

# Project Approval

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

The Planning and Assessment Commission of New South Wales (the Commission) 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

Member of the Commission

Sydney

13 May 2011

### SCHEDULE 1

Application Number:

10\_0038

Applicant:

Centennial Newstan Pty Limited

Approval Authority:

Planning and Assessment Commission of New South Wales

Land:

See Appendix 1

Project:

Awaba Colliery Mining Project

*The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.*

*The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.*

### SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
10_0038 MOD 1	25 November 2022	Director - Resource Assessments	Rehabilitation reforms

# CONSOLIDATED CONSENT

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## DEFINITIONS

Adaptive management	Adaptive management includes monitoring subsidence effects and impacts and, based on the results, modifying the mine plan as mining proceeds to ensure that the effects, impacts and/or associated environmental consequences remain within the predicted and/or designated ranges
Annual Review	The review required by Condition 3 of Schedule 5
Applicant	Centennial Newstan Pty Limited, or its successors
Approved Mine Plan	The mine plan depicted in the figure in Appendix 2
BCA	Building Code of Australia
BCD	Biodiversity and Conservation Division, within the Department
Built features	Includes any building or work erected or constructed on land, and includes dwellings and infrastructure such as any formed road, street, path, walk, or driveway; and any pipeline, water, sewer, telephone, gas or other service main
CCC	Community Consultative Committee
Conditions of this approval	Conditions contained in Schedules 2 to 5 inclusive
Council	Lake Macquarie City Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning and Environment
DPE Water	Water Group, within the Department
EA	Project application 10_0038 and supporting documentation, including the Environmental Assessment titled 'Environmental Assessment – The Awaba Colliery Mining Project' dated September 2010, associated response to submissions titled 'Environmental Assessment Response to Submissions – The Awaba Colliery Mining Project' dated January 2011 and additional information provided in a letter titled 'The Awaba Colliery Mining Project – Response to Request for Additional Information' dated 25 February 2011, and as amended by: <ul style="list-style-type: none"> <li>Modification application 10_0038 MOD 1 and supporting documentation, including Modification report titled "Centennial Administrative Modification to Align Development Consent Conditions with Contemporary Requirements under the Mining Act 1992" (dated 22 August 2022).</li> </ul>
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPL	Environment Protection Licence issued under the POEO Act
Environmental consequences	The environmental consequences of subsidence impacts, including: damage to built features; loss of surface water flows to the subsurface; loss of standing pools; adverse water quality impacts; cliff falls; rock falls; damage to Aboriginal heritage sites; impacts on aquatic ecology; and ponding.
Evening	The period from 6pm to 10pm
Existing Quarry	The quarry as described in the EA
Existing strategies, plans or programs	Any strategy, plan or program described in the EA as existing.
First workings	Development of the main headings and gateroads in the underground mining area
Feasible	Feasible relates to engineering considerations and what is practical to build or carry out
Heritage NSW	Heritage NSW, within the Department
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	In general, the definition of land is consistent with the definition in the EP&A Act. However, in relation to the noise and air quality conditions in Schedules 3 and 4 it means the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this approval
Material harm to the environment	Actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial
Mining operations	Includes the extraction, processing, handling, storage and transportation of coal
Minister	Minister for Planning, or delegate
Mitigation	Activities associated with reducing the impacts of the project
Negligible	Small and unimportant, such as to be not worth considering
Newstan to Eraring private haul road	The private haul road described in the EA as connecting Newstan Colliery and Eraring Power Station
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays

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POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Privately-owned land	Land that is not owned by a public agency or a mining company (or its subsidiary)
Project	The project described in the EA
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Reasonable costs	The costs agreed between the Department and the <a href="#">Applicant</a> for obtaining independent experts to review the adequacy of any aspects of an extraction plan
Rehabilitation	The treatment or management of land disturbed by the project for the purpose of establishing a safe, stable and non-polluting environment
<a href="#">Resources Regulator</a>	<a href="#">NSW Resources Regulator</a>
ROM	Run-of-mine
Safe, serviceable and repairable	Safe means no danger to users who are present, serviceable means available for its intended use, and repairable means damaged components can be repaired economically
<a href="#">Secretary</a>	<a href="#">Secretary of the Department, or delegate</a>
Site	The land listed in Appendix 1
Second workings	Extraction of coal by pillar extraction methods
Statement of Commitments	The <a href="#">Applicant</a> 's commitments in Appendix 4
Subsidence	The totality of subsidence effects and impacts and their associated environmental consequences
Subsidence effects	Deformation of the ground mass due to mining, including all mining-induced ground movements, including both vertical and horizontal displacement, tilt, strain and curvature
Subsidence impacts	Physical changes to the ground and its surface caused by subsidence effects, including tensile and shear cracking of the rock mass, localised buckling of strata caused by valley closure and upsidence and surface depressions or troughs

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## SCHEDULE 2 ADMINISTRATIVE CONDITIONS

### OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

1. The **Applicant must** 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 **Applicant must** 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 4.

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 **Applicant must** comply with any reasonable requirement/s of the **Secretary** arising from the Department's assessment of:
  - (a) any reports, strategies, plans, programs, reviews, audits or correspondence that are submitted in accordance with this approval; and
  - (b) the implementation of any actions or measures contained in these documents.

### LIMITS ON APPROVAL

5. The **Applicant** may carry out mining operations on site until 31 December 2015.

*Note: Under this approval, the **Applicant** is required to rehabilitate the site and carry out additional undertakings to the satisfaction of both the **Secretary** and the **Resources Regulator**. 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.*

6. The **Applicant must** not extract more than 880,000 tonnes of coal from the site in any calendar year.
7. The **Applicant must** not transport any coal on public roads.
8. The **Applicant must** ensure that all coal is transported from the site via the existing Newstan to Eraring private haul road.
9. The **Applicant** may undertake mining operations 24 hours a day, 7 days a week.
10. The **Applicant must** not extract material from the existing quarry, except material contained within existing stockpiles.
11. The **Applicant must** only carry out operations within the existing quarry between 7 am and 4 pm, 7 days a week.

### STRUCTURAL ADEQUACY

12. The **Applicant must** 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 the EP&A Act, the **Applicant** is required to obtain construction and occupation certificates for the proposed building works; and
- ~~deleted.~~

### DEMOLITION

13. The **Applicant must** ensure that all demolition work is carried out in accordance with *Australian Standard AS 2601-2001: The Demolition of Structures*, or its latest version.

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### OPERATION OF PLANT AND EQUIPMENT

14. The **Applicant must** ensure that all the plant and equipment used on site, or to transport coal from the site, is:
- (a) maintained in a proper and efficient condition; and
  - (b) operated in a proper and efficient manner.

### CONTINUATION OF EXISTING MANAGEMENT PLANS

15. The **Applicant must** continue to implement existing strategies, plans or programs that apply to existing activities on the site until they are replaced by an equivalent strategy, plan or program approved under this approval.
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## SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS

### NOISE

#### Noise Criteria

- The **Applicant must** ensure that the noise generated by the project does not exceed the criteria in Table 1 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.

Table 1: Noise criteria dB(A)

Location	Day	Evening	Night	
	L <sub>Aeq</sub> (15 min)	L <sub>Aeq</sub> (15 min)	L <sub>Aeq</sub> (15 min)	L <sub>A1</sub> (1 min)
R4 - 1A Onley Street, Awaba	37	36	36	46
All other privately-owned land	35	35	35	45

Notes:

- To identify the locations referred to, see the figure in Appendix 3; and
- Noise generated by the project is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy.

#### Noise Management Plan

- The **Applicant must** prepare and implement a Noise Management Plan for the project to the satisfaction of the **Secretary**. This plan must:
  - be prepared in consultation with **BCD**, and submitted for approval to the **Secretary** within 6 months of this approval;
  - include regular attended monitoring and a noise monitoring protocol for evaluating compliance with the noise impact assessment noise criteria in this approval.

### AIR QUALITY & GREENHOUSE GAS

#### Odour

- The **Applicant must** ensure that no offensive odours, as defined under the POEO Act, are emitted from the site.

#### Greenhouse Gas Emissions

- The **Applicant must** implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site, to the satisfaction of the **Secretary**.

#### Air Quality Assessment Criteria

- The **Applicant must** ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the project do not exceed the criteria listed in Tables 2, 3 or 4 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.

Table 2: Long-term criteria for particulate matter

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

Table 3: Short-term criterion for particulate matter

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

Table 4: Long-term criteria for deposited dust

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

Notes to Tables 2-4:

- <sup>a</sup> Total impact (ie incremental increase in concentrations due to the project plus background concentrations due to all other sources);
- <sup>b</sup> Incremental impact (ie incremental increase in concentrations due to the project on its own);
- <sup>c</sup> 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.
- <sup>d</sup> Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity agreed by the [Secretary](#) in consultation with [BCD](#).

## Operating Conditions

- The [Applicant must](#):
  - implement best practice air quality management on site, including all reasonable and feasible measures to minimise the off-site odour, and dust emissions generated by the project including those generated by any spontaneous combustion on site;
  - minimise any visible air pollution generated by the project;
  - regularly assess the air quality monitoring and meteorological forecasting data, and modify operations on site to ensure compliance with the relevant conditions of this approval, to the satisfaction of the [Secretary](#).

## Air Quality & Greenhouse Gas Management Plan

- The [Applicant must](#) prepare and implement an Air Quality & Greenhouse Gas Management Plan for the project to the satisfaction of the [Secretary](#). This plan must:
  - be prepared in consultation with [BCD](#), and submitted for approval to the [Secretary](#) within 6 months of this approval;
  - describe the measures that would be implemented to ensure compliance with the relevant conditions of this approval, including the proposed air quality management system;
  - describe the measures that would be implemented to minimise the release of greenhouse gas emissions from the site; and
  - include an air quality monitoring program, that:
    - uses a combination of high volume samplers and dust deposition gauges to evaluate the performance of the project; and
    - includes a protocol for determining exceedances with the relevant conditions of this approval.

## METEOROLOGICAL MONITORING

- During the life of the project, the [Applicant must](#) ensure that there is a suitable meteorological station operating in the vicinity of the site that complies with the requirements in *Approved Methods for Sampling of Air Pollutants in New South Wales* guideline.

## SUBSIDENCE

### Performance Measures

- The [Applicant must](#) ensure that the project does not cause any exceedance of the performance measures in Table 5, to the satisfaction of the [Secretary](#).

Table 5: Subsidence Impact Performance Measures

Water	
Stony Creek alluvial aquifer.	Negligible impact.
Natural watercourses on site.	No greater environmental consequences than predicted in the EA.
Biodiversity	
Threatened species, populations or their habitats; endangered ecological communities and groundwater dependent ecosystems.	Negligible impact.



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Built Features	
Main Northern Railway; transmission lines; Telstra communications tower; and Newstan-Eraring Haul Road..	Always safe and serviceable. Damage that does not affect safety or serviceability must be fully repairable, and must be fully repaired, unless the owner agrees otherwise in writing.
Other built features, including other public infrastructure.	Always safe. Serviceability should be maintained wherever practicable. Loss of serviceability must be fully compensated. Damage must be fully repairable, and must be fully repaired or else fully compensated.
Public Safety	
Public Safety.	No additional risk.

### First Workings

10. The [Applicant](#) may carry out first workings within the underground mining area, other than in accordance with an approved Extraction Plan, provided that [Resources Regulator](#) is satisfied that the first workings are designed to remain stable and non-subsiding in the long-term, except insofar as they may be impacted by approved second workings.

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

### Extraction Plan

11. The [Applicant must](#) prepare and implement an Extraction Plan for all second workings on site to the satisfaction of the [Secretary](#). This plan must:
- be prepared by a team of suitably qualified and experienced persons whose appointment has been endorsed by the [Secretary](#);
  - be approved by the [Secretary](#) before the [Applicant](#) carries out any of the second workings covered by the plan;
  - include detailed plans of the proposed first and second workings and any associated surface development;
  - include detailed performance indicators for each of the performance measures in Table 5;
  - provide revised predictions of the potential subsidence effects, subsidence impacts and environmental consequences of the proposed second workings, incorporating any relevant information obtained since this approval;
  - describe the measures that would be implemented to ensure compliance with the performance measures in Table 5, and manage or remediate any impacts and/or environmental consequences;
  - include:
    - a Coal Resource Recovery Plan that demonstrates effective recovery of the available resource;
    - a Subsidence Monitoring Program to:
      - provide data to assist with the management of the risks associated with subsidence;
      - validate the subsidence predictions; and
      - analyse the relationship between the subsidence effects and impacts under the plan and any ensuing environmental consequences;
    - a Strata Management Plan to:
      - undertake core testing of the floor in excavation areas prior to undertaking second workings; and
      - identify the potential for plug failure events to occur and measures to prevent such events (including identifying areas where mining should not occur due to the risk of a plug failure);
      - identify proposed rehabilitation and remediation strategies for any plug failure (including any necessary contingency measures); and
    - a Built Features Management Plan to manage the potential subsidence impacts and/or environmental consequences of the proposed second workings, and which:
      - addresses in appropriate detail all items of public infrastructure and all classes of other built features; and
      - has been prepared following appropriate consultation with the owner/s of potentially affected feature/s;
    - a Public Safety Management Plan to ensure public safety in the mining area;
    - a Spontaneous Combustion Management Plan; and

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- **proposes** appropriate revisions to the Rehabilitation Management Plan required under condition 30; and
- (h) include a program to collect sufficient baseline data for any future Extraction Plans.

*Note: An SMP approved by Resources Regulator prior to 31 December 2011 is taken to satisfy the requirements of this condition.*

12. The **Applicant must** ensure that the management plans required under conditions 17-23 include:
- (a) an assessment of the potential environmental consequences of the Extraction Plan, incorporating any relevant information that has been obtained since this approval;
  - (b) a detailed description of the measures that would be implemented to remediate predicted impacts; and
  - (c) a contingency plan that expressly provides for adaptive management.

### Payment of Reasonable Costs

13. The **Applicant must** pay all reasonable costs incurred by the Department to engage suitably qualified, experienced and independent persons to review the adequacy of any aspect of any Extraction Plan.

### SOIL AND WATER

#### Water Licences

14. The **Applicant must** obtain all necessary water licences for the project under the *Water Act 1912* or the *Water Management Act 2000*.

#### Surface Water Discharges

15. The **Applicant must** ensure that all surface water discharges from the site comply with the discharge limits (both volume and quality) set for the project in any EPL.

#### Alluvium Buffer Zones

16. The **Applicant must** not undertake second workings within:
- (a) 20 metres of the centreline of any 2<sup>nd</sup> order watercourse; and
  - (b) 50 metres of the centreline of any 3<sup>rd</sup> order watercourse.

#### Water Management Plan

17. The **Applicant must** prepare and implement a Water Management Plan for the project to the satisfaction of the **Secretary**. This plan must:
- (a) be prepared in consultation with **BCD**, **DPE Water**, **Resources Regulator** and Council by suitably qualified and experienced persons whose appointment has been approved by the **Secretary**;
  - (b) be submitted for approval to the **Secretary** within 6 months of this approval; and
  - (c) include:
    - a Site Water Balance;
    - an Erosion and Sediment Control Plan;
    - a Surface Water Management Plan;
    - a Groundwater Monitoring Program; and
    - a Surface and Ground Water Response Plan.
18. The Site Water Balance must include details of:
- (a) sources and security of water supply;
  - (b) water use on site;
  - (c) water management on site; and
  - (d) off-site water transfers.
19. The Erosion and Sediment Control Plan must:
- (a) be consistent with the requirements of the *Managing Urban Stormwater – Soils and Construction, Volume 2E: Mines and Quarries* (DECC 2008), or its latest version);
  - (b) identify activities that could cause soil erosion and generate sediment;
  - (c) describe measures to minimise soil erosion and the potential for the transport of sediment to downstream waters;
  - (d) describe the location, function, and capacity of erosion and sediment control structures;
  - (e) describe the sediment and erosion control measures to be implemented at the existing quarry; and
  - (f) describe what measures would be implemented to maintain the structures over time.
20. The Surface Water Management Plan must:
- (a) include detailed baseline data on surface water flows and quality of Stony Creek and associated tributaries;

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- (b) provide a geomorphic description of watercourses within and downstream of the project area;
  - (c) detail surface water quality and stream health assessment criteria, including trigger levels for investigating any potentially adverse surface water impacts;
  - (d) outline a detailed surface water response plan in the event of a plug failure;
  - (e) provide a program to monitor:
    - surface water discharges;
    - surface water flows and quality;
    - stream health; and
    - channel stability,in natural watercourses on site; and
  - (f) provide mitigation and management measures to prevent/limit the incision and degradation of stream channels for each panel and cumulative subsidence envelope.
21. The Groundwater Monitoring Program must include:
- (a) detailed baseline data of all groundwater levels (including alluvial and weathered rock aquifers), yield and quality in the region, and any privately owned groundwater bores that may be affected by mining operations on site;
  - (b) groundwater assessment criteria based upon analysis of baseline data for groundwater, surface water and ecology, including trigger levels for investigating any potentially adverse groundwater impacts; and
  - (c) a program to monitor and/or validate the impacts of the project of alluvial and coal seam aquifers, any groundwater bores and Groundwater Dependent Ecosystems.
22. The Surface and Ground Water Response Plan must describe what measures and/or procedures would be implemented to:
- (a) respond to any exceedances of the surface water, stream health, and groundwater assessment criteria;
  - (b) mitigate and/or offset any adverse impacts on groundwater dependent ecosystems or riparian vegetation located within and adjacent to the site.

### BIODIVERSITY

#### Biodiversity Management Plan

23. The [Applicant must](#) prepare and implement a Biodiversity Management Plan for the project to the satisfaction of the [Secretary](#). This plan must:
- (a) be prepared in consultation with [BCD](#) and submitted to the [Secretary](#) within 6 months of this approval;
  - (b) include:
    - a detailed description and surveyed mapping of the buffer zones to be implemented for the project;
    - a detailed description of the measures that would be implemented over the next 3 years, including the procedures to be implemented for:
      - o weed management (both control and suppression) and monitoring;
      - o management of retained native vegetation and habitat (including buffer zones);
      - o feral animal control;
      - o fire management (including asset protection zones);
      - o management of public access;
      - o ecological monitoring of groundwater dependent ecosystems which is to coincide with groundwater and surface water monitoring; and
      - o management of a plug failure including ecological surveys, identification of hydrological impacts, threatened species management and rehabilitation measures; and
    - details of who would be responsible for monitoring, reviewing, and implementing the plan.

### TRANSPORT

#### Monitoring of Coal Transport

24. The [Applicant must](#):
- (a) keep accurate records of the amount of coal transported from the site (on a monthly basis);
  - (b) make these records publically available on its website at the end of each calendar year.

### VISUAL

#### Visual Amenity and Lighting

25. The [Applicant must](#):
- (a) minimise visual impacts, and particularly the off-site lighting impacts, of the project; and
  - (b) ensure that all external lighting associated on site complies with *Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting*,

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to the satisfaction of the [Secretary](#).

## WASTE

26. The [Applicant must](#):
- (a) minimise the waste generated by the project; and
  - (c) ensure that the waste generated by the project is appropriately stored, handled and disposed of, to the satisfaction of the [Secretary](#).

## BUSHFIRE MANAGEMENT

27. The [Applicant must](#):
- (a) ensure that the project is suitably equipped to respond to any fires on site; and
  - (b) assist the Rural Fire Service and emergency services as much as possible if there is a fire in the surrounding area.

## REHABILITATION

### Rehabilitation Objectives

28. The [Applicant must](#) rehabilitate the site [in accordance with the conditions imposed on the mining lease\(s\) associated with the project under the Mining Act 1992](#). This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the EA, and comply with the objectives in Table 6.

Table 6: Rehabilitation Objectives

Feature	Objective
Mine site (as a whole).	Safe, stable & non-polluting. Final land use compatible with surrounding land uses.
Any plug failure	Filled with earth materials to the natural land surface and compacted so as to prevent any significant ingress of surface waters to the mine. Revegetated in a manner consistent with surrounding land.
Project surface infrastructure.	To be decommissioned and removed, unless the <a href="#">Resources Regulator</a> agrees otherwise.
Watercourses of 2 <sup>nd</sup> order or higher to be undermined.	Hydraulically and geomorphologically stable.
Built Features.	Repair to pre-mining condition or equivalent unless: <ul style="list-style-type: none"> <li>• the owner agrees otherwise; or</li> <li>• the damage is fully restored, repaired or compensated for under the <i>Mine Subsidence Compensation Act 1961</i>.</li> </ul>
Community.	Ensure public safety. Minimise the adverse socio-economic effects associated with mine closure.

### Progressive Rehabilitation

29. The [Applicant must](#) carry out the rehabilitation of the site progressively, that is, as soon as reasonably practicable following disturbance.

### Rehabilitation Strategy

- 29A. The [Applicant must](#) prepare a Rehabilitation Strategy for the project, to the satisfaction of the [Secretary](#). The Rehabilitation Strategy must:
- (a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the [Secretary](#);
  - (b) be prepared in consultation with [Resources Regulator](#), [BCD](#), [DPE Water](#), [Council](#) and the [CCC](#);
  - (c) be submitted to the [Secretary](#) for approval within 6 months of the date of determination of 10\_0038 MOD 1, or as otherwise agreed by the [Secretary](#);
  - (d) build upon the Rehabilitation Objectives in Table 6 and describe the strategic rehabilitation outcomes for the site, including mine closure, final landform, post-mining land use/s and water management;
  - (e) align with the strategic rehabilitation and mine closure objectives and address the principles of the Strategic Framework for Mine Closure (ANZMEC and MCA, 2000), or its latest version;
  - (f) describe how rehabilitation will be integrated with the mine planning process, including a plan to address premature or temporary mine closure;
  - (g) include details of:
    - (i) target vegetation communities and species to be established within the proposed revegetation areas;

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- (ii) a post-mining land use strategy to investigate and facilitate post-mining beneficial land uses for the site and/or infrastructure; and
- (iii) stakeholder engagement plan to guide rehabilitation and mine closure planning processes and outcomes.
- (h) investigate opportunities to refine and improve the final landform over time.

*Note: The Rehabilitation Strategy must address all land impacted by the mine, whether prior to or following the date of this consent.*

29B. The Applicant must implement the approved Rehabilitation Strategy.

### Rehabilitation Management Plan

30. The Applicant must prepare and implement a Rehabilitation Management Plan for the project in accordance with the conditions imposed on the mining lease(s) associated with the project under the *Mining Act 1992*.

### Post-Mining Heritage Management Plan

31. The Applicant must prepare and implement a Post-Mining Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must:
- (a) be prepared in consultation with Heritage NSW, Council, any relevant local historical organisations and the CCC and in accordance with any relevant BCD guideline;
  - (b) include an assessment of the heritage significance of the non-Aboriginal heritage items located on the site, including the Awaba Colliery surface buildings and the abandoned Awaba-Wangi Railway;
  - (c) provide recommendations for the long-term management and/or use of these heritage items; and
  - (d) be submitted to the Department, Council and Heritage NSW within 12 months of this approval.
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## SCHEDULE 4 ADDITIONAL PROCEDURES

### NOTIFICATION OF LANDOWNERS

1. Within 2 weeks of obtaining monitoring results showing an exceedance of the relevant criteria in Schedule 3, the **Applicant must** notify the affected landowner and tenants in writing of the exceedance, and provide monitoring results to each of these parties until the project is complying with the relevant criteria again.

### INDEPENDENT REVIEW

2. If an owner of privately-owned land considers the project to be exceeding the relevant criteria in Schedule 3, then he/she may ask the **Secretary** in writing for an independent review of the impacts of the project on his/her land.

If the **Secretary** is satisfied that an independent review is warranted, then within 2 months of the **Secretary's** decision the **Applicant must**:

- (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the **Secretary**, to:
    - consult with the landowner to determine his/her concerns;
    - conduct monitoring to determine whether the project is complying with the relevant 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 **Secretary** and landowner a copy of the independent review.
3. If the independent review determines that the project is complying with the relevant criteria in Schedule 3, then the **Applicant** may discontinue the independent review with the approval of the **Secretary**.

If the independent review determines that the project is not complying with the relevant criteria in Schedule 3, then the **Applicant must** implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent person, and conduct further monitoring until the project complies with the relevant criteria to the satisfaction of the **Secretary**.

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## SCHEDULE 5 ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

### ENVIRONMENTAL MANAGEMENT

#### Environmental Management Strategy

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

#### Management Plan Requirements

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

#### Annual Review

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



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

### Revision of Strategies, Plans and Programs

4. Within 3 months of:
- (a) the submission of an annual review under Condition 3 above;
  - (b) the submission of an incident report under Condition 6 below;
  - (c) the submission of an audit under Condition 8 below; and
  - (d) any modification to the conditions of this approval (unless the conditions require otherwise), the **Applicant must** review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the **Secretary**.

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

### Community Consultative Committee

5. The **Applicant must** establish and operate a Community Consultative Committee (CCC) for the project in general accordance with the *Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects* (Department of Planning, 2007, or its latest version), and to the satisfaction of the **Secretary**. This CCC must be operating within 6 months of this approval.

#### Notes:

- The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the **Applicant** complies with this approval;
- In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the **Applicant**, Council, recognised environmental groups and the local community; and
- With the approval of the **Secretary**, this CCC may be combined with the current CCC for the Newstan Colliery.

### REPORTING

#### Incident Reporting

6. The **Applicant must** notify the **Secretary** and any other relevant agencies of any incident caused or contributed to by the project as soon as practicable after the **Applicant** becomes aware of the incident. Within 7 days of the date of the incident, the **Applicant must** provide the **Secretary** and any relevant agencies with a detailed report on the incident.

#### Regular Reporting

7. The **Applicant must** provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval, and to the satisfaction of the **Secretary**.

### INDEPENDENT ENVIRONMENTAL AUDIT

8. Within 12 months of this approval, unless the **Secretary** directs otherwise, the **Applicant must** 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 **Secretary**;
  - (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 relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals); and
  - (d) recommend appropriate measures or actions to improve the environmental performance and rehabilitation of the project while on care and maintenance or following mine closure.

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

9. Within 6 weeks of the completion of this audit, or as otherwise agreed by the **Secretary**, the **Applicant must** submit a copy of the audit report to the **Secretary**, together with its response to any recommendations contained in the audit report.

### ACCESS TO INFORMATION

10. Within 6 months of this approval, the **Applicant must**:
- (a) make copies of the following publicly available on its website:
    - the documents referred to in Condition 2 of Schedule 2;



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- all relevant statutory approvals for the project;
  - all approved strategies, plans and programs required under the conditions of this approval;
  - the monitoring results of the project, reported in accordance with the specifications in any approved plans or programs required under the conditions of this or any other approval;
  - a complaints register, which is to be updated on a monthly basis;
  - minutes of CCC meetings;
  - the annual reviews required under this approval;
  - any independent environmental audit of the project, and the [Applicant's](#) response to the recommendations in any audit;
  - any other matter required by the [Secretary](#); and
- (b) keep this information up-to-date,  
to the satisfaction of the [Secretary](#).

FOR INFORMATION

# CONSOLIDATED CONSENT

## APPENDIX 1 SCHEDULE OF LAND

The Awaba Colliery Mining Project					
Parish	Portion/Lot No	Study Area to which this Applies	Parish	Portion/Lot No	Study Area to which this Applies
Awaba	Lot 4 DP 1031778	4	Awaba	Lot 110 DP 55207	3
Awaba	Lot 5 DP 1031778	4	Awaba	Lot 153 DP 755207	2 and 4
Awaba	Lot 12 DP 1031778	4	Awaba	Lot 155 DP 755207	4
Awaba	Lot 14 DP 1031778	4	Awaba	Lot 205 DP 755207	4
Awaba	Lot 15 DP 1031778	4	Awaba	Lot 206 DP 755207	4
Awaba	Lot 16 DP 1031778	4	Awaba	Lot 207 DP 755207	4
Awaba	Lot 19 DP 1031778	4	Awaba	Lot 211 DP 755207	4
Awaba	Lot 12 DP1031859	4	Awaba	Lot 212 DP 755207	1
Awaba	Lot 11 DP 1050120	4	Awaba	Lot 213 DP 755207	1 and 2
Awaba	Lot 447 DP 1064562	4	Awaba	Lot 214 DP 755207	1 and 2
Awaba	Lot 100 DP 1127677	4	Awaba	Lot 215 DP 755207	1
Awaba	Lot 101 DP 1127677	4	Awaba	Lot 216 DP 755207	1
Awaba	Lot 462 DP 1138964	3	Awaba	Lot 223 DP 755207	4
Awaba	Lot 7304 DP 1149082	2	Awaba	Lot 224 DP 755207	4
Awaba	Lot 7305 DP 1149082	1, 2 and 3	Awaba	Lot 225 DP 755207	4
Awaba	Lot 5 DP 239629	1	Awaba	Lot 226 DP 755207	4
Awaba	Lot 6 DP 239629	1	Awaba	Lot 230 DP 755207	4
Awaba	Lot 8 DP 239629	1	Awaba	Lot 102 DP 755218	4
Awaba	Lot 9 DP 239629	1	Awaba	Lot 619 DP 817275	4
Awaba	Lot 318 DP 39722	4	Awaba	Lot 8 DP 821188	4
Awaba	Lot 322 DP 39722	4	Awaba	Lot 100 DP 828283	4
Awaba	Lot 1 DP 582126	2	Awaba	Lot 101 DP 828283	4
Awaba	Lot 441 DP 583057	4	Awaba	Lot 211 DP 840670	4
Awaba	Lot 64 DP 755207	4	Awaba	Lot 10 DP 1031778	1



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## APPENDIX 2 PROJECT LAYOUT PLAN

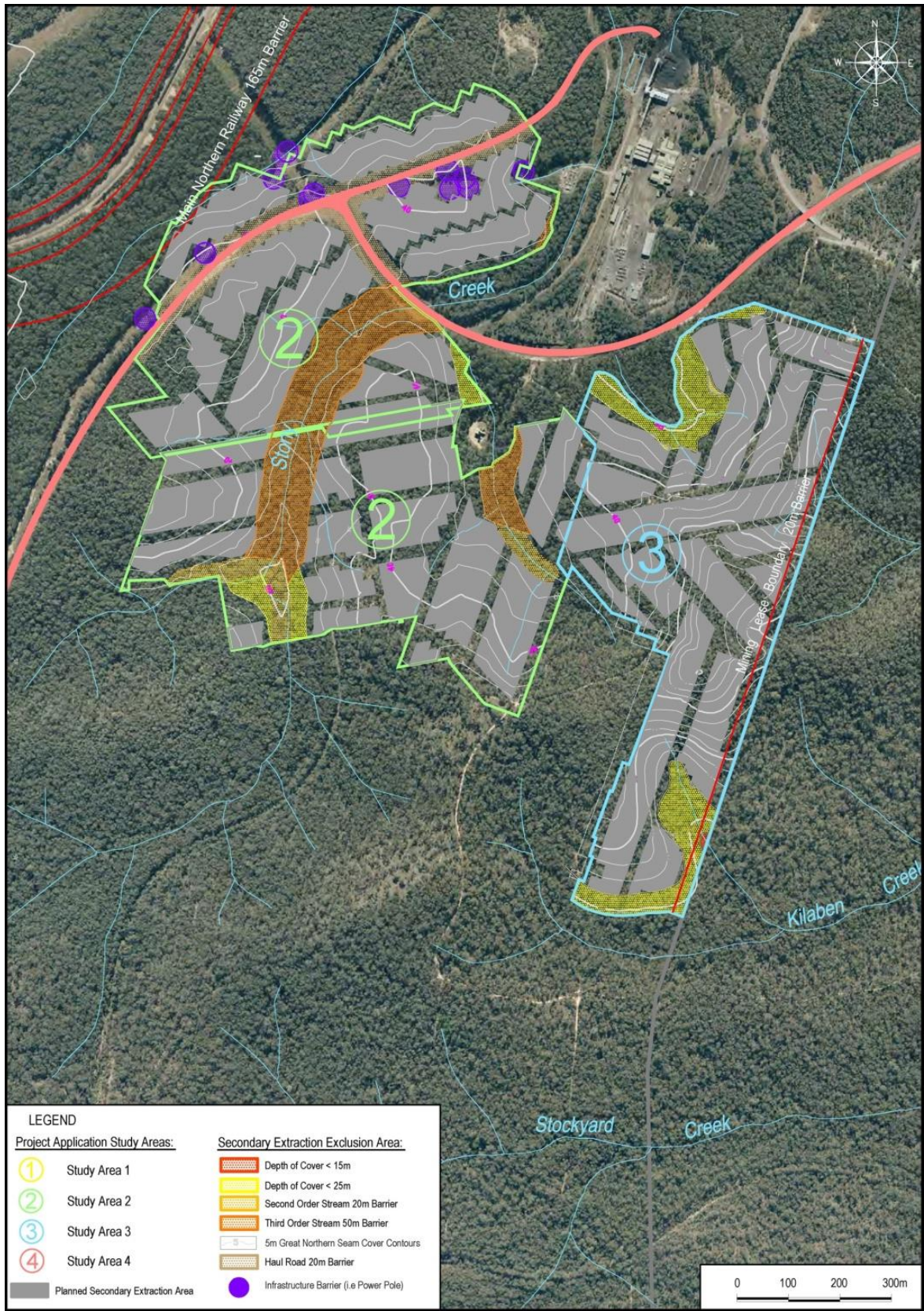


Figure 1: Project General Arrangement



APPENDIX 3  
LAND OWNERSHIP PLAN

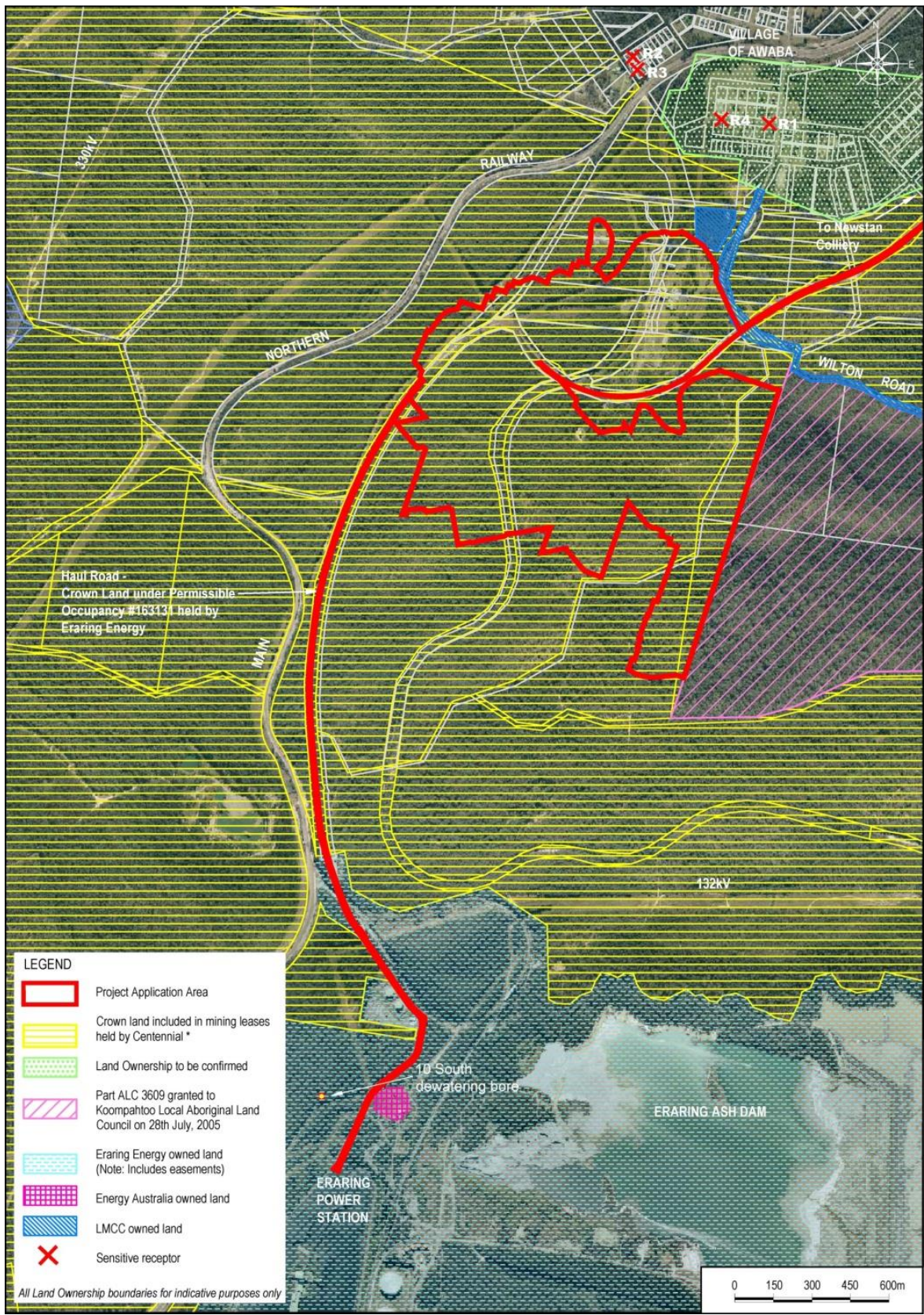


Figure 2: Land Ownership Plan



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## APPENDIX 4 STATEMENT OF COMMITMENTS

### Proposed Construction (Pollution Control Dam) – Statement of Commitments

Desired Outcome	Action
<b>1. Pollution Control Dam (PCD)</b>	
All construction operations associated with the PCD are appropriately undertaken to minimise potential impacts to the environment and potential noise receptors	<p>1.1 Throughout the construction period of the PCD, construction works will be limited to Monday to Friday: 7am to 6pm, Saturday: 8am to 1pm, No work Sundays or public holidays.</p> <p>1.2 Appropriate erosion and sediment control measures required for construction of the PCD will be installed prior to commencement of disturbance activities, generally in accordance with the guidelines '<i>Managing Urban Stormwater – Soils and Construction, Volume 2E: Mines and Quarries</i>' (DECC 2008).</p>

### Mining Operations – Statement of Commitments

Desired Outcome	Action
<b>1. General</b>	
All operations are undertaken in a manner that will minimise the environmental impacts associated with the Project.	1.1 Mining at the Awaba Colliery will be undertaken generally in accordance with the description provided in the environmental assessment dated September 2010.
<b>2. Hours of Operation</b>	
All operations are undertaken within the approved operating hours.	2.1 Mining and associated operations may be undertaken 24 hours a day 7 days a week.
<b>3. Groundwater and Surface Water</b>	

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<p>All surface water and groundwater managed such that water-related impacts are minimised to the greatest extent practicable.</p>	<p><b>Surface Water:</b></p> <p>3.1 Within six months of Project Approval, the existing Water Management Plan will be updated to include erosion and sediment control measures required and a geomorphic description of Stony Creek.</p> <p>3.2 Within three months of Project Approval, a variation to EPL443 will be sought that incorporates a Pollution Reduction Program (PRP) for water quality monitoring for Awaba Colliery in accordance with ANZECC requirements.</p> <p><b>Groundwater:</b></p> <p>3.3 Within six months of Project Approval a groundwater monitoring program for the 10 south bore and for the Stony Creek alluvial aquifers will be developed in consultation with OEH, NOW and DoP and continued in accordance with the existing Water Management Plan.</p> <p>3.4 Any additional groundwater licenses required for the Project will be sought within three months of Project Approval, including 10 South bore.</p> <p>3.5 Within three months of Project Approval, a variation to the existing Environment Protection License (EPL443) will be sought to include the 10 South bore.</p> <p>3.6 A water balance (including a comparison of predicted and actual take of water) will be included in the Annual Environmental Management Report (AEMR)</p>
<p><b>4. Aboriginal Heritage Management</b></p>	
<p>Ensure that identified and unidentified Aboriginal sites are appropriately managed.</p>	<p>4.1 Within six months of Project Approval, an Aboriginal Cultural Heritage Management Plan (ACHMP) will be incorporated as part of the ongoing management of heritage within Awaba Colliery in consultation with OEH &amp; LMCC. The ACHMP will include strategies which address the identified areas of archaeological sensitivity within the Application Area, as well as, contingency strategies for any additional heritage issues which may arise.</p>
<p><b>5. Traffic and Transport Management</b></p>	
<p>Project-related impacts on transportation and the road network surrounding the Awaba Colliery are limited</p>	<p>5.1 Signage on Wilton Road approaching the Awaba Colliery will be improved within six months of Project Approval (as shown on Figure 9.10) in order to provide advanced warning to traffic of potential turning traffic in consultation with the LMCC.</p>
<p><b>6. Life of Mine Rehabilitation</b></p>	
	<p>6.1 All works associated with the decommissioning and rehabilitation of the Awaba Colliery is to be undertaken as prescribed in the approved Life of Mine Plan.</p>
<p><b>7. Subsidence Management</b></p>	
<p>Surface subsidence levels managed in accordance with predicted maximum levels</p>	<p>7.1 A 'Subsidence Management Plan', or equivalent document, which takes into account the existing information presented in this Environmental Assessment, will be developed for the proposed East B Area (Study Area 3) in consultation with the Department of Planning prior to expansion in East B Area.</p> <p>7.2 Subsidence monitoring results will be made publicly available on the Centennial Coal website.</p>
<p><b>8. European Heritage Management</b></p>	
<p>Ensure that identified and unidentified Archaeological sites are appropriately managed.</p>	<p>8.1 Prior to the decommissioning of any pit top buildings at the Awaba Colliery and in consultation with the LMCC, all buildings will be subject to a heritage assessment of significance.</p>