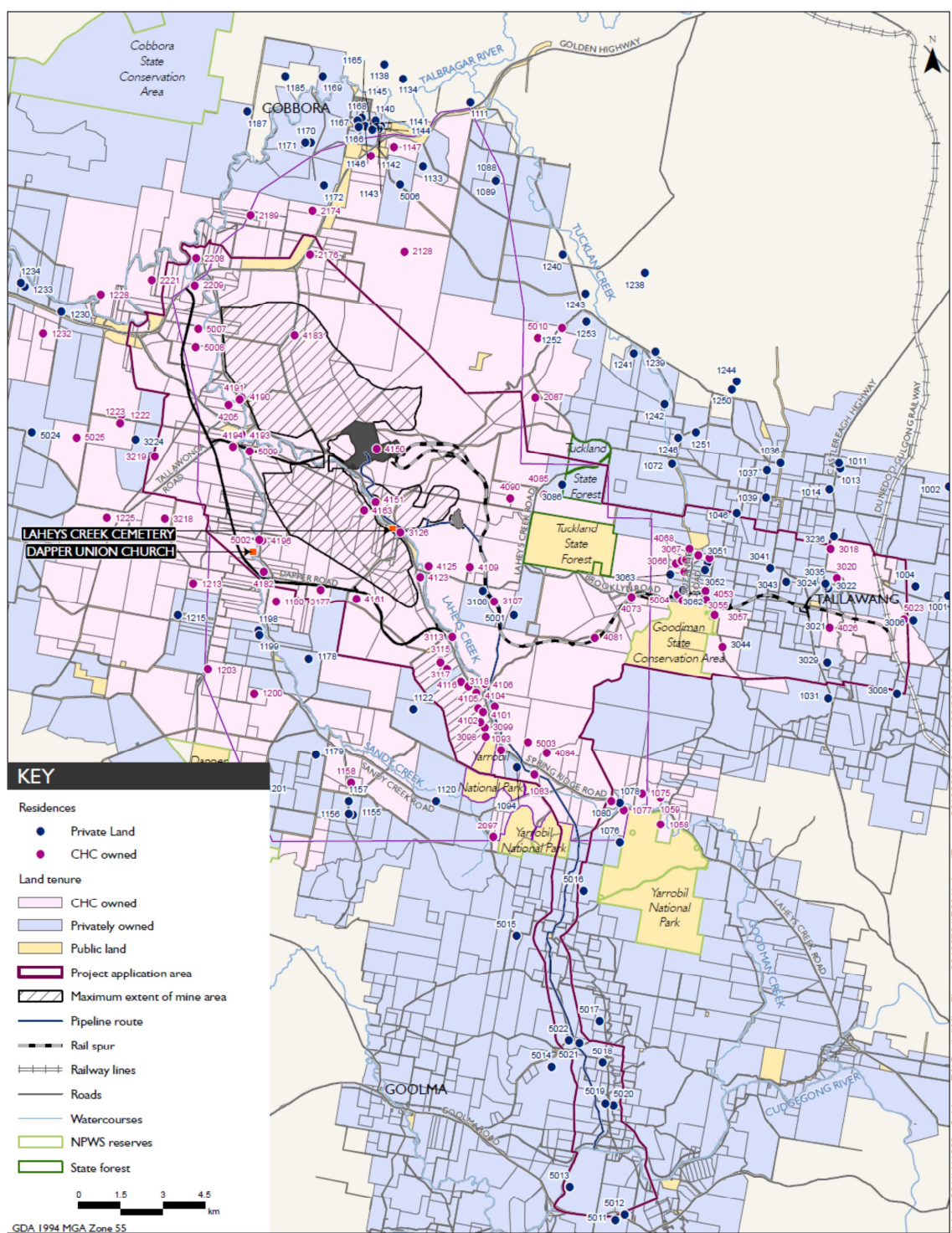
Water Supply & Sewer Upgrades - Dunedoo

The Proponent will contribute:

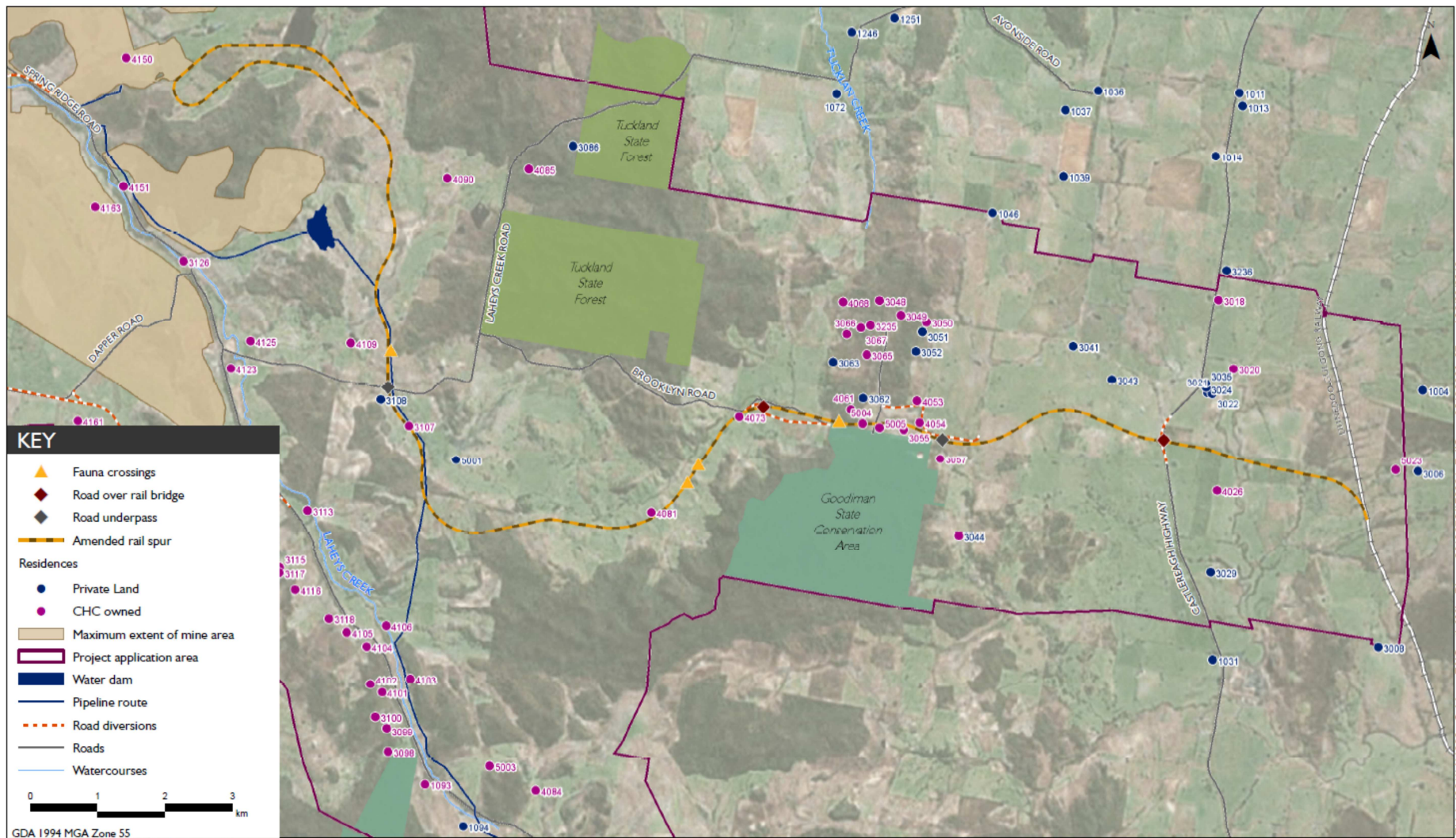
- (a) \$100,000 for an independent engineering study of the current condition and appropriate upgrades for the Dunedoo sewage treatment plant;
- (b) 50% of the cost of upgrading or refurbishing the Dunedoo sewage treatment plant in accordance with the recommendations of this study; and
- (c) 50% of the cost of upgrading the Dunedoo water supply system.

The extent of funding and or works to the sewerage treatment plant and water supply system are to be agreed between the Developer and Council.

APPENDIX 5: LAND OWNERSHIP



Project application area - land tenure
Cobbara Coal Project
Responses to PAC Review
Figure 2.1



Rail spur
Cobbora Coal Project
Responses to PAC Review

APPENDIX 6 NOISE COMPLIANCE ASSESSMENT

Applicable Meteorological Conditions

1. The noise criteria in Tables 1 & 2 in schedule 3 are to apply under all meteorological conditions except the following:
 - (a) during periods of rain or hail;
 - (b) average wind speed at microphone height exceeds 5 m/s;
 - (c) wind speeds greater than 3 m/s measured at 10 m above ground level; or
 - (d) temperature inversion conditions greater than 3°C/100 m.

Determination of Meteorological Conditions

2. Except for wind speed at microphone height, the data to be used for determining meteorological conditions shall be that recorded by the meteorological station required under condition 25 of schedule 4.

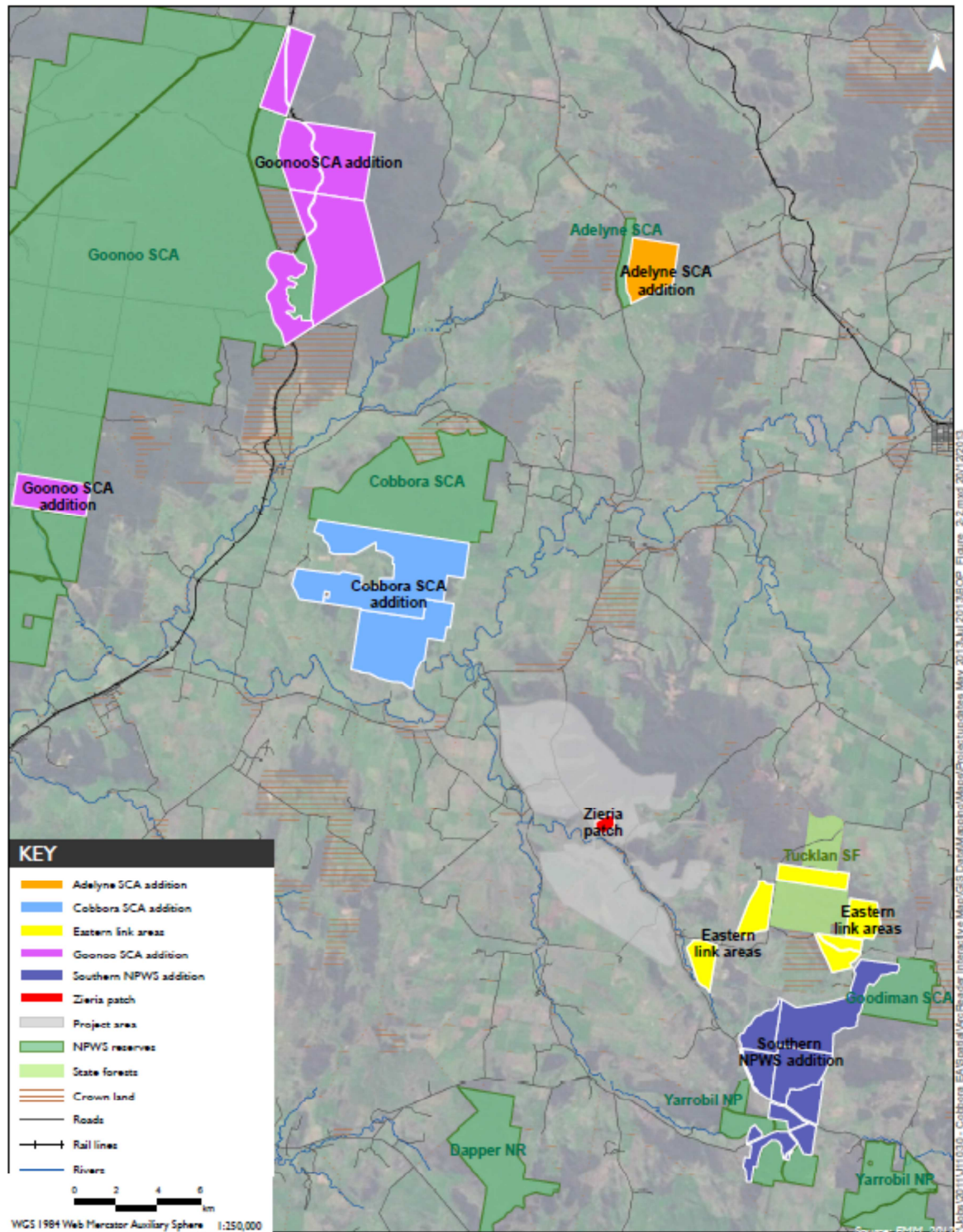
Compliance Monitoring - Mine

3. Attended monitoring is to be used to evaluate compliance with the relevant conditions of this consent.
4. This monitoring must be carried out at least once a month (but at least two weeks apart) unless the Director-General directs otherwise.
5. Unless the Director-General agrees otherwise, this monitoring is to be carried out in accordance with the relevant requirements for reviewing performance set out in the *NSW Industrial Noise Policy* (as amended from time to time), in particular the requirements relating to:
 - (a) monitoring locations for the collection of representative noise data;
 - (b) meteorological conditions during which collection of noise data is not appropriate;
 - (c) equipment used to collect noise data, and conformity with Australian Standards relevant to such equipment; and
 - (d) modifications to noise data collected, including for the exclusion of extraneous noise and/or penalties for modifying factors apart from adjustments for duration.

Compliance Monitoring – Cobbora Rail Spur Line

6. Compliance monitoring is to be carried out in accordance with the requirements in the following sections of the *NSW Rail Infrastructure Noise Guideline*.
 - (a) Section 3.4; and
 - (b) Section 3.1 of Appendix 3.
7. This monitoring is to be carried out quarterly, unless the Director-General directs otherwise.

APPENDIX 7 BIODIVERSITY OFFSET STRATEGY



Offset areas
Cobbara Coal Project: Biodiversity Offset Package

Lots containing biodiversity offsets

Property/offset area	Minimum offset area (ha)
Southern NPWS additions	1,977
Lot 2 and 3-839623, Lot 3-1112933, Lot 2-1112933, Lot 3-802679, Lot 88-750780, Lot 1-1072945, Lots 78 and 79-750751, Lots 46, 48 and 49-754329, Lot 2-1072945, Lot 45-754329, part Lot 115-721236, and part Lots 16, 17, 25, 26-754329.	
Eastern link areas	875
Lots 20, 21 and 23-754329, Lot 9-130575, Part Lot 31-754329, Lot 102-754334, Part Lot 30-754329, part Lot 2 and part 3-586911, and part Lot 141-721256.	
Zieria patch	43
Part Lot 36-754289 and part Lot 44-754289.	
Cobbora SCA additions	2,281
Lot 45-720311, Lot 42-257240 and Lot 18-754312.	
Adelyne additions	413
Lot 35-754326.	
Goonoo additions	3,238
Lot 3-754325, Lot 39-754330, Lot 36-754330, Lot 17-754293 and Lot 9-721223	
Total	8,827

APPENDIX 8 ABORIGINAL HERITAGE SITES

Site name	Site type	Project impact	Management	Scientific significance
CBR-RSH-01	Aboriginal rockshelter	Mining Area A	Salvage excavation	Moderate
CBR-GG-01	Grinding grooves	None	Fence and avoid	Moderate
CBR-GG-02	Grinding grooves	Mining Area C	Salvage and relocate	Moderate
Grinding Groove 01	Grinding Grooves	None	Fence and avoid	Moderate
Grinding Groove 02	Grinding Grooves	None	Fence and avoid	Moderate
Grinding Groove 03	Grinding Grooves	None	Fence and avoid	Moderate
Grinding Groove 04	Grinding Grooves	None	Avoidance	Moderate
Grinding Groove 05	Grinding Grooves	None	Fence and avoid	Moderate
Grinding Groove 06	Grinding Grooves	None	Avoidance	Moderate
Grinding Groove 07	Grinding Grooves	None	Avoidance	Moderate
Grinding Groove 08	Grinding Grooves	None	Fence and avoid	High
Grinding Groove 09	Grinding Grooves	None	Avoidance	Moderate
Grinding Groove 10	Grinding Grooves	None	Avoidance	Low
Grinding Groove 11	Grinding Grooves	None	Avoidance	Moderate
Grinding Groove 12	Grinding Grooves	None	Avoidance	Moderate
Grinding Groove 13	Grinding Grooves	None	Avoidance	Moderate
Grinding Groove 14	Grinding Grooves	None	Fence and avoid	High
Grinding Groove 15	Grinding Grooves	None	Fence and avoid	Low
Grinding Groove 16	Grinding Grooves	None	Avoidance	Low
Hearth 01	Hearth	None	Avoidance	Moderate
Hearth 02	Hearth	None	Avoidance	Moderate
Hearth 03	Hearth	None	Avoidance	Moderate
Hearth 04	Hearth	Mining Area A	Salvage excavation	Moderate
Hearth 05	Hearth	Mining Area A	Salvage excavation	Moderate
Hearth 06	Hearth	None	Avoidance	Moderate
Hearth 07	Hearth	None	Avoidance	Moderate
Hearth 08	Hearth	None	Avoidance	Moderate
Hearth 09	Hearth	None	Avoidance	Moderate
Hearth 10	Hearth	None	Fence and avoid	Moderate
Hearth 11	Hearth	None	Fence and avoid	Moderate
Hearth 12	Hearth	None	Fence and avoid	Moderate
Hearth 13	Hearth	None	Avoidance	Moderate
Hearth 14	Hearth	None	Avoidance	Moderate
Hearth 15	Hearth	None	Avoidance	Moderate
BBS Dubbo LALC Spring Ridge Rd	Open stone artefact	None	Avoidance	Moderate
BBS Dubbo LALC Travelling Stock Route	Open stone artefact	None	Avoidance	Moderate
CBR-IF-01	Open stone artefact	Mining Area A	Collection	Low
CBR-IF-02	Open stone artefact	Mining Area A	Collection	Moderate
CBR-IF-03	Open stone artefact	Mining Area A	Collection	Moderate
CBR-IF-04	Open stone artefact	Mining Area B	Collection	Moderate
CBR-IF-05	Open stone artefact	None	Avoidance	Low
CBR-IF-06a	Open stone artefact	None	Avoidance	Low
CBR-IF-06b	Open stone artefact	None	Avoidance	Low
CBR-IF-07	Open stone artefact	None	Avoidance	Low
CBR-IF-08	Open stone artefact	None	Avoidance	Low
CBR-OS-01	Open stone artefact	Mining Area A	Collection	Moderate
CBR-OS-02	Open stone artefact	Mining Area A	Collection	Moderate
CBR-OS-03	Open stone artefact	Mining Area A	Collection	Moderate
CBR-OS-04	Open stone artefact	Mining Area A	Collection	High
CBR-OS-05a	Open stone artefact	Mining Area A	Salvage excavation	High

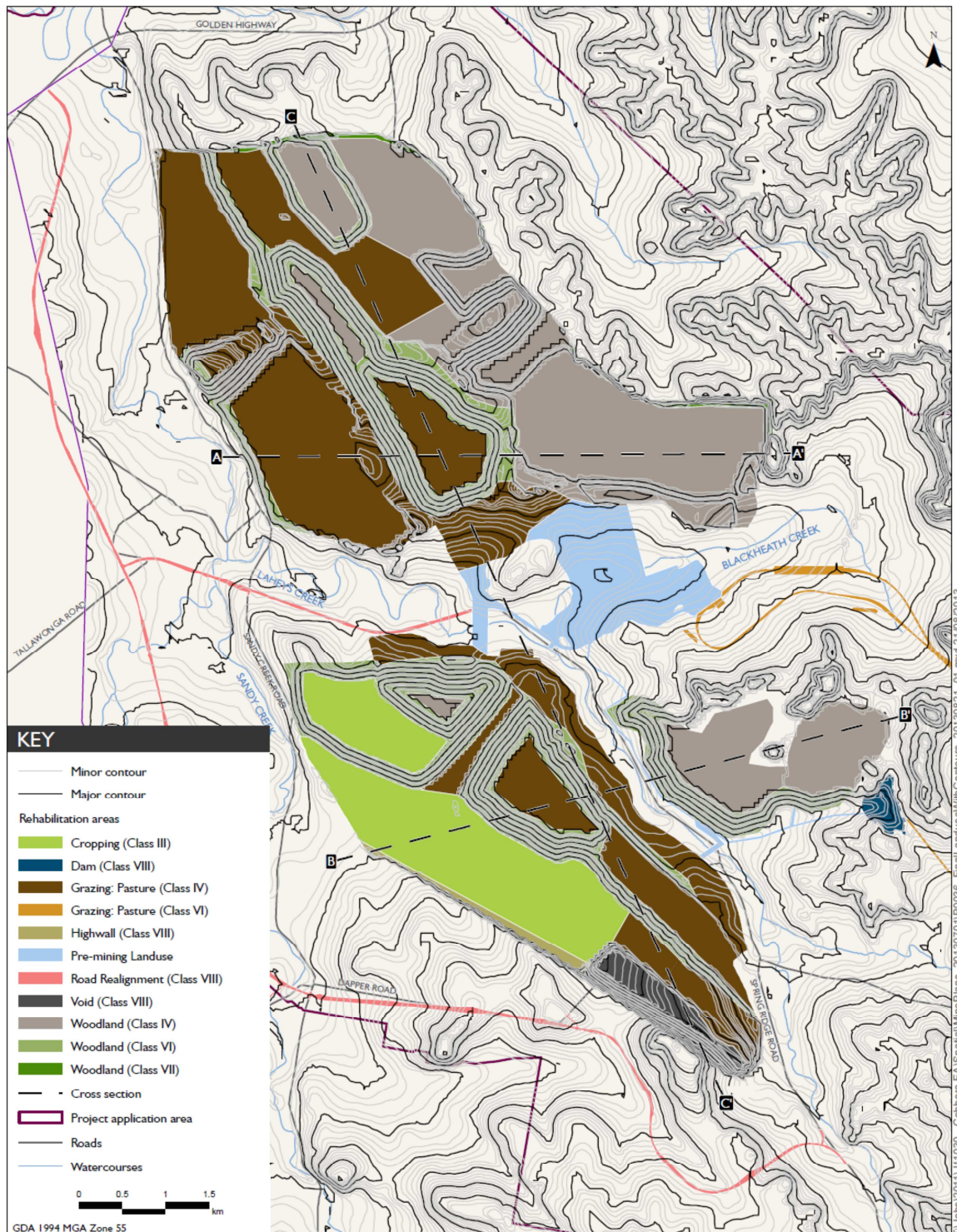
Site name	Site type	Project impact	Management	Scientific significance
CBR-OS-05b	Open stone artefact	Mining Area A	Collection	Moderate
CBR-OS-06	Open stone artefact	Mining Area A	Collection	Low
CBR-OS-07	Open stone artefact	Mining Area A	Collection	Moderate
CBR-OS-08	Open stone artefact	Mining Area A	Collection	Moderate
CBR-OS-09 'Big Scald'	Open stone artefact	Mining Area A	Collection	High
CBR-OS-10	Open stone artefact	Mining Area A	Collection	Moderate
CBR-OS-11	Open stone artefact	Mining Area A	Salvage Excavation	Moderate
CBR-OS-11a	Open stone artefact	Mining Area A	Collection	Low
CBR-OS-12 'Waterhole'	Open stone artefact	Mining Area A	Salvage excavation	High
CBR-OS-13a	Open stone artefact	Mining Area A	Collection	Low
CBR-OS-13b	Open stone artefact	Mining Area A	Collection	Low
CBR-OS-14	Open stone artefact	Mining Area A	Collection	Moderate
CBR-OS-15	Open stone artefact	Mining Area A	Collection	Low
CBR-OS-16	Open stone artefact	Mine dams	Collection	Low
CBR-OS-17	Open stone artefact	None	Fence and avoid	Low
CBR-OS-18	Open stone artefact	None	Avoidance	Moderate
CBR-OS-18a	Open stone artefact	None	Fence and avoid	Low
CBR-OS-18b	Open stone artefact	None	Avoidance	Low
CBR-OS-19	Open stone artefact	Mining Area A	Collection	Moderate
CBR-OS-20	Open stone artefact	Mining Area A	Collection	Low
CBR-OS-21	Open stone artefact	Mining Area B	Collection	Moderate
CBR-OS-22	Open stone artefact	RW Pipeline	Collect and set aside	Low
CBR-OS-23	Open stone artefact	None	Avoidance	Low
CBR-OS-24	Open stone artefact	RW Pipeline	Collect and set aside	Low
CBR-OS-25	Open stone artefact	RW Pipeline	Collect and set aside	Low
CBR-OS-29a	Open stone artefact	Haul Road	Collection	Moderate
CBR-OS-29b	Open stone artefact	None	Fence and avoid	Moderate
CBR-OS-29c	Open stone artefact	None	Fence and avoid	Moderate
CBR-OS-29d	Open stone artefact	None	Avoidance	Moderate
CBR-OS-29e	Open stone artefact	None	Avoidance	Moderate
CBR-OS-29f	Open stone artefact	Mine dams	Collection	Moderate
CBR-OS-29g	Open stone artefact	Mining Area C	Collection	Moderate
CBR-OS-29h	Open stone artefact	Mining Area C	Collection	Moderate
CBR-OS-29i	Open stone artefact	None	Avoidance	Moderate
CBR-OS-29j	Open stone artefact	None	Avoidance	Moderate
CBR-OS-29k	Open stone artefact	None	Avoidance	Moderate
CBR-OS-29l	Open stone artefact	None	Avoidance	Moderate
CBR-OS-30	Open stone artefact	Mining Area C	Collection	Moderate
CBR-OS-31a	Open stone artefact	Mining Area B	Collection	Moderate
CBR-OS-31b	Open stone artefact	Mining Area B	Collection	Low
CBR-OS-31c	Open stone artefact	Mining Area B	Collection	Moderate
CBR-OS-31d	Open stone artefact	None	Fence and avoid	Moderate
CBR-OS-31e	Open stone artefact	Mining Area B	Collection	Low
CBR-OS-32	Open stone artefact	None	Avoidance	Low
CBR-OS-33a	Open stone artefact	Mining Area A	Collection	Low
CBR-OS-33b	Open stone artefact	Mining Area A	Collection	Low
CBR-OS-34a	Open stone artefact	Haul Road	Collection	Moderate
CBR-OS-34b	Open stone artefact	None	Fence and avoid	Low
CBR-OS-35	Open stone artefact	Haul Road	Collection	Moderate
CBR-OS-36	Open stone artefact	Emplacement	Collection	Low
CBR-OS-37a	Open stone artefact	None	Avoidance	Low
CBR-OS-37b	Open stone artefact	None	Avoidance	Low
CBR-OS-37c	Open stone artefact	None	Avoidance	Low

Site name	Site type	Project impact	Management	Scientific significance
CBR-OS-38a	Open stone artefact	RW Pipeline	Collection	Low
CBR-OS-38b	Open stone artefact	Emplacement	Collection	Low
CBR-OS-39a	Open stone artefact	Emplacement	Collection	Low
CBR-OS-39b	Open stone artefact	Emplacement	Collection	Low
CBR-OS-39c	Open stone artefact	Emplacement	Collection	Low
CBR-OS-40	Open stone artefact	Emplacement	Collection	Low
CBR-OS-41	Open stone artefact	None	Avoidance	Low
CBR-OS-42	Open stone artefact	Rail spur & RW Pipeline	Collection	Low
CBR-OS-43	Open stone artefact	Rail spur & RW Pipeline	Collection	Moderate
CBR-OS-44a	Open stone artefact	Rail spur & RW Pipeline	Salvage excavation	Moderate
CBR-OS-44b	Open stone artefact	None	Avoidance	Low
CBR-OS-45	Open stone artefact	None	Avoidance	Low
CBR-OS-46a	Open stone artefact	None	Avoidance	Low
CBR-OS-46b	Open stone artefact	None	Avoidance	Low
CBR-OS-47a	Open stone artefact	None	Fence and avoid	Moderate
CBR-OS-47b	Open stone artefact	None	Avoidance	Moderate
CBR-OS-48	Open stone artefact	None	Avoidance	Low
CBR-OS-49	Open stone artefact	Rail spur & RW Pipeline	Collection	Low
DTG/OC21 - Medway 2	Open stone artefact	None	Avoidance	Moderate
DTG/OC22 - Sandy Creek	Open stone artefact	None	Avoidance	Moderate
Fords Creek;Cobbora;	Open stone artefact	None	Avoidance	Moderate
IF 01-Glass Flake	Open Stone Artefact	None	Fence and avoid	Low
IF 02-Brown Silcrete Core	Open Stone Artefact	None	Fence and avoid	Low
IF 03-Pounding Stone	Open Stone Artefact	None	Fence and avoid	Low
IF 05-Ground Edge Axe	Open Stone Artefact	Mine dams	Collection	High
IF 06-Grinding Bowl	Open Stone Artefact	None	Avoidance	Low
IF 07-Hammer Stone	Open Stone Artefact	None	Fence and avoid	Low
IF 08-Anvil	Open Stone Artefact	None	Avoidance	Low
IF 09-Grinding Bowl	Open Stone Artefact	None	Avoidance	High
IF 10- Grinding Bowl	Open Stone Artefact	None	Avoidance	High
IF 11-Grinding Bowl	Open Stone Artefact	None	Avoidance	Low
IF 12-Small Hammer Stone	Open Stone Artefact	None	Fence and avoid	Low
IF 14	Open Stone Artefact	None	Avoidance	Low
IF 15	Open Stone Artefact	RW pipeline	Collect and set aside	Low
IF 16	Open Stone Artefact	RW pipeline	Collect and set aside	Low
IF 17	Open Stone Artefact	None	Avoidance	Low
IF 18	Open Stone Artefact	None	Avoidance	Low
IF 04-Knife Sharpening Stone	Open Stone Artefact	None	Avoidance	Low
SAC 01	Open Stone Artefact	None	Avoidance	Moderate
SAC 02	Open Stone Artefact	None	Avoidance	Low
SAC 03	Open Stone Artefact	None	Avoidance	Low
SAC 04	Open Stone Artefact	None	Avoidance	Low
SAC 05	Open Stone Artefact	None	Avoidance	Low
SAC 06	Open Stone Artefact	None	Avoidance	High
SAC 07	Open Stone Artefact	None	Avoidance	Moderate
SAC 08	Open Stone Artefact	None	Fence and avoid	Low
SAC 09	Open Stone Artefact	None	Avoidance	Moderate
SAC 10	Open Stone Artefact	None	Avoidance	Low
SAC 11	Open Stone Artefact	Mining Area A	Collection	Low

Site name	Site type	Project impact	Management	Scientific significance
SAC 12	Open Stone Artefact	Mining Area A	Collection	Moderate
SAC 13	Open Stone Artefact	Mining Area A	Collection	Low
SAC 14	Open Stone Artefact	None	Fence and avoid	Low
SAC 15	Open Stone Artefact	None	Fence and avoid	Low
SAC 16	Open Stone Artefact	None	Fence and avoid	Low
SAC 17	Open Stone Artefact	None	Avoidance	Low
SAC 18	Open Stone Artefact	None	Avoidance	High
SAC 19	Open Stone Artefact	None	Avoidance	Low
SAC 20	Open Stone Artefact	None	Fence and avoid	Low
SAC 21	Open Stone Artefact	None	Fence and avoid	Low
SAC 22	Open Stone Artefact	None	Fence and avoid	High
SAC 23	Open Stone Artefact	None	Fence and avoid	High
SAC 24	Open Stone Artefact	None	Fence and avoid	Moderate
SAC 25	Open Stone Artefact	None	Fence and avoid	Moderate
SAC 26	Open Stone Artefact	None	Fence and avoid	Low
SAC 27	Open Stone Artefact	None	Fence and avoid	Low
SAC 28	Open Stone Artefact	None	Fence and avoid	Moderate
SAC 29	Open Stone Artefact	Haul Road	Collection	Moderate
SAC 30	Open Stone Artefact	None	Avoidance	Low
SAC 31	Open Stone Artefact	None	Avoidance	High
SAC 32	Open Stone Artefact	None	Avoidance	Moderate
SAC 33	Open Stone Artefact	None	Avoidance	Moderate
SAC 34	Open Stone Artefact	None	Avoidance	High
SAC 35	Open Stone Artefact	None	Fence and avoid	Low
SAC 36	Open Stone Artefact	None	Avoidance	Moderate
SAC 37	Open Stone Artefact	Mining Area B	Collection	Low
SAC 38	Open Stone Artefact	None	Fence and avoid	Low
SAC 39	Open Stone Artefact	None	Avoidance	Low
SAC 40	Open Stone Artefact	None	Avoidance	Low
SAC 41	Open Stone Artefact	RW Pipeline	Collect and set aside	Low
SAC 42	Open Stone Artefact	RW Pipeline	Collect and set aside	Moderate
SAC 43	Open Stone Artefact	RW Pipeline	Collect and set aside	Low
SAC 44	Open Stone Artefact	RW Pipeline	Collect and set aside	Low
SAC 45	Open Stone Artefact	None	Avoidance	Low
SAC 46	Open Stone Artefact	RW Pipeline	Collect and set aside	Moderate
SAC 47	Open Stone Artefact	RW Pipeline	Collect and set aside	Low
SAC 48	Open Stone Artefact	None	Avoidance	Low
SAC 59	Open Stone Artefact	None	Avoidance	Low
SAC 60	Open Stone Artefact	None	Avoidance	Low
SAC 61	Open Stone Artefact	None	Avoidance	Low
SAC 62	Open Stone Artefact	None	Avoidance	Low
SAC 63	Open Stone Artefact	None	Avoidance	Low
Sandy Creek;Cobbora;	Open stone artefact	None	Avoidance	Moderate
The Gap;Cobbara;	Open stone artefact	None	Avoidance	Moderate
The Gap;Cobbora;	Open stone artefact	None	Avoidance	Moderate
YBCR-OS2 with PAD	Open Stone Artefact	None	Avoidance	Moderate
Shelter 01	Rockshelter with PAD	None	Avoidance	Low
Shelter 02	Rockshelter with PAD	None	Fence and avoid	Moderate
Shelter 03	Rockshelter with PAD	None	Avoidance	Moderate
Shelter 04	Rockshelter with PAD	None	Avoidance	Moderate
Shelter 05	Rockshelter with PAD	None	Avoidance	Moderate
Shelter 08	Rockshelter with PAD	None	Avoidance	Moderate
BBS; Dubbo LALC; Road Reserve 2	Scarred Tree	None	Avoidance	Moderate

Site name	Site type	Project impact	Management	Scientific significance
DR-ST2	Scarred Tree	None	Avoidance	Moderate
DR-ST3	Scarred Tree	None	Avoidance	Moderate
DR-ST4	Scarred Tree	None	Avoidance	Moderate
DR-ST5	Scarred Tree	None	Avoidance	Moderate
TRE 01	Scarred Tree	None	Avoidance	Low
TRE 02	Scarred Tree	None	Avoidance	Low
TRE 03	Scarred Tree	None	Avoidance	Low
TRE 04	Scarred Tree	None	Avoidance	Moderate
TRE 05	Scarred Tree	None	Avoidance	Moderate
TRE 06	Scarred Tree	None	Avoidance	Low
TRE 07	Scarred Tree	None	Fence and avoid	Moderate
TRE 08	Scarred Tree	None	Fence and avoid	Moderate
TRE 09	Scarred Tree	None	Fence and avoid	Moderate
TRE 10	Scarred Tree	None	Fence and avoid	Low
TRE 11	Scarred Tree	None	Fence and avoid	Low
TRE 12	Scarred Tree	None	Fence and avoid	Low
TRE 13	Scarred Tree	None	Avoidance	Moderate
TRE 14	Scarred Tree	None	Fence and avoid	Low
TRE 15	Scarred Tree	None	Fence and avoid	Low
TRE 16	Scarred Tree	None	Fence and avoid	Low
TRE 17	Scarred Tree	None	Fence and avoid	Low
TRE 18	Scarred Tree	None	Avoidance	Moderate
TRE 19	Scarred Tree	None	Avoidance	Moderate
TRE 20	Scarred Tree	None	Avoidance	Low

APPENDIX 9 CONCEPTUAL FINAL LANDFORM



Final land use with contours
Cobbora Coal Project
Responses to PAC Review