



## Bengalla Mining Company Pty Limited

### Environmental Management Strategy

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## 1.0 INTRODUCTION

### 1.1 Background

Bengalla Mining Company Pty Limited (BMC) operates the Bengalla Mine (Bengalla), which is located approximately 130 kilometres (km) north-west of Newcastle and 4 km west of Muswellbrook in the Upper Hunter Valley, NSW (**Figure 1**). Bengalla is generally bounded by Wybong Road to the north, Overton Ridge to the east, the Muswellbrook-Ulan Rail Line and the Hunter River Flood plain to the south and Roxburgh Road to the west.

Bengalla is owned by the Bengalla Joint Venture (BJV) comprising New Hope Bengalla Pty Limited as to 80% and Taipower Bengalla Pty Limited as to 20%. BMC is the appointed operating company of Bengalla on behalf of the BJV.

BMC was granted Development Consent for State Significant Development (SSD) 5170 on 3 March 2015 by the Secretary of the Department of Planning and Environment of (DPE) (formerly DP&E) for the Continuation of Bengalla. BMC commenced under SSD-5170 on 1 October 2015.

This Environmental Management Strategy (EMS) has been developed in accordance with the requirements of Schedule 5, Condition 1 of SSD-5170 (as modified) to provide a framework for environmental management at Bengalla.

### 1.2 History of Operations

#### 1.2.1 Introduction

BMC was originally granted development consent for Bengalla on 7 August 1995 (DA 211/93), which authorised the construction and operation of a surface coal mine, coal preparation plant, rail loop, loading facilities and associated facilities. . DA 211/93 was surrendered following the grant of State Significant Development (SSD) 5170 for the Bengalla Continuation of Mining Project on 3 March 2015. SSD-5170 (as modified) is now the applicable development consent for Bengalla.

#### 1.2.2 State Significant Development 5170

In September 2013, BMC sought a new development consent under Division 4.1 of Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act) to enable mining operations to continue at Bengalla. The application was supported by the '*Continuation of Bengalla Mine Environmental Impact Statement*' (Bengalla EIS) (Hansen Bailey, 2013) as modified by the '*Continuation of Bengalla Mine Response to Submissions*' (RTS) (Hansen Bailey, 2014).

On 3 March 2015, the Secretary of DPE as delegate of the Minister for Planning granted SSD-5170 (as modified) which permits the following activities at Bengalla:

- Open cut mining towards the west at a rate of up to 15 Mtpa ROM coal until 2039;
- Continued use of the existing dragline, truck fleet and excavators;
- An out of pit Overburden Emplacement Area (OEA) to the west of Dry Creek which may be utilised for excess spoil material until it is intercepted by mining;
- Various upgrades, relocations or additional new infrastructure to support the Project;
- Processing, handling and transportation of coal via the (upgraded) Coal Handling and Preparation Plant ( ) and rail loop for export and domestic sale;
- Continued rejects and tailings co-disposal in the Main OEA and temporary in pit reject emplacement;
- Relocation of a 6 km section of Bengalla Link Road at approximately Year 15 near the existing mine access road to facilitate coal extraction;
- The diversion of Dry Creek via dams and pipe work with a later permanent alignment of Dry Creek through rehabilitation areas when emplacement areas are suitably advanced;
- Relocation of water storage infrastructure as mining progresses through existing dams(including the Staged Discharge Dam and Hunter River Raw Water Dam); and
- A workforce of approximately 900 full time equivalent personnel (plus contractors) at peak production.

### 1.2.3 Bengalla Development Consent – Modification 1

SSD-5170 was modified on 16 December 2015 by the Executive Director – Resource Assessments and Compliance for the DPE as delegate of the Minister for Planning for the activities largely described in the ‘*Bengalla Mine Development Consent Modification Statement of Environmental Effects*’

(Hansen Bailey, 2015) (MOD 1 SEE). The MOD 1 SEE provides approval for the following:

- Alterations to various water management infrastructure components including:
  - Utilisation of the Satellite Pit as a temporary mine water catchment dam;
  - Relocation of the Staged Discharge Dam and the Hunter River Salinity Trading Scheme staged discharge release point;
  - Construction of clean water diversion levees in locations other than those already approved; and
  - Revised locations for the proposed relocation of the Hunter River Raw Water Dam and Washery Dam;
- Additional locations for the siting of the Explosives Storage Facility; and
- Placement of fill from the excavation of the Dry Creek Clean Water Dam (CW1) adjacent to it.

#### 1.2.4 Bengalla Development Consent – Modification 2

SSD-5170 was modified on 1 July 2016 by the Director – Resource Assessments for the DPE as delegate of the Minister for Planning for the activities largely described in the '*Bengalla Mine Development Consent Modification Statement of Environmental Effects*' (Hansen Bailey, 2016) (MOD 2 SEE). The MOD 2 SEE provides approval for the following:

- Alterations to the approved height of the Main OEA to improve visual amenity from primary viewing locations in and surrounding the township of Muswellbrook and Denman Road, in two selected locations (Visual Relief Areas):
  - The Northern Relief Area constructed to a maximum height of Reduced Level (RL) 300;
  - The Southern Relief Area constructed to a maximum height of RL 290; and
- Establishment of a new gravel access road from Wybong Road to the Dry Creek Diversion Project Construction Site Office being a former homestead (Homestead Access).

#### 1.2.5 Bengalla Development Consent – Modification 3

SSD-5170 was modified in December 2016 by the Director – Resource Assessments for the DPE as delegate of the Minister for Planning for the activities largely described in the '*Bengalla Mine Development Consent Modification 3 Statement of Environmental Effects*' (Hansen Bailey, 2016) (SEE MOD 3). The MOD 3 SEE provides approval for the following:

- The construction and operation of an explosives facility and reload facility;
- The alignment of the Hunter River pipeline; and
- The emplacement and use of temporary topsoil stockpiles during mining process.

#### 1.2.6 Bengalla Development Consent – Modification 4

SSD-5170 was modified in December 2018 by the Director – Resource Assessments for the DPE as delegate of the Minister for Planning for the activities largely described in the '*Bengalla Mine Development Consent Modification 4 Statement of Environmental Effects*' (Hansen Bailey, 2017) (SEE MOD 4). The SEE (Mod 4) provides approval for the following:

- Changes to the approved water management system to reflect operations at Bengalla, including proposed enlargement of the approved Staged Discharge Dam (ED1), and construction and use of the Dry Creek East Dam;
- Temporary storage of approximately 2,500 m<sup>3</sup> of excess materials from the construction of ED1;
- Increase in the capacity and additional locations of ROM coal stockpiles;
- Additional storage locations for temporary emplacement of coal processing rejects material, prior to permanent emplacement; and
- Temporary clay emplacement within the Main OEA or to the west of this for later use in the reinstatement of Dry Creek.

### 1.2.7 Bengalla Development Consent – Modification 5

SSD-5170 was modified by DPE as the delegate for the Minister for Planning for the activities in accordance with activities described in the '*Bengalla Mine Development Consent SSD-5170 Modification 5 Modification Report*' (James Bailey Associates, 2021), Submissions Response and '*Response to Request For Additional Information*' (James Bailey Associates, 2022) (MOD 5). The MOD 5 Report provides approval for the following:

- Operation of a mobile rock crushing facility and ancillary equipment, and the use of that crushed rock at Bengalla;
- Geotechnical investigations in connection with any activities approved under SSD-5170 from time to time;
- Prospecting operations (including exploration drilling) in accordance with BMC's mining leases issued under the *Mining Act 1992* (Mining Act);
- Realignment of the Western Diversion Levee within the approved Disturbance Boundary;
- Enlargement of the ROM coal stockpile located adjacent to the ROM dump hopper from 40 kt to 150 kt approximate maximum capacity;
- Upgrade/widening of an existing haul road (Southern Endwall Road) adjacent to the Southern visual bund, which may require removal of part of the visual bund (to be replaced by an equivalent measure);
- Disposal of tyres in pit; and
- Minor administrative changes to conditions of SSD-5170.

The approved development layout is presented in **Figure 2**.

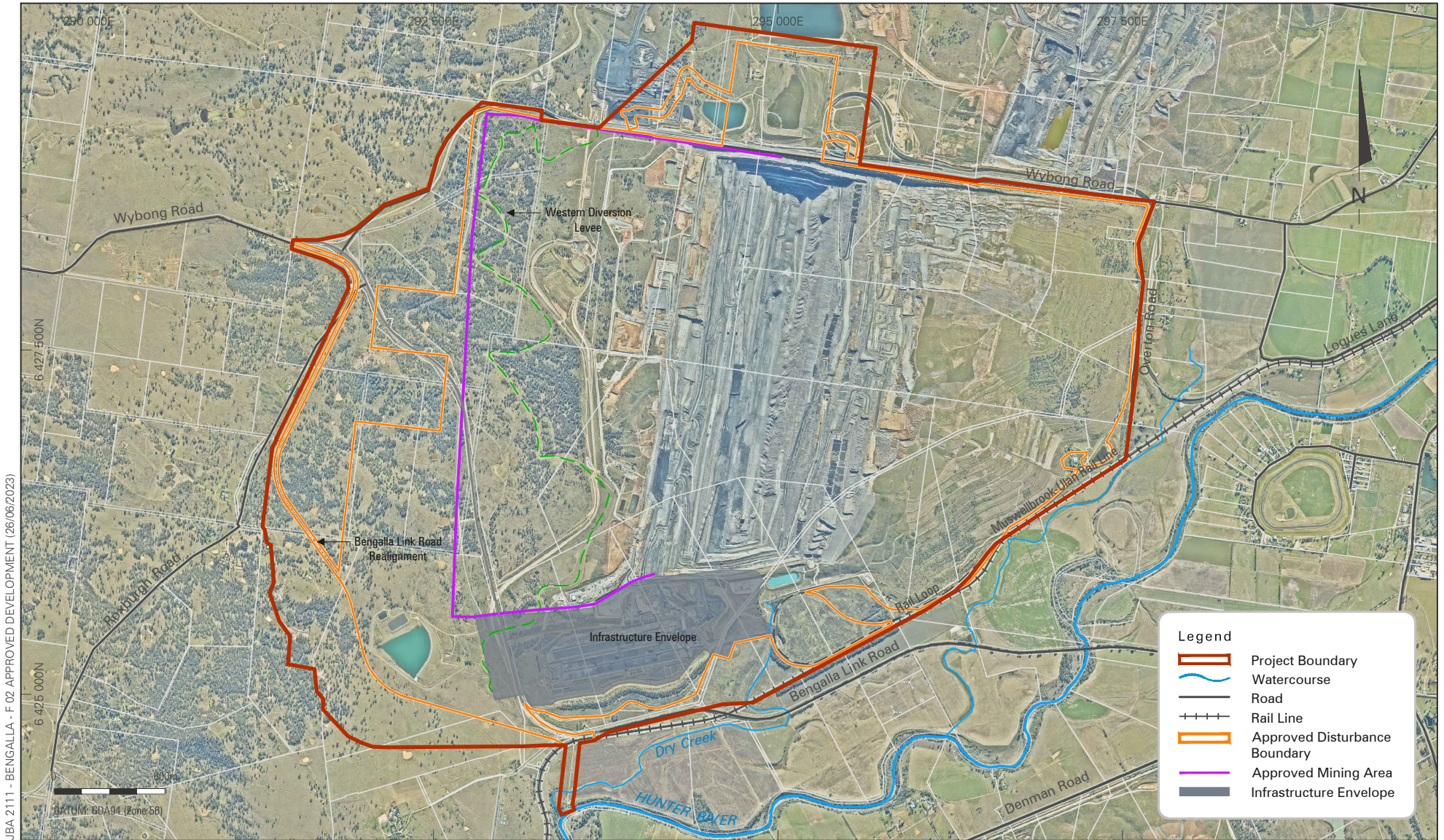


BENGALLA MINE

Regional Locality

FIGURE 1





BENGALLA MINE

Approved Development Layout

**FIGURE 2**



### 1.3 Document Purpose

This document has been prepared to satisfy Schedule 5, Condition 1 of SSD-5170 (as modified), which requires the preparation of an EMS. This EMS provides an overview of environmental management at Bengalla.

**Table 1** outlines the requirements under Schedule 5, Condition 1 of SSD-5170 (as modified) and explains how these requirements have been addressed by this document. This document was last provided to the DPE for review and approval in July 2021. A copy of the correspondence is included in **Appendix A**.

This EMS is a public document that provides information for BMC personnel, suppliers, contractors, government stakeholders and the community. This document is made publicly available on the BMC website: <https://newhopegroup.com.au/bengalla-mine/>

**Table 1**  
**Environmental Management Strategy Requirements**

Condition	Requirement	Relevant Sections
Schedule 5, Condition 1	The Applicant must prepare and implement an Environmental Management Strategy for the development to the satisfaction of the Secretary. The strategy must:	<b>This document</b>
	a) Be submitted to the Secretary for approval within 6 months of the date of this consent;	<i>The Coal &amp; Allied Environmental Management Strategy</i> was submitted within the timeframe.
	b) Provide the strategic framework for environmental management of the development	<b>Section 2.0 and 3.0</b>
	c) Identify the statutory approvals that apply to the development	<b>Section 1.2 and 2.3</b>
	d) Describe the role, responsibility, authority, and accountability of all key personnel involved in environmental management of the development	<b>Section 4.1</b>
	e) Describe the procedures that would be implemented to: <ul style="list-style-type: none"> <li>• Keep the local community and relevant agencies informed about the operation and environmental performance of the development</li> <li>• Receive, handle, respond to, and record complaints</li> <li>• Resolve any disputes that may arise during the course of the development</li> <li>• Respond to any non-compliance</li> <li>• Respond to emergencies</li> </ul>	<b>Section 4.3</b>
	f) Include: <ul style="list-style-type: none"> <li>• References to any strategies, plans and programs approved under the conditions of this consent</li> </ul>	<b>Section 3.2 and Appendix B</b>

Condition	Requirement	Relevant Sections
	<ul style="list-style-type: none"> <li>A clear plan depicting all the monitoring, required to be carried out in relation to the development</li> </ul>	
	The Applicant must implement the approved strategy as approved from time to time by the Secretary	BMC operates in accordance with its approved strategies and plans

#### 1.4 Document Structure

**Section 1.0** provides background information on BMC, describes the Bengalla and the development consent under which it operates;

**Section 2.0** outlines BMC’s overarching strategy for environmental management and summarises the legislative requirements that apply to Bengalla;

**Section 3.0** outlines the Bengalla Environmental Management System;

**Section 4.0** outlines the processes for implementation of the Bengalla Environmental Management System;

**Section 6.0** defines the abbreviations and acronyms used in this document; and

**Section 7.0** references the sources relied on in this document.

## 2.0 STRATEGIC CONTEXT

### 2.1 Mission Statement

BMC's mission is to produce safe, productive and profitable coal with a strong community and environmental.

### 2.2 Strategy

BMC appropriately manages all activities that have the potential to impact upon the environment. This includes coal mining operations, coal handling and processing operations, construction work and all support services associated with the business.

The prevention and management of the potential and actual environmental impacts associated with BMC's operations can be achieved through:

- Taking a systematic approach;
- Taking preventive action in preference to reactive correction;
- Proactive attention to environmental issues by all people within the organisation; and
- Innovative changes to the way we work in order to continually improve our environmental performance.

This EMS aims to integrate environmental management planning into BMC's strategic and business planning cycle.

### 2.3 Regulatory Requirements

The primary regulatory requirements that are relevant to Bengalla's operations are listed in **Table 2**.

**Table 2**  
**Relevant Legislation and Authorisations**

Primary Legislation	BMC's Authorisations
<i>Environmental Planning and Assessment Act 1979</i>	SSD-5170 (as modified)
<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Commonwealth)	EPBC 2012/6378
<i>Protection of the Environment Operations Act 1997</i>	EPL 6538
<i>Water Management Act 2000</i>	Water Access Licences
<i>Water Act 1912</i>	Bore Licences
<i>Mining Act 1992</i>	ML 1397, ML 1450, ML 1469, ML 1711, ML 1728, ML 1729 and ML 1796
<i>Mining Act 1992</i>	EL 9431



Other Acts that may be relevant to environmental management at Bengalla include:

- *Heritage Act 1977*
- *National Parks and Wildlife Act 1974*
- *Biodiversity Conservation Act 2016;*
- *Contaminated Land Management Act 1997;*
- *Waste Avoidance and Resources Recovery Act 2001;* and
- *Roads Act 1993.*

### 3.0 ENVIRONMENTAL MANAGEMENT SYSTEM

#### 3.1 Overview

BMC seeks to:

- Efficiently manage its environmental issues;
- Enable compliance with regulatory requirements;
- Enable improvement to environmental performance; and
- Liaise with stakeholders and the local community.

**Table 3** lists the types of documents that form the Environmental Management Documents (EMD) and describes their purposes.

Management Strategies, Plans and Monitoring Programs have been prepared and are revised in accordance with the relevant conditions of SSD-5170 (as modified).

The EMD's are maintained on SharePoint or similar (an internal database) so that they are accessible to BMC's employees and contractors. Management strategies and plans are also made publicly available via the BMC website: <https://newhopegroup.com.au/bengalla-mine/>

**Table 3**  
**Environmental Management Documents**

Document Type	Purpose
Management Strategies	A strategy is a long term plan of action designed to achieve a particular goal, as differentiated from immediate actions with resources at hand. Its purpose is to achieve business objectives yet being flexible enough to accommodate changes.
Plans	Describes the objectives and how to achieve the desired outcomes.
Procedures	A sequence of activities, tasks, steps, decisions, calculations and processes, that when undertaken in the prescribed sequence, produces the described result, product or outcome.
Monitoring Programs	Describes the types, locations and timing of monitoring activities and the relevant criteria that may apply.
Manuals	Reference books that may contain relevant information such as copies of Strategies, Plans, Programmes, Procedures or related instructions.
Other support documents	Provide additional tools for carrying out the system's requirements (e.g. forms, checklists, registers, work instructions)

### 3.2 Environmental Management Plans

Management plans have been prepared in accordance with the relevant conditions of SSD-5170 (as modified). These plans are based on the results of environmental impact assessments. Management Plans outline the key strategies and operational control mechanisms which will be employed to maintain compliance with the relevant conditions of approval.

Management plans also include monitoring programs which outline the framework for measuring and monitoring environmental performance. BMC operates an extensive monitoring network which includes monitoring stations for all aspects of environmental management including air quality, noise, water and blasting. The locations of monitoring stations at Bengalla are shown in **Appendix B**.

The environmental management plans that are implemented at Bengalla are listed in **Table 4**.

**Table 4**  
**Environmental Management Plans**

Aspect	Management Plans
Air Quality	<ul style="list-style-type: none"> <li>Air Quality Management Plan</li> </ul>
Noise	<ul style="list-style-type: none"> <li>Noise Management Plan</li> </ul>
Water	<ul style="list-style-type: none"> <li>Water Management Plan</li> </ul>
Blasting	<ul style="list-style-type: none"> <li>Blast Management Plan</li> </ul>
Greenhouse Gas	<ul style="list-style-type: none"> <li>Air Quality Management Plan</li> </ul>
Biodiversity	<ul style="list-style-type: none"> <li>Biodiversity Management Plan</li> <li>Biodiversity Offset Management Plan</li> </ul>
Rehabilitation	<ul style="list-style-type: none"> <li>Rehabilitation Management Plan</li> <li>Rehabilitation Management Strategy (to be developed)</li> </ul>
Visual	<ul style="list-style-type: none"> <li>Visual Impact Mitigation Plan</li> </ul>
Heritage	<ul style="list-style-type: none"> <li>Aboriginal Cultural Heritage Management Plan</li> <li>Historic Heritage Management Plan</li> </ul>

### 3.3 Procedures

Procedures have been established, documented and maintained for relevant mining related activities. BMC procedures can be accessed by employees and contractors via SharePoint (an internal database) or similar.

## 4.0 IMPLEMENTATION AND OPERATION

### 4.1 Organisational Structure and Responsibilities for the Environment

The structure of the Environment team at Bengalla is shown in **Figure 3**.

All employees and contractors working at Bengalla have specific accountabilities. All employees and contractors are accountable for:

- Complying with relevant legislation;
- Complying with the environmental requirements to the extent that it applies to their work;
- Communicating any information that they become aware of in relation to environmental management; and
- Taking appropriate actions to mitigate environmental impacts, following consultation with relevant BMC environmental personnel.

Accountabilities for environmental management are defined in environmental management plans (see **Section 3.2**) to ensure that personnel at all levels are aware of their roles and responsibilities. Specific responsibilities are described in job descriptions and environmental procedures for Managers and personnel with environmental responsibilities.

The reporting structure for the Environment team is through the Technical Services Manager, whom reports to the General Manager.

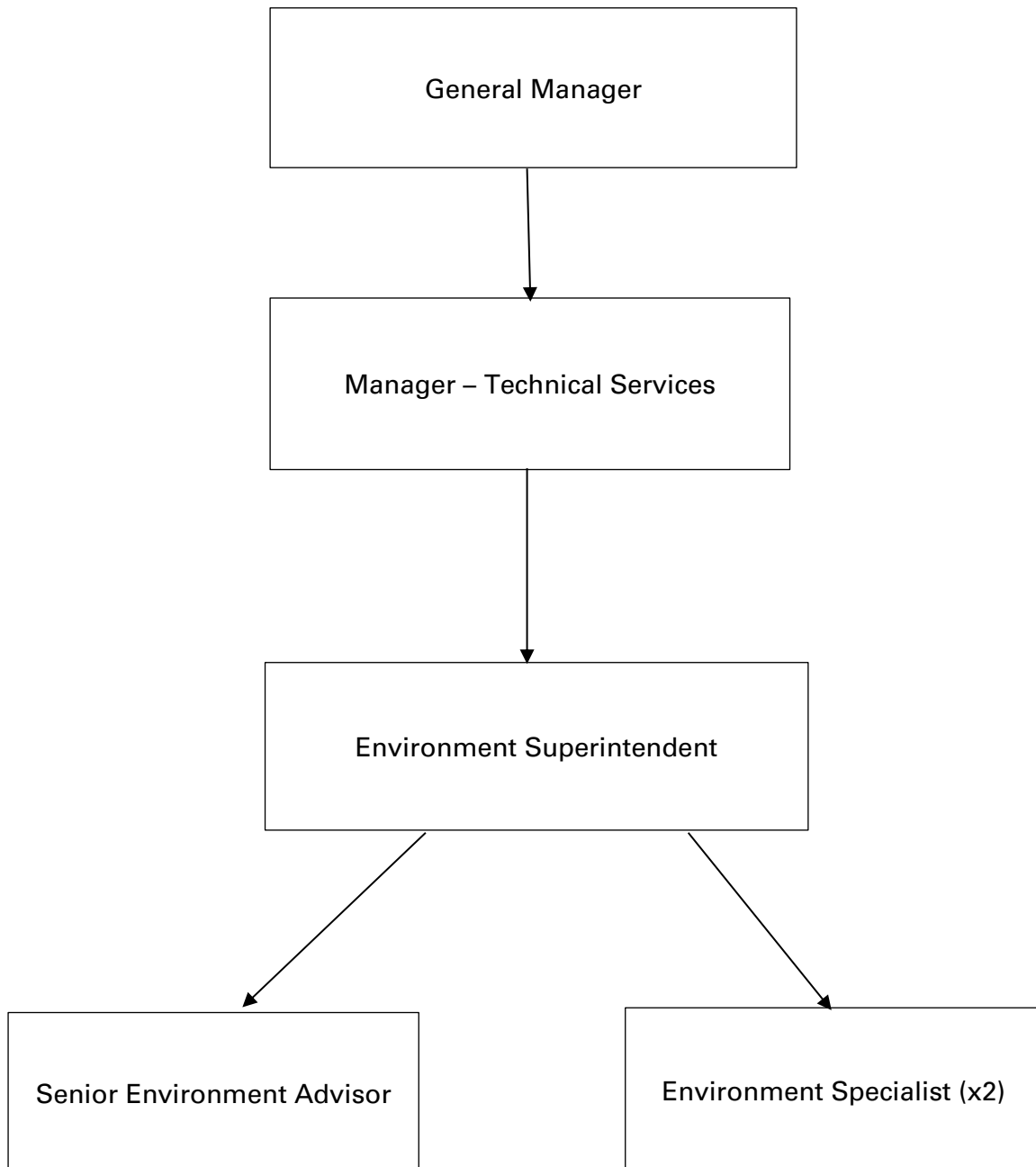
### 4.2 Training and Competency

BMC provides environmental training regarding regulatory compliance, meeting community expectations and its objectives and targets in regard to environment management.

BMC requires all employees and contractors to have the appropriate environmental training and awareness, so that they understand their environmental responsibilities and can work in a manner that appropriately manages impacts on the environment. All employees and contractors are required to undertake an induction, which provides environmental awareness training which equips personnel to:

- Effectively undertake their tasks in accordance with the relevant environmental procedures in order to prevent or minimise environmental impacts; and
- Recognise the environmental hazards associated with their specific work tasks, through a risk based assessment process.

**Figure 3**  
**BMC Environmental Personnel**



### **4.3 Communication and Consultation**

#### **4.3.1 Internal Communication**

All employees and contractors are provided with information regarding the environment. Environmental communication includes:

- Strategies, Plans, Procedures and Programs detailing objectives, management and monitoring measures;
- Environmental training; and
- Information about incidents.

#### **4.3.2 External Communication**

Bengalla aims to maintain good relationships with government agencies, other stakeholders and the local community. BMC's community liaison objectives are to:

- Ensure that Bengalla consistently builds upon its credibility within the region through a process of engagement and transparency within the neighbouring communities;
- Be proactive rather than reactive;
- Build awareness and provide information on current and future plans;
- Keep all stakeholders well informed;
- Establish working relationships with stakeholders;
- Address any concerns where appropriate, held by residents and other stakeholders; and
- Minimise any potential disruptions and inconvenience to residents and operations.

The processes for external communication between Bengalla and its stakeholders is summarised in **Table 5**.

**Table 5**  
**Processes for External Communication**

Method of Communication	Frequency	Objectives
Contact with immediate neighbours – General Manager (or designated representative), Community Relations personnel and Environment representatives	Regularly	To notify neighbours on appropriate aspects of the operations, including new proposals and provide a mechanism for any concerns to be raised directly with mine personnel.
Near neighbour newsletter	Quarterly	To provide information on special interest topics and environmental programs.
Community Consultative Committee (constituted by members representing government, community and BMC)	As required under Schedule 5, Condition 6 of SSD-5170	To present information on site operations, initiatives and environmental performance, provide members with opportunity to request information from BMC and exchange of information on topical issues and matters of interest, including guest speakers.
Community open days	Periodically	To provide an opportunity for members of the community to see and experience a working coal mining operation, ask questions and be informed about BMC's operations.
24-hour Environmental Complaints Line	Ongoing	Receipt of community concerns.
General Inquiries Telephone Line	Ongoing	To provide a function for community engagement and receipt of messages after hours.
Bengalla website	Ongoing	To enable the community to readily access information on Bengalla and its performance
Annual Review	Annually	To provide regulatory authorities and the community with information on BMC's activities and environmental performance during the previous year.
Annual Return	Annually	To provide the EPA with an Annual Return that includes a statement of compliance with the EPL conditions and a report of the pollution monitoring of the pollutant loads generated by the activity undertaken at the premises.
Hunter River Salinity Trading Scheme Reporting	Annually	To provide the EPA with a written report of the activities under the Scheme for each scheme year. The information will be used by the EPA to compile an annual scheme report.
Blast Monitoring Report	Annually (submitted with annual return)	To provide the EPA with an explanation of any exceedances of blasting limits and what management and mitigation measures were put in place to prevent further exceedances.
Noise Monitoring Report	Annually (submitted with annual return)	To provide the EPA with an explanation of any exceedances of noise limits and what management and mitigation measures were put in place to prevent further exceedances.

Method of Communication	Frequency	Objectives
Sewage Treatment System Report	Annually (submitted with annual return)	To provide the EPA with certification from the system provider that the sewage treatment system is operating within its capacity, results of routine maintenance procedures to the sewage treatment system and written records of each quarterly inspection.

#### 4.3.3 Community Complaints

BMC has a Community Complaints Procedure which details how to receive, respond to, record and address community complaints. BMC management will continue to keep a record of all community complaints and subsequent actions. The following details are recorded (as a minimum):

- Complainant details (where provided);
- The nature of the complaint;
- How the complaint was made;
- Actions (if appropriate); and
- Consultation undertaken.

Complaints and enquiries regarding environmental matters are directed to the 24-hour complaints hotline: 1800 178 984. A register of complaints is published monthly on BMC's website in accordance with Schedule 5, Condition 11 of SSD-5170 (as modified).

#### 4.3.4 Conflict Resolution

All conflicts between BMC and other stakeholders (if they arise) will be resolved in accordance with the conditions of SSD-5170 (as modified). In general, disputes with external stakeholders, which cannot be resolved by BMC, are referred to the Secretary of Department of Planning and Environment (DPE).

Schedule 3 Condition 35 of SSD-5170 (as modified) states that if there is a dispute between BMC and Muswellbrook Shire Council and/or Transport for NSW regarding contributions to road upgrades and maintenance (other than the DPE), the dispute shall be referred to the Secretary of DPE.

Schedule 4 Condition 4 of SSD-5170 (as modified) provides that if an owner of privately-owned land considers Bengalla to be exceeding the relevant performance criteria in the development consent, they may ask the Secretary of the DPE in writing for an independent review of the impacts of the development on their land. If such a review is requested, BMC will progress this review in accordance with Schedule 4 Condition 4 of SSD-5170 (as modified).

In accordance with Schedule 3 Condition 12 of SSD-5170 (as modified) BMC will commission a property investigation within 2 months of any claim from a property owner within 3 km of the approved open cut mining area (or any other landowner where the Planning Secretary is satisfied an investigation is warranted) that blasting has resulted in damage to structures on their property.

#### **4.3.5 Incidents and Non-compliances**

BMC will immediately notify the Secretary of DPE and any other relevant regulatory agencies of any Incident in accordance with Schedule 5 Condition 7 of SSD-5170 (as modified) (and the EPA in accordance with EPL 6538). Within seven days of the date of the incident, BMC will provide the Secretary and any relevant agencies with a detailed report on the incident via the Department's Major Projects Website, and such further reports as may be requested.

BMC will immediately notify the Secretary of DPE and any other relevant regulatory agencies of any non-compliance in accordance with Schedule 5 Condition 7A of SSD-5170 (as modified) (and the EPA in accordance with EPL 6538). The notification must be in writing via the Department's Major Projects Website and identify the development and set out the location and nature of the incident.

#### **4.3.6 Response to Emergencies**

Bengalla has an Emergency Response Team which is trained to respond to emergencies. Simulated emergency exercises are conducted from time to time in order to measure and improve the effectiveness of emergency management.

Where risk assessments have identified potential emergency situations, specific documented procedures for dealing with those emergency situations are in place.

The Bengalla Pollution Incident Response Management Plan includes the following information:

- Initial and ongoing emergency notification to internal and external resources;
- Events and communication log;
- Documented accountabilities;
- Evacuation;
- Specific emergency situations;
- Critical incident stress management; and
- De-briefs to take place after any emergency situation and include relevant persons and action plans prepared to correct deficiencies.

The emergency procedures include accountabilities for dealing with other matters such as using outside assistance, dealing with media, counselling and community relations.

## 5.0 REVIEW AND IMPROVEMENT

### 5.1 Environmental Monitoring

Bengalla has developed monitoring programs in accordance with SSD 5170 and EPL 6538. The relevant management plans describe the monitoring regime, management and mitigation measures, roles and responsibilities and reporting and auditing for each environmental aspect described within SSD 5170 (as modified). Environmental monitoring at Bengalla is completed as detailed within the management plans listed in **Table 4**.

An overview of environmental monitoring locations are shown in **Appendix B**.

### 5.2 Environmental Inspections and Audits

Schedule 5, Condition 9 of SSD 5170 requires an Independent Environmental Audit (IEA) to be conducted within one year of the commencement of development and every three years thereafter, unless the Secretary directs otherwise. The IEA 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 and CCC;
- Assess the environmental performance of the development and assess whether it is complying with the requirements in this consent and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals);
- Review the adequacy of strategies, plans or programs required under the abovementioned approvals; and
- Recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under the abovementioned approvals.

Within six weeks of the completion of the IEA, unless the Secretary agrees otherwise a copy of the audit report will be submitted to the Secretary, together with its response to any recommendations contained in the IEA report.

### 5.3 Review Process

In accordance with Schedule 5, Condition 5 of SSD 5170 a revision of strategies, plans and programs will be completed within three months of the submission of:

- An annual review (under Schedule 5, Condition 4 of SSD 5170);
- An incident report (under Schedule 5, Condition 7 of SSD 5170);
- An audit report (under Schedule 5, Condition 9 of SSD 5170); and
- Any modification to the conditions of SSD 5170 (unless the conditions require otherwise).

Where this review leads to revisions in any strategy, plan or program, then within four weeks of the review (unless the Secretary agrees otherwise) the revised document must be submitted to the Secretary for approval.

#### **5.4 Continuous Improvement**

BMC seeks to improve Bengalla's environmental performance by applying the principles of reasonable and feasible new best practice mitigation measures. These measures will be investigated and adopted where relevant.

Environmental performance at BMC is evaluated through:

- Environmental monitoring;
- Review and investigation of any exceedances;
- Independent environmental audits;
- Feedback from stakeholder consultation or complaints; and
- Annual Review process.

## 6.0 ABBREVIATIONS

Term	Definition
Bengalla	Bengalla Mine
BJV	Bengalla Joint Venture
BMC	Bengalla Mining Company Pty Limited
DPE	Department of Planning and Environment
EIS	Environmental Impact Statement
EMS	Environmental Management Strategy
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPA	Environmental Protection Authority
EPL	Environmental Protection Licence
ML	Mining Lease
Mtpa	Million tonnes per annum
OEA	Overburden Emplacement Area
RL	Reduced Level
ROM	Run of Mine
RTS	Response to Submissions
SSD	State Significant Development

## 7.0 REFERENCES

- Hansen Bailey (2013), *Continuation of Bengalla Mine Environmental Impact Statement*.
- Hansen Bailey (2014), *Continuation of Bengalla Mine Response to Submissions*.
- Hansen Bailey (2015), *Bengalla Mine Development Consent Modification Statement of Environmental Effects*.
- Hansen Bailey (2016), *Bengalla Mine Development Consent Modification Statement of Environmental Effects*.
- Hansen Bailey (2015a), *Bengalla Mine Development Consent Modification 1 Statement of Environmental Effects*.
- Hansen Bailey (2015b), *Bengalla Mine Development Consent Modification 1 Response to Submissions*.
- Hansen Bailey (2016a), *Bengalla Mine Development Consent Modification 2 Statement of Environmental Effects*.
- Hansen Bailey (2016b), *Bengalla Mine Development Consent Modification 2 Response to Submissions*.
- Hansen Bailey (2016c), *Bengalla Mine Development Consent Modification 3 Statement of Environmental Effects (SSD-5170 Modification 4)*.
- Hansen Bailey (2016d), *Bengalla Mine Development Consent Modification 3 Response to Submissions*.
- Hansen Bailey (2017), *Bengalla Mine Development Consent Modification 4 Statement of Environmental Effects*.
- Hansen Bailey (2018), *Bengalla Mine Development Consent Modification 4 Response to Submissions*.
- James Bailey Associates (2021) *Bengalla Mine MOD 5 Modification Report*.
- James Bailey Associates (2021) *Bengalla Mine MOD 5 Submissions Report*.

**APPENDIX A**  
**REGULATORY CORRESPONDENCE**



Mr Craig White  
Environment Superintendent  
Bengalla Mining Company  
Bengalla Road  
Muswellbrook NSW 2333

17/01/2022

Dear Mr White

**Bengalla Continuation Project (SSD-5170)  
Bengalla Environmental Management Strategy**

I refer to the Bengalla Environmental Management Strategy (EMS) which was submitted in accordance with condition 1 of Schedule 5 of the development consent (SSD-5170).

The Department has carefully reviewed the document and is satisfied that it meets the requirements of the above condition.

Accordingly, the Secretary has approved the Bengalla EMS (Revision 5, July 2021). Please ensure that the date highlighted on page 9 of the document is updated prior to finalisation, and that the approved and updated plan is placed on the project website at the earliest convenience.

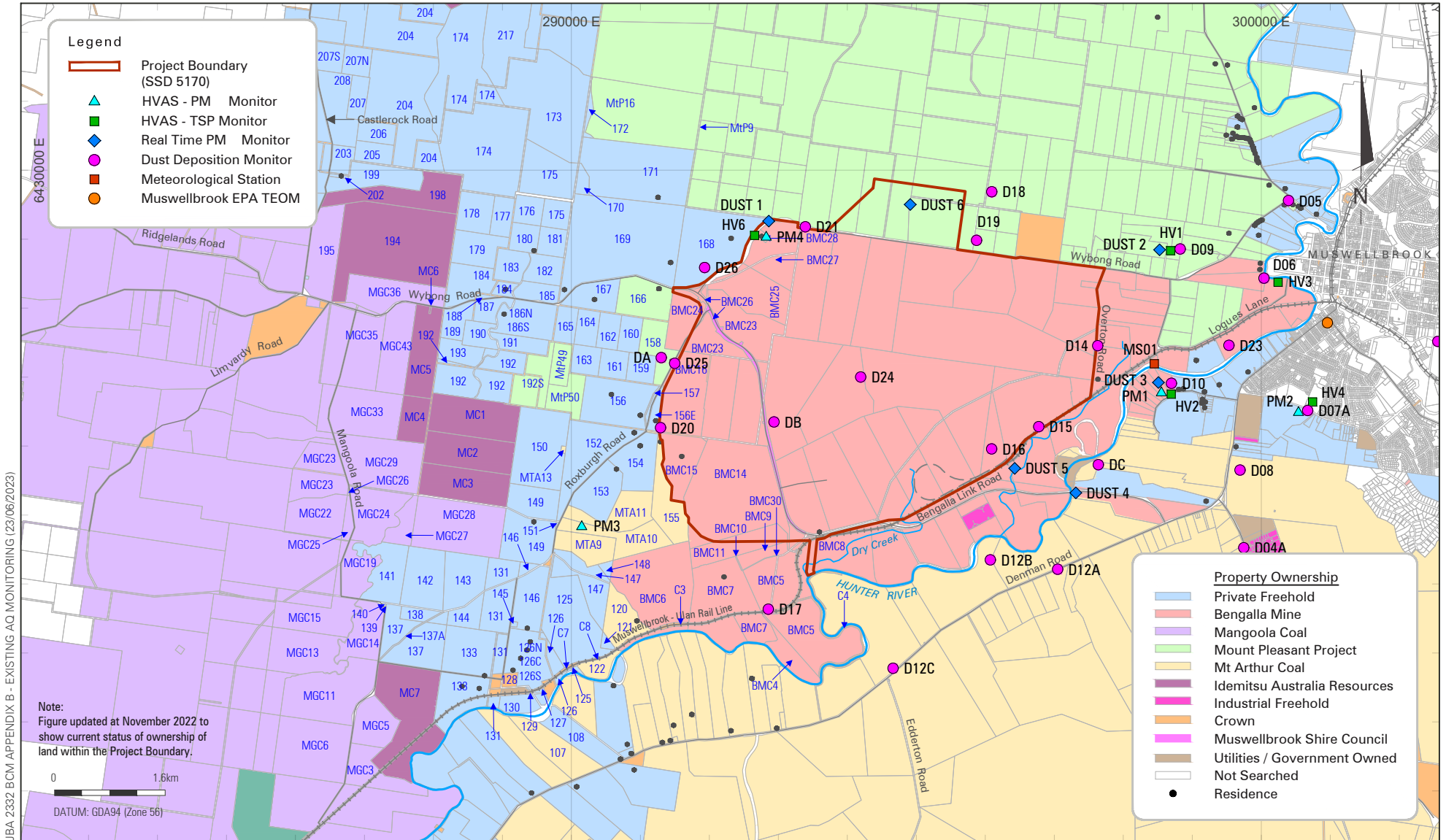
If you wish to discuss the matter further, please contact Sarah Clibborn on 02 8837 6095 or via email at [sarah.clibborn@planning.nsw.gov.au](mailto:sarah.clibborn@planning.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to be 'S O'Donoghue'.

Stephen O'Donoghue  
Director  
Resource Assessments  
as nominee of the Secretary

**APPENDIX B**  
**ENVIRONMENTAL MONITORING NETWORK**



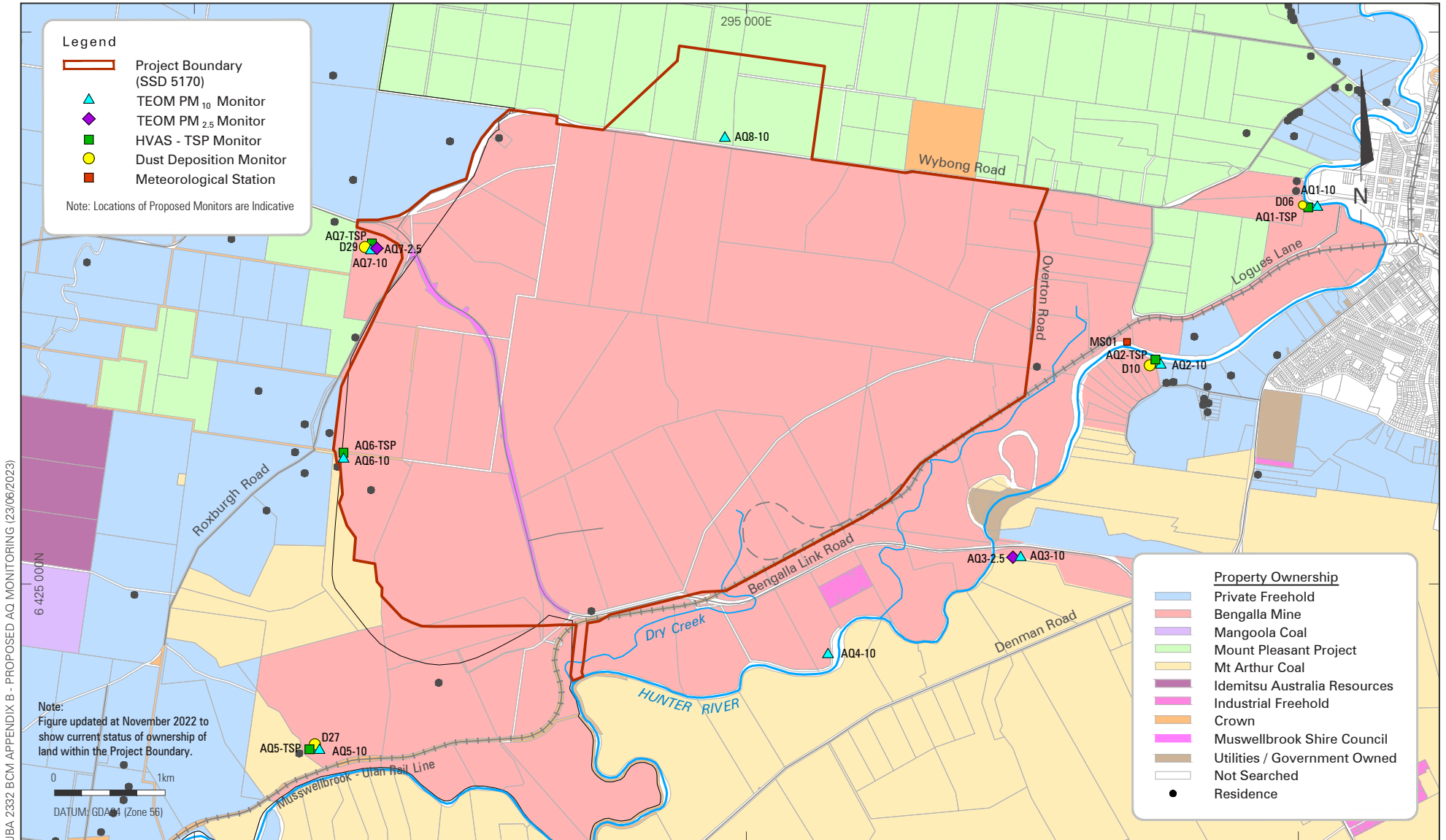
JBA 2332 BCM APPENDIX B - EXISTING AQ MONITORING (23/06/2023)

BENGALLA MINE

Existing Air Quality Monitoring Network



**FIGURE B1**

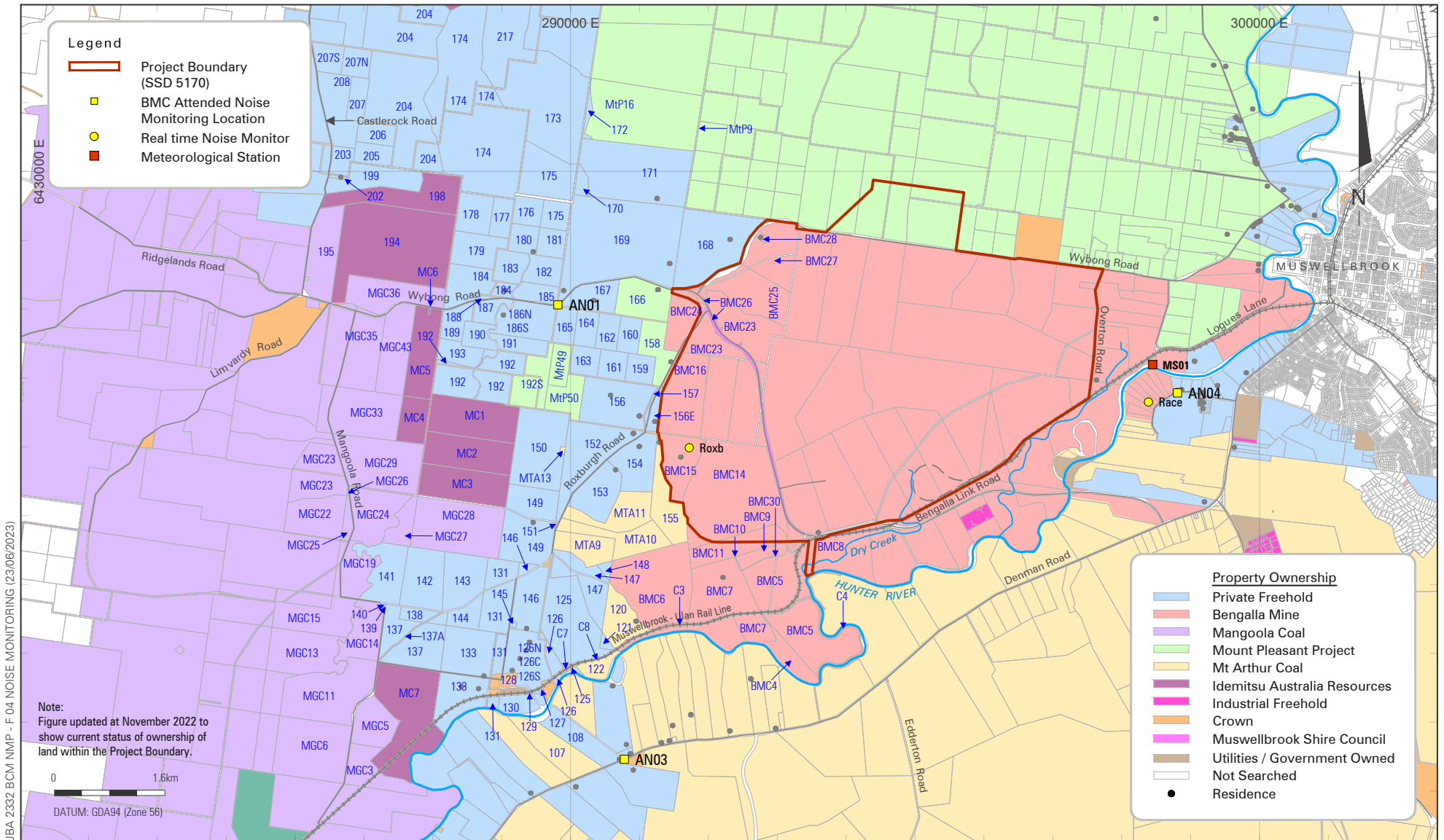


BENGALLA MINE

Proposed Air Quality Monitoring Network

**FIGURE B2**





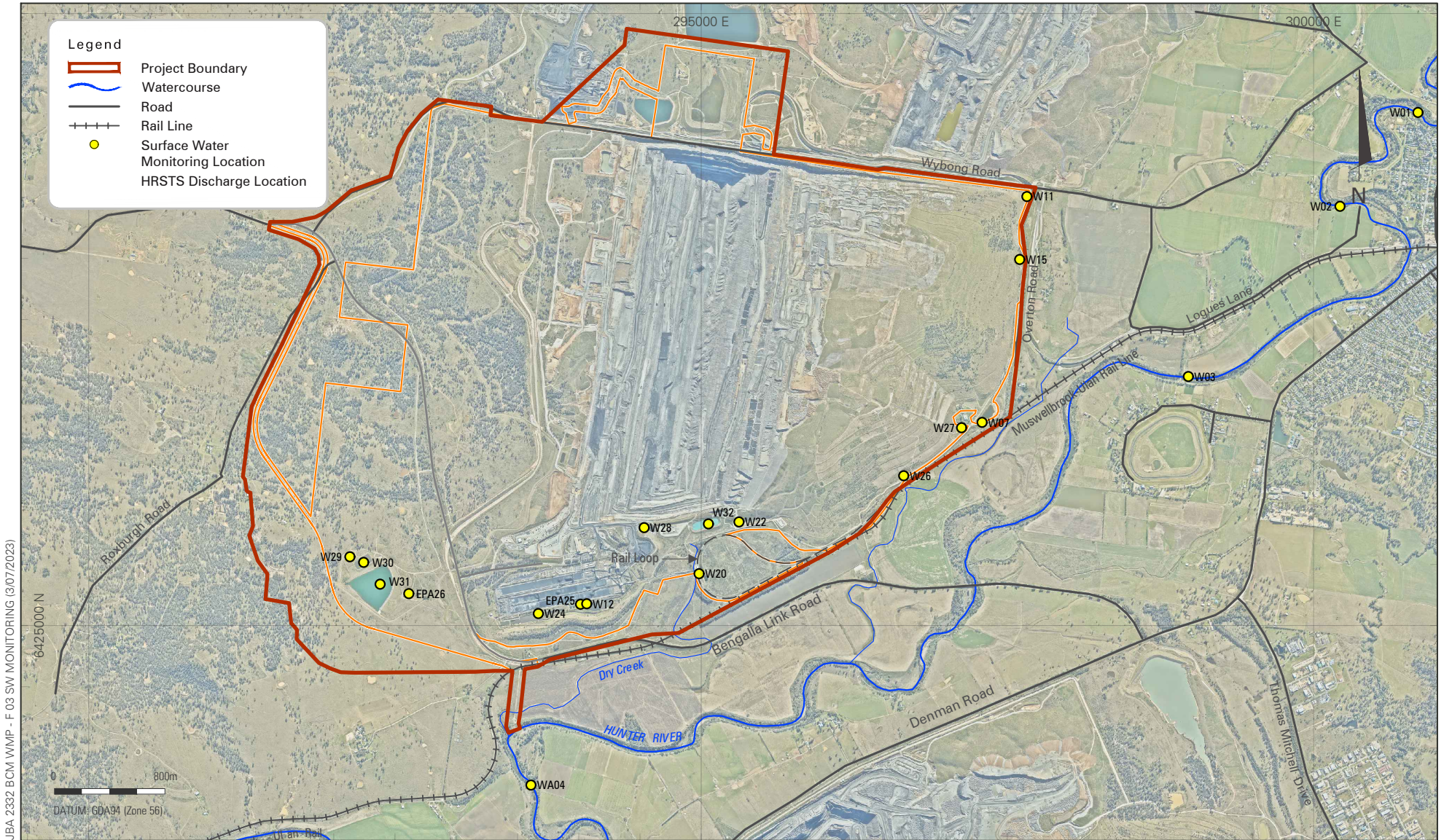
BENGALLA MINE

Noise Monitoring Network

**FIGURE B3**



JBA 2332 BCM NMP - F 04 NOISE MONITORING (23/06/2023)



JBA 2332 BCM WMP - F 03 SW MONITORING (3/07/2023)

BENGALLA MINE



**JAMES BAILEY & ASSOCIATES**  
Environmental and Planning Consultants

Existing Surface Water Monitoring Locations

**FIGURE B4**

