

Project Approval

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

As delegate of the Minister for Planning and Environment, I approve the project application referred to in schedule 1, subject to the conditions in schedules 2 to 6.

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.

Chris Wilson
Executive Director
Development Assessment Systems and Approvals

Sydney 2014

SCHEDULE 1

Application Number:	11_0060
Proponent:	CMOC Mining Pty Ltd
Approval Authority:	Minister for Planning and Environment
Land:	See Appendix 1
Project:	Northparkes Mine Step Change Project

Blue type represents the June 2015 modification
Red type represents the April 2016 modification
Green type represents the September 2017 modification

TABLE OF CONTENTS

DEFINITIONS	3
ADMINISTRATIVE CONDITIONS	5
Obligation to Minimise Harm to the Environment	5
Terms of Approval	5
Limits on Approval	5
Surrender of Consents	5
Structural Adequacy	5
Demolition	6
Protection of Public Infrastructure	6
Operation of Plant and Equipment	6
Staged Submission of Strategies, Plans and Programs	6
Planning Agreement	6
ENVIRONMENTAL CONDITIONS	7
Noise	7
Blasting	8
Air Quality	9
Meteorological Monitoring	11
Water	11
Biodiversity	13
Heritage	15
Transport	15
Visual	16
Bushfire Management	16
Waste	16
Rehabilitation	16
ADDITIONAL PROCEDURES	18
Notification of Landowners/Tenants	18
Independent Review	18
ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING	19
Environmental Management	19
Reporting	19
Auditing	20
Access to Information	21
APPENDIX 1: SCHEDULE OF LAND	22
APPENDIX 2: GENERAL LAYOUT OF PROJECT	23
APPENDIX 3: STATEMENT OF COMMITMENTS	26
APPENDIX 4: LAND OWNERSHIP	27
APPENDIX 5: NOISE COMPLIANCE ASSESSMENT	28
APPENDIX 6: LOCATION OF PINE DONKEY ORCHID POPULATIONS	29
APPENDIX 7: BIODIVERSITY OFFSET STRATEGIES	30
APPENDIX 8: FAUNA SPECIES RECORDED IN THE PROJECT AREA	34
APPENDIX 9: FINAL LAND USE PLANS	35

DEFINITIONS

Annual review	The review required by condition 4 of schedule 6
ARI	Average Recurrence Interval
ARTC	Australian Rail Track Corporation Ltd
BCA	Building Code of Australia
Biodiversity offset strategies	The conservation and enhancement strategies depicted conceptually in the figures in Appendix 7 and described in detail in the following documents: • <i>Environmental Assessment Northparkes Mines – E48 Project, Volumes 1 – Parts 1 to 5, and Volume 2 – Parts 6 to 9</i>, prepared by RW Corkery & Co. Pty Ltd, dated August 2006; • Northparkes Mines Section 75W Modification Biodiversity Offset Strategy, prepared by GHD Pty Ltd, dated August 2009; and • the EA.
Built features	Includes any building or work erected or constructed on land, and includes dwellings and infrastructure such as any formed road, street, path, walk, or driveway; any pipeline, water, sewer, telephone, gas or other service main
Blast misfire	The failure of one or more holes in a blast pattern to initiate
CCC	Community Consultative Committee
Conditions of this approval	Conditions contained in schedules 1 to 6 inclusive
Council	Parkes Shire Council
CPI	Australian Bureau of Statistics Consumer Price Index
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning & Environment
DPI Water	Division of Water within the Department of Primary Industries
EA	• The Environmental Assessment titled <i>Northparkes Mines Step Change Project</i> (5 volumes), dated July 2013, the response to submissions dated September 2013 and the Addendum dated November 2013; • The Environmental Assessment titled <i>Northparkes Mines – Application for a 75W Modification</i> dated April 2015; • the Environmental Assessment titled <i>75W Modification to PA 11_0060 to reference unformed road land parcel in Appendix 1 of the Northparkes Mines Step Change Project Approval (PA 11_0060) dated 11 March 2016</i>; and • The Environmental Assessment titled <i>Section 75W Modification to Project Approval 11_0060 – Northparkes Mines Proposed Changes to Mine Plans</i> dated 5 July 2017
EEC	Endangered ecological community, as defined under the <i>Threatened Species Conservation Act 1995</i>
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>
EPL	Environment Protection Licence issued under the POEO Act
Evening	The period from 6pm to 10pm
Feasible	Feasible relates to engineering considerations and what is practical to build or implement
Heritage item	An item as defined under the <i>Heritage Act 1977</i> and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i>
Incident	A set of circumstances that: • causes or threatens to cause material harm to the environment; and/or • breaches or exceeds the limits or performance measures/criteria in this approval
Land	As defined in the EP&A Act, except for where the term is used in the noise and air quality conditions in schedules 4 and 5 of this approval where it is defined to mean the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this approval
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, or drains from, active mining and infrastructure areas (synonymous with 'dirty water')
Mining operations	Includes the removal and emplacement of overburden and extraction, processing, handling, storage and transport of minerals on site
Minister	Minister for Planning, or delegate
Minor	Not very large, important or serious
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
NP&W Act	<i>National Parks & Wildlife Act 1974</i>
NSW Trade &	NSW Department of Trade and Investment, Regional Infrastructure and Services

Investment	
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 as described in the EA
Proponent	CMOC Mining Pty Limited, or whoever seeks to carry out the development approved under this approval
Public infrastructure	Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications, etc.
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Rehabilitation	The restoration of land disturbed by the project to a good condition, to ensure it is safe, stable and non-polluting
RFS	Rural Fire Service
RMS	Roads and Maritime Services
ROM	Run-of-mine
Safe, serviceable & repairable	Safe means no danger to users who are present, serviceable means available for its intended use, and repairable means damaged components can be repaired economically
Secretary	Secretary of the Department of Planning & Environment, or nominee
Site	The land within the project boundary defined in Appendix 1
Statement of commitments	The Proponent's commitments in Appendix 3
TSC Act	<i>Threatened Species Conservation Act 1995</i>

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

1. In addition to meeting the specific performance criteria established under this approval, the Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or rehabilitation of the project.

TERMS OF APPROVAL

2. The Proponent must carry out the project:
 - (a) generally in accordance with the EA and the statement of commitments; and
 - (b) in accordance with the conditions of this approval.

Notes:

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

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

LIMITS ON APPROVAL

Mining Operations

5. The Proponent may carry out mining operations on site until the 31 December 2032.

Note: Under this approval, the Applicant is required to rehabilitate the site and perform additional undertakings to the satisfaction of both the Secretary and NSW Trade & Investment. 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.

Ore Processing

6. The Proponent shall not process more than 8.5 million tonnes of ore on site in any calendar year.

Ore Concentrate Transport

7. The Proponent shall ensure that all ore concentrate produced on site is transported to the Goonumbla Rail Siding via truck haulage on Bogan Road.

SURRENDER OF CONSENTS

8. Within 12 months of the date of this approval, or as otherwise agreed by the Secretary, the Proponent shall surrender the existing project approval PA06_0026 and development consent DA11092 in accordance with Section 104A of the EP&A Act. This requirement does not extend to the surrender of the Forbes Water Pipeline Development Consent DA2009/0057.

Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under Part 4A of the EP&A Act. Surrender of a consent or approval should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.

9. Prior to the surrender of these consents, the conditions of this approval (including any notes) shall prevail to the extent of any inconsistency with the conditions of these consents.

STRUCTURAL ADEQUACY

10. 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 (where applicable) for the proposed building works.
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.

DEMOLITION

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

PROTECTION OF PUBLIC INFRASTRUCTURE

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

Note: This condition does not apply to any damage to public infrastructure subject to compensation payable under the Mine Subsidence Compensation Act 1961, or to damage to roads caused as a result of general road usage.

OPERATION OF PLANT AND EQUIPMENT

13. The Proponent shall ensure that all plant and equipment used on site is:
 - (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

STAGED SUBMISSION OF STRATEGIES, PLANS OR PROGRAMS

14. With the approval of the Secretary, the Proponent may submit any strategy, plan or program required by this approval on a progressive basis.

Notes:

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

SCHEDULE 3 ENVIRONMENTAL CONDITIONS

NOISE

Noise Criteria

1. 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.

Table 1: Noise impact assessment criteria dB(A)

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

Note: To interpret the land referred to in Table 1, see the applicable figures in Appendix 4.

Operational noise generated by the project is to be measured in accordance with the relevant requirements of the *NSW Industrial Noise Policy*. Appendix 5 sets out the meteorological conditions under which these criteria apply, and the requirements for evaluating compliance with these criteria.

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

Construction Noise

2. The Proponent shall only carry out the construction works associated with the upgrade of McClintocks Lane, the construction of the McClintocks Lane access road and the upgrade of the intersection of McClintocks Lane and Bogan Road during the day.
3. During construction of the works referred to in condition 2 of schedule 3, the noise criteria in Table 1 do not apply to the residences located in the vicinity of the works. The Proponent shall implement all reasonable and feasible measures to minimise construction noise impacts on the residences in the vicinity of these works.

Note: The measures to be implemented to minimise construction noise impacts shall be detailed in the Noise Management Plan required in condition 5 of schedule 4.

Operating Conditions

4. The Proponent shall:
 - (a) implement best management practice to minimise the construction, operational and road noise of the project;
 - (b) operate a comprehensive noise management system that uses a combination of predictive meteorological forecasting and real-time noise monitoring data to guide the day to day planning, and the implementation of both proactive and reactive noise mitigation measures to ensure compliance with the relevant conditions of this approval;
 - (c) minimise the noise impacts of the project during meteorological conditions when the noise limits in this approval do not apply (see Appendix 5); and
 - (d) carry out regular monitoring to determine whether the project is complying with the relevant conditions of this approval,
 to the satisfaction of the Secretary.

Noise Management Plan

5. The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Secretary. This plan must:
 - (a) be prepared in consultation with the EPA, and submitted to the Secretary for approval prior to the commencement of construction;
 - (b) describe the measures that would be implemented to ensure compliance with the noise criteria and operating conditions in this approval;
 - (c) describe the proposed noise management system in detail; and
 - (d) include a monitoring program that:
 - evaluates and reports on:
 - the effectiveness of the noise management system;
 - compliance against the noise criteria in this approval; and
 - compliance against the noise operating conditions;
 - includes a program to calibrate and validate the real-time noise monitoring results with the attended monitoring results over time (so the real-time noise monitoring program can be used as a better indicator of compliance with the noise criteria in this approval and trigger

- for further attended monitoring); and
- defines what constitutes a noise incident, and includes a protocol for identifying and notifying the Department and relevant stakeholders of any noise incidents.

BLASTING

Blasting Criteria

- The Proponent shall ensure that blasting on site does not cause exceedances of the criteria in Table 2.

Table 2: *Blasting criteria*

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

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

Blasting Hours

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

Blasting Frequency

- The Proponent shall only carry out 1 blast per day on site.

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

Note: For the purposes of this condition, a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the mine.

Property Inspections

- If the Proponent receives a written request from the owner of any privately-owned land within 2 kilometres of any approved open cut mining pit on site 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 updated, then within 2 months of receiving this request the Proponent shall:
 - commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties to:
 - establish the baseline condition of any buildings and other structures on the land, or update the previous property inspection report; and
 - identify 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.

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

Property Investigations

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

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

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

Operating Conditions

11. The Proponent shall:
- (a) implement best management practice to:
 - protect the safety of people and livestock in the surrounding area;
 - protect public or private infrastructure/property in the surrounding area from any damage; and
 - minimise the dust and fume emissions of any blasting; and
 - (b) operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site, to the satisfaction of the Secretary.
12. The Proponent shall not undertake blasting on site within 500 metres of:
- (a) any public road;
 - (b) any land outside the site not owned by the Proponent,

unless the Proponent has:

- demonstrated to the satisfaction of the Secretary that the blasting can be carried out closer to the infrastructure or land without compromising the safety of people or livestock or damaging the infrastructure and/or other buildings and structures; and
- updated the Blast Management Plan to include the specific measures that would be implemented while blasting is being carried out within 500 metres of the infrastructure or land; or
- a written agreement with the relevant infrastructure owner or landowner to allow blasting to be carried out closer to the infrastructure or land, and the Proponent has advised the Department in writing of the terms of this agreement.

Blast Management Plan

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

AIR QUALITY

Air Quality Criteria

14. The Proponent shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the project do not cause exceedances of the criteria listed in Tables 3, 4 and 5 at any residence on privately-owned land.

Table 3: Long term impact assessment 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 4: Short term impact assessment criterion for particulate matter

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

Table 5: Long term impact assessment criteria for deposited dust

Pollutant	Averaging period	Maximum increase ² 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 to Tables 3-5:

^a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources);

^b Incremental impact (i.e. incremental increase in concentrations due to the development 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 or any other activity agreed by the Secretary.

Mine-owned Land

15. The Proponent shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the project do not cause exceedances of the criteria listed in Tables 3, 4 and 5 at any occupied residence on mine-owned land unless:
 - (a) the tenant has been notified of any health risks associated with such exceedances in accordance with the notification requirements under schedule 5 of this approval;
 - (b) the tenant of any land owned by the Proponent can terminate their tenancy agreement without penalty at any time, subject to giving reasonable notice;
 - (c) air mitigation measures such as air filters, a first flush roof water drainage system and/or air conditioning) are installed at the residence, if requested by the tenant;
 - (d) air quality monitoring is regularly undertaken to inform the tenant of the actual particulate emissions at the residence; and
 - (e) data from this monitoring is presented to the tenant in an appropriate format for a medical practitioner to assist the tenant in making informed decisions on the health risks associated with occupying the property,
 to the satisfaction of the Secretary.

Operating Conditions

16. The Proponent shall:
 - (a) implement best management practice to minimise the off-site odour, fume and dust emissions of the project;
 - (b) implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site;
 - (c) minimise any visible off-site air pollution generated by the project;
 - (d) minimise the surface disturbance of the site;
 - (e) operate a air quality management system that uses a combination of predictive meteorological forecasting and real-time air quality monitoring data to guide the day to day planning of mining operations and the implementation of both proactive and reactive air quality mitigation measures to ensure compliance with the relevant conditions of this approval; and
 - (f) minimise the air quality impacts of the project during adverse meteorological conditions and extraordinary events (see Note d above under Table 5);
 to the satisfaction of the Secretary.

Air Quality Management Plan

17. The Proponent shall prepare and implement an Air Quality Management Plan for the project to the satisfaction of the Secretary. This plan must:
- (a) be prepared in consultation with the EPA, and submitted to the Secretary for approval by 30 June 2014;
 - (b) describe the measures that would be implemented to ensure compliance with the relevant air quality criteria and operating conditions of this approval;
 - (c) describe the air quality management system;
 - (d) include an air quality monitoring program that:
 - adequately supports the air quality management system;
 - evaluates and reports on the:
 - the effectiveness of the air quality management system;
 - compliance with the air quality criteria;
 - compliance with the air quality operating conditions; and
 - defines what constitutes an air quality incident, and includes a protocol for identifying and notifying the Department and relevant stakeholders of any air quality incidents.

METEOROLOGICAL MONITORING

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

WATER

Water Supply

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

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

Compensatory Water Supply

20. The Proponent shall provide a compensatory water supply to any landowner of privately owned land whose water supply is adversely and directly impacted (other than an impact that is negligible) as a result of the project, in consultation with [DPI Water](#), and to the satisfaction of the Secretary.

The extent of adverse impact on water supply must be investigated in accordance with the procedures outlined in Condition 4 of Schedule 5. The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent to the loss attributable to the project. Equivalent water supply should be provided (at least on an interim basis) within 24 hours of the loss being identified, unless otherwise agreed with the landowner.

If the Proponent and the landowner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary 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 Secretary.

Water Pollution

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

Water Management Performance Measures

22. The Proponent shall comply with the performance measures in Table 6 to the satisfaction of the Secretary.

Table 6: Water Management Performance Measures

Feature	Performance Measure
Water Management - General	Minimise the use of clean water on site
Construction and operation of linear infrastructure (including Goonumbla Creek road crossing)	- Design, install and maintain erosion and sediment controls generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction</i> including Volume 1, Volume 2A – Installation of Services and Volume 2C – Unsealed Roads - Design, install and maintain the infrastructure within 40 m of watercourses generally in accordance with the <i>Guidelines for Controlled Activities on Waterfront Land</i> (DPI 2007), or its latest version - Design, installation and maintenance of creek crossings generally in accordance with the <i>Policy and Guidelines for Fish Friendly Waterway Crossings</i> (NSW Fisheries, 2003) and <i>Why Do Fish Need To Cross The Road? Fish Passage Requirements for Waterway Crossings</i> (NSW Fisheries 2003), or their latest versions
Clean water management system	- Design, install and maintain the clean water system to capture and convey the 100 year ARI flood - Maximise as far as reasonable and feasible the diversion of clean water around disturbed areas on site
Dirty water management system	- Design, install and maintain the dams generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction – Volume 1 and Volume 2E Mines and Quarries</i> - Designed to capture the 90th percentile 5-day duration rainfall event
Contaminated water management system	- Nil discharge from site - On-site storages (including tailings dams, mine infrastructure dams, groundwater storage and treatment dams) are suitably lined to comply with a permeability standard of $< 1 \times 10^{-9}$ m/s in line with the <i>NSW Environmental Guidelines for Solid Waste Landfills</i> (EPA, 1996) - Design, construct and maintain other aspects of the tailings dams in accordance with the standards set out in the <i>Environmental Guidelines – Management of Tailings Storage Facilities</i> (VIC DPI, 2006), including a requirement to maintain a minimum freeboard of 600 mm or a sufficient freeboard to accommodate a 1 in 100-year ARI, 72 hour rainfall event without overtopping at all times, whichever is greater - Design and construct the tailings storage facilities in accordance with the requirement of the Dam Safety Committee
Chemical and hydrocarbon storage	Chemical and hydrocarbon products to be stored in bunded areas in accordance with the relevant Australian Standards

Water Management Plan

23. The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Secretary. This plan must:
- be prepared in consultation with **DPI Water** and the EPA, by suitably qualified and experienced persons whose appointment has been approved by the Secretary;
 - be submitted to the Secretary for approval prior by 30 June 2014;
 - in addition to the standard requirements for management plans (see Condition 3 of schedule 6), this plan must include a:
 - Site Water Balance that:
 - includes details of:
 - sources and security of water supply, including contingency planning for future reporting periods;
 - water use and management on site;
 - reporting procedures, including the preparation of a site water balance for each calendar year;
 - describes the measures that would be implemented to minimise clean water use on site;
 - Surface Water Management Plan, that includes:

- detailed baseline data on water flows and quality in the waterbodies that could be affected by the project;
 - a detailed description of the water management system on site;
 - detailed plans, including design objectives and performance criteria, for the:
 - tailings storage facilities;
 - final voids (see the Rehabilitation Objectives in Table 8);
 - detailed performance criteria for the following, including trigger levels for investigating any potentially adverse impacts associated with the project:
 - the water management systems (clean, dirty and contaminated);
 - downstream surface water quality;
 - downstream flooding impacts; and
 - stream and riparian vegetation health for Bogan River, Tenandra Creek, Goonumbla Creek and Cookopie Creek;
 - a program to monitor and report on:
 - the effectiveness of the water management systems (clean, dirty and contaminated);
 - surface water flows and quality, stream and riparian vegetation health in the watercourses that could be affected by the project; and
 - downstream flooding impacts;
 - reporting procedures for the results of the monitoring program; and
 - a plan to respond to any exceedances of the performance criteria, and mitigate any adverse surface water impacts of the project;
- (iii) Groundwater Management Plan, that includes:
- detailed baseline data on groundwater levels, yield and quality in the region and privately-owned groundwater bores that could be affected by the project;
 - groundwater assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts;
 - a program to monitor and report on:
 - groundwater inflows to the block cave, [sub-level cave](#) and open cut mining operations;
 - the seepage/leachate from water storages, emplacement and final voids;
 - background changes in groundwater yield/quality against mine-induced changes;
 - impacts of the project on:
 - regional and local (including alluvial) aquifers;
 - groundwater supply of potentially affected landowners; and
 - riparian vegetation;
 - a program to validate the groundwater model for the project, and comparison of monitoring results with modelled predictions; and
 - a plan to respond to any exceedances of the groundwater assessment criteria.

BIODIVERSITY

Pine Donkey Orchid

24. The Proponent shall actively manage and maintain the populations of Pine Donkey Orchid located to the north of the project area (near Adavale Lane) and near the E48 subsidence zone.

Note: The locations of the Pine Donkey Orchid populations are shown on the figure in Appendix 6.

Biodiversity Offsets

25. The Proponent shall implement the biodiversity offset strategies summarised in Table 7 below, shown conceptually in Figures 1, 2 and 3 of Appendix 7 and detailed in the table at Appendix 7, to the satisfaction of the Secretary.

Table 7: Summary of the Biodiversity Offsets

Limestone National Forest Offset	Minimum Size hectares (ha)
Revegetate land	45.1
Sub-Total	45.1
Estcourt Tailings Storage Facility Offset	
<i>Vegetation Community:</i>	
Yellow Box Tall Grassy Woodland	3.3
Inland Grey Box – White Cypress Pine Tall Woodland	38.8
Derived Tussock Grasslands	23
Sub-Total	65.1

Kokoda Biodiversity Offset	
<i>Vegetation Community:</i>	
Grey Box Grassy Woodland EEC	13
Grey Box Grassy Woodland DNG EEC	96
White Box Grassy Woodland EEC	2.2
Dwyer's Red Gum – Grey Box – Mugga Ironbark – Black Cypress Pine Forest	150
Rocky Rise Shrubby Woodland	26
Grey Box – Ironbark Woodland	25
Dwyer's Red Gum – Grey Box – Mugga Ironbark – Black Cypress Pine DNG	15
Dwyer's Red Gum Creekline Woodland	9.4
Dwyer's Red Gum – Grey Box – Mugga Ironbark – Black Cypress Pine Woodland Low Quality	8.6
Mugga Ironbark Woodland	1.9
Farm tracks and dams (disturbed lands)	2.5
Sub-Total	350.0

Notes:

- The Limestone National Forest Biodiversity Offset area is marked in blue and labelled "Addition To Limestone National Forest" in Figure 1 of Appendix 7.
- The Estcourt Tailings Storage Facility Biodiversity Offset area is marked with bold black line in Figure 2 of Appendix 7.
- The Kokoda Biodiversity Offset area is marked with red line in Figure 3 of Appendix 7.

26. The Proponent shall ensure that the Kokoda Biodiversity Offset provides suitable habitat for all the threatened fauna species confirmed and identified as being present in the disturbance areas.

Note: The threatened fauna species confirmed and identified as being present in the disturbance areas are listed in Appendix 8.

Security of Offsets

27. By the 30 June 2015, unless the Secretary agrees otherwise, the Proponent shall make suitable arrangements to protect the Kokoda Biodiversity Offset in perpetuity in consultation with OEH and to the satisfaction of the Secretary.

Conservation Bonds

28. By 30 June 2015, unless otherwise agreed by the Secretary, the Proponent shall lodge a Conservation Bond with the Department to ensure that the biodiversity offset strategies are implemented in accordance with the performance and completion criteria of the Biodiversity Management Plan (refer to Condition 29 below). The sum of the bond shall be determined by:
- calculating the full cost of implementing the biodiversity offset strategy (other than land acquisition costs); and
 - employing a suitably qualified quantity surveyor to verify the calculated costs, to the satisfaction of the Secretary.

If the biodiversity offset strategies are completed generally in accordance with the completion criteria in the Biodiversity Management Plan to the satisfaction of the Secretary, the Secretary will release the bond.

If the biodiversity offset strategies are not completed generally in accordance with the completion criteria in the Biodiversity Management Plan, the Secretary will call in all, or part of, the conservation bond, and arrange for the satisfactory completion of the relevant works.

Notes:

- This condition does not apply to the Limestone National Forest Offset;
- Existing bonds which have been paid for the Estcourt Tailings Storage Facility Biodiversity Offset remain current and are satisfactory to fulfil the requirements of this condition;
- Alternative funding arrangements for long-term management of the Biodiversity Offsets, such as provision of capital and management funding as agreed by OEH as part of a Biobanking Agreement or transfer to conservation reserve estate can be used to reduce the liability of the conservation and biodiversity bond, and
- The sum of the bond may be reviewed in conjunction with any revision to the Biodiversity Offsets.

Biodiversity Management Plan

29. The Proponent shall prepare and implement a Biodiversity Management Plan for the project to the satisfaction of the Secretary. This plan must:
- (a) be prepared in consultation with OEH, and submitted to the Secretary for approval prior to the commencement of any development on site;
 - (b) describe the short, medium, and long term measures that would be implemented to:
 - manage the remnant vegetation and fauna habitat on the biodiversity offset sites;
 - restore the derived native grassland component of the Grey Box Grassy Woodland EEC community within the Kokoda Biodiversity Offset to woodland community;
 - implement the biodiversity offset strategies; and
 - integrate the implementation of the biodiversity offset strategies to the greatest extent practicable with the rehabilitation of the site (where relevant);
 - (c) include detailed performance and completion criteria for evaluating the performance of the biodiversity offset strategies, and triggering remedial action (if necessary);
 - (d) include a detailed description of the measures that would be implemented for:
 - enhancing the quality of existing vegetation and fauna habitat in the biodiversity offset areas, including the derived native grassland component of the Grey Box Grassy Woodland EEC community within the Kokoda Biodiversity Offset;
 - creating native vegetation and fauna habitat in the biodiversity offset areas and rehabilitation area through focusing on assisted natural regeneration, targeted vegetation establishment and the introduction of naturally scarce fauna habitat features (where necessary);
 - managing and maintaining the populations of Pine Donkey Orchid located to the north of the project area (near Adavale Lane) and near the E48 subsidence zone (refer to Appendix 6);
 - collecting and propagating seed;
 - managing any potential conflicts between the proposed enhancement works in the biodiversity offset areas and any Aboriginal heritage values (both cultural and archaeological) in these areas;
 - managing salinity;
 - controlling weeds and feral pests;
 - controlling erosion;
 - managing grazing and agriculture on site;
 - controlling access; and
 - bushfire management;
 - (e) include a seasonally-based program to monitor and report on the effectiveness of these measures, and progress against the detailed performance and completion criteria;
 - (f) identify the potential risks to the successful implementation of the biodiversity offsets, and include a description of the contingency measures that would be implemented to mitigate against these risks; and
 - (g) include details of who would be responsible for monitoring, reviewing, and implementing the plan.

HERITAGE

Protection of Aboriginal Sites

30. The Proponent shall ensure that the project does not cause any direct or indirect impact on the Aboriginal sites located outside the approved disturbance area of the project unless otherwise authorised under this approval or the NP&W Act.

Heritage Management Plan

31. The Proponent shall prepare and implement a Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must:
- (a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary;
 - (b) be prepared in consultation with OEH and the Aboriginal stakeholders (in relation to the management of Aboriginal heritage values);
 - (c) be submitted to the Secretary for approval prior to construction, unless the Secretary agrees otherwise;
 - (d) include a description of the measures that would be implemented for:
 - managing the discovery of human remains or previously unidentified heritage items on site; and
 - ensuring any workers on site receive suitable heritage inductions prior to carrying out any development on site, and that suitable records are kept of these inductions;
 - (e) include the following for the management of Aboriginal Heritage:
 - a description of the measures that would be implemented for:
 - protecting, monitoring and/or managing (including any proposed archaeological investigations and/or salvage measures) the heritage items identified on site;

- managing the discovery of previously unidentified Aboriginal items on site;
 - conserving the sites outside the surface disturbance area;
 - maintaining and managing reasonable access for Aboriginal stakeholders to heritage items on site;
 - ongoing consultation with the Aboriginal stakeholders in the conservation and management of Aboriginal cultural heritage on site; and
 - a strategy for the storage of any heritage items salvaged on site, both during the project and in the long term;
- (f) include a detailed plan for the implementation of the mitigation and management measures outlined for the heritage items identified on site including archival recording, historical research and archaeological assessment prior to any disturbance.

TRANSPORT

Best Endeavours to Minimise Mine Traffic on Minor Routes

32. The Proponent shall use its best endeavours to ensure that as much mine-related traffic as possible, particularly heavy vehicles, uses the Newell Highway and Bogan Road to get to and from the mine.

McClintocks Lane Site Access

33. The Proponent shall design, construct, and maintain the site access intersection at Bogan Road and McClintocks Lane to Austroad standards and to the satisfaction of Council.
34. The Proponent shall design the site access road crossing over Goonumbla Creek in consultation with **DPI Water** and to the satisfaction of Council.

VISUAL

Additional Visual Impact Mitigation

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

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

If the Proponent and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.

Notes:

- *The additional visual impact mitigation measures must be aimed at reducing the visibility of the mining operations on site from significantly affected residences, and do not require measures to reduce the visibility of the mining operations from other locations on the affected properties.*
- *The additional visual impact mitigation measures do not necessarily have to include the implementation of measures on the affected property itself (i.e. the additional measures could involve the implementation of measures outside the affected property boundary that provide an effective reduction in visual impacts).*

Operating Conditions

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

BUSHFIRE MANAGEMENT

37. The Proponent shall:
- ensure that the project is suitably equipped to respond to any fires on site; and
 - assist the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site.

WASTE

38. The Proponent shall:
- implement all reasonable and feasible measures to minimise the waste (including waste rock) generated by the project;
 - ensure that the waste generated by the project is appropriately stored, handled and disposed of; and
 - monitor and report on effectiveness of the waste minimisation and management measures in the Annual Review.

REHABILITATION

Rehabilitation Objectives

39. The Proponent shall rehabilitate the site to the satisfaction of NSW Trade & Investment. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the EA (and depicted conceptually in the figures in Appendix 9), and comply with the objectives in Table 8.

Table 8: Rehabilitation Objectives

Feature	Objective
Mine site (as a whole)	• Safe, stable and non-polluting. • Constructed landforms drain to the natural environment (excluding final voids and subsidence areas). • Minimise visual impact of final landforms as far as is reasonable and feasible.
Agricultural Areas	• Land is returned to a condition that sustains agricultural land use to at least the original rural land capability and agricultural productivity and requires a level of management that is comparable to adjacent agricultural areas.
Final Voids and Subsidence Zones	• Minimise the size and depth of the final voids and subsidence zones so far as is reasonable and feasible. • Minimise the drainage catchment of the final voids and subsidence zones so far as is reasonable and feasible. • Negligible high wall instability risk. • Restrict access. • Revegetate areas surrounding final voids and subsidence zones to minimise erosion. • Minimise risk of flood interaction for all flood events up to and including the Probable Maximum Flood level.
Tailings Storage Facilities	• Any seepage from tailings storage facilities to be contained and treated on the site. • Filled and shaped to final landform levels as provided in Appendix 9. • Final landforms to be capped and revegetated to be stable, self sustaining, free draining and consistent with surrounding rehabilitated areas.
Waste Rock Dumps	• Any seepage from waste rock dumps to be contained and treated on the site.
Surface infrastructure	• To be decommissioned and removed, unless NSW Trade & Investment agrees otherwise.
Native Vegetation	• Revegetation is to be sustainable for the long term, contains native vegetation communities, second generation trees and habitat for native fauna species.
Community	• Ensure public safety. • Minimise adverse socio-economic effects associated with mine closure.

Progressive Rehabilitation

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

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

Rehabilitation Management Plan

41. The Proponent shall prepare and implement a Rehabilitation Management Plan for the project to the satisfaction of NSW Trade & Investment. This plan must:
- (a) be prepared in consultation with the Department, [DPI Water](#), OEH, Council and the CCC;
 - (b) be submitted to NSW Trade & Investment for approval by 30 June 2014, unless the Secretary agrees otherwise;
 - (c) be prepared in accordance with any relevant NSW Trade & Investment guideline;
 - (d) describe how the rehabilitation of the site would be integrated with the implementation of the biodiversity offset strategies;
 - (e) include detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site against the rehabilitation objectives in Table 8, and triggering remedial action (if necessary);
 - (f) describe the measures that would be implemented to ensure compliance with the relevant conditions of this approval, and address all aspects of rehabilitation including mine closure, final landform, and final land use;
 - (g) include interim rehabilitation where necessary to minimise the area exposed for dust generation;
 - (h) include a program to monitor, independently audit and report on the effectiveness of the measures, and progress against the detailed performance and completion criteria; and
 - (i) build to the maximum extent practicable on the other management plans required under this approval.
-

SCHEDULE 5 ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS/TENANTS

1. Within 1 month of this approval, the Proponent shall:
 - (a) notify in writing the owners of:
 - any privately-owned land within 2 kilometres of the approved open cut mining pit/s 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;
 - any residence on privately-owned land which has, or would have, significant direct views of the mining operations and infrastructure on site during the project, that they are entitled to visual impact mitigation measures to reduce the visibility of the mining operations and infrastructure from their residence;
 - (b) notify the tenants of any mine-owned land of their rights under this approval; and
 - (c) send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the existing tenants of mine-owned land where the predictions in the EA identify that dust emissions generated by the project are likely to be greater than the relevant air quality criteria in schedule 3 at any time during the life of the project.
2. Prior to entering into any tenancy agreement for any land owned by the Proponent that is predicted to experience exceedances of the recommended dust and/or noise criteria, the Proponent shall:
 - (a) advise the prospective tenants of the potential health and amenity impacts associated with living on the land, and give them a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time); and
 - (b) advise the prospective tenants of the rights they would have under this approval, to the satisfaction of the Secretary.
3. As soon as practicable after obtaining monitoring results showing:
 - (a) an exceedance of any relevant criteria in schedule 3, the Proponent shall notify affected landowners in writing of the exceedance, and provide regular monitoring results to each affected landowner until the project is again complying with the relevant criteria; and
 - (b) an exceedance of the relevant air quality criteria in schedule 3, the Proponent shall send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the affected tenants of the land (including the tenants of any mine-owned land).

INDEPENDENT REVIEW

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

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

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

SCHEDULE 6

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 Secretary. This strategy must:
 - (a) be submitted to the Secretary for approval by 30 June 2014;
 - (b) provide the strategic framework for environmental management of the mine;
 - (c) identify the statutory approvals that apply to the mine;
 - (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the mine;
 - (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 mine;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise;
 - respond to any non-compliance;
 - respond to emergencies; and
 - (f) include:
 - copies of any strategies, plans and programs approved under the conditions of this approval; and
 - a clear plan depicting all the monitoring to be carried out in relation to the project.

Adaptive Management

2. The Proponent shall assess and manage project-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedules 3 & 4. Any exceedance of these criteria and/or performance measures constitutes a breach of this approval and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.

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

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

Management Plan Requirements

3. The Proponent shall ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:
 - (a) detailed baseline data;
 - (b) a description of:
 - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - any relevant limits or performance measures/criteria;
 - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the 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.

Annual Review

4. By the end of March each year, or as otherwise agreed by the Secretary, the Proponent shall review the environmental performance of the project to the satisfaction of the Secretary. This review must:
- (a) describe the development that was carried out in the previous calendar year, and the development that is proposed to be carried out over the next year;
 - (b) include a comprehensive review of the monitoring results and complaints records of the project over the previous calendar year, which includes a comparison of these results against the
 - the relevant statutory requirements, limits or performance measures/criteria;
 - the monitoring results of previous years; and
 - the relevant predictions in the EA;
 - (c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;
 - (d) identify any trends in the monitoring data over the life of the project;
 - (e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and
 - (f) describe what measures will be implemented over the next year to improve the environmental performance of the project.

Revision of Strategies, Plans and Programs

5. Within 3 months of:
- (a) the submission of an annual review under condition 4 above;
 - (b) the submission of an incident report under condition 7 below;
 - (c) the submission of an audit under condition 9 below; or
 - (d) any modification to the conditions of this approval (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 Secretary. Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted to the Secretary for approval.

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

Community Consultative Committee

6. The Proponent shall operate a Community Consultative Committee (CCC) for the project to the satisfaction of the Secretary. This CCC must be operated in general accordance with the *Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects* (Department of Planning, 2007, or its latest version).

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 CCC should be comprised of an independent chair and appropriate representation from the Proponent, Council, recognised environmental groups and the local community.*

REPORTING

Incident Reporting

7. The Proponent shall notify, immediately, the Secretary and any other relevant agencies of any incident. Within 7 days of the date of the incident, the Proponent shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.

Regular Reporting

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

AUDITING

Independent Environmental Audit

9. By the 31 March 2015, and every 3 years thereafter, unless the Secretary directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:
- be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
 - include consultation with the relevant agencies;
 - assess the environmental performance of the project and assess whether it is complying with the requirements in this approval, and any other relevant approvals, relevant EPL/s and/or Mining Lease (including any assessment, plan or program required under these approvals);
 - review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and
 - recommend measures or actions to improve the environmental performance of the project, and/or any strategy, plan or program required under these approvals.
- Note: This audit team must be led by a suitably qualified auditor, and include experts any fields specified by the Secretary.*
10. Within 3 months of commissioning this audit, or as otherwise agreed by the Secretary, the Proponent shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.

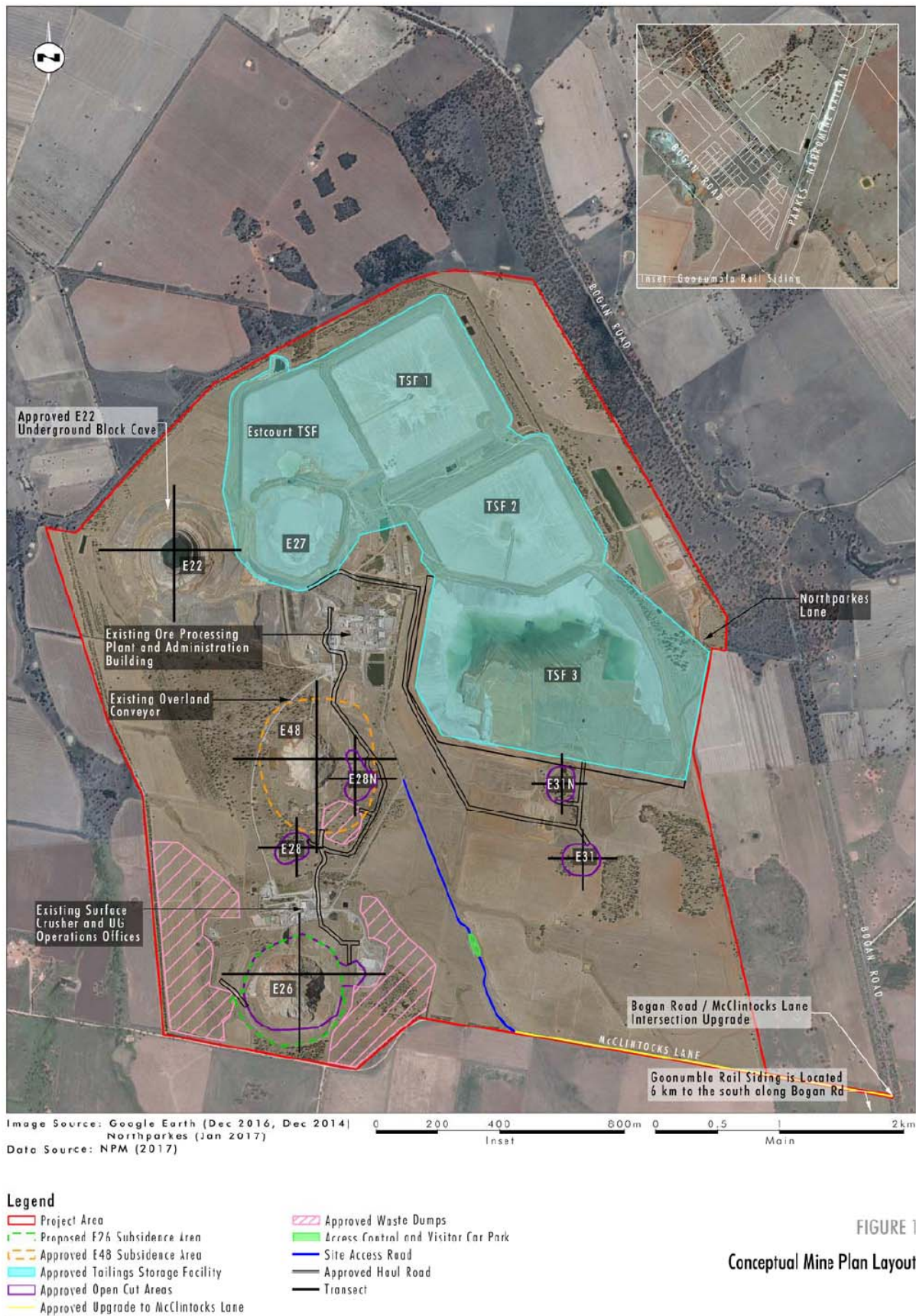
ACCESS TO INFORMATION

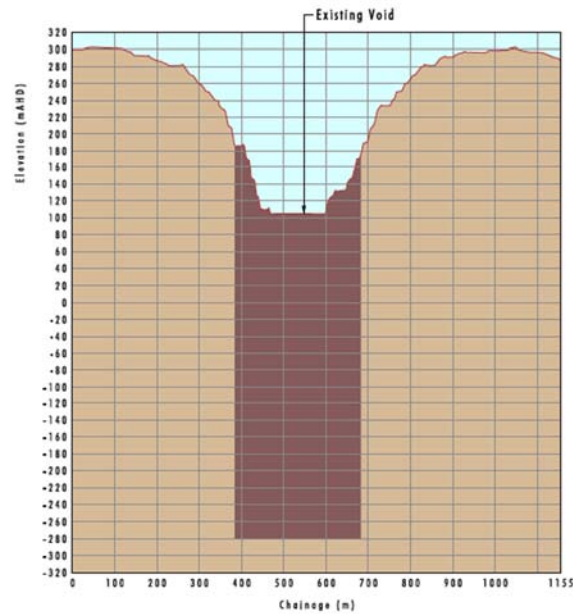
11. The Proponent shall:
- make the following information publicly available on its website:
 - the EA;
 - current statutory approvals for the project;
 - approved strategies, plans or programs required under the conditions of this approval;
 - a comprehensive summary of the monitoring results of the project, which have been reported in accordance with the various plans and programs approved under the conditions of this approval;
 - a complaints register, which is to be updated on a monthly basis;
 - minutes of CCC meetings;
 - the last five annual reviews;
 - any independent environmental audit, and the Proponent's response to the recommendations in any audit; and
 - any other matter required by the Secretary; and
 - keep this information up to date, to the satisfaction of the Secretary.

**APPENDIX 1
SCHEDULE OF LAND**

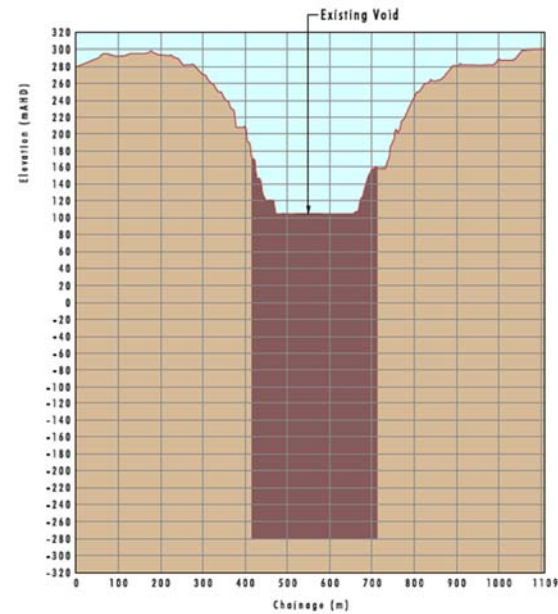
LOT	DP	OWNER
46	753998	PEKO-WALLSEND OPERATIONS LIMITED
1	818783	NORTH MINING LIMITED
41	753998	PEKO-WALLSEND OPERATIONS LIMITED
49	753998	NORTH MINING LIMITED
14	753998	PEKO-WALLSEND OPERATIONS LIMITED
1	848944	STATE RAIL AUTHORITY OF NEW SOUTH WALES
1	952674	STATE RAIL AUTHORITY OF NEW SOUTH WALES
7001	1115837	THE STATE OF NSW
10	1132130	NORTH MINING LIMITED
51	753998	THE STATE OF NSW
7001	1116929	THE STATE OF NSW
1	831622	PEKO-WALLSEND OPERATIONS LIMITED
2	830291	PEKO-WALLSEND OPERATIONS LTD
3	831119	PEKO-WALLSEND OPERATIONS LTD
12	753998	PEKO-WALLSEND OPERATIONS LIMITED
1	830291	PEKO-WALLSEND OPERATIONS LTD
1	831119	PEKO-WALLSEND OPERATIONS LIMITED
382	1108642	NORTH MINING LIMITED
381	1108642	CROWN LAND
43	1120299	NORTH MINING LIMITED
41	1120299	NORTH MINING LIMITED
42	1120299	NORTH MINING LIMITED
3	830291	PEKO-WALLSEND OPERATIONS LIMITED
7002	1116907	THE STATE OF NSW
BETWEEN LOT 3 DP830291 & LOT 49 DP753998		CROWN LAND (CMOC APPLICATION TO PURCHASE REFERENCE # DPI W563265)

APPENDIX 2 GENERAL LAYOUT OF PROJECT

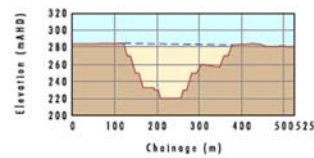




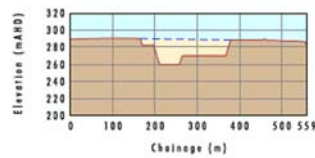
E22 East-West



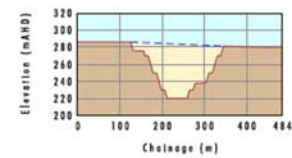
E22 North-South



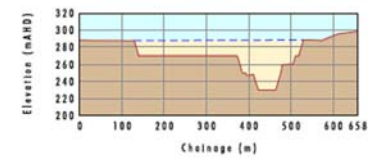
E28 East-West



E28N East-West



E28 North-South



E28N North-South

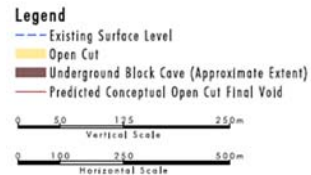


FIGURE 2.13
Conceptual Mine Plan Cross Sections

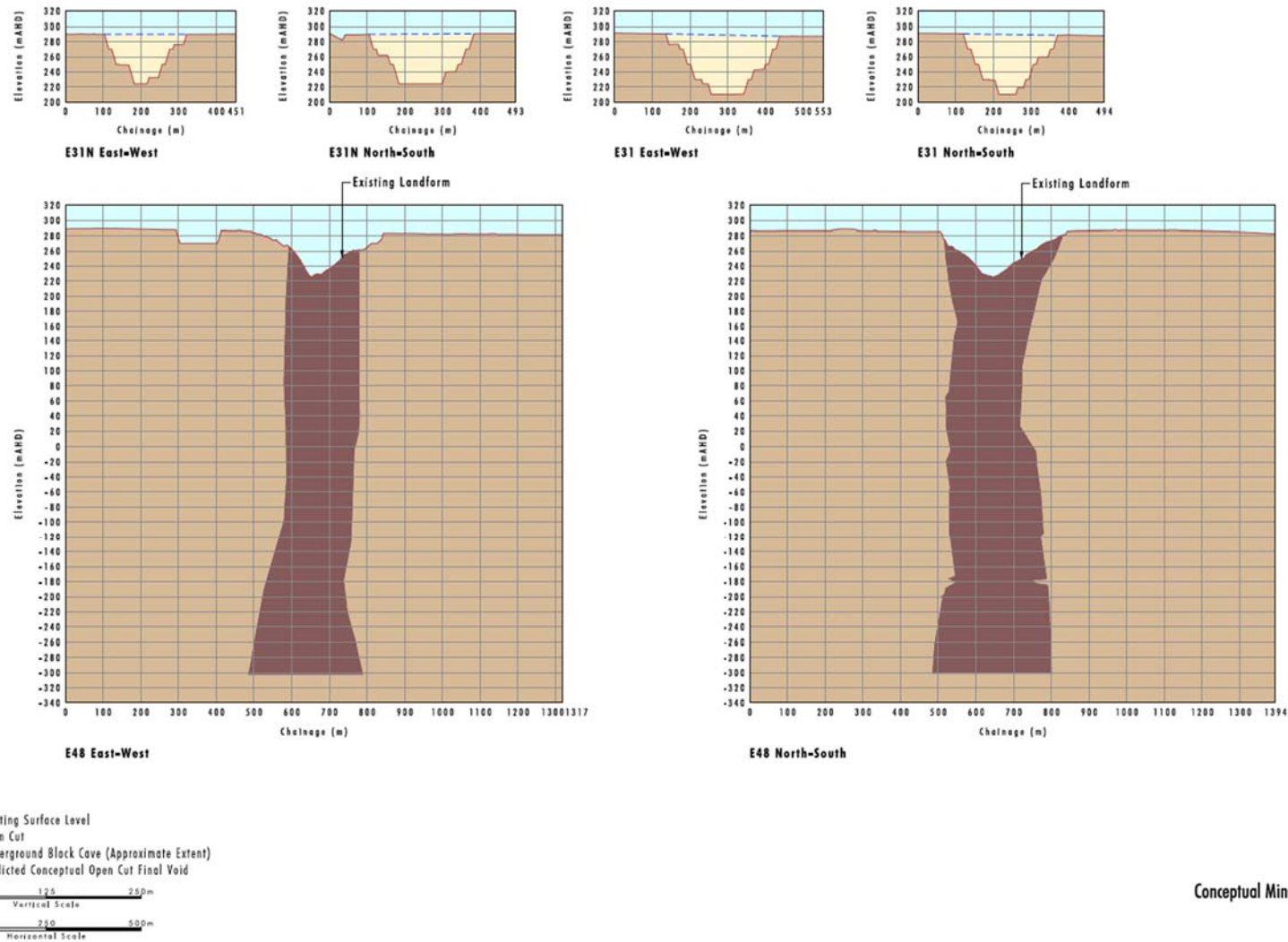
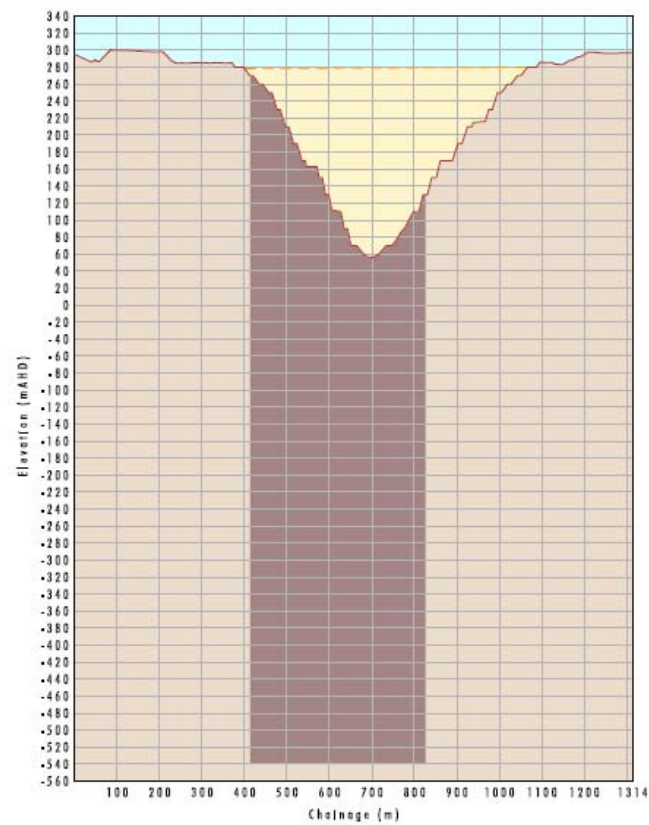
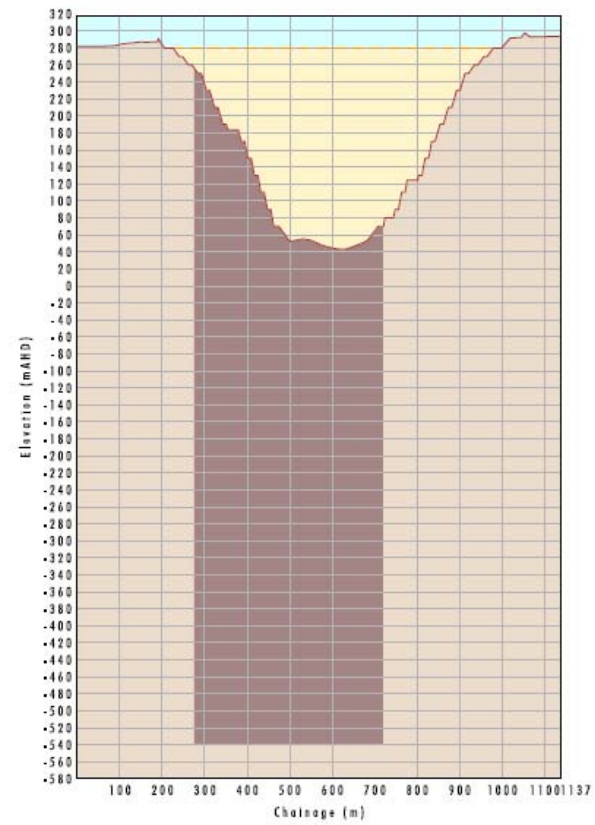


FIGURE 2.14
Conceptual Mine Plan Cross Sections



E26 East-West



E26 North-South

Legend

- Open Cut
- Underground Block Cave (Approximate Extent)
- Predicted Conceptual Open Cut Final Void
- Original Surface Level

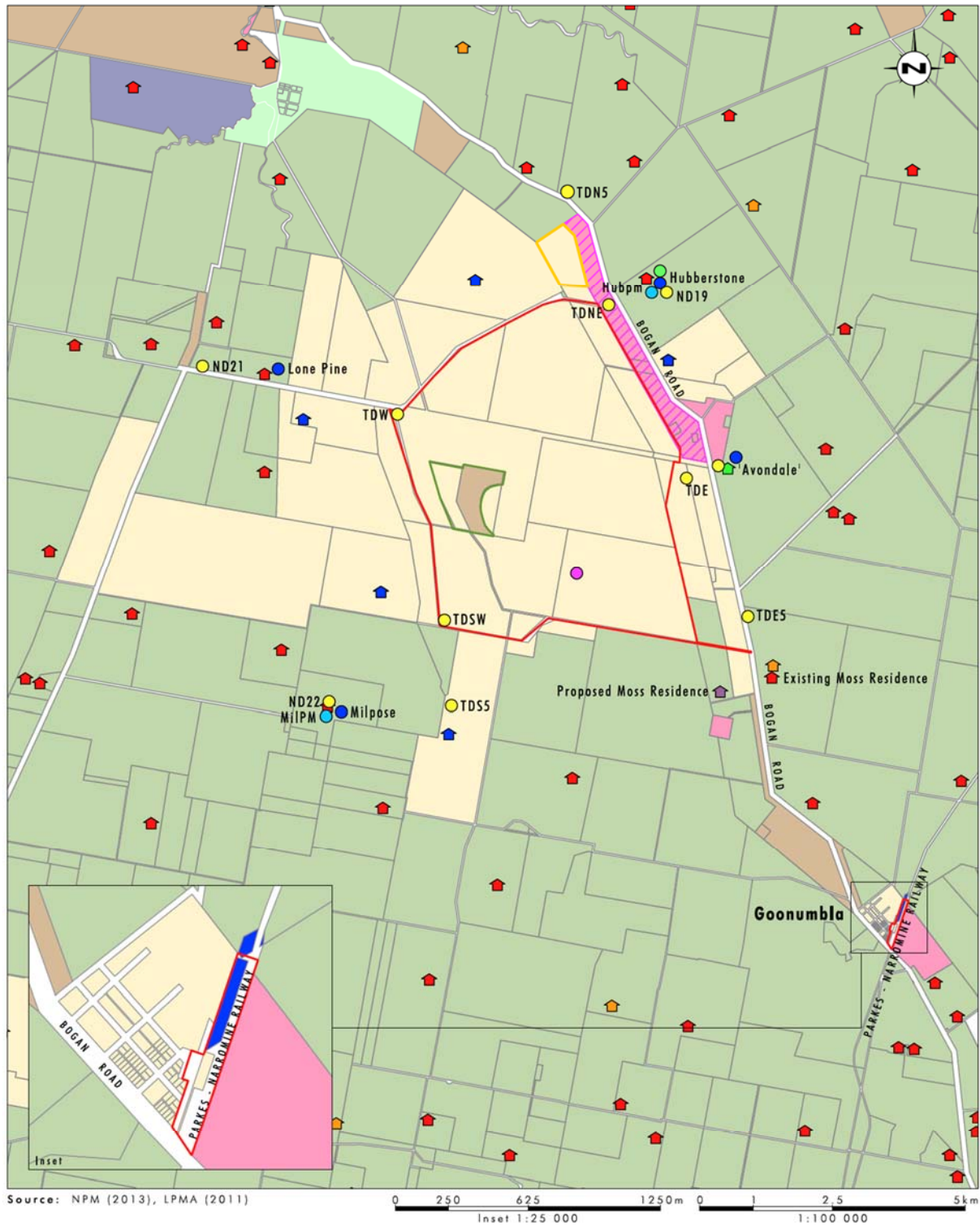
0 125 250 375m 0 250 500 750m
Vertical Scale 1:7 500 Horizontal Scale 1:15 000

FIGURE 2
Conceptual Mine Plan Cross Sections

APPENDIX 3 STATEMENT OF COMMITMENTS

6.6	Noise
6.6.2	NPM will undertake additional targeted noise monitoring during construction periods for TSFs, whilst campaign open cut mining operations occur during winter night time operations. This targeted monitoring program will include the use of real time monitoring and be undertaken to identify situations when metrological conditions have the potential to exacerbate noise impacts on neighbouring receivers. Appropriate noise mitigation measures will be implemented as required.
6.11	Traffic and Transport
6.11.1	The proposed road upgrades, including the development of a new internal access road, upgrades to McClintocks Lane and its intersection with Bogan Road and the development of a new visitors car park, will each be designed in accordance with appropriate guidelines and standards and finalised in consultation with Parkes Shire Council and local landholders/neighbours as appropriate.
6.11.3	NPM will maintain current arrangements for financial contribution for the purpose of road maintenance as agreed with Parkes Shire Council and DP&I in accordance with the executed Planning Agreement.
6.11.4	NPM will prepare a detailed Construction Traffic Management Plan for the construction period of the Project, which will include details of: - any staging works; - construction routes; - heavy vehicles including oversize vehicles; and - traffic management during the construction of the upgraded intersection in Bogan Road and McClintocks Lane.
6.12	Aboriginal Archaeology
6.12.2	NPM commits to a comprehensive survey of all portions of the proposed disturbance area that have not been subject to 100 per cent survey coverage prior to disturbance. Thus, any and all areas of the development footprint that would be affected will be examined prior to construction commencing, in consultation with the Aboriginal Heritage Working Group, and agreed management measures will be implemented.
6.13	Historic Heritage
6.13.1	In the unlikely event that unexpected archaeological remains or potential heritage items not identified as part of this report are discovered during the Project, all works in the immediate area will cease. The remains and potential impacts will be assessed by a qualified archaeologist or heritage consultant and, if necessary, the Heritage Branch, OEH notified in accordance with Section 146 of the Heritage Act (NSW).
6.13.2	If potential human remains are located following any surface disturbance, all works will halt in the immediate area to prevent any further impacts to the remains. The NSW Police will be contacted immediately. No action will be undertaken until police provide written notification to the Proponent.
6.15	Socio-Economic
6.15.1	- NPM will continue investigating the sizing of contracts in order to facilitate the inclusion of local businesses within ongoing operations; - NPM will consult with PSC in regard to other influences on accommodation demands when scheduling operations requiring short-term increases in employees and contractors; - Should unanticipated impacts become evident during the life of the Project, NPM will liaise with PSC and/or the relevant government body in relation to how infrastructure challenges in the future may be met as a community; - NPM will commence SIA, with regard to mine closure (including consultation with PSC, FSC, and the community), 10 years prior to the anticipated end of mine life, unless further extensions of mine life are being sought at that time; and - NPM will continue its existing community engagement and consultation program and will extend the program to facilitate feedback from the community with regard to community perceptions of NPM in order to proactively manage matters as they arise.

APPENDIX 4 LAND OWNERSHIP

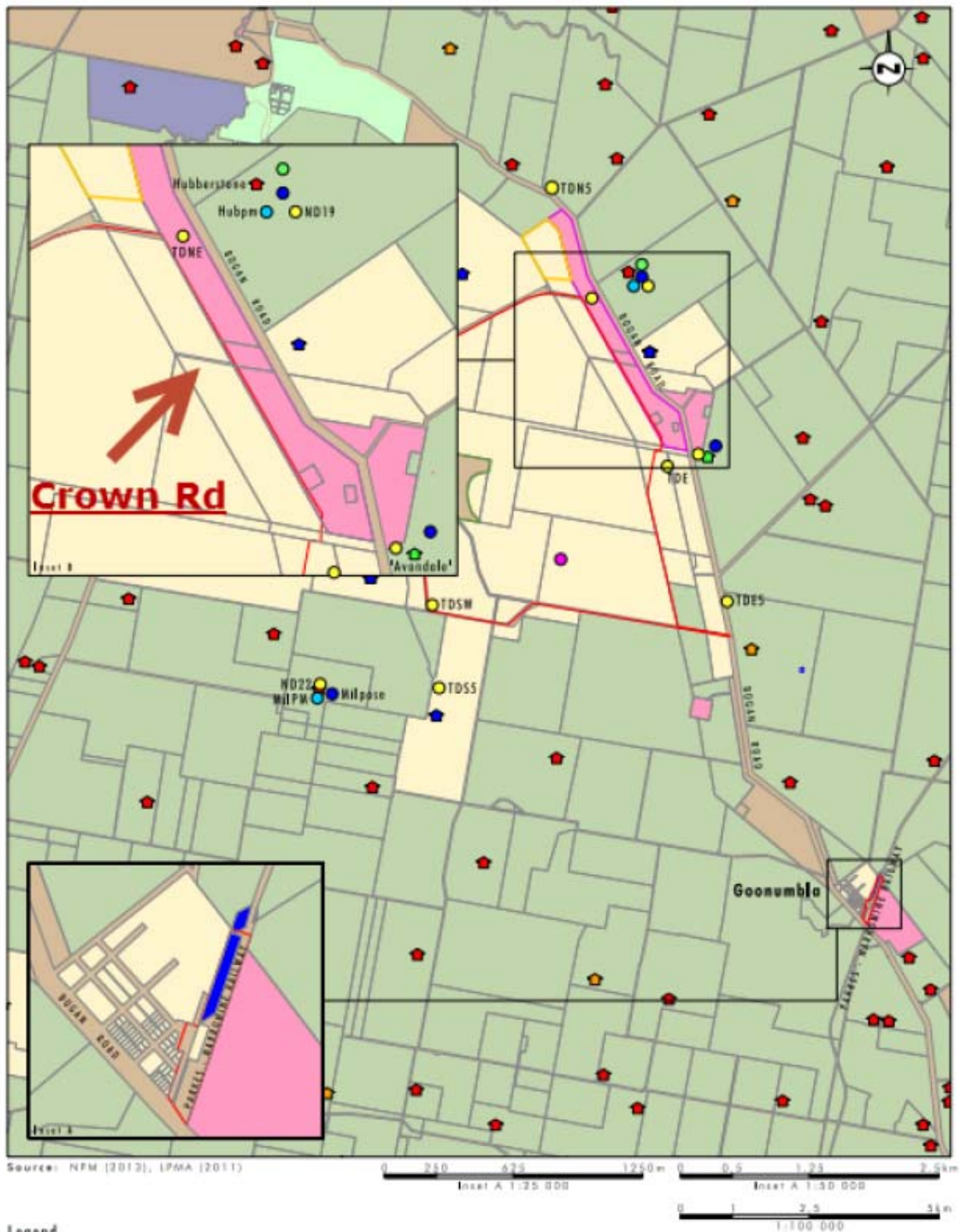


Legend

 Project Area	 Department of Lands - Crown	 Derelict Residence
 Existing Biodiversity Offset Area	 State of NSW	 Proposed Residence (Pending Development Approval)
 Limestone State Forest Boundary	 State Rail Authority of NSW	 Noise Monitoring Location
 State Forest of NSW	 Travelling Stock Route	 Depositional Dust Monitoring Location
 Mine Owned	 Private Residence	 PM10 Monitoring Location
 Parkes Shire Council	 Agreement Residence	 Blast Monitoring Location
 Private	 Mine Owned Residence	 Meteorological Station

FIGURE 2.7

Land Ownership and
Existing Monitoring Locations



- Legend**
- Project Area
 - Existing Biodiversity Offset Area
 - Limestone State Forest Boundary
 - State Forest of NSW
 - State Owned
 - Peoples Shire Council
 - Private
 - Crown Land/Road Reserve
 - State of NSW
 - State Rail Authority of NSW
 - Travelling Stock Route
 - Private Residence
 - Agreement Residence
 - State Owned Residence
 - Derelict Residence
 - Noise Monitoring Location
 - Depositional Dust Monitoring Location
 - PM10 Monitoring Location
 - Best Monitoring Location
 - Hydrological Station

FIGURE 1
Land Ownership and
Existing Monitoring Locations

APPENDIX 5 NOISE COMPLIANCE ASSESSMENT

Applicable Meteorological Conditions

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

Determination of Meteorological Conditions

2. Except for wind speed at microphone height, the data to be used for determining meteorological conditions shall be that recorded by the meteorological station located on the site.

Compliance Monitoring

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

APPENDIX 6 LOCATION OF PINE DINKEY ORCHID POPULATIONS



APPENDIX 7 BIODIVERSITY OFFSET STRATEGIES

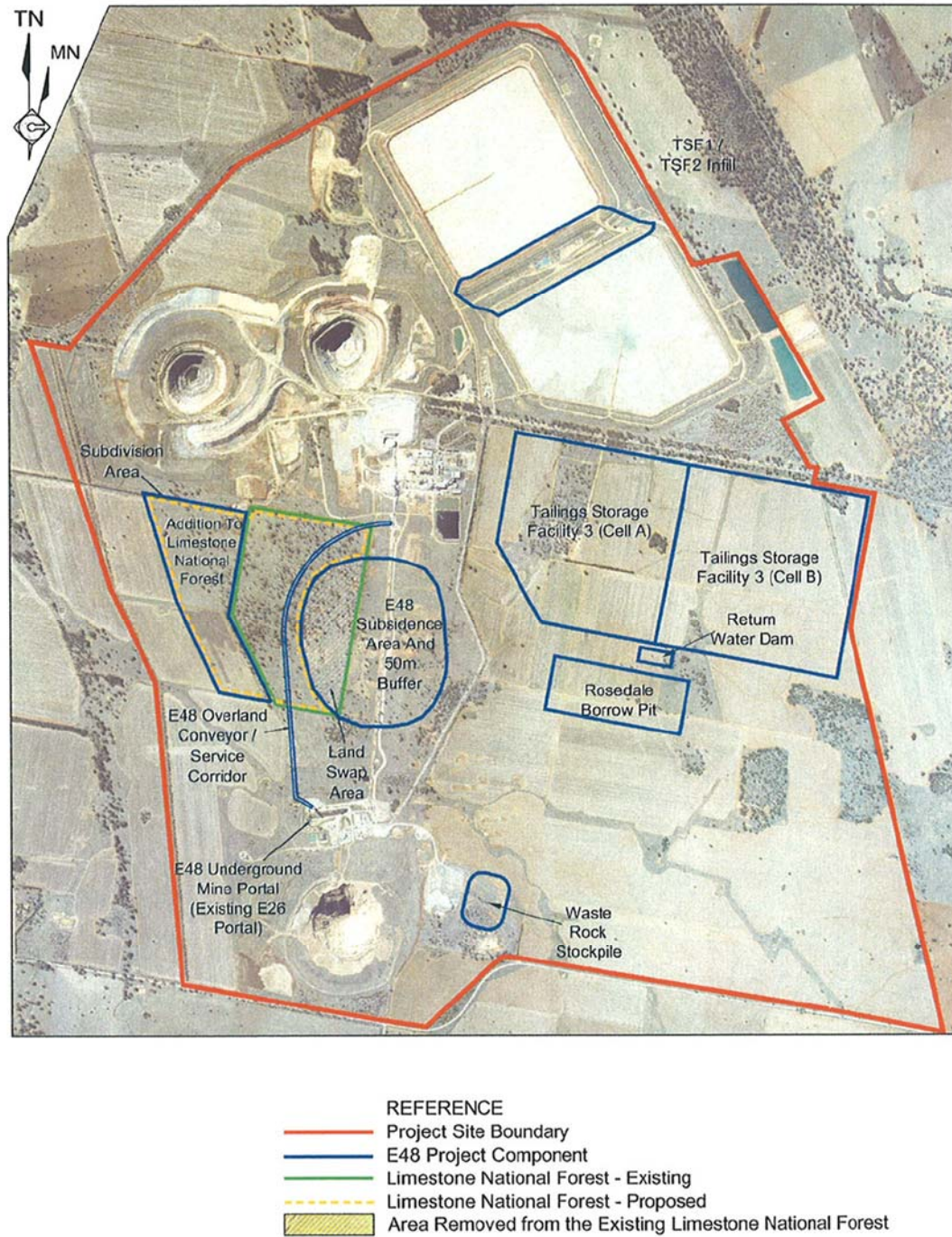


FIGURE 1: Limestone National Forest Offset

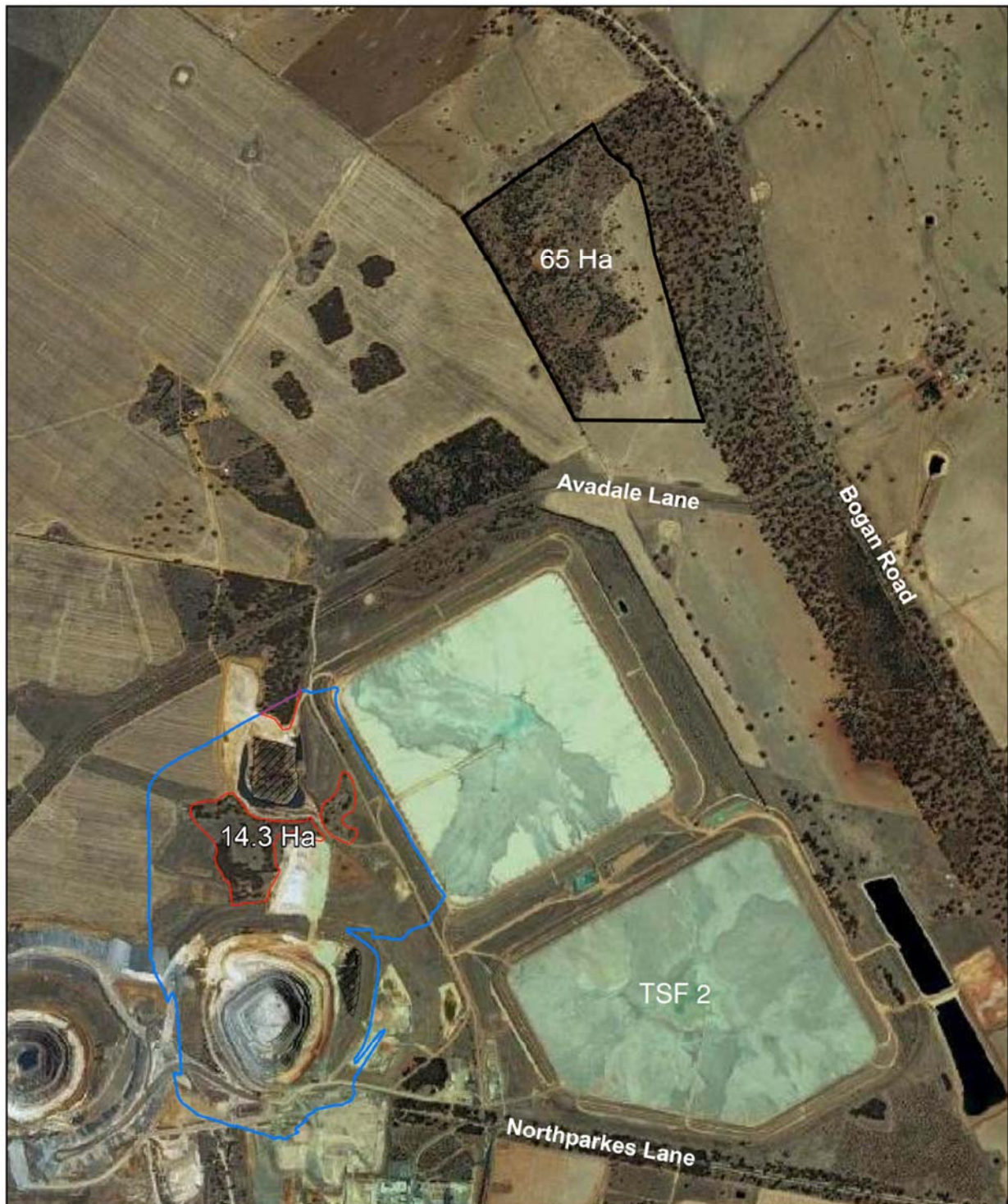


FIGURE 2: Estcourt Tailings Storage Facility Offset (bold black line)

Estcourt Tailings Storage Facility Offset – Vegetation Types

Vegetation Type	Area to be Conserved (ha)
Yellow Box tall grassy woodland on alluvial flats mainly in the NSW South Western Slopes Bioregion (Benson 276)	3.3
Inland Grey Box-White Cypress Pine tall woodland on sandy loam soil on alluvial plains of NSW South-western Slopes and Riverina Bioregions (Benson 80)	38.8
Derived tussock grasslands of the central western plains and lower slopes of NSW (Benson 250)	23
Total	65.1

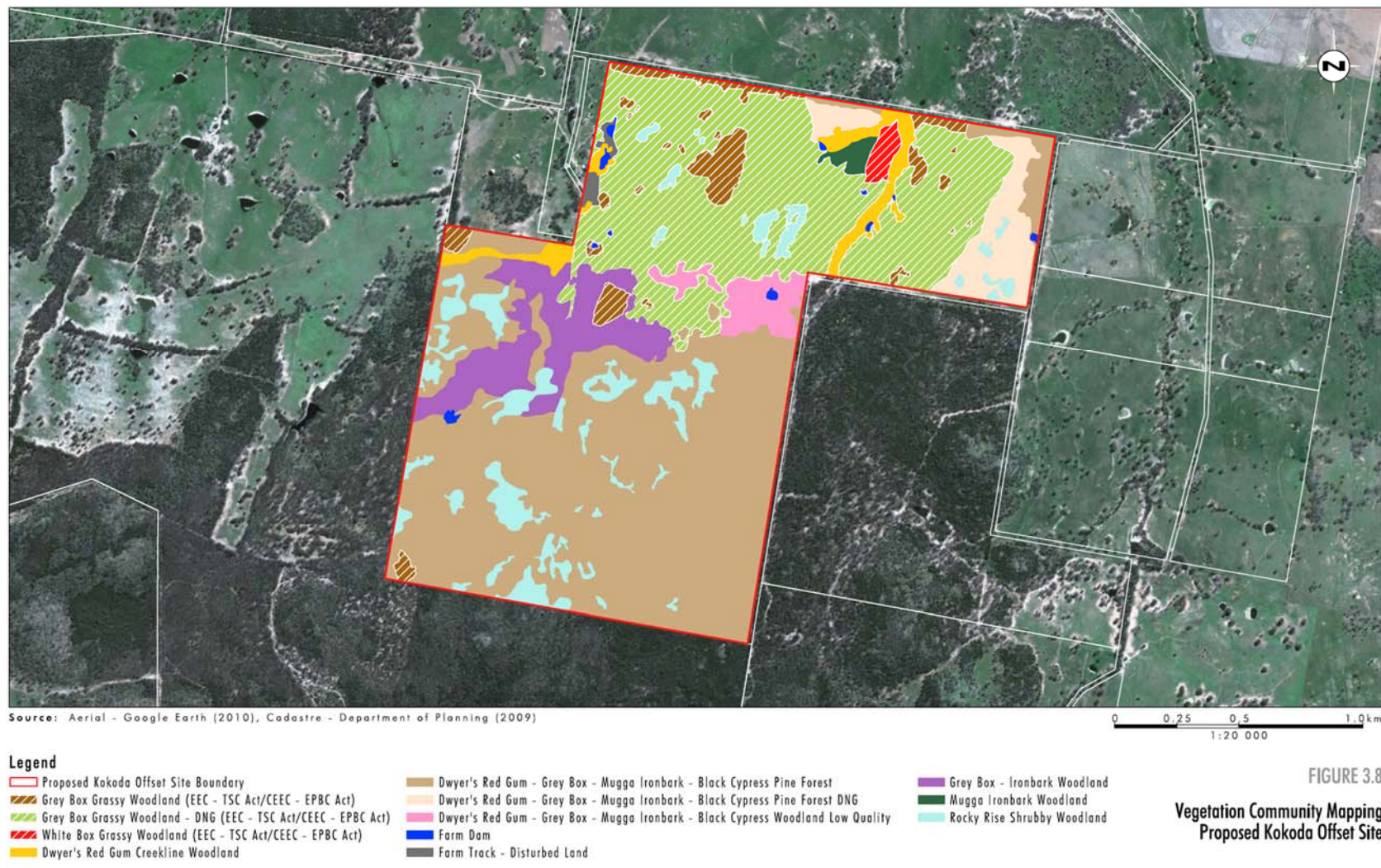


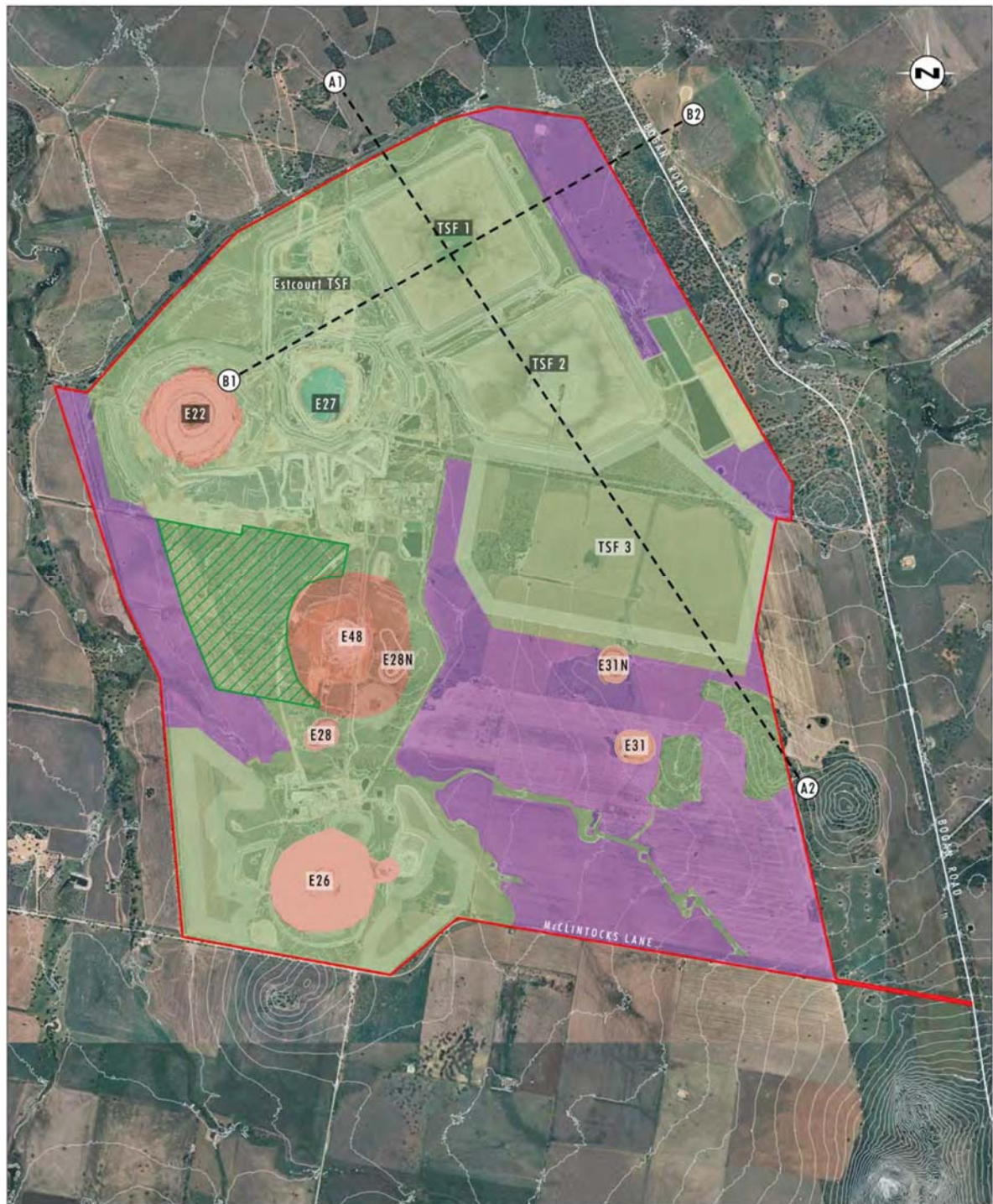
FIGURE 3.8
Vegetation Community Mapping
Proposed Kokoda Offset Site

FIGURE 3: Kokoda Biodiversity Offset

APPENDIX 8
FAUNA SPECIES RECORDED IN THE PROJECT & WIDER STUDY AREA

Common Name	Scientific Name	Conservation Status		Area Recorded
		TSC Act	EPBC Act	
Birds				
Black falcon	<i>Falco subniger</i>	PV		Project Area
Brolga	<i>Grus rubicunda</i>	V		Project Area
Brown treecreeper (eastern subspecies)	<i>Climacteris picumnus victoriae</i>	V		Wider Study Area
Bush stone-curlew	<i>Burhinus grallarius</i>	E		Wider Study Area
Swift parrot	<i>Lathamus discolor</i>	E	E	Project Area and Wider Study Area
Grey-crowned babbler (eastern subspecies)	<i>Pomatostomus temporalis temporalis</i>	V		Project Area and Wider Study Area
Grey falcon	<i>Falco hypoleucos</i>	E		Project Area
Little eagle	<i>Hieraaetus morphnoides</i>	V		Wider Study Area
Masked owl	<i>Tyto novaehollandiae</i>	V		Wider Study Area
Painted honeyeater	<i>Grantiella picta</i>	V		Project Area
Spotted harrier	<i>Circus assimilis</i>	V		Project Area and Wider Study Area
Superb parrot	<i>Polytelis swainsonii</i>	V	V	Project Area and Wider Study Area
Mammal				
Eastern bentwing-bat	<i>Miniopterus schreibersii oceanensi</i>	V		Project Area and Wider Study Area
Little pied bat	<i>Chalinolobus picatus</i>	V		Project Area and Wider Study Area
Frogs				
Sloanes froglet	<i>Crinia sloanei</i>	V		Wider Study Area

APPENDIX 9 FINAL LANDUSE PLANS



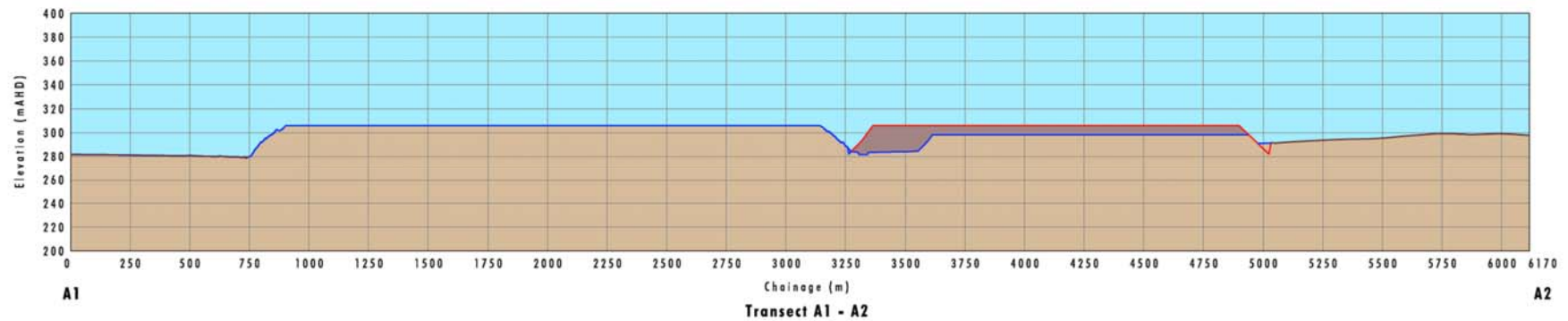
Source: NPM (2013), Google Earth (2010)
Note: Contour Interval 2m.
Refer to Figure 2.18 for Section Details.

0 0.5 1 2 km
1:40 000

Legend

- Project Area
- Agricultural Land Use
- Native Vegetation
- Restricted Land Use
- Limestone State Forest
- Cross Section Location

FIGURE 2.17
Proposed Final Land Use



Legend

- Approved Final Landform Cross Section
- Proposed Final Landform Cross Section
- Natural Ground Surface

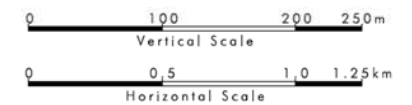


FIGURE 2.18
Final Tailings Landform Cross Sections

