

ORDER

COURT DETAILS

Court	LAND AND ENVIRONMENT COURT OF NEW SOUTH WALES
Division	Class 1
Registry	Level 4, 225 Macquarie Street, Sydney
Case number	10911 of 2011

TITLE OF PROCEEDINGS

Applicant	The Coastwatchers Association Inc (First Applicant) South East Region Conservation Alliance (Second Applicant)
Respondents	NSW Minister for Planning and Infrastructure (First Respondent) Big Island Mining Pty Ltd (Second Respondent)

DATE OF ORDER


Date made or given	7 February 2012
Date entered	8 February 2012

TERMS OF ORDER

The orders of the Court, by consent, are:

1. The appeal is upheld
2. Approval is granted under section 75J of the *Environmental Planning & Assessment Act* 1979, to the project referred to in Schedule 1, and on the conditions referred to in Schedules 2 to 5, of the approval in Annexure A.
3. There is to be no order as to costs in these proceedings and each party is to bear their own costs in these proceedings.
4. The exhibits are returned.

SEAL AND SIGNATURE

Court seal	
Signature	
Capacity	Leonie Walton Acting Registrar
Date	8 FEB 2012



NOTICE

Subject to limited exceptions, no variation of a judgment or order can occur except on application made within 14 days after entry of the judgment or order.

[Include the following section if the document is to be provided to the Registrar for sealing under UCPR 36.12.]

#PERSON PROVIDING DOCUMENT FOR SEALING UNDER UCPR 36.12

Name	Second Respondent
#Legal representative	Blake Dawson
Contact name and telephone	Nikki Fitzimmons 9258 5863



Project Approval

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

The Land and Environment Court of New South Wales 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.

Sydney

February 2012

SCHEDULE 1

Application Number:

10_0054

Proponent:

Big Island Mining Pty Limited

Land:

See Appendix 1

Project:

Dargues Reef Gold Project



TABLE OF CONTENTS

DEFINITIONS	3
ADMINISTRATIVE CONDITIONS	5
Obligation to Minimise Harm to the Environment	5
Terms of Approval	5
Limits on Approval	5
Structural Adequacy	5
Demolition	5
Operation of Plant and Equipment	5
Staged Submission of any Strategy, Plan or Program	6
Planning Agreement	6
ENVIRONMENTAL PERFORMANCE CONDITIONS	7
Noise	7
Blasting	8
Air Quality & Greenhouse Gas	9
Meteorological Monitoring	10
Soil & Water	10
Biodiversity	13
Heritage	14
Transport	14
Visual	15
Waste	15
Bushfire Management	15
Rehabilitation	15
ADDITIONAL PROCEDURES	17
Notification of Landowners	17
Independent Review	17
ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING	18
Environmental Management	18
Reporting	19
Independent Environmental Audit	19
Access to Information	20
APPENDIX 1: SCHEDULE OF LAND	21
APPENDIX 2: PROJECT LAYOUT PLANS	23
APPENDIX 3: INDICATIVE FINAL LANDFORM	28
APPENDIX 4: BIODIVERSITY OFFSET STRATEGY	29
APPENDIX 5: STATEMENT OF COMMITMENTS	30
APPENDIX 6: GENERAL TERMS FOR THE PLANNING AGREEMENT	50
APPENDIX 7: RECEIVER LOCATION PLANS	51
APPENDIX 8: EXTENDED BIODIVERSITY OFFSET AREA	55



DEFINITIONS

Annual review	The review required by Condition 3 of Schedule 5
BCA	Building Code of Australia
CCC	Community Consultative Committee
CEEC	Critically Endangered Ecological Community are defined under the <i>Environment Protection and Biodiversity Conservation Act, 1999</i>
Conditions of this approval	Conditions contained in Schedules 2 to 5 inclusive
Council	Palerang 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 Infrastructure
Director-General	Director-General of the Department of Planning and Infrastructure, or delegate
DRE	Division of Resources and Energy, within the Department of Trade & Investment, Regional Infrastructure & Services
EA	Environmental assessment titled <i>Environmental Assessment for the Dargues Reef Gold Project</i> , and <i>Specialist Consultant Studies Compendium Volume 1 and 2</i> , dated September 2010, prepared by R. W. Corkery and Co Pty Limited, including the Response to Submissions, and additional information from Gaia Research Pty Ltd dated 5 May 2011
EEC	Endangered Ecological Community as defined by the <i>Threatened Species Conservation Act, 1995</i>
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 <i>POEO Act</i>
ESC	Eurobodalla Shire Council
Executive Director Mineral Resources	Executive Director Mineral Resources within DRE, or the equivalent
Evening	role The period between 6pm to 10pm on any day
Feasible	Feasible relates to engineering considerations and what is practical to build or carry out
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
Life of the project	The period from the grant of project approval until completion of rehabilitation and any ongoing monitoring to the satisfaction of either the Director-General or the Executive Director Mineral Resources, as appropriate
Material harm to the environment	Actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial
Mine water	Water that accumulates within active mining areas, tailings dams and infrastructure areas, synonymous with dirty water
Mining operations	Includes the removal of waste rock and the extraction, processing, handling, storage and transportation of ore material
Minister	Minister for Planning and Infrastructure, or delegate
Minor	Small in quantity, size and degree
Mitigation	Activities associated with reducing the impacts of the project
Negligible	Small and unimportant, such as to be not worth considering
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
NOW	NSW Office of Water
OEH	Office of Environment and Heritage
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 development described in the EA
Proponent	Big Island Mining Pty Limited, or its successors
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 treatment or management of land disturbed by the project for the purpose of establishing a safe, stable and non-polluting environment, and includes remediation
Response to Submissions	The proponent's responses to issues raised in submissions, including



ROM	those titled <i>Response to Government Agency and Public Submissions for the Dargues Reef Gold Project</i> , dated December 2010, <i>Response to NSW Office of Water Submission Dated 16 December 2010 for the Dargues Reef Gold Project</i> , dated December 2010, <i>Response to DECCW Issues</i> , dated 2 March 2011, and <i>Response to Submission Received 15 April 2011</i> , dated 20 April 2011, and letter from Cortona Resources Limited, dated 15 December 2010.
RTA	Run-of-mine
Site	Roads and Traffic Authority
Statement of commitments	The land to which the project application applies, as listed in Appendix 1
	The Proponent's commitments in Appendix 5



SCHEDULE 2 ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

1. 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 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 5.

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

LIMITS ON APPROVAL

5. The Proponent may carry out mining operations on the site until 31 August 2018.

Note: Under this approval, the Proponent is required to rehabilitate the site and carry out additional undertakings as provided in or pursuant to this project approval to the satisfaction of either the Director-General or 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.

6. The Proponent shall not:
 - (a) process more than 355 000 tonnes of ore at the site in a calendar year;
 - (b) process more than 1.2 million tonnes of ore at the site over the life of the project;
 - (c) use tailings to backfill completed stopes within the mine;
 - (d) use any cyanide or mercury on site to process or extract gold from the project; or
 - (e) process or smelt any ore other than that extracted from the site.

STRUCTURAL ADEQUACY

7. 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; and
- Under the Dams Safety Act 1978, the Proponent will require a further approval for the project's tailings dam.

DEMOLITION

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

OPERATION OF PLANT AND EQUIPMENT

9. The Proponent shall ensure that all the plant and equipment used on site, or to transport concentrate from the site, is:
 - (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.



STAGED SUBMISSION OF ANY STRATEGY, PLAN OR PROGRAM

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

Note: While any strategy, plan or program may be submitted on a progressive basis, the Proponent will need to ensure that the existing operations of the site are covered by suitable strategies, plans or programs at all times.

PLANNING AGREEMENT

11. Within 12 months of the date of this approval, unless otherwise agreed by the Director-General, the Proponent shall enter into a planning agreement with Council in accordance with Division 6 of Part 4 of the EP&A Act, that provide for contributions to Council for:
- upgrades of Council's road infrastructure affected by the project; and
 - general community enhancement to address social amenity and community infrastructure requirements arising from the project.

The contributions shall be consistent with the terms of the offer made in the Proponent's letter dated 24 September 2010, and summarised in Appendix 6.



SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS

NOISE

Noise Criteria

- The Proponent shall 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) L_{Aeq} (15min)

Location	Day L_{Aeq} (15min)	Evening L_{Aeq} (15min)	Night	
			L_{Aeq} (15min)	L_{A1} (1 min)
All privately owned land	35	35	35	45

Note: 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.

However, these criteria do not apply if the Proponent has a written agreement with the relevant landowner to exceed the criteria, and the Proponent has advised the Department in writing of the terms of this agreement.

Traffic Noise Impact Assessment Criteria

- The Proponent shall take all reasonable and feasible measures to ensure that the traffic noise generated by the project does not exceed the traffic noise impact assessment criteria in Table 2.

Table 2: Traffic noise impact assessment criteria dB(A)

Road	Day $L_{Aeq1\text{ hour}}$	Evening $L_{Aeq1\text{ hour}}$
Majors Creek Road, Araluen Road, Captains Flat Road, Coghill Street and Wallace Street	55	50

Note: Traffic noise generated by the project is to be measured in accordance with the relevant procedures in the OEH's Environmental Criteria for Road Traffic Noise.

Operating Hours

- The Proponent shall comply with the operating hours in Table 3.

Table 3: Operating hours

Activity	Operating Hours
Vegetation clearing, topsoil stripping, construction of the box cut and rehabilitation	Day
Remainder of construction operations	Day / evening / night
Mining, maintenance and processing operations	Day / evening / night
Crushing operations (including operation of front-end-loader)	7am-7pm, 7 days per week
Transportation	Day / evening

Note:

- Crushing operations may be undertaken outside of these hours on a maximum of 20 days per year.
- Condition 41 includes additional restrictions on transportation times.
- Conditions 6 and 7 include restrictions on blasting times.

Operating Conditions

- The Proponent shall:
 - implement best practice noise management, including all reasonable and feasible noise mitigation measures to minimise the operational and road traffic noise generated by the project;
 - investigate ways to minimise the noise generated by the project, including any reversing alarms on machinery or vehicles;
 - minimise noise impacts during temperature inversions; and
 - report on these investigations and the implementation and effectiveness of these measures in the Annual Review,
 to the satisfaction of the Director-General.



Noise Management Plan

5. 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 OEH and Council, and submitted to the Director-General for approval prior to the commencement of construction;
 - describe the noise mitigation measures that would be implemented to ensure compliance with conditions 1-4 of this schedule; and
 - include a noise monitoring program that:
 - uses a combination of unattended and attended monitoring to evaluate the performance of the project; and
 - includes a protocol for determining exceedances of the relevant conditions of this approval.

BLASTING

Blasting Criteria

6. The Proponent shall ensure that the blasting on site does not cause exceedances of the criteria in Table 4.

Table 4: Blast impact criteria

Location	Time of Blasting	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance
Residence on privately-owned land	Any time	120	10	0%
	Day	115	5	5% of the total number of blasts over a period of 12 months
	Evening	-	2	
	Night, and all day on Sundays and public holidays	-	1	0%

Note: All blasts are to be designed by a suitably qualified and experienced blasting engineer.

Blasting Hours

7. The Proponent shall comply with the blasting hours in Table 5.

Table 5: Blasting hours

Activity	Blasting Hours
Surface blasting	9am – 5pm Monday – Friday, excluding public holidays
Underground blasting	Anytime



Property Inspections

8. If the Proponent receives a written request from the owner of any privately-owned land within 2 kilometres of blasting operations 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:
- commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General to:
 - establish the baseline condition of the 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
 - give the landowner a copy of the new or updated property inspection report.

Property Investigations

9. If any landowner of privately-owned land within 2 kilometres of blasting operations, or any other landowner nominated by the Director-General, claims that buildings and/or structures on his/her land have been damaged as a result of blasting at the project, the Proponent shall within 3 months of receiving this request:
- commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to investigate the claim; and
 - 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 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

10. During mining operations on site, the Proponent shall implement best blasting practice to:
- protect the safety of people, property, public infrastructure, and livestock;
 - protect items of Aboriginal and non-indigenous cultural heritage significance;
 - minimise the dust and fume emissions from blasting at the project; and
 - 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.

Blast Management Plan

11. 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 OEH and Council, and submitted to the Director-General for approval prior to undertaking any blasting on-site;
 - describe the blast mitigation measures that would be implemented to ensure compliance conditions 6-10 of this schedule;
 - describe the measures that would be implemented to ensure the public can get up-to-date information on the proposed blasting schedule on site; and
 - include a blast monitoring program to evaluate the performance of the project.

AIR QUALITY & GREENHOUSE GAS

Odour

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

Greenhouse Gas Emissions

13. The Proponent shall implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site to the satisfaction of the Director-General.

Air Quality Criteria

14. The Proponent shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that the particulate emissions generated by the project do not exceed the criteria listed in Tables 6, 7 and 8 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.

Table 6: 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 7: Short term criterion for particulate matter

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

Table 8: Long term criteria for deposited dust

Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total ¹ deposited dust level
^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month

Notes for Tables 6-8:

- ^aTotal impact (i.e. incremental increase in concentrations due to the project plus background concentrations due to other sources);
- ^bIncremental impact (i.e. 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; and*
 - ^d *Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents, illegal activities or any other activity agree to by the Director-General in consultation with OEH.*
15. The Proponent shall ensure compliance with any pollutant limits in the EPL set after further assessment of the potential air quality impacts associated with the gold smelting process (refer to Condition 17 below).

Operating Conditions

16. The Proponent shall:
- (a) implement best practice air quality management on site, including all reasonable and feasible measures to minimise the off-site odour, fume and dust emissions generated by the project;
 - (b) minimise any visible air pollution generated by the project;
 - (c) regularly assess the air quality monitoring and meteorological forecasting data, and relocate, modify and/or stop operations on site to ensure compliance with the relevant conditions of this approval; and
 - (d) take all practical measures to minimise dust emissions from the tailings dam, to the satisfaction of the Director-General.

Air Quality & Greenhouse Gas Management Plan

17. The Proponent shall prepare and implement a detailed Air Quality & Greenhouse Gas Management Plan for the project to the satisfaction of the Director-General. This plan must:
- (a) be prepared in consultation with OEH and Council, and submitted to the Director-General for approval prior to construction;
 - (b) include an assessment of the potential air quality impacts of the project associated with the gold smelting process;
 - (c) describe the measures that would need to be implemented to ensure compliance with conditions 12-16 of this schedule;
 - (d) include a program for the implementation of the measures referred to in (c) above; and
 - (e) include an air quality monitoring program, that uses a combination 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

18. During the life of the project, the Proponent shall ensure that there is a suitable meteorological station operating in the vicinity of the site that complies with the requirements in the *Approved Methods for Sampling of Air Pollutants in New South Wales* guideline.

SOIL & WATER

Water Licences

19. The Proponent shall obtain all necessary water licences for the project under the *Water Act 1912* or the *Water Management Act 2000*.

Water Supply

20. The Proponent shall ensure that it has sufficient water for all stages of the project, and if necessary, adjust the scale of mining operations to match supply of water, to the satisfaction of the Director-General.

Water Discharges

21. The Proponent shall ensure that all surface water discharges from the site comply with:
- (a) Section 120 of the POEO Act; or
 - (b) the discharge limits (both volume and quality) set for the project in any EPL; and
 - (c) a maximum of 50 milligrams per litre of suspended solids in any discharge of water from sediment collection ponds.

Baseflow Offsets

22. The Proponent shall offset the combined loss of any baseflow to Majors and Spring Creeks caused by the project to the satisfaction of the Director-General. This condition does not apply if the Director-General subsequently determines that the loss of baseflow is negligible.

Note: The proposed discharge point for the baseflow offset shall be as identified in the Water Management Plan.



Compensatory Water Supply

23. The Proponent shall provide a compensatory water supply to any owner of privately-owned land whose water entitlements are adversely 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 must be provided (at least on an interim basis) within 24 hours of the loss being identified.

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.

Permeability of Storages

24. The Proponent shall ensure that the capacity of the tailings storage facility is designed to meet the requirements of the *Environmental Guidelines – Management of Tailings Storage Facilities* (VIC DPI, 2004) and that the walls, floor and final capping of the tailings storage facility is designed to be equivalent to 600mm clay of permeability 1×10^{-8} m/s.

Note: An alternative permeability standard may be acceptable following completion of an appropriate risk assessment undertaken in accordance with the Environmental Guidelines – Management of Tailings Storage Facilities (VIC DPI, 2004) to the satisfaction of OEH and the Director-General.

25. The Proponent shall ensure that all other groundwater storage and treatment dams are suitably lined to comply with a permeability standard of $< 1 \times 10^{-9}$ m/s.

Tailings Storage Facility – Clean Water Diversion

- 25A. The clean water diversion around the northern side of the tailings storage facility shall be designed, constructed and maintained to prevent the probable maximum flood from the catchment upstream of the facility from entering the facility.

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

Water Management Plan

26. 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 ESC, Council, OEH and NOW 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; and
 - (c) include:
 - a Site Water Balance;
 - an Erosion and Sediment Control Plan;
 - a Surface Water Monitoring Program;
 - a Groundwater Monitoring Program; and
 - a Surface and Ground Water Response Plan;
 - (d) be targeted to deal with the particular stages of the project that are being implemented; and
 - (e) remain in place for the life of the project, from the commencement of construction until the rehabilitation of the site is complete.

Note: The effectiveness of the Water Management Plan is to be reviewed and audited in accordance with the requirements in Schedule 5. Following this review and audit, the plan is to be revised to ensure it remains up to date (see Condition 4 of Schedule 5).

27. The Site Water Balance must:
- (a) include details of:
 - sources and security of water supply;
 - water use on site;
 - water management on site;
 - off-site water discharges, including volume, timing and release point infrastructure requirements;
 - reporting procedures; and
 - (b) describe what measures would be implemented to minimise potable water use on site.



28. The Erosion and Sediment Control Plan must:
- be consistent with the requirements of the *Managing Urban Stormwater: Soils and Construction Manual* (Landcom 2004, or its latest version);
 - identify activities that could cause soil erosion and generate sediment;
 - describe measures to minimise soil erosion and the potential for the transport of sediment to downstream waters;
 - describe the location, function, and capacity of erosion and sediment control structures; and
 - describe what measures would be implemented to maintain the structures over time.
29. The Surface Water Monitoring Program must include:
- detailed baseline data on surface water flows and quality in creeks and other waterbodies that could be affected by the project (including Majors and Spring Creeks);
 - stream health assessment criteria that includes representative baseline survey of aquatic life in Majors Creek, upstream and downstream (to the confluence with Araluen Creek) of the mine site prior to commencement of construction and annually thereafter until all mining and rehabilitation activities are completed (Note: The design of the survey must be in consultation with OEH and the results must be included in the Annual Review. The frequency of future annual surveys may be amended by the Director-General);
 - surface water quality criteria for a range of parameters, including salinity, heavy metals, suspended sediment, pH, hardness and biological oxygen demand;
 - a program to undertake monthly monitoring of:
 - surface water flows, quality, and impacts on water users;
 - potential acid rock drainage, including suitable monitoring both within and downstream of the tailings storage facility;
 - potential leakage or spillage from tailings, mineral concentrate or effluent pipelines;
 - potential seepage / leachate from waste rock material on the surface, including the monitoring of pH levels;
 - a program to undertake bi-annual monitoring of stream health and channel stability in Spring and Majors Creeks using replicated AUSRIVAS or equivalent methodology;
 - a program for the ongoing verification and refinement of the surface water model; and
 - reporting procedures for the results of the monitoring program and model verification.
30. The Groundwater Monitoring Program must include:
- detailed baseline data of groundwater levels, yield and quality in the region, and particularly any groundwater bores, springs and seeps that may be affected by the project;
 - test bores downstream of the site;
 - groundwater assessment criteria for both groundwater levels and quality including privately-owned bores;
 - a program to monitor:
 - impacts on the groundwater supply of potentially affected landowners;
 - impacts on springs or groundwater dependent ecosystems (including stygofauna);
 - the volume of groundwater inflow into the underground mine workings;
 - regional groundwater levels and quality in all potentially affected aquifers;
 - potential acid rock drainage;
 - the seepage/leachate from tailings dams;
 - a program for the ongoing verification and refinement of the groundwater model; and
 - reporting procedures for the results of the monitoring program and model verification.
31. The Surface and Ground Water Response Plan must include:
- trigger levels for investigating any potential adverse surface water, stream health and groundwater impacts of the project, and taking action to avoid exceedances of the relevant criteria in the surface water and groundwater monitoring program;
 - a protocol for the investigation, notification and mitigation of any exceedances of the surface water, stream health, and groundwater assessment criteria;
 - a protocol for investigating, evaluating and providing the baseflow offsets required under condition 22 above;
 - measures to mitigate and/or compensate potentially affected landowners in accordance with the compensatory water supply requirements in condition 23 above;
 - a protocol for providing advance warning and water supply measures for landowners of privately-owned land that are predicted to exceed the surface and groundwater impact assessment criteria at some stage during the project life; and
 - the procedures that would be followed to determine any appropriate action to be taken to mitigate or offset any surface or groundwater impacts caused by the project that constitute material harm to the environment.



BIODIVERSITY

Biodiversity Offset

32. The Proponent shall implement the offset strategy outlined in Table 9, described in the EA, and shown in Appendix 4 to the satisfaction of the Director-General.

Table 9: Biodiversity Offset

Community Type	Area (ha)
Ribbon Gum Forest*	8.7
Fragmented Ribbon Gum Forest*	7.1
Regenerating wattles	7.6
Exotic vegetation	5.1
Natural Temperate Grassland**	0.2
Native – dominated pasture	235.7
Exotic pasture	2.5
Largely disturbed land	3.9
River Peppermint Open Forest	1.3
TOTAL	272.1

* Listed as an EEC under the Threatened Species Conservation Act, 1995

** Listed as a CEEC under the Environment Protection and Biodiversity Conservation Act, 1999

33. The Proponent shall ensure that the offset area is managed in a manner that would ensure the regeneration of native grassland, which is consistent with the Natural Temperate Grassland EEC.
34. The Proponent shall make suitable arrangements to provide appropriate long-term security for the offset area in the strategy to the satisfaction of the Director-General.

Biodiversity Management Plan

35. The Proponent shall prepare a Biodiversity Management Plan for the project to the satisfaction of the Director-General. This plan must:
- be prepared in consultation with OEH, and submitted to the Director-General for approval prior to construction;
 - include:
 - an assessment of the potential impacts of groundwater drawdown on groundwater dependent (phreatophytic) vegetation, including the Tableland Basalt Forest EEC and Araluen Scarp Grassy Forest EEC in the Majors Creek State Conservation Area using suitable methodology;
 - detailed baseline data on the health status of the Tableland Basalt Forest EEC within the project site;
 - mitigation and/or offsetting measures if adverse impacts on phreatophytic vegetation are predicted;
 - timing for the implementation of mitigation and/or offsetting measures;
 - scheduling for the implementation of the biodiversity offset;
 - detailed performance and completion criteria for the implementation of the biodiversity offset;
 - a detailed description of the measures that would be implemented to manage the remnant vegetation and habitat within the offset area, and ensure the biodiversity offset is suitably implemented, including the procedures for:
 - revegetating or regenerating parts of the offset area, if required;
 - managing or improving the quality of existing vegetation in the offset area;
 - controlling weeds, feral pests and access;
 - managing bushfires; and
 - details of who would be responsible for monitoring, reviewing and implementing the plan.



Conservation Bond

36. Within 3 months of the approval of the Biodiversity Management Plan, the Proponent shall lodge a conservation bond with the Department to ensure that the biodiversity offset is implemented in accordance with the performance and completion criteria of the Biodiversity Management Plan. The sum of the bond shall cover the full cost of implementing the Biodiversity Offset Strategy and be verified by a suitably qualified rehabilitation expert or quantity surveyor.

If the biodiversity offset is implemented to the satisfaction of the Director-General, the Director-General will release the conservation bond.

If the offset strategy is not implemented to the satisfaction of the Director-General, the Director-General will call in all or part of the conservation bond, and arrange for the satisfactory implementation of the biodiversity offset.

HERITAGE

Aboriginal Heritage Management Plan

37. The Proponent shall prepare and implement an Aboriginal Heritage Management Plan for the project to the satisfaction of the Director-General. The Plan must:
- (a) be prepared in consultation with OEH and the Aboriginal community;
 - (b) be submitted to the Director-General for approval prior to construction; and
 - (c) include a:
 - program for fencing the 5 identified Aboriginal sites;
 - program for the recording, salvage and surface collection of any Aboriginal objects/sites that may be encountered within the project area;
 - description of the measures that would be implemented if any Aboriginal skeletal remains are discovered during the project; and
 - protocol for the ongoing consultation and involvement of the Aboriginal community in the conservation and management of the Aboriginal heritage of the objects/sites.

TRANSPORT

Access Road Construction

38. The Proponent shall construct the site access road and the intersection of the access road and Majors Creek Road prior to the commencement of construction of the mine-related infrastructure.
39. The intersection of the site access road and Majors Creek Road shall be constructed to a BAR/BAL treatment for rural turn lanes in accordance with the RTA *Road Design Guide* and to the satisfaction of Council.
- 39A Prior to the commencement of transportation of ore from the site, the left hand road shoulder on Majors Creek Road between the entrance of the mine site and the top of the hill shall be strengthened to the satisfaction of Council.

Monitoring of Concentrate Transport

40. The Proponent shall:
- (a) keep accurate records of the:
 - amount of concentrate transported from the site (on a monthly basis); and
 - the date and time of loaded truck movements from the site; and
 - (b) provide the Director-General with a summary of these truck movements on a quarterly basis.



Operating Conditions

41. The Proponent shall ensure that:
- (a) a maximum of 4 concentrate trucks exit the site per hour;
 - (b) the dispatch of concentrate from the site is limited to between the hours of 7am to 10pm Monday to Saturday and 8am-10pm Sundays and Public Holidays;
 - (c) all heavy vehicle movements to or from the site are prohibited between the hours of 7am - 8.30am and 3pm-5pm on school days;
 - (d) a bus is operated from Braidwood to offer mine workers transport to and from the site each day; and
 - (e) all reasonable and feasible measures are implemented to minimise the project's contribution to the traffic on Majors Creek Road, Araluen Flat Road, Captains Flat Road, Coghill Street and Wallace Street.

Transport Route

42. Once the site access road and its intersection with Majors Creek Road are complete, the Proponent shall ensure that, except in emergency situations, no project-related heavy vehicles access the site from the south or via Monga Lane.

Traffic Management Plan

43. The Proponent shall prepare and implement a Traffic Management Plan to the satisfaction of the Director-General. The plan shall focus on traffic management along Majors Creek Road to minimise potential conflicts between road users and to ensure that the intersection of the site access road and Majors Creek Road is operating effectively. The plan must be developed in consultation with the Council and the CCC, and must be submitted for the approval of the Director-General prior to the commencement of construction of any mine-related infrastructure.

VISUAL

Visual Amenity and Lighting

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

Additional Visual Mitigation Measures

45. The Proponent shall construct an amenity bund on the southern and western crest of the ROM pad as described in the EA and rehabilitate the bund in accordance with Condition 51 below.
46. 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 on site, the Proponent shall implement visual mitigation measures (such as landscaping treatments or vegetation screens) on the land in consultation with the landowner. These measures must be reasonable and feasible, and directed toward minimising the visibility of the mining operations from 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.

WASTE

47. The Proponent shall:
- (a) minimise the waste generated by the project;
 - (b) ensure that the waste generated by the project is appropriately stored, handled and disposed of; and
 - (c) manage on-site sewage treatment and disposal in accordance with the requirements of Council, to the satisfaction of the Director-General.
48. The Proponent shall prepare and implement a Waste Management Plan for the project to the satisfaction of the Director-General. This plan must be submitted to the Director-General prior to construction.

BUSHFIRE MANAGEMENT

49. The Proponent shall:
- (a) ensure that the project is suitably equipped to respond to any fires on-site; and
 - (b) assist the emergency services as much as possible if there is a fire on-site during the project.
50. Prior to construction, the Proponent shall prepare and implement a Bushfire Management Plan for the site to the satisfaction of the Director-General. The plan must be prepared in consultation with the local Rural Fire Service.

REHABILITATION

Rehabilitation Objectives

51. 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, however the:
- (b) area to be returned to native woodland vegetation must be increased further to the west of the existing Spring Creek vegetation corridor as shown in Appendix 4;
 - (c) box cut must be rehabilitated to result in an outcome that is consistent with the final landform (Appendix 3); and
 - (d) tailings storage facility must be suitably capped to prevent surface water infiltration into the post-mining landform.

Progressive Rehabilitation

52. The Proponent shall carry out the rehabilitation of the site progressively, that is, as soon as reasonably practicable following disturbance.



Rehabilitation Management Plan

53. The Proponent shall prepare and implement a Rehabilitation Management Plan for the project to the satisfaction of the Executive Director Mineral Resources. This plan must:
- (a) be prepared in consultation with the Department, OEH, NOW and the CCC;
 - (b) be prepared in accordance with any relevant DRE guideline;
 - (c) build, to the maximum extent practicable, on the other management plans required under this approval; and
 - (d) be submitted to the Executive Director Mineral Resources for approval prior to construction.
-



SCHEDULE 4 ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS

1. At least 2 months prior to carrying out any blasting on site, the Proponent shall notify in writing the owners of any privately-owned land within 2 kilometres of the approved blasting on site that they are entitled to ask 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.
2. As soon as practicable after obtaining monitoring results showing:
 - (a) exceedances of the relevant criteria in Schedule 3, the Proponent shall notify the affected landowners and/or tenants in writing of the exceedance, and provide regular monitoring results to each of these parties until the project is complying with the relevant criteria again; and
 - (b) exceedances of the relevant air quality criteria in Schedule 3, the Proponent shall send the affected landowners and tenants (including the tenants of any mine-owned land) a copy of the NSW Health fact sheet entitled "*Mine Dust and You*" (as may be updated from time to time).

INDEPENDENT REVIEW

3. 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 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 person, 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 criteria in Schedule 3; and
 - if the project is not complying with these criteria then:
 - determine if more than one mine is responsible for the exceedance, and if so the relative share of each mine towards the impact on the land; and
 - 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.
4. If the independent review determines that the project is complying with the relevant criteria in Schedule 3, then the Proponent may discontinue the independent review with the approval of the Director-General.
- If the independent review determines that the project is not complying with the relevant impact assessment criteria in Schedule 3, then the Proponent shall:
- (a) 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; or
 - (b) secure a written agreement with the landowner to allow exceedances of the relevant criteria, to the satisfaction of the Director-General.



SCHEDULE 5
ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy must:
 - (a) be submitted to the Director-General for approval prior to construction;
 - (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 required to be carried out under the conditions of this approval.

Management Plan Requirements

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

Note: The Director-General may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.

Annual Review

3. By the end of each year following the commencement of construction, the Proponent shall review the environmental performance of the project to the satisfaction of the Director-General. This review must:
 - (a) describe the development (including any rehabilitation) that was carried out in the past 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 year, which includes a comparison of these results against the
 - the relevant statutory requirements, limits or performance measures/criteria;
 - the monitoring results of previous years; and
 - the relevant predictions in the EA;
 - (c) identify any non-compliance over the past year, and describe what actions were (or are being) taken to ensure compliance;
 - (d) identify any trends in the monitoring data over the life of the project;



- (e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and
- (f) describe what measures will be implemented over the next year to improve the environmental performance of the project.

Revision of Strategies, Plans and Programs

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

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

Community Consultative Committee

5. The Proponent shall establish and operate a Community Consultative Committee (CCC) for the project to the satisfaction of the Director-General and in accordance with the *Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects* (Department of Planning, 2007, or its latest version). This CCC must be operating at least 3 months prior to the commencement of construction on site.

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*
- *The Committee should be comprised of an independent chair and appropriate representation from the Proponent, Council, one representative from ESC, recognised environmental groups and the local community.*

REPORTING

Incident Reporting

6. The Proponent shall notify the Director-General and any other relevant State and local government authorities of any incident associated with the project as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent shall provide the Director-General and any relevant agencies with a detailed report on the incident.

Regular Reporting

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

INDEPENDENT ENVIRONMENTAL AUDIT

8. One year after operations commence, 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 relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals);
 - (d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and
 - (e) recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under the abovementioned approvals.

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

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



ACCESS TO INFORMATION

10. Prior to the commencement of construction on site, the Proponent shall:

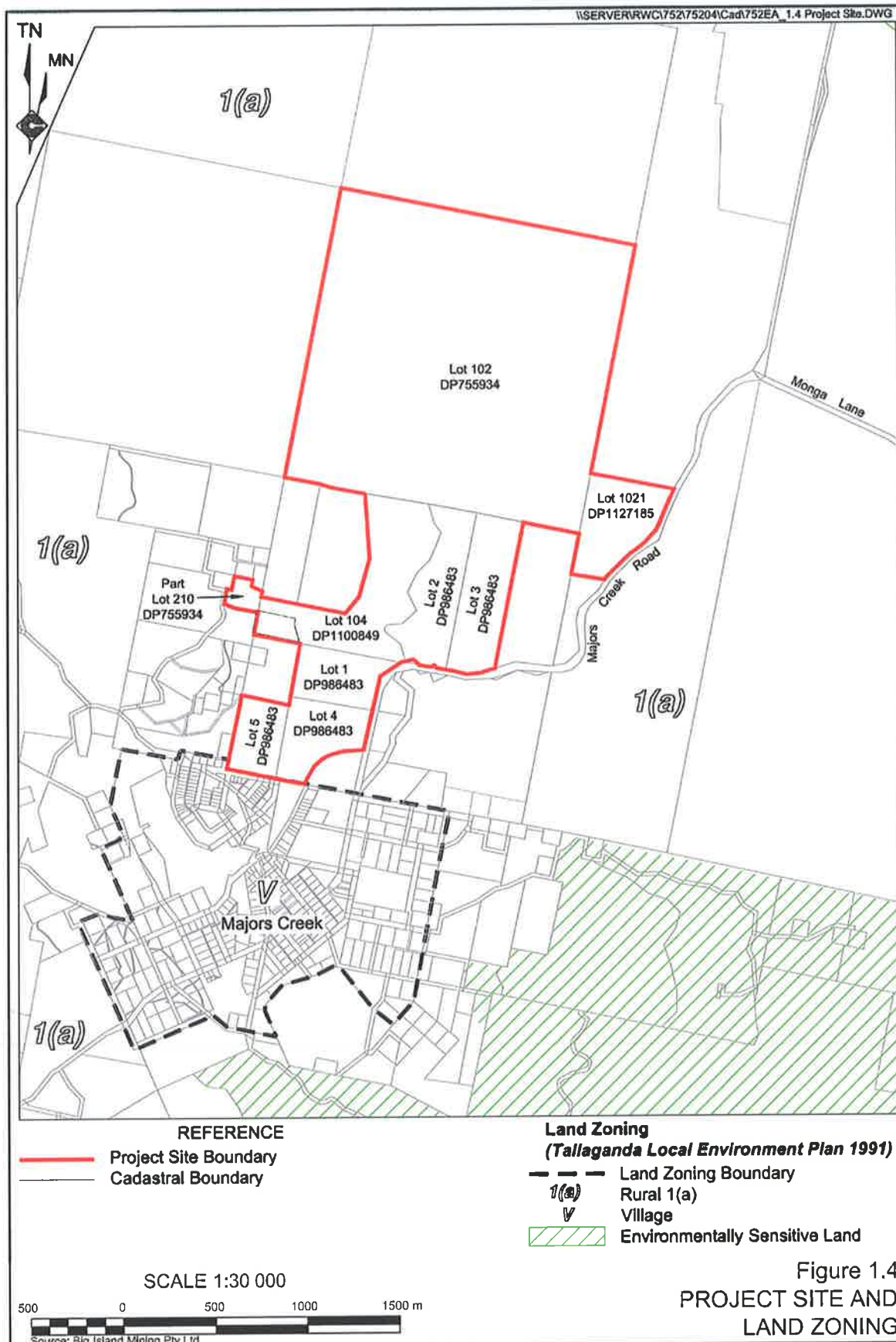
- (a) make copies of the following publicly available on its website:
- the documents referred to in Condition 2 of Schedule 2;
 - all current statutory approvals for the project;
 - all approved strategies, plans and programs required under the conditions of this approval;
 - the monitoring results of the project, reported in accordance with the specifications in any conditions of this approval, or any approved plans and programs;
 - a complaints register, updated on a monthly basis;
 - minutes of CCC meetings;
 - the annual reviews of the project;
 - any independent environmental audit of the project, and the Proponent's response to the recommendations in any audit;
 - any other matter required by the Director-General;
 - any incident report referred to in Condition 6 of Schedule 5;
 - a certificate of currency of public liability insurance held by the Proponent as in force from time to time; and
- (b) keep this information up-to-date, within a reasonable period, and in any event no later than 28 days after the above information becomes available, to the satisfaction of the Director-General.
-



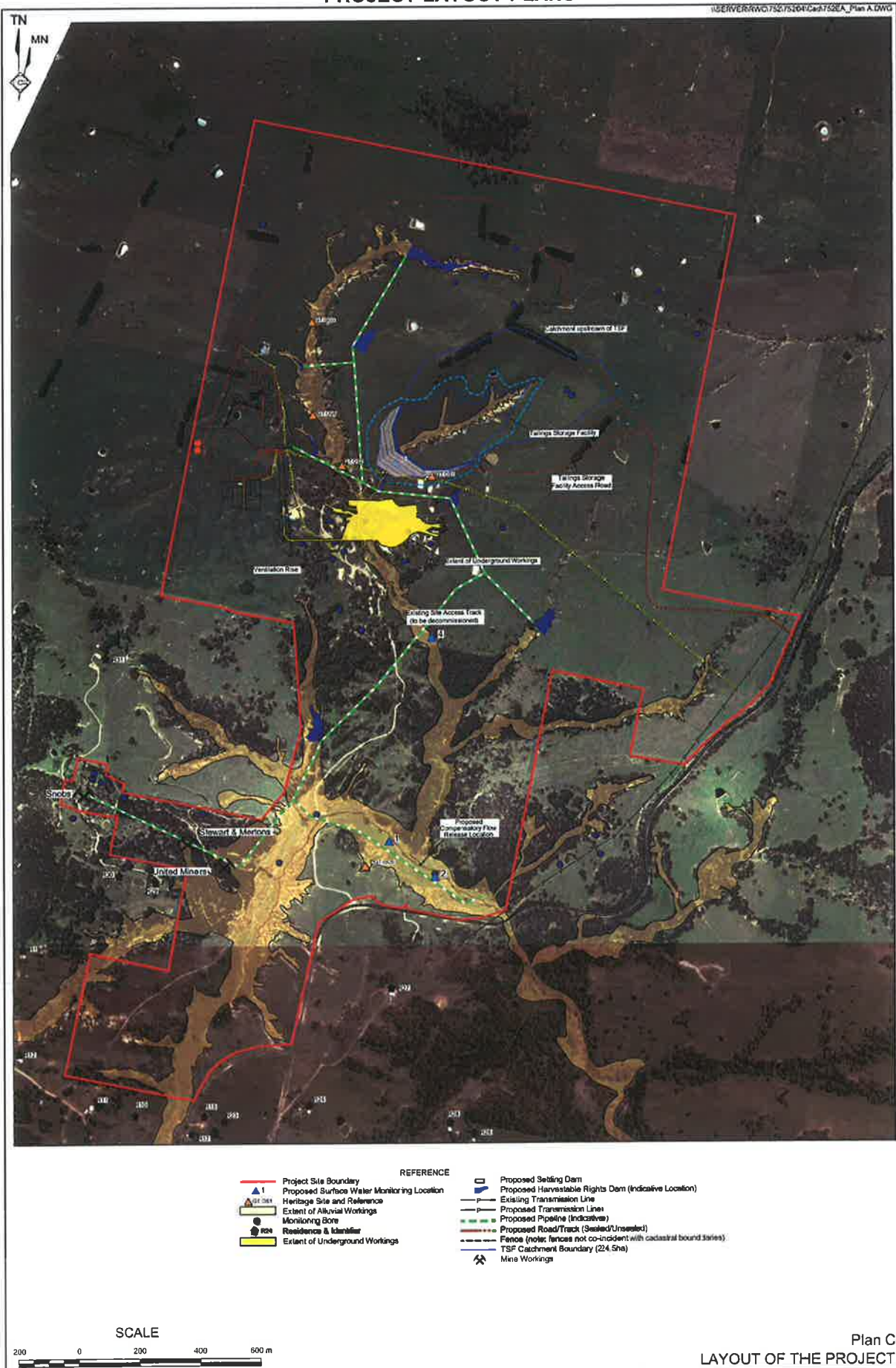
**APPENDIX 1
SCHEDULE OF LAND**

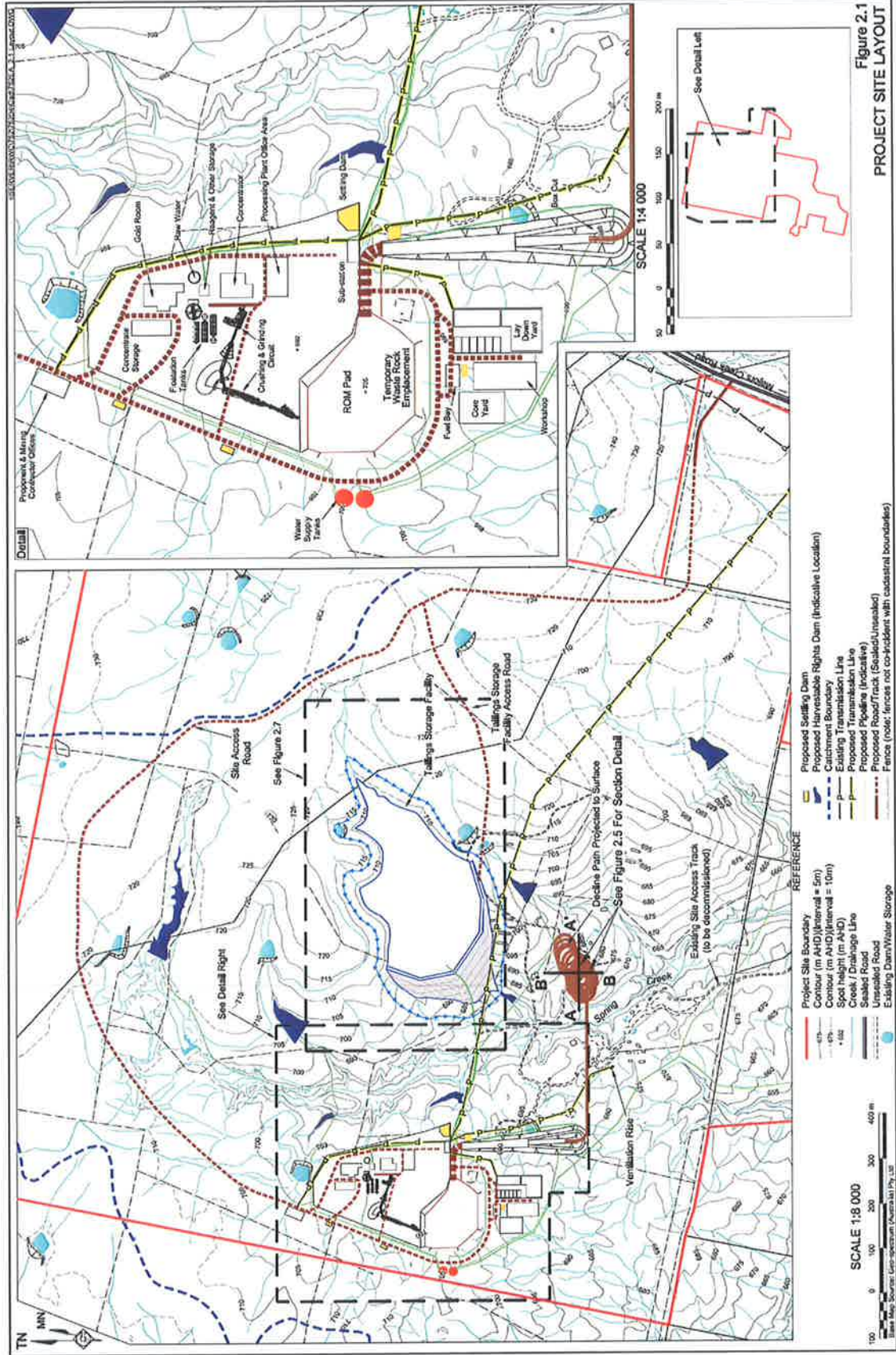
Lot	DP
102 ¹	755934
210 ²	755934
1 ¹	986483
2 ¹	986483
3 ¹	986483
4 ¹	986483
5 ¹	986483
104 ¹	1100849
1021 ¹	1127185
Note 1: Land registered to the Proponent.	
Note 2: Land registered to B and C James.	
Part Lot only.	
Source: Big Island Mining Pty Ltd	

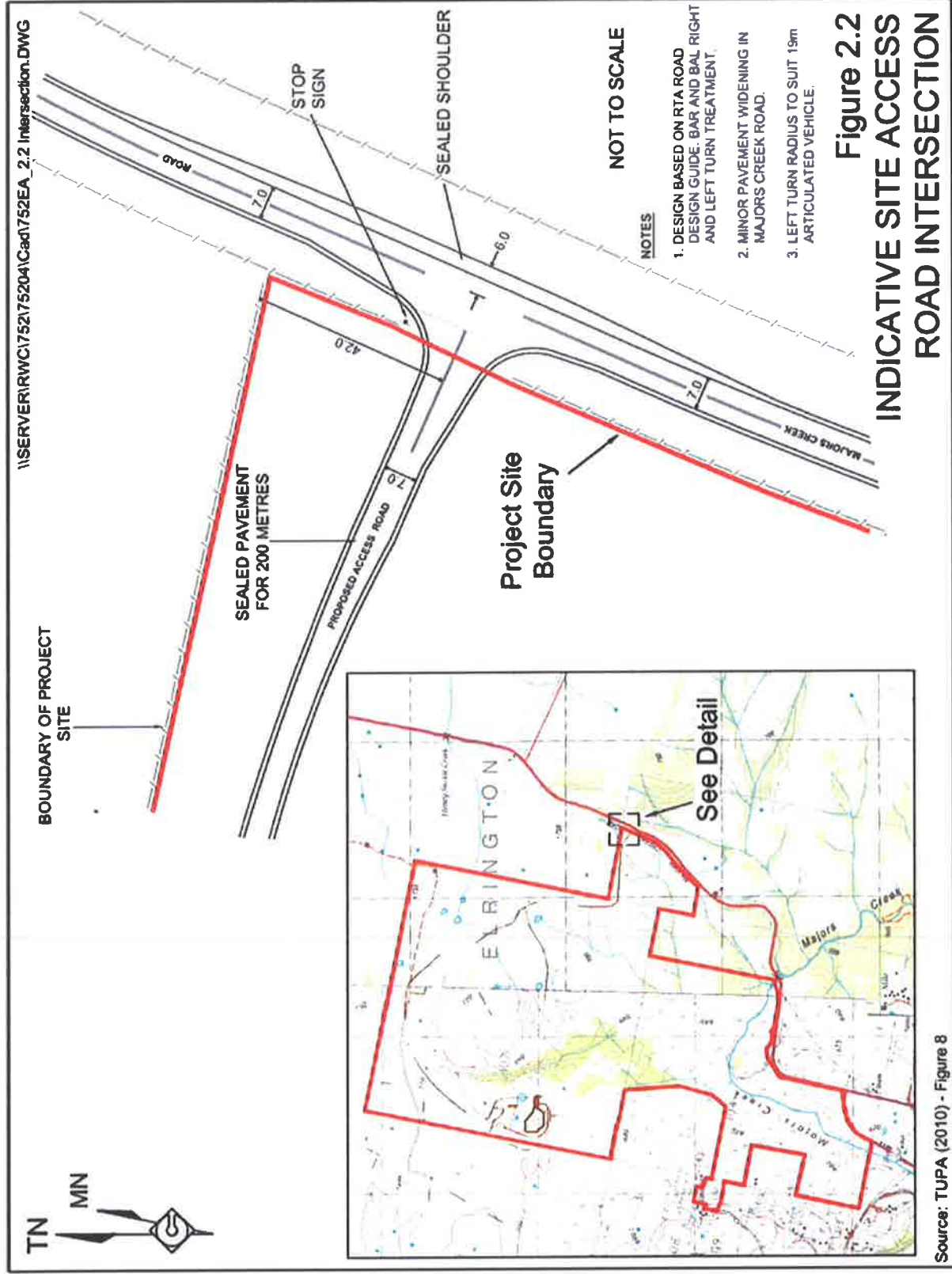


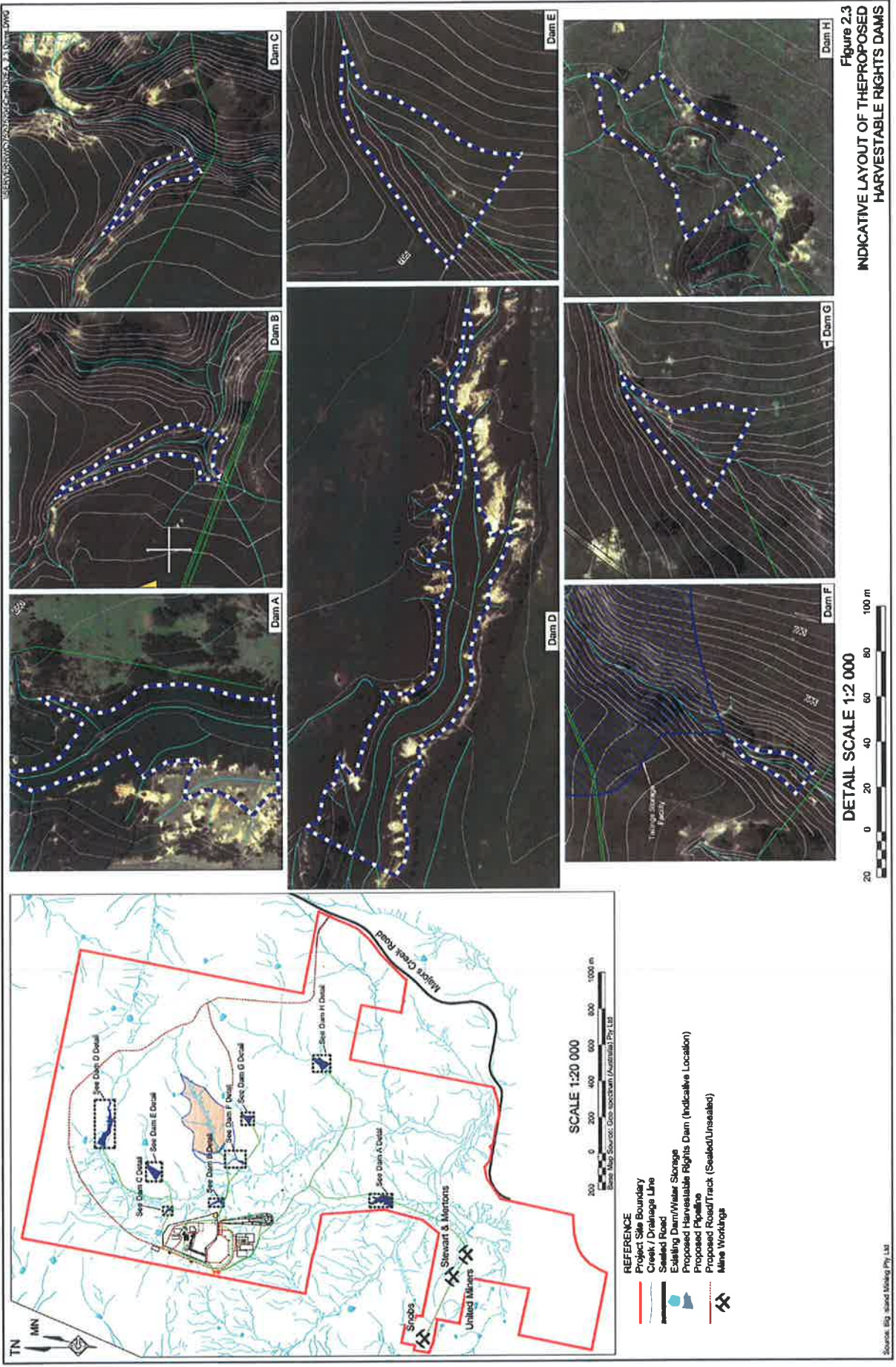


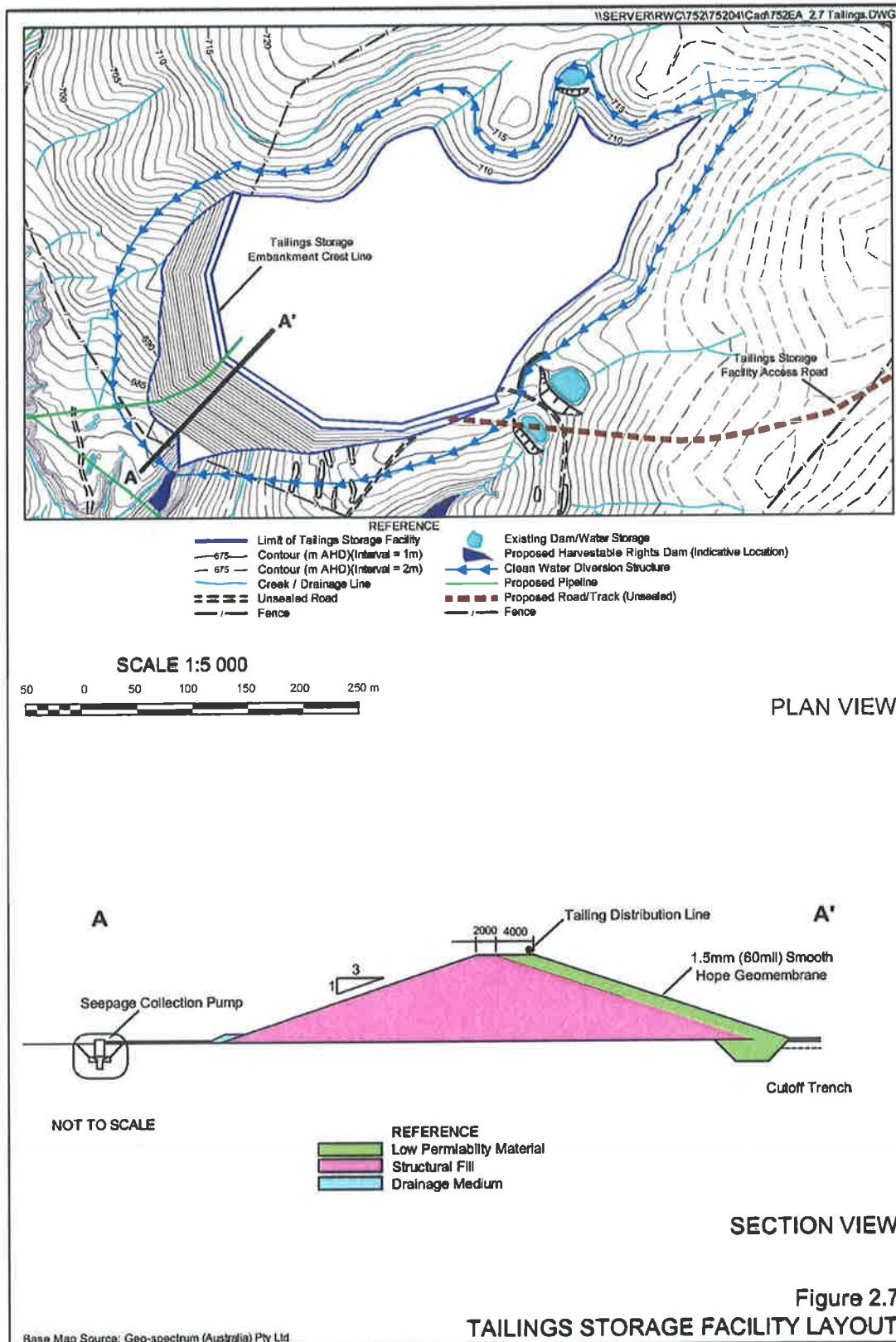
APPENDIX 2 PROJECT LAYOUT PLANS



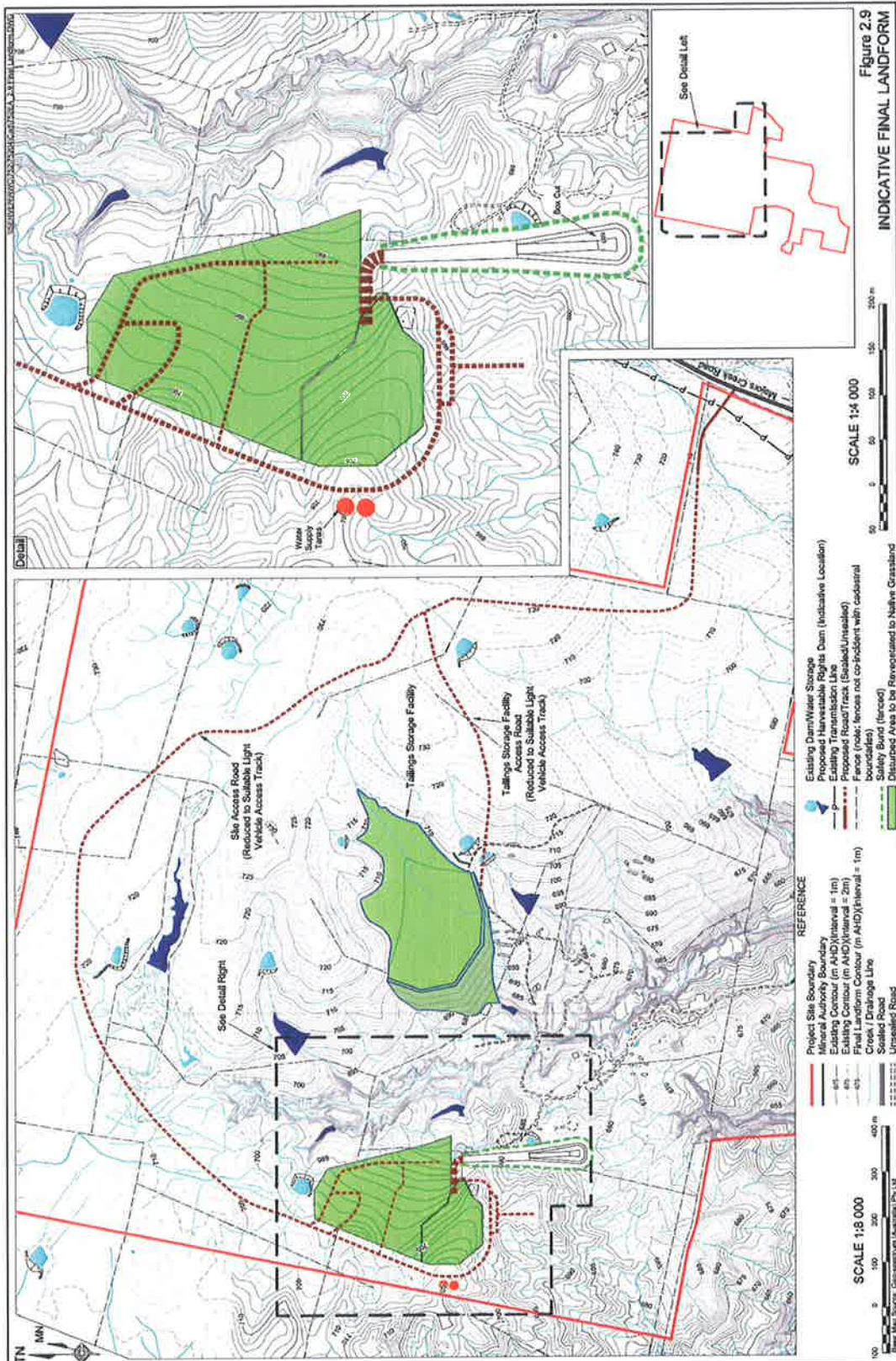




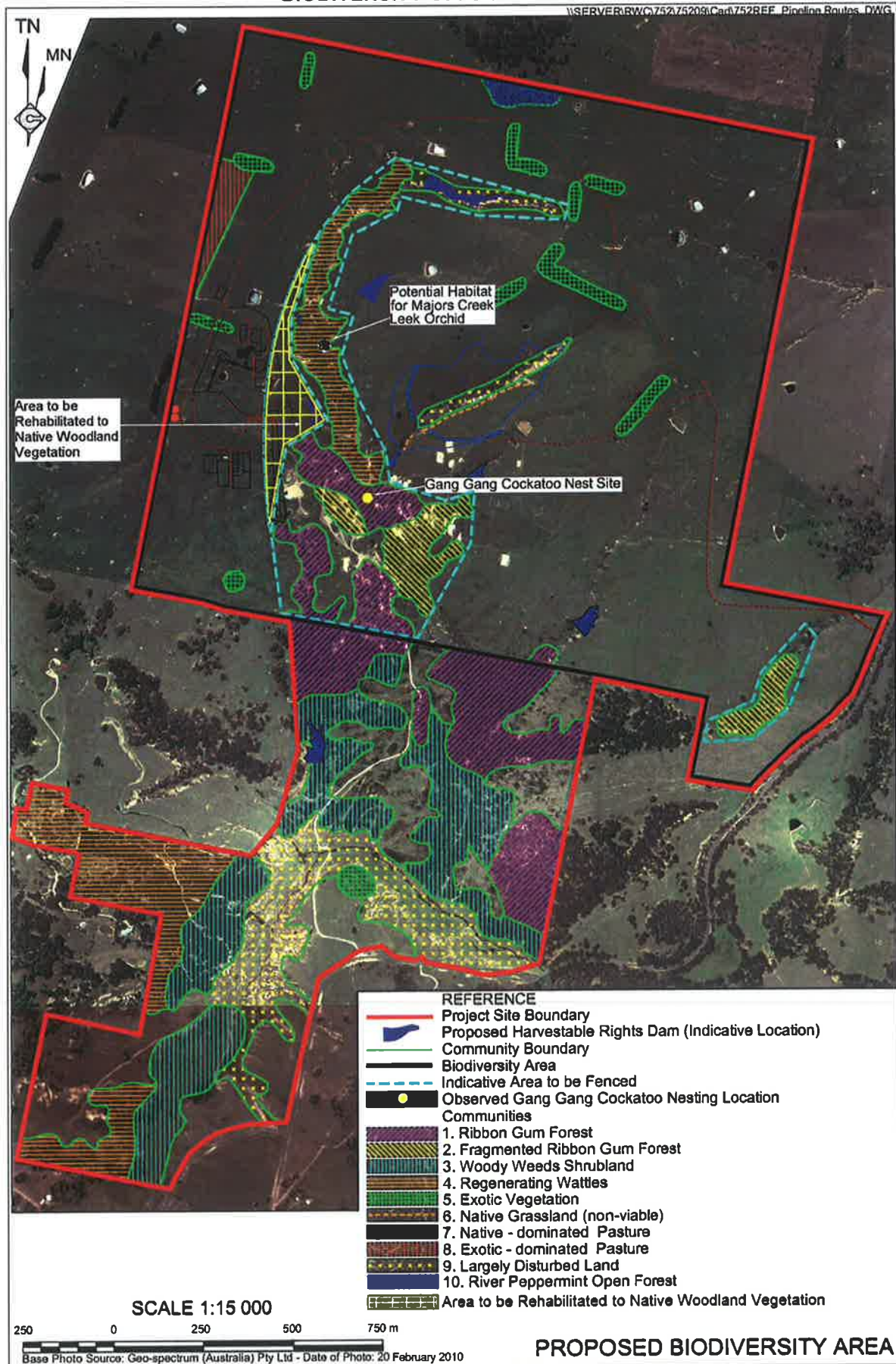




APPENDIX 3




APPENDIX 4 BIODIVERSITY OFFSET STRATEGY



**APPENDIX 5
STATEMENT OF COMMITMENTS**

Desired Outcome	Commitment		Timing																	
1 ENVIRONMENTAL MANAGEMENT																				
Compliance with all conditional requirements in all approvals, licences and leases.	1.1	Comply with all commitments recorded in this statement of commitments.	Continuous and as required.																	
	1.2	Comply with all conditional requirements included in the: <ul style="list-style-type: none">• Project Approval;• Environment Protection Licence;• Mining Lease(s); and• any other approvals.																		
All operations conducted in accordance with all relevant documentation.	1.3	Undertake all activities in accordance with the accepted Mining Operations Plan, environmental procedures, safety management plan and/or site-specific documentation.	Continuous and as required.																	
2 AREA OF ACTIVITIES																				
All approved activities are undertaken generally in the location(s) nominated on the figures shown in Sections 2 and 4.	2.1	Mark, and where appropriate, survey the boundaries of the areas of proposed disturbance.	Prior to the commencement of the relevant activity.																	
3 OPERATING HOURS																				
All operations are undertaken within the approved operating hours.	3.1	Undertake all activities, where practicable, in accordance with the following operating hours.	Continuous and as required.																	
	<table><tr><th>Activity</th><th>Proposed Hours of Operation</th></tr><tr><td>Vegetation clearing and topsoil stripping</td><td>7:00am to 6:00pm, Monday to Saturday</td></tr><tr><td>Construction operations – Box cut</td><td>8:00am to 6.00pm, Sunday and Public Holidays</td></tr><tr><td>Blasting Operations – Box cut</td><td>9:00am to 5:00pm, Monday to Friday excluding Public Holidays</td></tr><tr><td>Construction operations – Remainder</td><td rowspan="4">24 hours per day, 7 days per week</td></tr><tr><td>Underground mining operations, including underground blasting</td></tr><tr><td>Maintenance operations</td></tr><tr><td>Processing operations – except crushing and screening</td></tr><tr><td>Crushing and screening operations</td><td>7:00am to 7:00pm, 7 days per week (24 hour operations on no more than 20 days per year)</td></tr><tr><td>Transportation operations – Proponent-controlled vehicles</td><td>7:00am to 10.00pm, Monday to Saturday (excluding 7:00am to 8:30am and 3:00pm to 5:00pm school days) 8:00am to 10.00pm, Sunday and Public Holidays</td></tr></table>			Activity	Proposed Hours of Operation	Vegetation clearing and topsoil stripping	7:00am to 6:00pm, Monday to Saturday	Construction operations – Box cut	8:00am to 6.00pm, Sunday and Public Holidays	Blasting Operations – Box cut	9:00am to 5:00pm, Monday to Friday excluding Public Holidays	Construction operations – Remainder	24 hours per day, 7 days per week	Underground mining operations, including underground blasting	Maintenance operations	Processing operations – except crushing and screening	Crushing and screening operations	7:00am to 7:00pm, 7 days per week (24 hour operations on no more than 20 days per year)	Transportation operations – Proponent-controlled vehicles	7:00am to 10.00pm, Monday to Saturday (excluding 7:00am to 8:30am and 3:00pm to 5:00pm school days) 8:00am to 10.00pm, Sunday and Public Holidays
	Activity	Proposed Hours of Operation																		
	Vegetation clearing and topsoil stripping	7:00am to 6:00pm, Monday to Saturday																		
	Construction operations – Box cut	8:00am to 6.00pm, Sunday and Public Holidays																		
	Blasting Operations – Box cut	9:00am to 5:00pm, Monday to Friday excluding Public Holidays																		
	Construction operations – Remainder	24 hours per day, 7 days per week																		
	Underground mining operations, including underground blasting																			
	Maintenance operations																			
	Processing operations – except crushing and screening																			
Crushing and screening operations	7:00am to 7:00pm, 7 days per week (24 hour operations on no more than 20 days per year)																			
Transportation operations – Proponent-controlled vehicles	7:00am to 10.00pm, Monday to Saturday (excluding 7:00am to 8:30am and 3:00pm to 5:00pm school days) 8:00am to 10.00pm, Sunday and Public Holidays																			





Desired Outcome	Commitment		Timing
	Rehabilitation operations	7:00am to 6:00pm, Monday to Saturday 8:00am to 6:00pm, Sunday and Public Holidays	
4 NOISE AND BLASTING			
Noise generated by operational activities does not exceed OEH nominated criteria nor significantly impacts on neighbouring landowners and/or residents.	Site Establishment Noise Controls		Continuous during site establishment operations.
	4.1	Ensure all bulk earthworks strictly adhere to standard construction hours of operation identified in commitment 3.1.	
	4.2	Maintain the on-site road network to limit body noise from empty trucks travelling on internal roads.	Continuous during site establishment operations.
	4.3	Maintain an open dialogue with the surrounding community and neighbours to ensure any concerns over noise or vibration are addressed.	
Noise generated by operational activities does not exceed OEH nominated criteria nor significantly impacts on neighbouring landowners and/or residents. (Cont'd)	Operational Noise Controls		Prior to and continuous during mining operations.
	4.4	Place and operate the crusher within an enclosure engineered to achieve a noise reduction of at least 12dB.	
	4.5	Ensure that the grinding circuit is rubber lined.	
	4.6	Place and operate the ventilation fan at least 10m below ground level rather than at the surface. The interim ventilation fan would be placed within the deepest section of the box cut until the final fan is commissioned. The interim fan may be retained as a backup ventilation system in the event of failure of the final fan.	
	4.7	Construct a noise bund of at least 5m high along the southern and western edges of the ROM pad.	
	4.8	Undertake attended noise monitoring at the residences most likely to be affected by noise generated by the Project.	Continuous during mining operations.
	4.9	Prepare a Noise Management Plan prior to the commencement of mining activities, which would incorporate the specific details of all noise controls and provide measures to address noise criteria exceedances and/or complaints should they occur.	Prior to commencement of mining operations.
	4.9a	Ensure that Frequency Modulated Reversing Alarms are fitted to all mobile equipment that require such alarms	Continuous during the life of the Project
All activities are undertaken in such a manner as to reduce the noise level generated and minimise impacts on surrounding landholders and/or residents.	Transport Noise Controls and Operational Procedures		Continuous during transportation operations.
	4.10	Ensure strict adherence to hours of operation, identified in commitment 3.1.	
	4.11	Ensure, where practicable, that all Project employees and contractors enter and exit the Project Site in a courteous manner and without causing undue traffic noise.	
All activities are undertaken in such a manner as to reduce the noise level generated and minimise impacts on surrounding landholders and/or residents. (Cont'd)	4.12	Prepare and implement a Drivers Code of Conduct and ensure that all drivers of heavy vehicles that regularly access the Project Site sign and comply with the code.	Prior to commencement of transportation operations.
Achieve compliance with all ANZECC Blasting Guidelines.	Blasting Controls		Continuous during mining operations.
	4.13	Ensure that all blasts are designed by a suitably qualified and experienced blasting engineer or shotfirer and that each blast has an MIC of no greater than 105kg (until such time that a site law is developed which will allow for more precise predictions of blast emissions).	




Desired Outcome	Commitment	Timing																		
All activities are undertaken in such a manner as to reduce the noise level generated and minimise impacts on surrounding landholders and/or residents.	Other Noise and Vibration Controls 4.14 Ensure that equipment with lower sound power levels is used in preference to more noisy equipment and that frequency modulated reversing alarms are installed on all mobile equipment operating on the surface. 4.15 Maintain an open dialogue with the surrounding community and neighbours to ensure any concerns over noise or vibration are addressed.	Continuous during mining operations.																		
Ensure that Project-related noise and blasting do not exceed the INP criteria in the Majors Creek State Conservation Area	4.16 Ensure that the noise generated by the project does not exceed the criteria below on more than 25% of land within the Majors Creek State Conservation Area. <table><tr><th>Day LAeq (15min)</th><th>Evening LAeq (15min)</th><th colspan="2">Night</th></tr><tr><td></td><td></td><th>LAeq (15min)</th><th>LA1 (1 min)</th></tr><tr><td>35</td><td>35</td><td>35</td><td>45</td></tr></table> <p><i>Note: 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</i></p> 4.17 Ensure that the blasting on site does not cause exceedances of the criteria in the table below. <table><tr><th>Airblast overpressure (dB(Lin Peak))</th><th>Ground vibration (mm/s)</th><th>Allowable exceedance</th></tr><tr><td>120</td><td>10</td><td>0%</td></tr></table> <p><i>Note: All blasts are to be designed by a suitably qualified and experienced blasting engineer.</i></p>		Day LAeq (15min)	Evening LAeq (15min)	Night				LAeq (15min)	LA1 (1 min)	35	35	35	45	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance	120	10	0%
Day LAeq (15min)	Evening LAeq (15min)		Night																	
			LAeq (15min)	LA1 (1 min)																
35	35	35	45																	
Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance																		
120	10	0%																		
5 ECOLOGY																				
Management of disturbance within the Project Site to minimise impact on fauna of conservation value.	5.1 Ensure that no ground disturbing activities are undertaken within areas of identified Ribbon Gum Forest and Fragmented Ribbon Gum Forest. 5.1a Implement reasonable and feasible measures to ensure that fauna, including birds, do not enter the Tailings Storage Facility and monitor the facility for such use. 5.1b Conduct annual late winter surveys for the presence of active Little Eagle nests within the project site for the life of the Project. In the event that one or more nests are identified, prepare and implement an appropriate management plan in consultation with OEH.	Continuous during the life of the project.																		
Maintenance and improvement of the biodiversity value of the Project Site and surrounding areas.	5.2 Avoid the use of phosphate-based fertiliser in pasture areas to encourage the regeneration of native grasses. 5.3 Manage grazing operations, including stocking rates and fencing, in a manner to sustain and facilitate the spread of native grass species. 5.4 Fence all areas of Ribbon Gum Forest and Fragmented Ribbon Gum Forest to exclude stock. 5.4a Manage all areas of Ribbon Gum Forest and Fragmented Ribbon Gum Forest to maintain to improve biodiversity values. 5.5 Ensure that areas of habitat suitable for the Majors Creek Leek Orchid are appropriately identified and fenced with a 20m buffer and access restricted. Ensure no disturbance occurs within the fenced areas. 5.6 Prepare a management plan to ensure that Common Wombat are not harmed during establishment of the tailings storage facility. This plan may include the following.																			




Desired Outcome	Commitment	Timing
Maintenance and improvement of the biodiversity value of the Project Site and surrounding areas. (Cont'd)	<ul style="list-style-type: none"> Mark all wombat burrows prior to the commencement of ground disturbing activities. Commence ground disturbing activities on the upper slopes of creek banks a few days before disturbing the identified hollows to allow individual wombats time to vacate their burrows at night when equipment is not operating. Inspect all burrows to ensure that common wombats have vacated the proposed area of disturbance. Any remaining wombats would be relocated in consultation with a suitably qualified and experienced wildlife carer, fauna ecologist and/or local wombat expert. 	Continuous during the life of the Biodiversity Strategy.
	5.7 Continue the existing weed and pest control program, with particular focus on managing Broom and Blackberry within the southern section of the Project Site.	
	5.8 Ensure that dead fallen and standing timber are not removed or disturbed to preserve fauna habitat.	
	5.9 Implement fully the Biodiversity Strategy described in Section 2.15 of the <i>Environmental Assessment</i> , including ensuring that the strategy would be implemented in perpetuity.	
	5.9a Identify and implement an offsite biodiversity strategy that would: <ul style="list-style-type: none"> ensure the protection and enhancement of a minimum of 35.5ha of Tableland Basalt Forest in similar condition to that community within the project site; include a Biodiversity Offset Area within the vicinity of the project site but outside the area of predicted groundwater drawdown; be implemented in perpetuity; and be described in the Biodiversity Management Plan for the project, as amended. Alternatively, ensure that funding to an equivalent amount that would have been required under the abovementioned offsite Biodiversity Offset Strategy is made available in perpetuity for the management of Tableland Basalt Forest matters in the vicinity of the project site.	Within 12 months of the commencement of construction.
	5.9b Extend the offset strategy to be implemented under conditions 32 and 33 in schedule 3 of the Project Approval as follows: <ul style="list-style-type: none"> the extended biodiversity offset area will be as described in the following table and as shown in Appendix 8; those portions of the approved Biodiversity Areas identified in Appendices 4 and 8 (Combined Biodiversity Offset Area) as either Ribbon Gum Forest or Fragmented Ribbon Gum Forest, or any area within the Combined Biodiversity Offset Area where it is appropriate to re-establish the Endangered Ecological Community Tableland Basalt Forest, will be managed in a manner that would ensure the regeneration of that community; and the remainder of the Combined Biodiversity Offset Area, where appropriate, will be managed in a manner that would ensure the regeneration of native grassland which is consistent with the Natural Temperate Grassland EEC. 	



Desired Outcome	Commitment	Timing										
	<p><i>Table: Extended Biodiversity Offset Area</i></p> <table><tr><th>Community Type</th><th>Area (ha)</th></tr><tr><td>Ribbon Gum Forest*</td><td>17.8 ha</td></tr><tr><td>Woody Weeds Shrubland</td><td>2.3 ha</td></tr><tr><td>Native – dominated pasture</td><td>8 ha</td></tr><tr><td>TOTAL</td><td>28.1</td></tr></table> <p>* Listed as an EEC under the <i>Threatened Species Conservation Act, 1995</i></p>	Community Type	Area (ha)	Ribbon Gum Forest*	17.8 ha	Woody Weeds Shrubland	2.3 ha	Native – dominated pasture	8 ha	TOTAL	28.1	
Community Type	Area (ha)											
Ribbon Gum Forest*	17.8 ha											
Woody Weeds Shrubland	2.3 ha											
Native – dominated pasture	8 ha											
TOTAL	28.1											
	<p>5.10 Prepare a Biodiversity Management Plan in consultation with the relevant government agencies and the community consultative committee. That plan would:</p> <ul style="list-style-type: none">– specify biodiversity-related actions to be undertaken during the life of the Project and for several years after the site has been decommissioned;– incorporate the above commitments;– include a program to determine the condition of Araluen Scarp Grassy Forest EEC adjacent to Majors Creek within the Majors Creek State Conservation Area, including ongoing monitoring;– include a program to identify any groundwater dependent (phreatophytic) vegetation within and outside the zone of groundwater drawdown, including an assessment of soil moisture;– specify that the required monitoring of phreatophytic vegetation should include pre-dawn measurement of water potential and transpiration by means of porometry at a series of measurement sites across the drawdown cone (not limited to the project site, but at 2 metres at the outermost). Monitoring to include monitoring of bore depth and rainfall, at least 4 times a year in August, November, January and March;– include a program to identify and monitor stygofauna within and surrounding the project site, including a program to collate onsite baseline data utilising the existing groundwater monitoring network;– describe management of the proposed biodiversity area(s);– require the collection, appropriate storage and recording of native seed within the project site to supply amelioration and rehabilitation activities;– describe the proposed revegetation and amelioration program, including identification of areas to be revegetated/ameliorated and the species to be used; and– involve, where practicable, local community groups in management of biodiversity with in the Project Site.	<p>Within 12 months of the commencement of construction.</p> 										
	<p>5.11 Construct the proposed water pipelines in a manner that would not disturb any Ribbon Gum Forest nor any vegetation over 3m height.</p>	<p>During pipeline construction</p>										
	<p>5.12 Identify a suitable final landform in consultation with the relevant government agency(ies), including reducing the angle of the walls of the box cut to permit placement of soil material and revegetation.</p>	<p>During preparation of the final closure plan</p>										



Desired Outcome	Commitment		Timing
6 GROUNDWATER			
Mitigate potential adverse impacts to surrounding groundwater users.	6.1	Undertake consultation with the owners of bores or users of springs that are predicted to be adversely impacted by the Project or have been determined by an independent hydrologist to have been adversely impacted by the Project. The consultation would be directed at seeking to adequately mitigate or compensate the owners or users for the identified adverse impacts. Options include deepening or redrilling and re-equipping the existing bores or providing additional water from another source to compensate for the reduced groundwater supply.	Prior to and during the life of the Project.
	6.2	Monitor groundwater levels in surrounding, privately-owned bores on request. The Proponent would ensure that all landholders in the vicinity of the anticipated zone of groundwater drawdown are briefed on the anticipated impacts and that an appropriate monitoring program is negotiated. In addition, a similar offer would be made to all other landowners with bores in the vicinity of the Project Site. Monitoring frequency would be reviewed at least annually and adjusted, as required. This may include removing some monitoring locations in consultation with the relevant government agencies.	
Compensate for anticipated reduced groundwater discharges to surface water.	6.3	Release water sourced primarily from the harvestable rights dams at the rates identified in Table 4.20 of the Environmental Assessment into Majors Creek at the confluence of Majors and Spring Creeks. These environmental discharges are to continue from the commencement of mining operations until the loss of baseflow is negligible, as determined under condition 22 in schedule 3 of the Project Approval.	From commencement of mining operations until the loss of baseflow is negligible, as determined under condition 22 in schedule 3 of the Project Approval.
	6.4	Negotiate an appropriate arrangement with the owners of Lot 210, DP755934 to allow construction or equipping of a bore to access groundwater within the Snobs workings.	Prior to construction of that bore and extraction of water.
	6.4a	Ensure that water extracted from the historic workings is used for mining-related and compensatory release purposes only. Any release of water from the historic workings for the purpose of compensatory release will comply with the trigger levels identified in the protocol referred to in condition 31(a) in schedule 3 of the Project Approval that is required to be contained in the Surface and Ground Water Response Plan.	Continuous during the Life of the Project
	6.4b	Install separate pipelines for surface water and groundwater and ensure that the two classes of water are not mixed.	During construction operations
Confirm the accuracy of the groundwater model and anticipated impacts.	6.4c	Undertake preliminary groundwater monitoring within and surrounding the Project Site during preparation of the Water Management Plan and adjust the monitoring to be consistent with that plan once it has been approved by the relevant government agencies.	As soon as practicable and during the life of the Project
	6.4d	Undertake, in consultation with NOW, a pump test to confirm the assumed hydrological parameters used in the groundwater model. The pump test should be in the vicinity of the mine where the fracture density and hydraulic conductivity is likely to be high.	





Desired Outcome	Commitment	Timing
Confirm the accuracy of the groundwater model and anticipated impacts. (Cont'd)	<p>6.4e Undertake a review of the numerical groundwater model, including:</p> <ul style="list-style-type: none"> – further detailed baseline data inputs, as required by the conditions of the approval; – a statistical comparison of the Braidwood and Majors Creek rainfall data to determine the significance of choice of input; – rain fall data from the weather station within the project site (if determined to be relevant); – pumping tests of relevant bores; – a comprehensive sensitivity and uncertainty analysis of groundwater model outputs; – measurement of baseflow in Majors and Spring Creeks; and – investigation of the water quality arising from the mine backfilling including modelling of dissolution associated with changes in hydrology, groundwater flow and the nature of the aquifer matrix. <p>In the event that the actual impacts are significantly greater than those presented in AGE (2010), then the Proponent would consult with NOW in relation the revised modelling results and would develop appropriate management and mitigation measures to address those impacts</p>	Prior to commencement of mining operations and every two years following commencement of those operations.
	<p>6.4f Present the results of the review of the numerical groundwater model to the relevant government agencies.</p>	With 3 months of the completion of each review
Minimisation of groundwater contamination.	<p>6.5 Store all hydrocarbon and chemical products within a bunded area complying with the relevant Australian Standard.</p>	Continuous during the life of the Project.
	<p>6.6 Refuel all equipment within designated, sealed areas of the Project Site, where practicable.</p>	
	<p>6.7 Undertake all maintenance works involving hydrocarbons, where practicable, within designated areas of the Project Site such as the maintenance workshop.</p>	
	<p>6.8 Direct all water from wash-down areas and workshops to oil/water separators and containment systems.</p>	
	<p>6.9 Ensure all hydrocarbon and chemical storage tanks are either self-bunded or bunded with an impermeable surface and a capacity to contain a minimum 110% of the largest storage tank capacity.</p>	
	<p>6.10 Design and construct the tailings storage facility as described in Section 2.7 of the EA and in accordance with the requirements of the relevant government agencies. Key design parameters would be as follows.</p> <ul style="list-style-type: none"> – Construct the floor and walls of the tailings storage facility in a manner that would achieve a permeability of less than 1×10^{-9} m/sec. – Ensure that the tailings storage facility embankment is keyed into the underlying material in a manner that would prevent down slope migration of potentially contaminated groundwater from the facility. – Place residue uniformly around the perimeter of the tailings storage facility via several slurry spigots. – Construct seepage collection structures at the foot of the tailings storage facility embankment and ensure that any captured seepage is pumped back to the tailings storage facility. – Install piezometers at the base of the tailings storage facility embankment and monitor these 	



Desired Outcome	Commitment	Timing
	regularly to assess the integrity of the facility (see Section 4.5.6 of the EA).	
	6.11 Ensure that the upper surface of the proposed Tailings Storage Facility is capped with a suitable clay or artificial liner in consultation with the relevant government agency.	During rehabilitation operations
	6.12 Cap the tailings storage facility during final shaping and rehabilitation to minimise the potential for infiltration of surface water into the facility. The nature of the cap is to be determined in consultation with the relevant government agencies during preparation of the <i>Rehabilitation Management Plan</i> .	During final rehabilitation
7 SURFACE WATER		
Appropriately document Surface Water, Sediment and Erosion management measures.	General Management and Mitigation Measures 7.1 Prepare a detailed <i>Surface Water Monitoring Program</i> and <i>Erosion and Sediment Control Plan</i> , including a description of surface water management structures and procedures to ensure that the criteria identified in Section 4.4.3 of the <i>Environmental Assessment</i> and any additional criteria included in the Environment Protection Licence or project approval, assuming that they are granted, are achieved. This would include a description of how all potentially chemical-laden or contaminated water would be retained within the Project Site and returned to the process water system for re-use within the processing plant.	Prior to commencement of mining operations.
Minimise the volume of water required to be used for mining-related purposes	7.2 Ensure that the site access road is treated using chemical dust suppressants or similar to ensure that regular watering is not required.	Continuous during the life of the Project.
Minimisation of erosion and sedimentation.	Erosion and Sediment Control Measures 7.3 Ensure that best-practice erosion and sediment control measures as identified in Landcom (2004) <i>Managing Urban Stormwater: Soils and Construction</i> , 4th ed, Landcom, NSW, Sydney and Department of Environment and Climate Change (DECC). (2008a). <i>Managing Urban Stormwater: Soils and Construction. Volume 2E Mines and Quarries</i> . NSW Department of Environment and Climate Change, Sydney. Department of Environment and Climate Change (DECC). (2008b). <i>Managing Urban Stormwater: Soils and Construction. Volume 2C Unsealed Roads</i> . NSW Department of Environment and Climate Change, Sydney are implemented during both the construction and operational stages of the Project. 7.4 Construct appropriate sediment basins of sufficient size to contain a five-day, 75th percentile rain depth of 18mm during construction of the Project and a 20-day, 90th percentile rain depth of 73.7mm during operation of the Project. 7.5 Ensure that sediment basins have a minimum of 0.6m of freeboard and a spillway that is sized and lined for stability in a 100-year annual recurrence interval (ARI) rain event. 7.6 Ensure that water discharged from the sediment basins has a total suspended sediment concentration of less than 50mg/L. This may require flocculation. 7.7 Ensure that accumulated water within sediment basins is removed from the basins within 5 days of the end of a rain event. 7.8 Ensure that water within the sediment basins is not used for mining-related activities unless the volume of the sediment basins has been included in the harvestable right calculations.	Continuous during the life of the Project.



Desired Outcome	Commitment	Timing
	7.9 Ensure that the upper limit of the Sediment Storage Zone, as defined in Landcom (2004) Managing Urban Stormwater: Soils and Construction, 4th ed, Landcom, NSW, Sydney, is identified with a peg and accumulated sediment removed as required.	
	7.10 Ensure that surface water flows are diverted away from disturbed areas and that potentially sediment-laden flows from disturbed areas are diverted to sediment basins. All diversion structures would be sized and lined for stability in a 10-year ARI time-of-concentration rain event during construction of the Project and the 20-year ARI time-of-concentration rain event during operation of the Project.	Continuous during the life of the Project.
	7.11 Ensure that disturbed areas are stabilised through the use of vegetation or artificial covers to achieve a long-term C-factor of 0.05 (equivalent to 70% grass cover). Where such areas are to be subjected to channelized water flows, they should be stabilised within 10 days of completion of construction and before they convey any flows.	
	7.12 Inspect all surface water control structures at least quarterly and following any rainfall event of more than 10mm in 24-hours to ensure their adequacy and identify where remedial action is required.	
	7.13 Ensure that all roads within the Project Site are constructed in accordance with Department of Environment and Climate Change (DECC). (2008b). Managing Urban Stormwater: Soils and Construction. Volume 2C Unsealed Roads. NSW Department of Environment and Climate Change, Sydney.	
	7.14 Construct table drains along the sides of roads within the Project Site, with regular turn-out drains constructed at-grade approximately every 50m.	
	7.15 Continue to maintain and upgrade, as required, the existing soil conservation measures in areas of active and stabilised gullying.	
Prevention of contamination of surface waters.	Water Quality Measures	
	7.16 Ensure that the tailings storage facility is effectively sealed to prevent leakage.	Prior to the commencement of processing operations.
	7.17 Ensure that potential surface water run on onto the tailings storage facility is diverted around the facility using a surface water diversion structured designed to effectively convey the 100-year ARI, time-of-concentration flow from the upstream catchment.	
	7.18 Ensure that all fuel and chemical storage, delivery and handling areas are appropriately sealed and bunded and that overflow pipes are installed in a manner that would minimise the potential for pollution in the event of overfilling.	Continuous during the life of the Project.
	7.19 Ensure that no low grade ore material is used to construct the ROM Pad or is stored in areas where potentially low-pH leachate may flow to natural drainage	
	7.20 Ensure waste rock material to be used during site establishment operations is tested for acid generation potential and any potentially acid generating material is appropriately managed.	
	7.21 Ensure that all water with the potential to contain processing reagents, hydrocarbons, other chemicals or lowered pH is contained within a bunded Contaminated Water Management Area and that all surface waters within the that area retained and pumped to the Process Water Tank for use within the processing plant.	



8 ABORIGINAL HERITAGE			
Site activities are undertaken without impacting upon any Aboriginal heritage items.	8.1	Re-identify Sites GT0S1 to GT0S5 in the field with the assistance of a suitably qualified archaeologist and community representative(s). A fence a minimum of 20m on all sides of the artefact would then be erected, access to the fenced area would be restricted and appropriate signage would be displayed.	Prior to the commencement of site establishment operations.
	8.2	Identify all sites on plans held by the Environmental Manager and Mine Surveyor and activities in the vicinity of those sites would be prohibited.	
	8.3	<p>If items of suspected Aboriginal heritage significance are identified throughout the life of the Project, the following procedures would be implemented.</p> <ul style="list-style-type: none">– Step 1 - No further earth disturbing works would be undertaken in the vicinity of the suspected item of Aboriginal heritage significance.– Step 2 - A buffer of 20m x 20m would be established around the suspected item of Aboriginal heritage significance. No unauthorised entry or earth disturbance would be allowed with this buffer zone until the area has been assessed.– Step 3 - A qualified archaeologist or the OEH would be contacted to make an assessment of the discovery and prepare an assessment report, including recommended mitigation measures. The draft report would then be provided to representatives of the local Aboriginal community (including registered Aboriginal stakeholders identified during the preparation of the EA and subsequently) by way of consultation in accordance with the requirements of Stage 4 of <i>Aboriginal cultural heritage consultation requirements for proponents – April 2010</i> (or subsequent versions).	Continuous during the life of the Project.
	8.4	<p>If, throughout the life of the Project, suspected human remains are identified, the following procedures would be implemented.</p> <ul style="list-style-type: none">– Step 1 - the suspected skeletal remains would not be touched or disturbed.– Step 2 - A buffer zone of 50m x 50m would be established around the suspected remains and all work in the vicinity of the suspected remains would be suspended until the area has been assessed.– Step 3 - The NSW Police and the OEH would be contacted to make an assessment of the discovery. If appropriate, mitigation procedures would then be developed in consultation with the registered stakeholders.	
	8.4a	Consult with the local Aboriginal community representatives in relation to sites or items of actual or suspected Aboriginal heritage significance and ways in which the Proponent and community can work co-operatively for the benefit of both.	
9 NON ABORIGINAL HERITAGE			
Site activities are undertaken without impacting upon any significant non-Aboriginal heritage items.	9.1	Identify on plans held by the Environmental Manager and Mine Surveyor, where relevant, all identified sites and ensure that activities in the vicinity of those sites are appropriately managed.	Prior to the commencement of site establishment operations.



Desired Outcome	Commitment	Timing
Site activities are undertaken without impacting upon any significant non-Aboriginal heritage items.	<p>9.2 If items of suspected non-Aboriginal heritage significance are identified throughout the life of the Project, the following procedures would be implemented.</p> <ul style="list-style-type: none"> – Step 1 - No further earth disturbing works would be undertaken in the vicinity of the suspected item of non-Aboriginal heritage significance. – Step 2 - A buffer of 20m x 20m would be established around the suspected artefact. No unauthorised entry or earth disturbance would be allowed with this buffer zone until the area has been assessed. – Step 3 - A qualified archaeologist would be contacted to make an assessment of the discovery. Mitigation procedures would then be developed and implemented based on the assessment. 	Continuous during the life of the Project.
10 TRAFFIC AND TRANSPORTATION		
Achieve safe and efficient transport operations.	Site Access Road	
	10.1 Ensure horizontal alignment complying with the maximum grades and changes of grade outlined in the Australian Standards for Off-Street Commercial Vehicle Facilities. Maximum vertical grades would be approximately 10%.	During site establishment operations.
	10.2 Grade the gravel surface of the road treated with chemical suppressants to minimise dust generation.	Continuous during the life of the Project.
	10.3 Construct the road layout to ensure that all vehicles would enter and exit the site in a forward direction.	During site establishment operations.
	10.4 Seal the initial 200m of the site access road in a manner that would prevent tracking of material onto Majors Creek Road.	
	Operational Controls	
	10.5 Load all heavy vehicles transporting concentrate using a front-end loader fitted with a bucket load indicator. All vehicles would be loaded in a manner that would ensure that they were not overloaded.	Continuous during the life of the Project.
	10.6 Establish a speed limit of 40km/hr on the site access road and 20km/hr in the operational sections of the Project Site.	During site establishment operations.
	10.7 Ensure all Proponent-controlled heavy vehicle movements are scheduled for between 7:00am and 6:00pm Monday to Saturday and 8:00am and 6:00pm Sunday. Furthermore, the movement of such heavy vehicles to and from the Project Site would be avoided during the hours of 7:00am to 8:30am and 3:00pm to 5:00pm on school days to avoid potential conflict with the local school bus services.	Continuous during the life of the Project.
	10.8 Develop and enforce a Code of Conduct for all drivers for all heavy vehicles that travel to and from the Project Site regularly. The Code of Conduct would stipulate safe driving practices must be maintained at all times and nominate the maximum vehicle speed on Majors Creek Road of 80km/hr for heavy vehicles travelling to and from the Project Site. The code would also include specific requirements for practices to be adopted during periods of fog, such use of headlights / fog lights and adopting vehicle speeds appropriate to the conditions as required, as well as limiting noisy driving practices in the vicinity of residences.	During site establishment operations.
	10.9 Approach Palerang Council with a view to erecting signs in appropriate locations requesting heavy vehicles to consider residents and limit noisy driving practices.	



	10.10	Investigate immediately any complaints received and substantiated incidents acted on decisively, which could include the banning the offending driver(s) from the Project Site.	Continuous during the life of the Project.
	Road Upgrades		
	10.11	Provide centreline road marking along the full length of Majors Creek Road between the Araluen Road and Majors Creek immediately, irrespective of whether project approval is granted. This will assist drivers using Majors Creek Road to drive on the left of the centreline at all times, particularly those times of low visibility, and will assist in maintaining road safety.	During site establishment operations. (Note: this was completed in November 2010).
	10.12	Provide signage/delineation and appropriate barriers such as guardrails at the culverts on Majors Creek Road at 4.4km and 4.9km from the intersection of Majors Creek Road and Araluen Road, as well as at the bridge structure over Honeysuckle Creek. The Proponent has committed to completing this road upgrade prior to the commencement of the operational phase of transport operations.	During site establishment operations.
	10.13	Provide pavement widening on curves and crests on Majors Creek Road at the following chainages, as measured from the intersection of Majors Creek road and Araluen Road.	
	Road Maintenance		
	10.14	Formalise a Section 94 Contributions arrangement or section 93F Planning Agreement for ongoing road maintenance with Palerang Council	Prior to the commencement of transportation operations.
11 AIR QUALITY AND ENERGY			
Site activities are undertaken without exceeding OEH air quality criteria or adversely impacting upon surrounding receivers.	11.1	Implement "best practice" management for pollution control.	Continuous during the life of the Project.
12 VISUAL AMENITY			
Limit the visibility of operational areas from nearby residences and Majors Creek Road.	12.1	Construct and revegetate a 5m high bund on the southern and western edge of the ROM pad as soon as practicable after the commencement of mining operations. This bund, together with the southern and western faces of the ROM pad, would be temporarily covered with soil material and revegetated with appropriate species as soon as practicable after completion to ensure that the visual impact of the ROM pad and bund is minimised to the greatest extent practicable.	During site establishment operations
	12.2	Ensure progressive reshaping and rehabilitation of areas that are no longer required for mining related purposes.	During progressive rehabilitation operations.
	12.3	Continuation of the existing tree planting program to limit views of the Project Site from areas to the southwest, south and southeast of the Project Site.	During progressive rehabilitation operations.
	12.4	Construction of the processing plant and other infrastructure within the Project Site from non-reflective, neutral-coloured material.	During site establishment operations.
	12.5	Selection and placement of permanent and temporary lights such that the lights <ul style="list-style-type: none"> do not impact on the vision of motorists using Majors Creek Road; do not point towards surrounding residences; or minimise the 'loom' created by the lights. 	During site establishment operations.
	12.6	Consider any reasonable request by a potentially affected resident for assistance to create a visual screen adjacent to their residence through planting of fast growing vegetation and/or landscaping where such a screen would effectively reduce the	Continuous during the life of the Project



	visual impact of the Proponent's activities during the life of the Project.		
13 SOILS AND LAND CAPABILITY			
Maintenance of soil value for rehabilitation and minimisation of soil loss through erosion.	13.1	Strip soil materials to the depths identified in Table 2.2 of the <i>Environmental Assessment</i> .	During site establishment operations.
	13.2	Strip soil materials only when they are moderately moist to preserve soil structure.	
Maintenance of soil value for rehabilitation and minimisation of soil loss through erosion. (Cont'd)	13.3	Stockpile topsoil and subsoil materials separately.	During site establishment operations.
	13.4	Construct soil stockpiles as low, flat, elongated mounds on slopes of less than 1:10 (V:H). Topsoil stockpiles would be less than 2m high and subsoil stockpiles would be less than 3m high.	
	13.5	Ensure that soil stockpiles and rehabilitated areas achieve a 70% vegetative cover within 10 days of formation. This may be achieved through use of recycled organic material.	
Maximising the potential for successful rehabilitation of disturbed sections of the Project Site	13.6	Place soil material in areas to be rehabilitated in the same stratigraphic order in which they were removed. Topsoils of one soil landscape unit may be mixed with topsoils soils of the other landscape unit. Similarly, subsoils of one soil landscape unit may be mixed with subsoils soils of the other landscape unit.	During rehabilitation operations.
Minimise the potential for erosion and sedimentation	13.7	Ensure that ground disturbing activities are limited to the period from 1 March to 30 November, unless measure identified in Landcom (2004) Managing Urban Stormwater: Soils and Construction, 4th ed, Landcom, NSW, Sydney and Department of Environment and Climate Change (DECC). (2008a). Managing Urban Stormwater: Soils and Construction. Volume 2E Mines and Quarries. NSW Department of Environment and Climate Change, Sydney. Department of Environment and Climate Change (DECC). (2008b). Managing Urban Stormwater: Soils and Construction. Volume 2C Unsealed Roads. NSW Department of Environment and Climate Change, Sydney are implemented, including ensuring that soils are not exposed during any period when the three-day weather forecast suggests rain is likely.	During site establishment operations.
	13.8	Ensure that slope lengths are no longer than 80m.	
	13.9	Ensure that run-on from upslope is diverted away from disturbed areas.	
14 SOCIO-ECONOMIC			
Maximise the positive impacts and minimise any actual or perceived adverse impacts on the social fabric or facilities available to the community surrounding the Project Site.	14.1	Engage each of the communities surrounding the Project Site in regular dialogue in relation to the proposed and ongoing operation of the Project and maintain an "open door" policy for any member of those communities who wishes to discuss any aspect of the Project.	Prior to, during and following the life of the Project.
	14.2	Proactively and regularly consult with those residents most likely to be adversely impacted by the Project, particularly those within the Majors Creek and Araluen Communities.	Prior to, during and following the life of the Project.
	14.3	Continue to support community organisations, groups and events, as appropriate, and review any request by a community organisation for support or assistance throughout the life of the Project. Particular emphasis would be placed on providing support to those organisations, groups or events that service the communities in Majors Creek, Araluen or Braidwood.	





Desired Outcome	Commitment	Timing
Maximise the positive impacts and minimise any actual or perceived adverse impacts on the social fabric or facilities available to the community surrounding the Project Site. (Cont'd)	14.4 Form and maintain a Community Consultative Committee (CCC), including representative members of the community, Palerang Council and one representative from Eurobodalla Shire Council. It is noted that the Proponent has previously consulted with the Majors Creek Community Liaison Committee. The Proponent would continue to do so, either as part of the CCC or separately.	Prior to, during and following the life of the Project.
	14.5 Regularly brief the CCC and wider community on activities within the Project Site and seek feedback in relation to Project-related impacts whether actual or perceived. In addition, seek advice in relation to the most appropriate manner in which to provide assistance to the community in an effective, fair and equitable manner.	
	14.6 Advertise and maintain a community complaints telephone line.	
	14.7 Give preference when engaging new employees, where practicable, to candidates who are part of the Majors Creek, Araluen or Braidwood communities over candidates with equivalent experience and qualifications based elsewhere and ensure that the mining and other contractors do so as well.	
	14.8 Encourage the involvement of the local Aboriginal community in the workforce.	
	14.9 Encourage and support participation of locally based employees and contractors in appropriate training or education programs that would provide skills and qualifications that may be of use to encourage and further develop economic activity within the surrounding communities following completion of the Project.	
	14.10 Give preference, where practicable, to suppliers of equipment, services or consumables located within the Palerang LGA.	Prior to, during and following the life of the Project.
	14.11 Assist community members and others, as appropriate, to establish complimentary businesses within the Palerang LGA where those businesses would provide a benefit to the community through increased economic activity or development.	
	14.12 Assist Palerang Council to promote and encourage economic development that would continue beyond the life of the Project.	
	14.13 Ensure that infrastructure and services installed for the Project, including the electricity transmission facilities, road improvements and water supply bores, remain available for alternative uses during and/or following completion of the Project.	
	14.14 Encourage and support, in consultation with the local community, the provision of services to the community. These may include health, education, transportation and other services.	
	14.15 Prepare and implement a <i>Property Vegetation Plan</i> as described in Section 2.15, of the <i>Environmental Assessment</i> including continued management of weeds, pests and bushfire risks on land held by the Proponent in consultation with surrounding landowners.	
	14.16 Ensure that the land capability of those sections of the final landform to be used for agricultural purposes is similar to the current land capability.	



Desired Outcome	Commitment	Timing
15 ENVIRONMENTAL MONITORING		
Ongoing monitoring and reporting of Project-related environmental impacts.	Noise	Prior to, during and following the life of the Project.
	15.1 Present the results of the monitoring program in the Annual Review that would be prepared for the Project to ensure that noise and vibration impacts associated with the Project are managed appropriately.	
	15.2 Prepare a Noise Management Plan and a Blast Management Plan prior to commencement of site construction. These would be developed in consultation with the OEH and the local community, and include the following elements.	
	– Noise compliance monitoring would be undertaken during both the daytime and night time periods during the site establishment phase.	
	– Routine noise compliance monitoring would be conducted on a quarterly basis during the first two years of the operational stage of the Project. The frequency of ongoing monitoring would be determined based.	
	– Suitable monitoring locations would include R107, R108, R31, R30, R27, R34 and R10 which are the closest locations surrounding the Project Site and compliance at these locations would imply compliance at more distance receivers.	
	– Noise monitoring would be undertaken by a suitable qualified and experienced acoustical consultant.	
	Ecology	Prior to, during and following the life of the Project until relevant government agencies agree that further monitoring is not required
	15.3 Ensure that the following ecology-related monitoring is undertaken during the life of the Project. The results of the monitoring program would be reported in each Annual Review prepared for the Project.	
	– Ensure that searches for Major's Creek Leek Orchid are undertaken during the flowering period for the orchid, both within suitable habitat areas within the Project Site and within the Majors Creek Cemetery.	
	– Ensure that all areas undergoing rehabilitation are be monitored on a 6 monthly basis to determine the success or otherwise of the management, mitigation and ameliorative measures and the rehabilitation programs.	
	– Establish a set of photographic reference points and ensure that photographs are taken at six monthly intervals to document activities within the Project Site, including weed control and revegetation actions.	
	– Ensure that flora and fauna species and vegetation communities within the Project Site are monitored regularly, indicatively every two years, to identify any Project-related impacts.	
	Groundwater	Prior to, during and following the life of the Project until relevant government agencies agree that further monitoring is not required
	15.4 Monitoring of groundwater levels in the bores, exploration holes and workings identified in Table 4.21 of the <i>Environmental Assessment</i> as well as other bores and springs surrounding the Project Site as required or as requested by landholders, using manual or automated methods.	



Desired Outcome	Commitment	Timing
Ongoing monitoring and reporting of Project-related environmental impacts. (Cont'd)	15.5 Continuous monitoring of groundwater levels in 8 bores/exploration holes using an automated standing water level monitor to determine the groundwater response following rainfall events.	Prior to, during and following the life of the Project until relevant government agencies agree that further monitoring is not required
	15.6 Monitoring in the field of pH, temperature and EC of groundwater in the bores, exploration holes and workings identified in Table 4.21 of the <i>Environmental Assessment</i> as well as other bores and springs surrounding the Project Site as required or as requested by landholders.	
	15.7 Monthly monitoring in the laboratory of groundwater in the bores, exploration holes and workings identified in Table 4.21 of the <i>Environmental Assessment</i> for the following parameters. – Alkalinity. – Major cations and anions. – Nutrients – (ammonia, nitrate, nitrite). – Metals – (iron, lead, chromium, cadmium, zinc, arsenic, copper and nickel). Collection of those samples for laboratory analysis will reasonably coincide with the surface monitoring as described in commitment 15.12.	
	15.8 Continuous monitoring of the volumes of all water pumped or permitted to flow around the Project Site using inline meters. This would include water pumped or permitted to flow: – from the Dargues Reef Mine to the surface and visa versa; – from the harvestable rights dams; – from the historic workings; and – to and from the tailings storage facility.	
	15.9 Review of all data on receipt against previous monitoring results. Where the review indicates a sudden or unexpected change in a bore, then further investigations by an independent expert would be initiated. If the investigation indicates that the Project has caused the sudden or unexpected change, then the Proponent would negotiate an appropriate arrangement with the owner of the bore.	
	15.10 Undertake a formal assessment of the groundwater model within two years of the commencement of mining operations to ensure that the observed groundwater data matches the expected groundwater impacts.	Prior to, during and following the life of the Project.
	15.11 Annual analysis of monitoring data and trends in the site's Annual Review.	Prior to, during and following the life of the Project until relevant government agencies agree that further monitoring is not required
	15.11A The monitoring program to be prepared as part of the Groundwater Monitoring Program pursuant to condition 30(d) in schedule 3 of the approval is to be a monitoring program during the life of the project and until the conclusion of rehabilitation, where appropriate.	During the life of the project and until the conclusion of rehabilitation, where appropriate.
Ongoing monitoring and reporting of Project-related environmental impacts. (Cont'd)	Surface Water 15.12 Undertake monthly surface water monitoring at the following locations (Figure 4.3 of the EA). – Location 1 – Majors Creek upstream of the confluence of Spring & Major's Creek. – Location 2 – Majors Creek downstream of the confluence of Spring & Major's Creek. – Location 3 – downstream of the tailings storage facility. It is noted that this sampling location	Prior to, during and following the life of the Project.

Desired Outcome	Commitment	Timing
	<p>would be incorporated into the Tailings Management Plan.</p> <ul style="list-style-type: none"> – Location 4 – Spring Creek downstream of main Project infrastructure and sediment basin outlets. – At a range of locations downstream of the Majors Creek State Conservation Area. – Discharge point for the compensatory flows (sampling to be undertaken initially daily for the first three months of the program, with the frequency to be increased in consultation with the relevant government agency after that period). 	
	15.12A The monitoring program to be prepared as part of the Surface Water Monitoring Program pursuant to condition 29(d) in schedule 3 of the approval is to include a program to monitor pH and electrical conductivity, in real time, from at least three locations, including locations within and downstream of the tailings storage facility.	
	15.12B Install two gauging stations on Majors Creek, one upstream and one downstream of the confluence with Spring Creek, capable of continuous measurement of stream flow.	
	<p>15.12C The Water Management Plan should include provision for:</p> <ul style="list-style-type: none"> – the installation of a V-notch weir on Spring Creek downstream of the mine and below the confluence with a major gully coming in from the east (approximate coordinates 749275E, 6064175N (MGA, Zone 56)); – the investigation of the hydrogeology of the tailings storage facility and the installation of monitoring bores around the tailings storage facility; – the installation of a monitoring bore to the south-east where the sensitivity analysis indicates a possible extension of the 1m drawdown contour (approximate coordinates: depending on landholder approval – 750900E, 6064100N (MGA, Zone 56), or alternative location within the project site – 750350E, 6064550N (MGA, Zone 56)); – the installation of monitoring bores DRWB 09 and DRWB 10; – the installation of a pair of bores adjacent to Spring Creek at the mapped intersection of the dominant lineament (fault) trending south east towards and along Majors Creek (approximate coordinates 749350E, 6064175N (MGA, Zone 56)). 	Within 12 months of the commencement of construction.



Desired Outcome	Commitment	Timing
	<p>15.13 Undertake monthly sampling for the following:</p> <p>Field measurements:</p> <ul style="list-style-type: none"> – Field pH. – Field Electrical Conductivity. – Dissolved Oxygen. – Oxidation Reduction Potential. – Temperature. <p>Laboratory analysis:</p> <ul style="list-style-type: none"> – pH. – Electrical Conductivity. – Total Suspended Solids. – Major cations i.e. sodium, potassium, calcium. – Major anions i.e. chloride and sulphate. – Total Kjeldahl Nitrogen (organic nitrogen plus ammonia nitrogen). – Total Oxidized Nitrogen (also referred to as NO_x-N = nitrate + nitrite nitrogen forms). – Ammonia Nitrogen. – Total Phosphorus and Reactive Phosphorus. – Metalloids (aluminium, arsenic, total iron and filterable iron, zinc). <p>The frequency of monitoring is to be reviewed in consultation with the relevant government agency after completion of the initial 12 months of monitoring.</p>	Prior to, during and following the life of the Project.
	<p>15.13A The monitoring program to be prepared as part of the Surface Water Monitoring Program pursuant to condition 29(d) in schedule 3 of the approval is to be a monitoring program during the life of the project and until the conclusion of rehabilitation, where appropriate.</p>	During the life of the project and until the conclusion of rehabilitation, where appropriate.
Ongoing monitoring and reporting of Project-related environmental impacts. (Cont'd)	<p>Notification</p> <p>15.13B The protocol for the investigation, notification and mitigation of any exceedances of the surface water, stream health and groundwater assessment criteria, which is to be included in the Surface and Ground Water Response Plan (condition 31(b) in schedule 3 of the approval), is to include provision for the notification of ESC of any such exceedances within 7 days of the exceedance being detected, and subsequently, once an appropriate response has been identified with the relevant government agencies, any other water user downstream of the Project Site who registers their interest to be notified.</p> <p>Water Management Plan (incorporating Surface Water Monitoring Program, Groundwater Monitoring Program and Surface and Ground Water Response Plan)</p> <p>15.13C The objectives of the abovementioned programs and plans which are required under the approval, are to generally include, but are not limited to:</p> <ul style="list-style-type: none"> • ensuring that the disposal of material in the tailings storage facility, and management of that facility, does not cause material harm to the environment; • taking all necessary measures to protect the quality of the water, as drinking water, for existing downstream users, including the water supply for the Eurobodalla Shire; and • implementing appropriate monitoring and response measures to ensure that action is taken to promptly mitigate any adverse impacts of the project on surface water and groundwater so that drinking water of acceptable quality continues to be available to downstream users, including Eurobodalla Shire. 	Prior to, during and following the life of the Project.





Desired Outcome	Commitment	Timing
Ongoing monitoring and reporting of Project-related environmental impacts.	Air Quality 15.14 Implement an Air Quality Monitoring Program in consultation with OEH and the surrounding Community. Given the relatively low level of impact associated with the Project, it is anticipated that this would be restricted to the installation and management of several dust deposition gauges surrounding the Project Site.	Prior to, during and following the life of the Project.
	Eurobodalla Shire Council 15.14A The Proponent shall pay Eurobodalla Shire Council the following contribution each calendar year: <ul style="list-style-type: none"> the reasonable costs, up to a maximum of \$10,000, of Eurobodalla Shire Council engaging its own expert to: <ul style="list-style-type: none"> undertake a review of the Water Management Plan required under the approval; and undertake a peer review of the Annual Review carried out by the Proponent pursuant to condition 3 in Schedule 5 of the approval. <p>As part of these reviews undertaken by Eurobodalla Shire Council's expert, the Proponent will provide that expert with reasonable access to the tailings storage facility.</p> <p>A copy of the draft report produced by Eurobodalla Shire Council's expert pursuant to each of the abovementioned reviews must be made available to the Proponent for its review and comment prior to the report being finalised by Eurobodalla Shire Council's expert.</p> <p>This contribution must be indexed according to the CPI at the time of each payment.</p>	During active mining operations and until the completion of rehabilitation operations.
	15.14B The surface water quality criteria to be included in the Surface Water Monitoring Program pursuant to condition 29(c) in schedule 3 of the approval is to take into account, among other things, that the surface water sources are located within the drinking water catchment for the Eurobodalla Shire.	During active mining operations and until the completion of rehabilitation operations.
16 DOCUMENTATION		
Ensure Appropriate documentation of the proposed mining-related activities.	16.1 The Proponent would prepare the following documentation. <ul style="list-style-type: none"> Mining Operations Plan, including a Rehabilitation Management Plan. Noise Management Plan. Air Quality and Greenhouse Gas Management Plan. Water Management Plan. Biodiversity Management Plan. Aboriginal Heritage Management Plan. Traffic Management Plan. Waste Management Plan. Bushfire Management Plan. 	Prior to the commencement of site establishment operations.
	– Blast Management Plan.	Prior to commencing blasting operations
17 OTHER		
Insurance	17.1 The Proponent shall effect and maintain a public liability insurance policy to the amount of \$60,000,000. The policy maintained under this commitment must name Eurobodalla Shire Council as an interested party and a beneficiary to the policy to the extent of the acts or omissions of the Proponent, for the	During active processing operations until the completion of rehabilitation operations.

Desired Outcome	Commitment	Timing
	purposes of s48 of the Insurance Contracts Act 1984 (Cth).	



**APPENDIX 6
GENERAL TERMS FOR THE PLANNING AGREEMENT**

A. Payment towards roads at time of approval of Construction Certificate	Amount (as at March 2010)
1. For road upgrading works along the haulage route to/from the mine, including widening of seal over crests and around curves and line marking of Majors Creek Road.	\$559,000 Pavement widening \$15,000 Line marking
2. For pavement upkeep during mine construction	\$78,000
Subtotal	\$652,000
B. Annual payment towards ongoing pavement upkeep along haulage route and towards improvements to intersections if possible within the limit of funds.	\$78,000
C. Community benefit payment at time of approval of Construction Certificate towards upgrade of Braidwood Recreation Ground.	\$375,000
D. Payment for disposal of putrescibles waste at Braidwood landfill (strictly no waste to be taken to other Council landfills)	\$120 per tonne

Note: Rates are as per March 2010 and are to be CPI indexed each year.



APPENDIX 7 RECEIVER LOCATION PLANS

Land Reference ¹	Residence Reference	Section/Lot/DP	Landowner ²
1	-	1021/1127185, 102/755934, 1/986483, 2/986483, 3/986483, 4/986483, 5/986483, 104/1100849.	Cortona Resources Limited
2	-	103/755934	Exeter Farm Pty Ltd
3	R34	98/755934	Ref not held
4	-	2/1099172, 1/61600	Glendaruel (Holdings) Pty Limited
5	-	1/996501, 2/996501, 1/5/758636, 2/5/758636, 3/5/758636, 4/5/758636, 5/5/758636, 6/5/758636, 7/5/758636, 9/5/758636, 10/5/758636, 13/5/758636, 14/5/758636, 9/835597,	P. Callan, C McGrath, L Haggan
6		Reference not used	
7	R31	1/136801, 2/136801, 3/755934, 82/755934, 83/755934, 95/755934, 113/755934, 114/755934, 141/755934, 143/755934	P. & L. Matthias
8	R24	1/199645, 2/199645	S.J. Redden
9	-	1/28/758636, 2/28/758636, 3/28/758636, 5/28/758636, 5A/28/758636, 6/28/758636, 7/28/758636, 10/28/758636, 11/28/758636, 13/28/758636, 14/28/758636	Valerie Carpenter
10	-	12/28/758636	Certificate has not been issued
11	-	18/27/758636	D.P. Drew
12	-	13/27/758636	B.S. & S.F. Drew
13	R58	14/27/758636	N.V. Harrington
14	-	15/27/758636	S. Lee
15	-	16/27/758636	Reference not held
16	R55	17/27/758636	Reference not held
17	R54	9/31/758636	A.D. & M.S. Phillips
18	R53	2/31/758636	Mangold Investments (NSW) Pty Ltd
19	-	2A/27/758636	Reference not held
20	-	701/1054207, 701/1054979, 1/123143, 1/123393, 1/48260, 161/755934, 162/755934, 188/755934, 193/755934, 209/755934, 213/755934, 5/4/758636, 6/4/758636, 7/4/758636, 8/4/758636, 9/4/758636, 1/21/758636, 2/21/758636, 3/21/758636, 4/21/758636, 7/21/758636, 8/21/758636, 9/21/758636, 10/21/758636, 1/24/758636, 2/24/758636, 4/24/758636, 5/24/758636, 6/24/758636, 7/24/758636, 8/24/758636, 9/24/758636, 10/24/758636, 11/24/758636, 12/24/758636, 4/25/758636, 5/25/758636, 6/25/758636, 7/25/758636, 8/25/758636, 9/25/758636, 10/25/758636, 11/25/758636, 12/25/758636, 13/25/758636, 1/53/758636, 3/53/758636, 4/53/758636, 5/53/758636, 6/53/758636, 701/93977	State of NSW
21	R59	20/27/758636	L.G. Delamont
22	-	19/27/758636	Y.M. Chin
23	-	7/27/758636	Reference not held
24	-	7A/27/758636	Reference not held
25	R21, R71, R72	8/27/758636	Reference not held
26	-	9/27/758636	Reference not held
27	-	10/27/758636	Reference not held
28	-	21/27/758636, 22/27/758636	1/1112412 – Timothy James Rankin
29	R60	1/42/758636, 2/42/758636, 3/42/758636, 4/42/758636, 5/42/758636,	R.A. & J.A. South McKenzie
30	-	7/15/758636	The Right Reverend Mesac Thomas
31	-	121/48413, 120/755934, 8/15/758636	K.M. Stuart
32			Reference not used
33	R61	5/15/758636, 6/15/758636	A. & C.W.Y.H. Brace & R. Mahncke
34	-	1/4/758636, 2/4/758636	W. Brickwood
35	-	2A/4/758636, 3/4/758636, 4/4/758636	Crown land
36	-	8/5/758636	A.J. & L.E.M.M. Astley
37	-	1/14/758636, 2/14/758636, 2A/14/758636, 3/14/758636, 3A/14/758636, 4/14/758636, 4A/14/758636, 6/14/758636, 6A/14/758636, 7/14/758636, 7A/14/758636, 8/14/758636, 9/14/758636, 5/836923	B.W. McCarron
38	-	5/6/758636	C.A. & M.T. Powell
39	R44	6/6/758636, 7/9/758636	B.D. & G.B.L. Hayes
40	R45	8/6/758636	A.A. Casey
41	R40	A/336039	N. Tetley & S.L. Buchanan
42	R39	1/665110	B. Sheridan & J. McIntyre

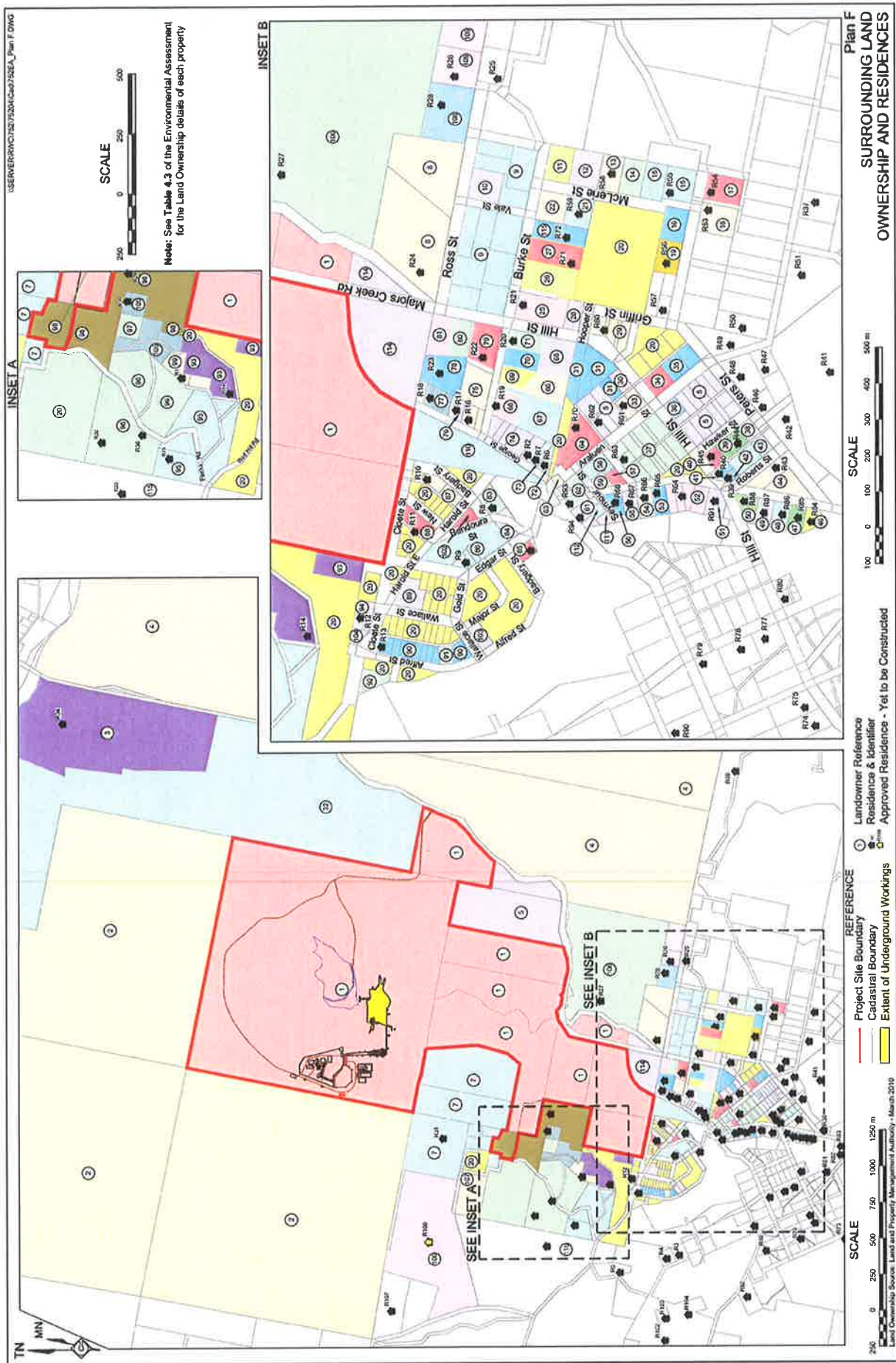


Land Reference ¹	Residence Reference	Section/Lot/DP	Landowner ²
43		2/6/758636, 3/6/758636, 4/6/758636	W.M. Nelson
44	R43	1/39/758636, 2/39/758636	S.P. & K.A. Junor
45		240/775934	Reference Not Held
46	R84	6/877483	W.H. & J.F. Butcher
47	R85	5/877483	L.J. Stinson
48	R86	4/877483	R.M. Grant & M. Allatt
49	R87	3/877483	S.L. Bennett
50	R88	1/877483, 2/877483	B.R. Doherty & N.L. Watts
51	R91	23/1004205	M.J. Franz
52	R64	5/13/758636, 5A/13/758636, 6/13/758636, 7/13/758636, 7A/13/758636,	A.H. & C.E. Struzina
53	R65	4/13/758636, 4A/13/758636	K. Angel
54	R66	33/1012809	R. & E.P. Blakely-Kidd
55	R67	2/13/758636	N.L. Arney
56	R68	1/13/758636	J.L. & C.A. Corcoran
57	R63	2/17/758636	J.T. & C.M. Bowman
58	-	3/17/758636, 4/17/758636	R.E. McCarron
59	-	1/17/758636	J.W. Wiggins
60	-	9/18/758636	Reference Not Held
61	R94	1/18/758636, 2/18/758636, 3/18/758636, 7/18/758636	M.A. Ross
62	R93	4/18/758636, 5/18/758636, 5A/18/758636, 1/26/758636	Star Buttons Enterprises Pty Ltd
63	-	6/18/758636	Lachmere Pty Ltd
64	R70	1/40248, 11/15/758636, 1/16/758636, 2/16/758636,	S.M. McCarron
65	-	9/1068558	J.S. Weeks & J.B. McDonald
66	-	10/1068558	D.E. Jeffery & M.A. Stoyles
67	-	11/1068558	A. & M.J. McDonald
68	R19	8/1068558	A.P. Dann
69	-	7/1068558	P.A. & V.L. Grindrod
70	-	6/1068558	R.C. Stone
71	R20	5/1068558	A. & M.Z. Page
72	R6	1/797719	B. Carruthers
73	R7	253/755934	A.K. & N. Riley
74	R2	3/842928, 6/842928, 7/842928, 8/842928, 45/872802	D.B.R. & B.A. Messum
75	R16	11/709905, 9/735425, 10/735425, 1/986527	L.T. & P.S. Ruzicka
76	R17	1/831229, 2/831229	B. McDonald
77	R18	14/842928, 1/859129	G. Gibson
78	R23	4/1068558	M.L. Cathro
79	R22	3/1068558	P.J. & L.J. Cram
80	-	2/1068558	G. & J. Wheatley and K. & S. Jones
81	-	1/1068558	D.J. & L.M. Avery
82	-	4/755934	Reference Not Held
83	-	3/20/758636, 4/20/758636	H.A. Gillespie
84	-	11/574879, 12/574879, 13/574879	The Council of the Shire of Tallaganda
85	-	1/19/758636	R. Allen & S.M. McIveen
86	R9	247/755934, 15/22/758636, 16/22/758636, 17/22/758636, 18/22/758636	William Edmund Waterhouse
87	R10	5/21/758636, 6/21/758636	Sarah Elizabeth Vella
88	R11	2/53/758636, 9/53/758636	G.E. & L.H. Ison
89	-	21/720161	L.A. & G.M. Baillie
90	R13	13/24/758636, 14/24/758636, 15/24/758636, 16/24/758636, 17/24/758636, 18/24/758636, 19/24/758636, 20/24/758636, 21/24/758636, 22/24/758636, 23/24/758636, 24/24/758636	B. Vugec
91	-	3/24/758636	W.A. & K.T. O'Leary
92	-	1/36/758636	R.J. & C.H. Smith-Roberts
93	R14	65/755934, 67/755934, 191/755934, 216/755934	D.K. & D.M. Wood
94	R12	163/755934, 164/755934	S. P. P. W & J. Cootes
95	R15	125/755934, 212/755934	M. Flakelar & J. Holmes
96	R32, R36	211/755934	B. Crittenden
97	-	202/755934	V. Laurie
98	R29	1/194317, 66/755934, 210/755934	B. & C. James
99	R1	93/755934, 166/755934	M. Toner & R. Manderson
100	R108	5/1093136	J. & K. Spring
101	-	7/54/758636	Reference Not Held
102	-	7/1/758636	Reference Not Held
103	-	1/23/758636	Reference Not Held
104	-	165/755934	Reference Not Held
105	R30	94/755934	Reference Not Held



Land Reference ¹	Residence Reference	Section/Lot/DP	Landowner ²
106	R26,R27, R28	104/755934	Reference Not Held
107	-	113/755934	Folio Cancelled
108	-	95/755934	Reference Not Held
109	-	101/755934	Reference Not Held
110	-	4/755934	Reference Not Held
111	-	9/18/758636	Reference Not Held
112	-		Reference Not Held
113	-	96/755934	Reference Not Held
114	-	104/1149075	J. Stachow & R. Stachow
115	R33	1/1093136	Brian and Karis Sanderson
Note 1: See Figure 4.6			
Note 2: "reference not held" indicates that the owner of the land is not registered on the Land Titles Register, possibly as a result of the land being "Old Title."			
Source: Land and Property Management Authority (March 2010)			





APPENDIX 8 EXTENDED BIODIVERSITY OFFSET AREA

