



Environmental Management Strategy

May 2021

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1 INTRODUCTION

1.1 Background

Austar Coal Mine Pty Ltd (Austar), a subsidiary of Yancoal Australia Limited (Yancoal), owns the Austar Coal Mine, an underground coal mine located approximately 10 kilometres southwest of Cessnock in the Lower Hunter Valley in NSW (refer to **Figure 1**). The Austar Coal Mine incorporates the former Pelton, Ellalong, Cessnock No. 1 (Kalingo) and Bellbird South Collieries and includes coal extraction, handling, processing and rail and road transport facilities (refer to **Figure 1**).

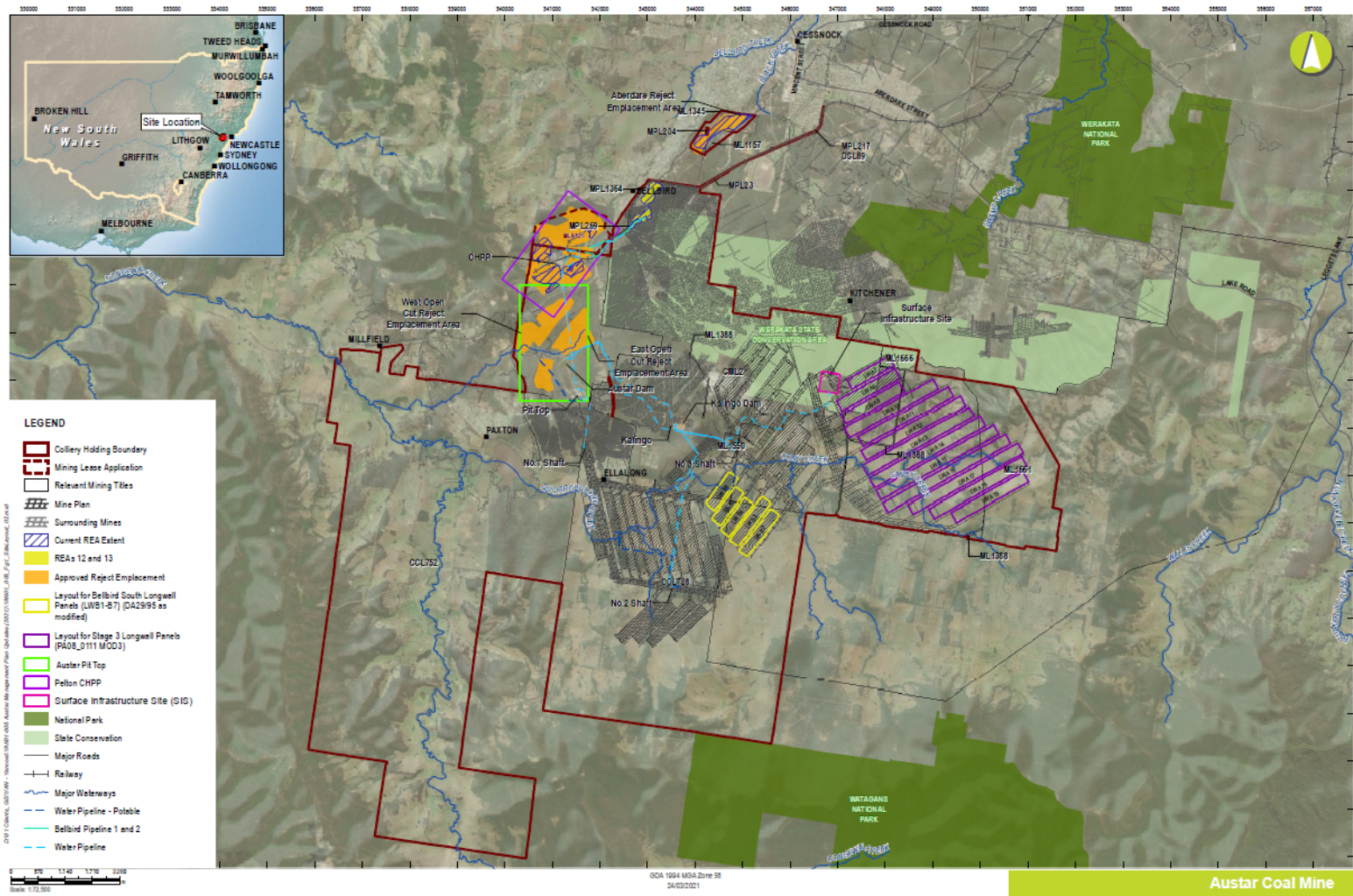
Extensive mining has been undertaken within the Austar Coal Mine since 1916. Historical mining was predominantly via bord and pillar mining and more recently via conventional longwall mining and longwall top coal caving (LTCC) methods. Mining within the Bellbird South areas (Southland, Stage 1, Stage 2 and LWB1-B7, refer to **Figure 1**) was approved by the Minister for Urban Affairs and Planning in 1996 under DA 29/95, while mining of Stage 3 was approved by the Minister for Planning in 2009 under Project Approval 08_0111. Longwall mining commenced in the Ellalong Colliery area in 1983 and has subsequently progressed into the Bellbird South and the Stage 3 areas.

Most recently, mining commenced in the Bellbird South LWB1-B7 mining area in 2016 under DA 29/95 (as modified) and was completed in February 2020. Longwall panels B1 and B7 have not been extracted. Austar mining areas are shown in **Figure 1**.

On 30 March 2020, the Austar Coal Mine transitioned to care and maintenance, with cessation of mining and coal processing activities. On 26 February 2021, a decision was made by the Yancoal board to transition the Austar Coal Mine from care and maintenance to closure. Closure planning works are outlined in the current approved Mining Operations Plan. Nevertheless, active water management, mine ventilation and mine inertisation remain key activities and this revision of the Environmental Management Strategy (EMS) has been prepared to document environmental management and monitoring activities whilst the site is in closure.

The 2021 review of most Austar environmental management plans has resulted in significant restructure of the documents to improve readability and provide more consistency between plans. Changes to actual content have been limited to any amendments required to reflect the closed status of the site and to align content with the requirements of PA 08_0111 and DA 29/95.

The EMS takes into consideration the commitments stated in the Environmental Assessment, Environmental Impact Statement, Statement of Environmental Effects, various development consent conditions and license conditions.



Site Layout

FIGURE 1

FIGURE 1 - SITE LAYOUT

1.2 Purpose and Scope

The purpose of the EMS is to:

- Satisfy the relevant conditions under NSW Development Consent DA 29/95 (as modified) and NSW Project Approval (08_0111) (as modified);
- Provide an overall framework for environmental management;
- Identify key environmental aspects to be addressed in the strategy and supporting plans and procedures;
- Establish procedures for reviewing progress and implementing corrective actions; and
- Provide a framework for review and continual improvement.

The EMS establishes an environmental management framework for activities. It includes the development and management of environmental management plans, compliance and reporting requirements.

The EMS has been prepared in accordance with the requirements of PA 08_0111 and Development Consent DA 29/95.

2 STAKEHOLDER CONSULTATION

2.1 Pre 2021 Consultation

In accordance with Schedule 7 Condition 1 of PA 08_0111 and Schedule 5 Condition 1 of DA 29/95, the original EMS, and subsequent revisions, have been prepared to the satisfaction of the Director General or Secretary at the time of preparation.

2.2 2021 Consultation

In accordance with the requirements of PA 08_0111, a copy of this version of the EMS was submitted to the Department of Planning, Industry and Environment (DPIE) for approval.

The approval letter is provided in **Appendix B**.

3 STRATEGIC FRAMEWORK FOR ENVIRONMENTAL MANAGEMENT

This document outlines the Environmental Management Strategy for Austar. It is an integral component of the overall environmental management system for the Austar Mine Complex.

The subordinate plans and policies have been developed in consultation with relevant government agencies and departments and are updated as required. Where relevant, some plans may address the

requirements of both DA 29/95 and PA 08_0111, and the approval of the Secretary is sought under both DA 29/95 and PA 08_0111 for those plans. The general relationship of the EMS with other plans is shown in **Plate 1**.

Copies of the various strategies, plans and programs required under the conditions of DA 29/95 and PA 08_0111 (as listed below) are available on the Austar Coal Mine website.

- Environmental Management Strategy
- Landscape Management Plan;
- Site Water Management Plan;
- Noise and Vibration Management Plan;
- Air Quality and Greenhouse Gas Management Plan;
- Aboriginal Cultural Heritage Management Plan; and
- Historic Heritage Management Plan.
- Austar Coal Mine Longwalls A7-A10 Extraction Plan;
- Austar Coal Mine Longwalls B1-B3 Extraction Plan;
- Austar Coal Mine Longwalls B4-B7 Extraction Plan.

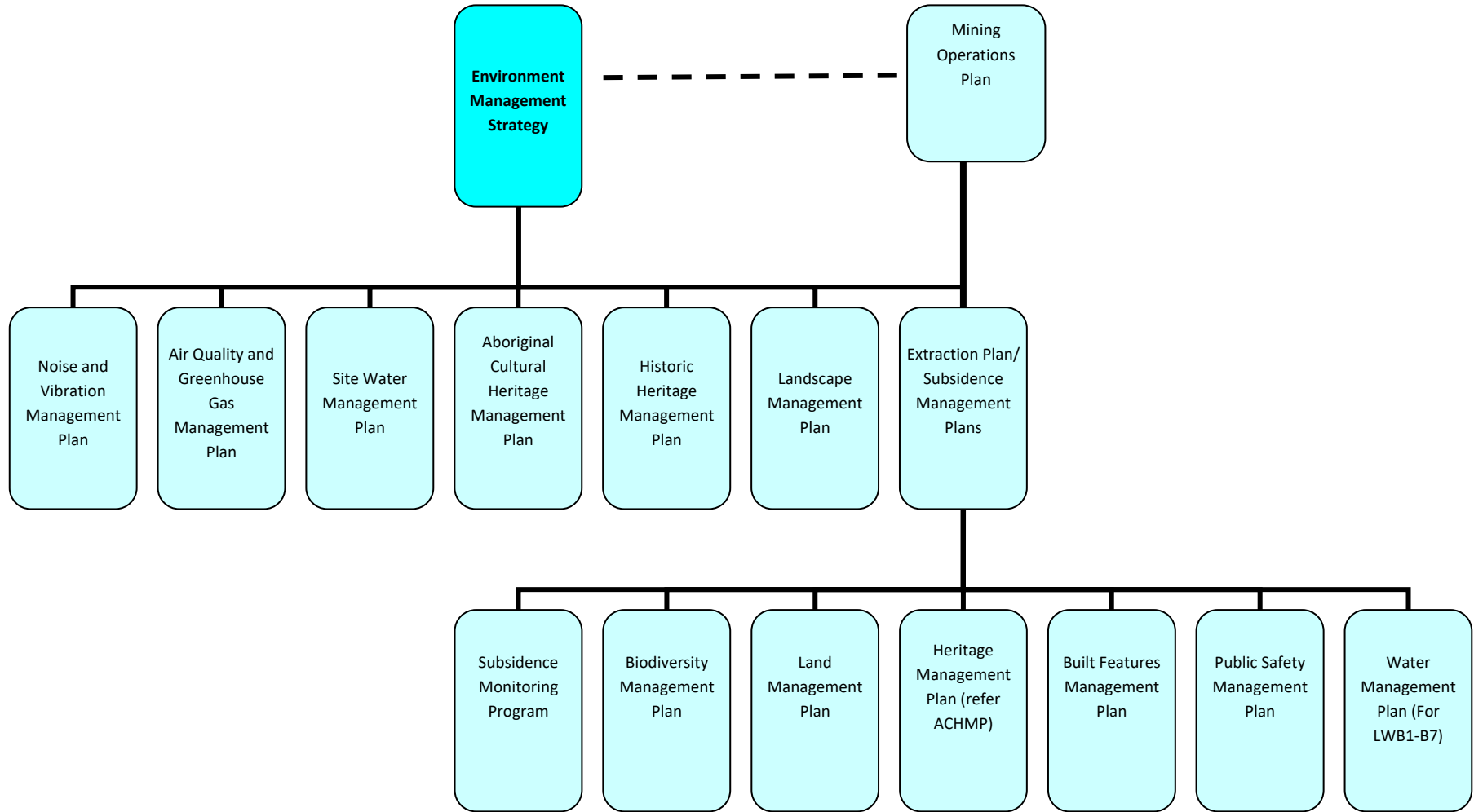


PLATE 1 - ENVIRONMENTAL MANAGEMENT FRAMEWORK

4 BASELINE DATA

Baseline data for each environmental aspect (i.e. noise, air, water) is provided in the relevant management plans as well as in the Environmental Assessment for PA 08_0111 and Environmental Impact Statement for DA 29/95.

5 STATUTORY REQUIREMENTS

5.1 Key Legislation

The main NSW legislation relevant to closure and rehabilitation of the site is:

- *Mining Act 1992* (Mining Act);
- *Environmental Planning and Assessment Act 1979* (EP&A Act);
- *Protection of the Environment Operations Act 1997* (POEO Act);
- *Heritage Act 1977*;
- *National Parks and Wildlife Act 1974*;
- *Biodiversity Conservation Act 2016*;
- *Water Management Act 2000 and Water Act 1912*;
- *Dams Safety Act 2015*;
- *Radiation Control Act 1991*; and
- *Contaminated Land Management Act 1997*.

5.2 Consents, Leases and Licences

The operation at Austar is regulated through various leases, licences, permits and approvals as set out below.

5.2.1 Development Approval

The following development approvals apply to the Austar Coal Mine (**Table 1**).

TABLE 1 - DEVELOPMENT APPROVALS AND CONSENTS

Consent Description	Date	Approval Authority	Approved Development
DA 74/75/79	4 December 1975	Cessnock City Council (CCC)	Development Consent for a coal mine at Ellalong. <ul style="list-style-type: none"> • Approval for underground coal mining. • Construction of a new access drift, upcast shaft and ventilation shaft. • Expansion of the Pelton Coal Handling and Preparation Plant (CHPP). • Conveyance of coal from the Ellalong pit top to the Pelton CHPP. Operation of the Pelton CHPP for the washing and handling of coal. • Water management systems.

Consent Description	Date	Approval Authority	Approved Development
			<ul style="list-style-type: none"> Upgrade of the Pelton rail loading facility and railway spur. Reject emplacement underground, company owned land, open cut areas adjoining Pelton and other abandoned mine sites.
DA 118/680/93	8 October 1980	CCC	Downcast Ventilation Shaft and Man Access Shaft, Bathhouse and Offices at Ellalong Colliery.
DA 118/691/181	26 November 1992	CCC	Pelton Open Cut Coal Mine. <ul style="list-style-type: none"> Approval of an open cut coal mine adjoining Pelton Colliery up to 300,000 t of coal and underground mining of approximately 27,000 t of coal from a section of prior workings south of the proposed open cut.
DA 118/691/181 (modification)	11 January 1993	CCC	Pelton Open Cut Coal Mine – Modification. <ul style="list-style-type: none"> Extension of open cut mining area. Infrastructure and water management modifications.
DA 118/691/229	7 January 1993	CCC	Pelton Coal Handling Preparation Plant – Raw Coal Handling Facility, Washed Coal Facility and Upgrading Water Management System. <ul style="list-style-type: none"> Upgrade and replacement of coal handling infrastructure such as surge bin, automatic stacking system, reclaim facilities and skyline conveyor. Increase in stockpile capacity. Upgrade to water management system. Extension of the reclaim tunnel. Construction of a mine water transfer pipeline from Ellalong Colliery to Pelton. Provision of underground workings for emergency mine water disposal. Upgrade of lime treatment plant.
DA 118/693/42	26 November 1993	CCC	Extension of Pelton Open Cut Mine. <ul style="list-style-type: none"> Extension of open cut mining area including emplacement of overburden in previously mined blocks and extension of the mine's water management system.
DA 118/694/120	27 June 1994	CCC	Approves the extraction of longwall panels LW13 and LW14 as a minor extension to the Ellalong Colliery within CML2.
DA 118/694/152	7 July 1994	CCC	Relocatable Office and Temporary Bathhouse at Pelton Colliery.
DA 118/695/22	12 July 1995	CCC	Establishment of Overburden Stockpile at Pelton Colliery. <ul style="list-style-type: none"> Establishment of an overburden stockpile for the Pelton Open Cut Operations.
DA 118/695/81	12 July 1995	CCC	Additions for Bathhouse, Office and Car park at Ellalong Colliery. <ul style="list-style-type: none"> Extension to the bathhouse at the Ellalong drift site. Extension of existing offices or construction of portable offices.

Consent Description	Date	Approval Authority	Approved Development
			<ul style="list-style-type: none"> Construction of a 4000 square metre car park.
DA 8/1999/1658	18 February 2000	CCC	Relocation of Ventilation Facilities at Bellbird South Underground Mine. <ul style="list-style-type: none"> Installation of a ventilation shaft and fan house. Upgrading of the existing access track to the site from the Pelton-Ellalong Road.
DA 8/2002/655/1	16 October 2002	CCC	Compressor and Pump Enclosure Buildings at Ellalong Colliery.
DA 118/695/18	21 February 1995	CCC	Re-locatable Office at Pelton Colliery.
DA 29/95	14 February 1996	Minister for Urban Affairs and Planning	Ellalong Colliery Extension into Bellbird South. <ul style="list-style-type: none"> Extension of underground mining activities into Bellbird South area (CML 2). Mine life of 21 years with a production of 3 Mtpa. Reject emplacement. Construction and operation of a new infrastructure site including new ventilation shaft and fan(s) (No. 2 Shaft) adjacent to Sandy Creek Road. Use of Pelton CHPP for washing and handling of coal. Provision of a maximum raw coal stockpile of 100,000 t. Reopening of disused Cessnock No. 1 Colliery shafts for ventilation and access, or the sinking of new shafts, as required. Construction of various water management devices including sedimentation and clean water dams and drainage systems.
DA 29/95 (modifications)	27 Sep 2006 (MOD 1) 8 Jun 2008 (MOD 2) 28 May 2009 (MOD 3) 7 Dec 2010 (MOD 4) 27 April 2012 (MOD 5) 29 Jan 2016 (MOD 6) 25 August 2017 (MOD 7)	Minister for Planning (or delegate)	Extension of Underground Mining Activities into Bellbird South (Ellalong Colliery) – Modifications. <ul style="list-style-type: none"> Use of longwall top coal caving (LTCC) mining methods in longwall panels (A1 to A5). Installation of a larger capacity fan at the site approved for DA 8/1999/1658. Installation of a new downcast ventilation shaft. Installation of a new 10 MVA substation. Installation of a nitrogen inertisation plant with a 2,000 m³ capacity. Provision of a diesel and emulsion fluid storage area and dispatch system. Installation of a tube bundle shed to house electronic monitoring equipment. Upgrade of the existing water treatment plant. Upgrade of water reticulation and pumps. Minor embankment stabilisation works at Kalingo Dam. Longer and wider panels A4 and A5. Extract one additional Longwall Panel A5a (LW A5a) using LTCC Extension of LTCC Longwall Panel A5a

Consent Description	Date	Approval Authority	Approved Development
			<ul style="list-style-type: none"> Extension to Bellbird South development consent area to include Longwall Panels LWB1 to LWB7 Extension of consented activities to 14 Feb 2022.
Project Approval 08_0111	6 Sep 2009	Minister for Planning	<p>Stage 3 Expansion Project - extension to longwall mining to an area east of existing operations. Key features:</p> <ul style="list-style-type: none"> Longwall production from the Greta coal seam from panels A6 to A17 using longwall Top Coal Caving (LTCC) technology Construction of a new surface infrastructure site south west of Kitchener including ventilation shafts and fans, winders, bath house facilities, a workshop, electricity substation, store and offices. Construction of a new road and intersection at Quorrobolong Road. Coal will continue to be brought to the surface at Austar's existing surface facilities at Paxton. These facilities will continue to be used to take large mining equipment into and out of the mine. Continued use of Austar's existing water management, coal transport systems, coal preparation plant and rejects emplacement areas.
Project Approval 08_0111 (Modifications)	4 May 2010 (MOD 1) 13 March 2012 (MOD 2) 17 Dec 2013 (MOD 3)	Delegate for Minister for Planning Delegate for Minister for Planning	<ul style="list-style-type: none"> Minor change to wording regarding subsidence impact performance measures to built features in Table 1 of approval. The key performance indicator requires the project does not cause built features to go beyond safe, serviceable and repairable criteria, unless the landowner agrees in writing. Reorientation of the Stage 3 longwalls. Removal of longwall A6, and extraction of coal in longwalls A7 to A19, which are a reorientation of previously approved longwalls A7 to A17 to more closely align with the direction of principal stress. In addition, the chain pillar widths are increased from 45m to 55m to reduce roadway failure risks which in turn further minimises subsidence. The modification will enable more efficient and safer extraction of coal from the Stage 3 area. Extension of longwalls A7 to A10 to the west by approximately 100m and 300m
DA 8/2012/503/1	19 Dec 2012	CCC	<ul style="list-style-type: none"> Extension of car parking area associated with Austar Coal Mine

5.2.2 Mining Authorities

Details of the relevant mining authorities are summarised in **Table 2**.

TABLE 2 - MINING TENEMENTS

Mining Title (Act)	Date Granted	Expiry Date	Area (Ha)	Surface	Depth Restriction
EL 6598 (1992)	13/07/2006	13/06/2021	7,370	Yes	Various
Dam Site Lease 89 (1901)	04/04/1908	04/04/2030	3.961	Yes	Surface to 15.24 metres

Mining Title (Act)	Date Granted	Expiry Date	Area (Ha)	Surface	Depth Restriction
Mineral Lease No. 1157 (1906)	8/07/1949	08/07/2028	10.24	Yes	Surface to 15.24 metres
Mineral Lease No. 1283 (1906)	13/07/1961	13/07/2022*	1.973	No (subsurface)	7.62 to 15.24 metres
Mining Purposes Lease No. 23 (1906)	17/05/1909	17/05/2030	2.421	Yes	Surface to 15.24 metres
Mining Purposes Lease No. 204 (1906)	03/02/1916	03/02/2039	1.2	Yes	Surface to 15.24 metres
Mining Purposes Lease No. 217 (1906)	12/04/1916	12/04/2039	0.6298	Yes	Surface to 15.24 metres
Mining Purposes Lease No. 233 (1906)	01/08/1916	01/08/2036	1.973	Yes	Surface to 7.62 metres
Mining Purposes Lease No. 269 (1906)	07/12/1917	07/12/2018*	2.79	Yes	Surface to 6.1 metres below the level of the rails when laid
Mining Purposes Lease No. 1364 (1906)	28/10/1968	28/10/2029	0.4527	Yes	Surface to 15.24 metres
Consolidated Coal Lease No. 728 (1973)	10/10/1989	30/12/2023*	3296.8	Various	Various
Consolidated Coal Lease No. 752 (1973)	23/05/1990	30/12/2023*	3802	No (subsurface)	Various
Consolidated Mining Lease No. 2 (1992)	24/03/1993	15/05/2025	3388	Various	Various
Mining Lease No. 1345 (1992)	23/03/1995	30/12/2023*	41.895	Yes	Surface to 900 metres
Mining Lease No. 1388 (1992)	02/04/1996	02/04/2038	15.12	No (subsurface)	30.48 metres to unlimited depth
Mining Lease No. 1550 (1992)	24/06/2004	23/06/2025	14.11	Yes	Surface to 20 metres
Mining Lease No. 1661 (1992)	22/11/2011	22/11/2032	469.32	No (subsurface)	20 to 900 metres
Mining Lease No. 1666 (1992)	25/01/2012	25/01/2033	34.13	No (subsurface)	30.48 to 900 metres
Mining Lease No. 1677 (1992)	23/08/2012	23/08/2033	9.16	Yes	Surface to 30.48 metres
Mining Lease Application No. 521 (1992)	Lodged February 2016	Pending Approval	115	Yes	Surface to 50 metres

* Renewal sought

5.2.3 Environment Protection Licence

Austar operates in accordance with Environment Protection Licence 416 (EPL 416), initially issued on 5 April 2000 by the NSW Environment Protection Authority (EPA), under the authority of the *Protection of the Environment Operations Act 1997*.

The current version of the EPL is available on the Austar Coal Mine website.

5.2.4 Water Licences

Austar currently holds water licences for a number of monitoring and dewatering bores across the operation. Austar’s current water licences issued under Part 5 of the *Water Act 1912* are provided in **Table 3**. Note all Part 5 Water Act licences are being transitioned to *Water Management Act 2000* licences and approvals.

TABLE 3 - WATER LICENCES

Licence Held	Licence Number	Validity of Licence	Purpose of Licence	Water Source and Extraction Limit
Bore Licence Certificate	20BL171361	17 May 2007 - Perpetuity	Monitoring Bore (AQD1077)	N/A
Bore Licence Certificate	20BL172524	20 Jul 2010 - Perpetuity	Monitoring Bore (NER1010)	N/A
Bore Licence Certificate	20BL172852	7 Jun 2011 - Perpetuity	Monitoring Bore (WBH1, WBH2, WBH3)	N/A
Bore Licence Certificate	20BL173843	1 Oct 2014 - Perpetuity	Monitoring Bore (BB1, BB2, BB3)	N/A
Bore Licence Certificate	20BL173878	8 Dec 2014 - Perpetuity	Monitoring Bore (MB01)	N/A
Bore Licence Certificate	20BL173891	19 Mar 2015 - Perpetuity	Monitoring Bore (MB02)	N/A
Water Access Licence	20AL210298 / WAL19181	Continuing	Unregulated River Water Licence	Hunter Unregulated and Alluvial Water Sources - Upper Wollombi Water Source - Congewai Creek Management Zone. 10 shares
Water Access Licence	20AL217003 / WAL41504	Continuing	Aquifer -Industrial dewatering 16CT pump station No 2 Shaft No 2 Shaft Borehole	Sydney Basin – North Coast Groundwater Source. North Coast Fractured and Porous Rock Groundwater Sources 2016. Extraction limit of 770ML in any 12 month period commencing 1 July

Relevant conditions from PA 08_0111 and DA 29/95, EPL 416 and PA 08_0111 Statement of Commitments and where these are addressed in this Plan are provided in **Appendix A**.

6 ASSESSMENT CRITERIA AND PERFORMANCE MEASURES

Impact assessment criteria and performance measures for each environmental aspect (i.e. noise, air, water) is provided in the relevant management plans.

7 MANAGEMENT MEASURES

Management measures to be implemented to comply with relevant statutory requirements, limits, or performance measures/criteria for each environmental aspect (i.e. noise, air, water) are provided in the relevant management plans.

7.1 Cumulative Impacts

The CHPP, Pit Top facilities and remote infrastructure sites are relatively remote from other industrial activities. The potential for cumulative impacts in regards to noise, air quality, visual amenity and traffic movements from other industries is therefore minor.

Land use surrounding the Pit Top, CHPP, and remote infrastructure sites include bushland, grazing, vineyards, residential, rural residential and small scale tourist accommodation. None of these land uses are considered to contribute significantly to cumulative impacts. There is an approved small quarry located immediately to the south of the washery. This operation could contribute to the noise and air quality environment.

In terms of underground operations, Austar Coal Mine is an extension of the former Ellalong mine and is surrounded by a number of historic inactive underground mine workings. Groundwater from these old workings flows into Austar Coal Mine and is handled by the water management system servicing the mine. As a result, potential cumulative groundwater impacts are managed as part of the Austar water management system. As the surrounding old underground mines are no longer operational, there are no other potential cumulative impacts from other underground mining operations in the area.

The area above the current Bellbird South and Stage 3 mining areas are mainly small rural holdings, and therefore have low potential to generate impacts that would be cumulative to underground mining operations.

The likelihood of cumulative impacts is further reduced with the site now being closed.

8 MONITORING PROGRAM

Programs to monitor and report on the impacts and environmental performance of the site and the effectiveness of management measures for each environmental aspect (i.e. noise, air, water) are provided in the relevant management plans.

Figure 2 provides an overview of all monitoring carried out at the site.

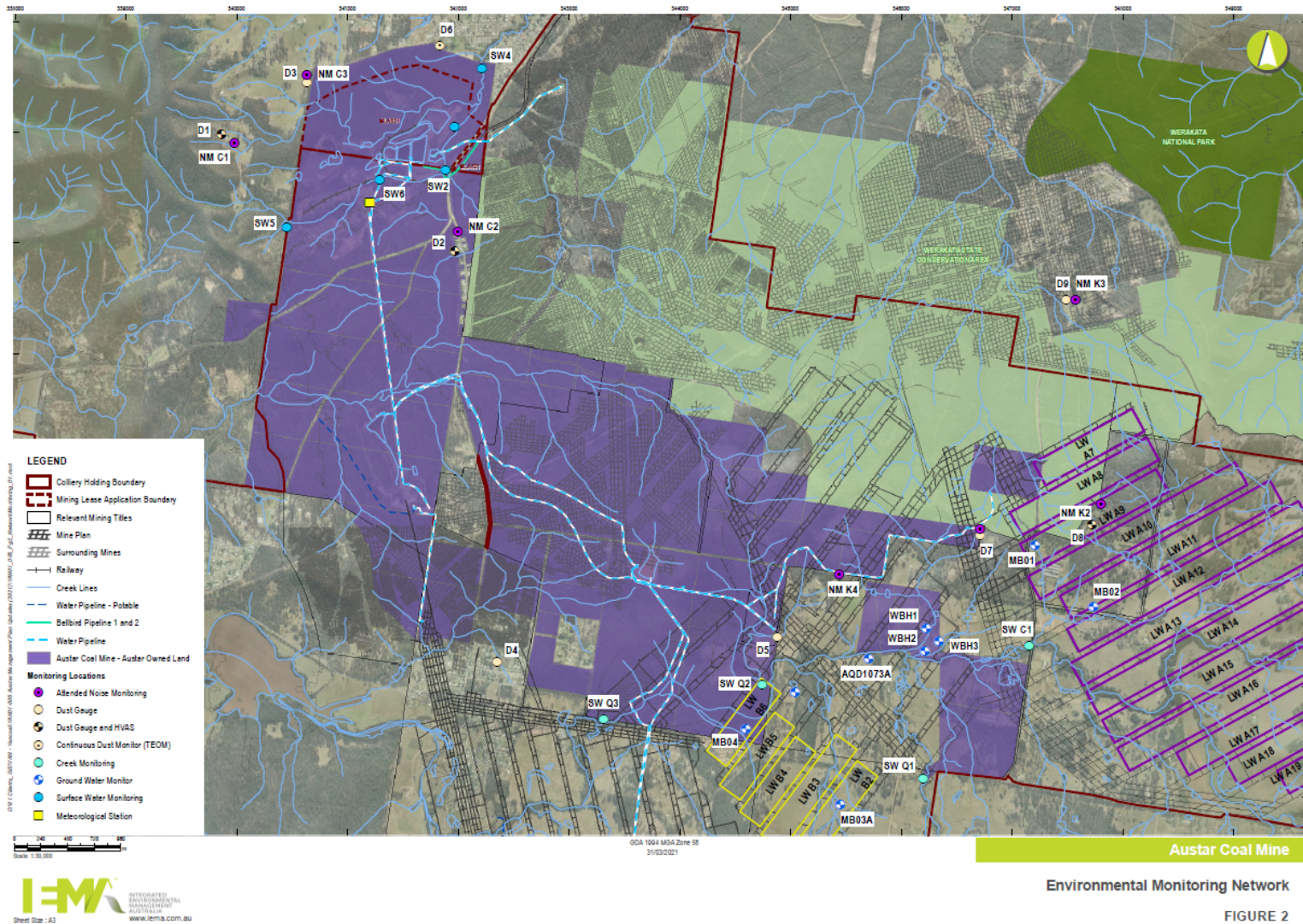


FIGURE 2 - ENVIRONMENTAL MONITORING NETWORK

9 CONTINGENCY PLAN FOR UNPREDICTED IMPACTS

Contingency plans for unpredicted impacts for each environmental aspect (i.e. noise, air, water) are provided in the relevant management plans.

10 CONTINUAL IMPROVEMENT

Continual improvement opportunities for each environmental aspect (i.e. noise, air, water) are provided in the relevant management plans. More generally, continual improvement at the site is achieved through processes and actions such as review and reporting on environmental monitoring, undertaking environmental audits and inspections, conducting incident investigations and implementing corrective and preventative actions.

11 IMPLEMENTATION AND OPERATION

11.1 Roles and Responsibilities

11.1.1 Statutory Mining Engineering Manager

The Austar Coal Mine Statutory Mining Engineering Manager is responsible for the overall environmental performance of the Austar Coal Mine. The Statutory Mining Engineering Manager will ensure that adequate resources are available to implement the Environmental Management Strategy at Austar Coal Mine.

11.1.2 Environment & Community Superintendent

The Austar Coal Mine Environment & Community Superintendent is responsible for overseeing the environmental performance of the operation and compliance with the conditions of consent. This includes managing (including under delegation) aspects of the EMS including environmental monitoring, complaints handling, environmental training, environmental incident management and reporting, and regulatory reporting. The Environment & Community Superintendent reports directly to the Statutory Mining Engineering Manager.

11.1.3 Staff and Employees

All employees have a responsibility to manage operations in an environmentally responsible manner and report any incidents or take action to minimise the impacts from site operations. All employees are provided with environmental awareness training through a site induction process.

11.1.4 Contractors

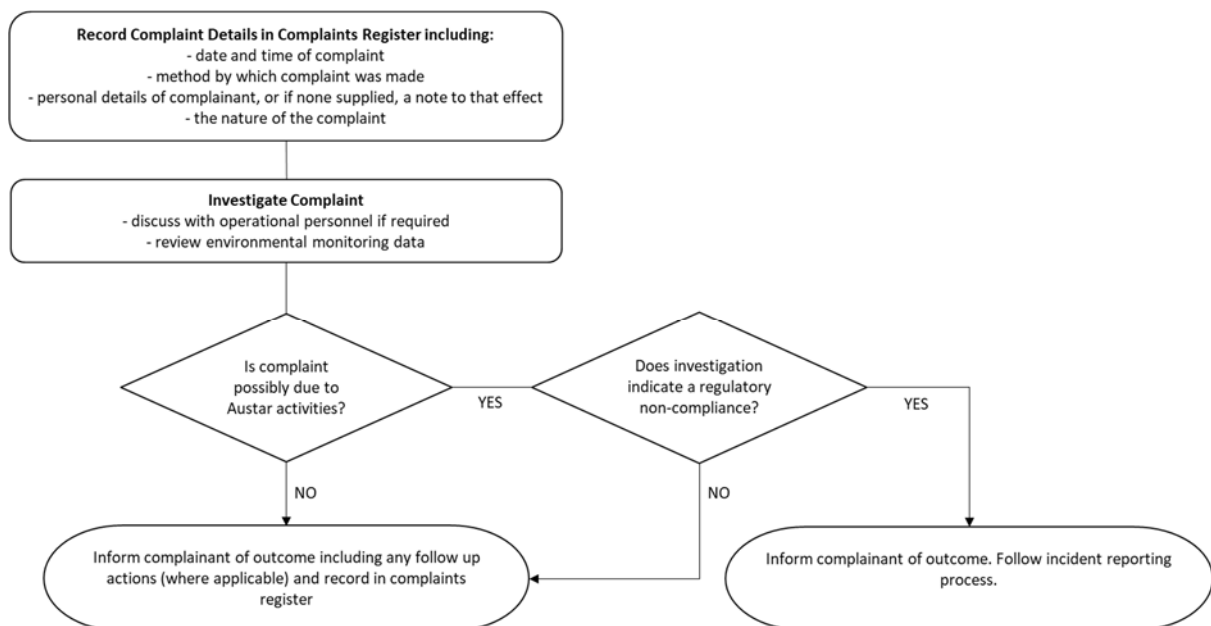
All contractors have a responsibility to manage operations in an environmentally responsible manner and report any incidents or take action to minimise the impacts from site operations. All contractors are provided with environmental awareness training through a site induction process.

12 COMPLAINTS, INCIDENTS AND REPORTING

12.1 Community Complaints and Independent Review

Austar records all complaints made by the community in a complaints register. The Environment & Community Superintendent (or delegate) is responsible for handling, recording and investigating complaints, and initiating remedial actions as required. The flowchart below details the procedure for complaints handling.

The complaints line phone number is provided on the Austar Coal Mine website.



Complaint records are kept for at least four years after the complaint was made and will be available to any authorised officer of the EPA who may require details.

A complaints register will be published on the Austar Coal Mine website, which will be updated monthly, and a summary of complaints will be provided in the Annual Review.

If a landowner of privately-owned land considers the site to be exceeding impact assessment criteria specified in PA 08_0111, the independent review requirements in Schedule 5 Conditions 3 and 4 are to be followed.

12.2 Incident Reporting

Schedule 7 Condition 6 of PA 08_0111 and Schedule 5 Condition 4 of DA 29/95 specify the requirements for incident reporting. An incident is defined as 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 the approval.

There is inconsistency between the wording of the conditions, however the following protocol addresses the requirements of both conditions.

Austar will notify the Department and any other relevant agencies, of any incident associated with the mine complex as soon as practicable after Austar becomes aware of the incident.

Within 7 days of the date of the incident, Austar will provide a detailed report on the incident to the Department and any other relevant agencies. The report will include the following details:

- The date, time and nature of the exceedance/incident;
- Identify the cause (or likely cause) of the exceedance/incident;
- Describe what action has been taken to date; and
- Describe the proposed measures to address the exceedance/incident.

Further investigation may be required beyond the 7 days depending on the nature of the incident.

The EPL should be referred to for notification requirements relating to incidents causing or threatening material harm to the environment.

12.3 Responding to Emergencies

Any emergency situations that arise at the site will be managed in accordance with Austar's internal emergency management system as well as, where necessary, the Pollution Incident Response Management Plan. Emergency response procedures are a part of the site induction package and all inducted workers are trained in emergency response protocols. Emergency response procedures are available on Austar's document control software, with relevant hard copies available in the control room.

12.4 Landowner Notification

The landowner notification and provision of information requirements outlined in Schedule 5 Conditions 1 and 2 of PA 08_0111 must be enacted when triggered by exceedances of relevant impact assessment criteria.

12.5 Information Dissemination

Austar is aware of its community obligations and the need to engage with various stakeholders. Austar endeavours to keep the local community informed of its operations, plans and environmental performance.

This will be achieved by one or more of the following activities:

- Distribution of newsletters and updates;
- 24 hour telephone complaints line (1800 701 986);
- Informal discussions with local residents as required;

- Provision of relevant plans, reports and monitoring results on the Austar Coal Mine website; and
- Effective operation of a Community Consultative Committee, with minutes and regular reporting on the environmental performance available on the Austar Coal website.

A Stakeholder Engagement Strategy will be developed and utilised during mine closure planning and execution to allow for timely and effective engagement with relevant stakeholders.

12.6 Annual Review

In accordance with Schedule 7 Condition 3 of PA 08_0111 and Schedule 5 Condition 5 of DA 29/95, Austar will prepare an Annual Review for submission to the Department.

12.7 Independent Environmental Audit

Austar's compliance with development consent and licence conditions is assessed by a 3 yearly independent environmental audit, as required by both the Bellbird South and Stage 3 approvals. Once approved, the Independent Environmental Audit can be found on the Austar Coal website.

13 DOCUMENT REVIEW AND REVISION

Schedule 7 Condition 4 of PA 08_0111 and Schedule 5 Condition 8 of DA 29/95 specify the requirements for revision of strategies plans and programs. There is inconsistency between the wording of the conditions, however, both require that within 3 months of:

- The submission of an Annual Review;
- The submission of an incident report;
- The submission of an audit report; or
- The approval of a modification to the conditions of consent;

Austar shall review the strategies, plans and programs required by the approval/consent to the satisfaction of Department.

DA 29/95 requires Austar to notify the Department in writing of any such review being undertaken.

Where a review leads to revision of a document, the revised document must be submitted to the Department for approval. The timing for submission of revised plans differs between the consents, being 4 weeks in PA 08_0111 and 6 weeks in DA 29/95. Given this, the 4 week requirement in PA 08_0111 will prevail.

Any revision of the EMS will be undertaken to the satisfaction of the Secretary of the Department.

Appendix A:

Approval Requirements

PROJECT APPROVAL/DEVELOPMENT CONSENT REQUIREMENTS

Relevant conditions from PA 08_0111 and DA 29/95 and where these conditions are addressed in this Plan are listed in the tables below.

RELEVANT CONSENT CONDITIONS FROM DEVELOPMENT CONSENT DA 29/95 (AFTER MOD7)

Schedule	Condition	Section of this Strategy
	Environmental Management Strategy	
5	1. The Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This Strategy must:	Whole document
	(a) provide the strategic context for environmental management of the development;	3
5	(b) identify the statutory requirements that apply to the development;	5
5	(c) describe in general how the environmental performance of the development would be monitored and managed during the development;	7, 8
5	(d) describe the procedures that would be implemented to:	12
	▪ keep the local community and relevant agencies informed about the operation and environmental performance of the development;	
5	▪ receive, handle, respond to, and record complaints;	12
5	▪ resolve any disputes that may arise during the course of the development;	12
5	▪ respond to any non-compliance;	12
5	▪ manage any cumulative impacts;	7.1
5	▪ respond to emergencies;	12
5	(e) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the development; and	11.1
	(f) include:	3
	▪ references to any strategies, plans and programs approved under the conditions of this consent; and	
	▪ a clear plan depicting all the monitoring to be carried out under the conditions of this consent.	8
	The Applicant must implement the approved strategy as approved from time to time by the Secretary.	

Schedule	Condition	Section of this Strategy
5	ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING AND REPORTING	
5	Incident Reporting 4. Within 7 days of detecting an exceedance of the limits/performance criteria in this consent, the Applicant must report the exceedance/incident to the Department (and any relevant agency). The report must: <ul style="list-style-type: none"> (a) describe the date, time, and nature of the exceedance/incident; (b) identify the cause (or likely cause) of the exceedance/incident; (c) describe what action has been taken to date; and (d) describe the proposed measures to address the exceedance/incident. 	12
5	Regular Reporting 4A. The Applicant must provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.	12
5	Annual Review 5. By the end of September each year, unless the Secretary agrees otherwise, the Applicant must submit a review to the Department reviewing the environmental performance of the development to the satisfaction of the Secretary. This review must: <ul style="list-style-type: none"> (a) describe the development (including any rehabilitation) that was carried out in the previous year to 30 June, and the development that is proposed to be carried out over the current year to 30 June; (b) include a comprehensive review of the monitoring results and complaints records of the development over the previous year to 30 June, which includes a comparison of these results against the: <ul style="list-style-type: none"> ▪ relevant statutory requirements, limits or performance measures/criteria; ▪ requirements of any plan or program required under this consent; ▪ monitoring results of previous years; and ▪ relevant predictions in the documents listed in condition 2 of Schedule 2; (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 development; (e) identify any discrepancies between the predicted and actual impacts of the (f) development, and analyse the potential cause of any significant discrepancies; and (g) describe what measures will be implemented over the next year to improve the environmental performance of the development. 	12

Schedule	Condition	Section of this Strategy
5	<p>Revision of Strategies, Plans and Programs</p> <p>8. Within 3 months of:</p> <ul style="list-style-type: none"> (a) the submission of an incident report under condition 4 above; (b) the submission of an Annual Review under condition 5 above; (c) the submission of an audit report under condition 6 above; and (d) the approval of a modification to the conditions of this consent, <p>the Applicant must review the strategies, plans and programs required under this consent, to the satisfaction of the Secretary. The applicant must notify the Department in writing of any such review being undertaken. Where this review leads to revisions in any such document, then within 6 weeks of the review the revised document must be submitted for the approval of the Secretary.</p> <p>Note: The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures recommended</p>	13
5	<p>Updating and Staging of Strategies, Plans or Programs</p> <p>8A. To ensure that strategies, plans or programs required under this consent are updated on a regular basis, and that they incorporate any appropriate additional measures to improve the environmental performance of the development, the Applicant may at any time submit revised strategies, plans or programs for the approval of the Secretary. With the agreement of the Secretary, the Applicant may also submit any strategy, plan or program required by this consent on a staged basis.</p> <p>With the agreement of the Secretary, the Applicant may prepare a revision of or a stage of a strategy, plan or program without undertaking consultation with all parties nominated under the applicable condition in this consent.</p> <p>While any strategy, plan or program may be submitted on a staged basis, the Applicant will need to ensure that the operations associated with the development are covered by suitable strategies, plans or programs at all times. 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/s of the development to which the strategy, plan or program applies; the relationship of this stage/s to any future stages; and the trigger for updating the strategy, plan or program.</p>	Noted
5	<p>Relationship with other consents</p> <p>8B. With the agreement of the Secretary, the Applicant may combine any strategy, plan, program, review, audit or committee required by this consent with any similar requirement under another development consent or approval relating to the Austar Mine Complex, including Project Approval 08_0111 for the Stage 3 mining area.</p>	EMS addresses PA 08_0111 and DA 29/95 conditions

Schedule	Condition	Section of this Strategy
5	<p>Access to Information</p> <p>12. The Applicant must:</p> <p>(a) make copies of the following publicly available on its website:</p> <ul style="list-style-type: none"> ▪ the documents listed in condition 2 of Schedule 2; ▪ all current statutory approvals for the development; ▪ approved strategies, plans and programs required under the conditions of this consent; ▪ a comprehensive summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent; ▪ a summary of the progress of the development; ▪ contact details to enquire about the development or to make a complaint; ▪ 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 of the development, and the Applicant's response to the recommendations in any audit; ▪ any other matter required by the Secretary; and <p>(b) keep this information up-to-date,</p> <p>to the satisfaction of the Secretary.</p>	12

RELEVANT CONSENT CONDITIONS FROM STAGE 3 PA 08_0111 (AFTER MOD3)

Schedule	Project Approval Conditions	Section of this Strategy
2	STRATEGIES, PLANS AND PROGRAMS	
2	12. With the approval of the Director-General, the Proponent may submit any strategies, plans or programs required by this approval on a progressive basis.	Noted
2	13. With the approval of the Director-General, the Proponent may integrate any strategies, plans, programs, reviews, audits or committees required by this approval with any similar requirement under another development consent or approval relating to the Austar Mine Complex.	EMS addresses PA 08_0111 and DA 29/95 conditions
5	NOTIFICATION OF LANDOWNERS	
5	If the results of the monitoring required in schedule 4 identify that impacts generated by the project are greater than the relevant impact assessment criteria, except where a negotiated agreement has been entered into in relation to that impact, then the Proponent shall, within 2 weeks of obtaining the monitoring results, notify the Director-General, the affected landowners and tenants (including tenants of mine owned properties) accordingly, and provide quarterly monitoring results to each of these parties until the results show that the project is complying with the criteria in schedule 4.	12

Schedule	Project Approval Conditions	Section of this Strategy
5	If the results of monitoring required in schedule 4 identify that impacts generated by the project are greater than the relevant air quality impact assessment criteria in schedule 4, then the Proponent shall send the relevant landowners and tenants (including tenants of mine owned properties) a copy of the NSW Health fact sheet entitled "Mine Dust and You" (and associated updates) in conjunction with the notification required in condition 1.	12
5	INDEPENDENT REVIEW	
5	<p>3. If a landowner of privately-owned land considers the project to be exceeding the impact assessment criteria in schedule 4, then he/she may ask the Director-General in writing for an independent review of the impacts of the project on his/her land.</p> <p>If the Director-General is satisfied that an independent review is warranted, the Proponent shall within 2 months of the Director-General's decision:</p> <ul style="list-style-type: none"> (a) consult with the landowner to determine his/her concerns; (b) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to conduct monitoring on the land, to: <ul style="list-style-type: none"> · determine whether the project is complying with the relevant impact assessment criteria in schedule 4; and · identify the source(s) and scale of any impact on the land, and the project's contribution to this impact; and (c) give the Director-General and landowner a copy of the independent review. 	12
5	<p>4. If the independent review determines that the project is complying with the relevant impact assessment criteria in schedule 4, then the Proponent may discontinue the independent review with the approval of the Director-General.</p> <p>If the independent review determines that the project is not complying with the relevant impact assessment criteria in schedule 4, then the Proponent shall:</p> <ul style="list-style-type: none"> (a) implement all reasonable and feasible measures, in consultation with the landowner, to ensure that the project complies with the relevant criteria, and conduct further monitoring to determine whether these measures ensure compliance; or (b) secure a written agreement with the landowner to allow exceedances of the relevant impact assessment criteria, to the satisfaction of the Director-General. <p>If the further monitoring referred to under paragraph (a) above determines that the project is complying with the relevant impact assessment criteria, then the Proponent may discontinue the independent review with the approval of the Director-General.</p>	12
	ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING	

Schedule	Project Approval Conditions	Section of this Strategy
7	Environmental Management Strategy 1. The Proponent shall prepare and implement an Environmental Management Strategy for the Austar Mine Complex, to the satisfaction of the Director-General. The strategy must: <ul style="list-style-type: none"> (a) be submitted to the Director-General for approval prior to the commencement of second workings in Stage 3 and construction of the Surface Infrastructure Site (other than the shaft construction referred to in condition 1 of schedule 4); 	N/A
7	<ul style="list-style-type: none"> (b) provide the strategic framework for environmental management of the mine complex; 	3
7	<ul style="list-style-type: none"> (c) identify the statutory approvals that apply to the mine complex; 	5
7	<ul style="list-style-type: none"> (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the mine complex; 	11.1
7	<ul style="list-style-type: none"> (e) describe the procedures that would be implemented to: <ul style="list-style-type: none"> ▪ keep the local community and relevant agencies informed about the operation and environmental performance of the mine complex; 	12
7	<ul style="list-style-type: none"> ▪ receive, handle, respond to, and record complaints; 	12
7	<ul style="list-style-type: none"> ▪ resolve any disputes that may arise during the course of the project; 	12
7	<ul style="list-style-type: none"> ▪ respond to any non-compliance; and 	12
7	<ul style="list-style-type: none"> ▪ respond to emergencies; 	12
7	<ul style="list-style-type: none"> (f) include: <ul style="list-style-type: none"> ▪ copies of the various strategies, plans and programs that are required under the conditions of this approval once they have been approved; and 	3
7	<ul style="list-style-type: none"> ▪ a clear plan depicting all the monitoring to be carried out in relation to the mine complex. 	8
7	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:	
7	<ul style="list-style-type: none"> (a) detailed baseline data; 	4
7	<ul style="list-style-type: none"> (b) a description of: <ul style="list-style-type: none"> ▪ 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; 	Appendix A 6
7	<ul style="list-style-type: none"> (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria; 	7
7	<ul style="list-style-type: none"> (d) a program to monitor and report on the: <ul style="list-style-type: none"> ▪ impacts and environmental performance of the project; ▪ effectiveness of any management measures (see (c) above); 	8
7	<ul style="list-style-type: none"> (e) a contingency plan to manage any unpredicted impacts and their consequences; 	9

Schedule	Project Approval Conditions	Section of this Strategy
7	(f) a program to investigate and implement ways to continually improve the environmental performance of the project over time;	10
7	(g) a protocol for managing and reporting any: <ul style="list-style-type: none"> ▪ incidents; ▪ complaints; ▪ non-compliances with statutory requirements; and ▪ exceedances of the impact assessment criteria and/or performance criteria; and 	12
7	(h) a protocol for periodic review of the plan.	13
7	<p>Annual Review</p> <p>Each year, the Proponent shall review the environmental performance of the mine complex to the satisfaction of the Director-General. This review must:</p> <ul style="list-style-type: none"> (a) describe the works that were carried out in the past year, and the works that are proposed to be carried out over the next year; (b) include a comprehensive review of the monitoring results and complaints records of the mine complex over the past year, which includes a comparison of these results against the <ul style="list-style-type: none"> ▪ the relevant statutory requirements, limits or performance measures/criteria; ▪ the monitoring results of previous years; and ▪ the relevant predictions in the EA and Extraction Plan; (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 mine complex; (e) identify any discrepancies between the predicted and actual impacts of the mine complex, and analyse the potential cause of any significant discrepancies; and (f) describe what measure will be implemented over the next year to improve the environmental performance of the mine complex. 	12.6
7	<p>Revision of Strategies, Plans and Programs</p> <p>4. Within 3 months of:</p> <ul style="list-style-type: none"> (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 7 below; or (d) any modification to the conditions of this approval, (unless the conditions require otherwise), the Proponent shall review the strategies, plans, and programs required under this approval, to the satisfaction of the Director-General. Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted for the approval of the Director-General. <p>Note: The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures recommended to improve environmental performance of the project.</p>	13

Schedule	Project Approval Conditions	Section of this Strategy
7	<p>Incident Reporting</p> <p>6. The Proponent shall notify the Director-General and any other relevant agencies of any incident associated with the mine complex 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.</p>	12.2
7	<p>Access to Information</p> <p>9. From the end of 2009, the Proponent shall make the following information publicly available on its website:</p> <ul style="list-style-type: none"> (a) a copy of all current statutory approvals for the mine complex; (b) a copy of the current environmental management strategy and associated plans and programs; (c) a summary of the monitoring results of the mine complex, which have been reported in accordance with the various plans and programs approved under the conditions of this approval; (d) a complaints register, which is to be updated on a monthly basis; (e) a copy of the minutes of CCC meetings; (f) a copy of any Annual Reviews (over the last 5 years); (g) a copy of any Independent Environmental Audit, and the Proponent's response to the recommendations in any audit; and (h) any other matter required by the Director-General. 	12

EPL REQUIREMENTS

Relevant conditions from EPL 416 and where these conditions are addressed in this Plan are listed in the table below.

ENVIRONMENT PROTECTION LICENCE 416 (EPL 416)

Section	EPL Conditions	Section of this Strategy
5	MONITORING AND RECORDING CONDITIONS	
5	M5 Recording of pollution complaints	
5	M5.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	12
5	<p>M5.2 The record must include details of the following:</p> <ul style="list-style-type: none"> a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken. 	12
5	M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.	12
5	M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.	12

Section	EPL Conditions	Section of this Strategy
5	M6 Telephone complaints line	
5	M6.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	12
5	M6.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	12
5	M6.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	12

STATEMENT OF COMMITMENTS

A list of the Statement of Commitments from PA 08_0111 which are relevant to this EMS and where these commitments are addressed in this Strategy are listed in the table below.

PROJECT APPROVAL STATEMENT OF COMMITMENTS (08_0111)

Appendix	Statement of Commitments	Section of this Strategy
3	1.13.1 Austar Coal Mine will work with Cessnock City Council, the Department and Community Consultative Committee to incorporate representatives from the Stage 3 Project area. Austar Coal Mine will provide the Community Consultative Committee with regular information regarding the environmental management performance of the Stage 3 Project and any relevant matters regarding community relations.	12
3	1.13.2 Maintain a 24 hour per day community information and complaint line.	12
3	1.13.3 Provide regular updates of mine development and monitoring on the Austar Coal Mine website.	12

Appendix B:

EMS Approval