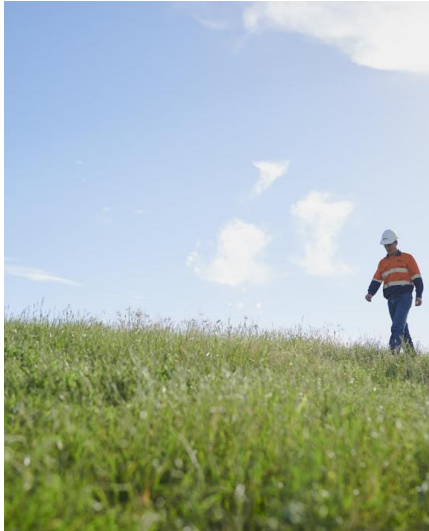




Environmental Management Strategy

Mount Thorley Warkworth

DOCUMENT CONTROL

Version	Date	Revision Description	Author	Approver	Planning Secretary Approval Date
1.0	10/08/2018	Original Document prepared to satisfy: - Development Consent SSD-6464; and - Development Consent SSD-6465.	Andrew Hodge Environmental Specialist - Operations	Gary Mulhearn Environment & Community Manager	24/08/2018
1.1	31/7/2019	Update to figures, Table 1.1, other minor revisions.	Gary Mulhearn	Gary Mulhearn	28/08/2019
2.0	9/07/2021	Update to figures, environmental policy, other minor revisions. Incorporate DPIE feedback on EMS submitted 28/7/2020.	Gary Mulhearn	Gary Mulhearn	20/7/2021
2.1	28/07/2022	Update to Table 1 and Table 5, other minor revisions.	Doug Fenton Environment & Community Advisor	Bill Baxter Environment & Community Manager (Acting)	

TABLE OF CONTENTS

1.0 INTRODUCTION	1
2.0 PROJECT DESCRIPTION	1
3.0 PURPOSE AND SCOPE	3
4.0 COMMITMENT AND LEADERSHIP	5
5.0 STATUTORY APPROVALS	5
5.1 EMS - DEVELOPMENT CONSENT REQUIREMENTS	6
5.2 OTHER RELEVANT LEGISLATION	8
6.0 IMPLEMENTATION	9
6.1 ENVIRONMENTAL MANAGEMENT PLANS.....	9
6.2 ROLES AND RESPONSIBILITIES.....	10
6.3 ENVIRONMENTAL EMERGENCIES	11
6.4 INFORMATION DISSEMINATION	11
6.5 COMMUNITY COMPLAINTS MANAGEMENT	12
6.6 DISPUTE RESOLUTION	14
6.7 TRAINING	15
7.0 MONITORING, EVALUATION AND REPORTING	16
7.1 MONITORING	16
7.2 EVALUATION	16
7.3 REPORTING.....	16
7.4 COMPLIANCE.....	18
7.5 INCIDENTS	18
8.0 REVIEW	20

LIST OF TABLES

Table 1 – MTW Statutory Approvals and Licences

Table 2 – Development Consent Requirements

Table 3 – Roles and Responsibilities

Table 4 – Community Complaints Contact Details

Table 5 – Reporting Requirements

LIST OF FIGURES

Figure 1 – Regional Location

Figure 2 – Environmental Management Principles

Figure 3 – Community Complaints Response Process

Figure 4 - Independent Review Procedure – Exceedance of Consent Criteria

LIST OF APPENDICES

Appendix A – Yancoal Australia: Environment and Community Relations Policy

Appendix B – Environmental Monitoring Figures

Appendix C – Warkworth Continuation Project: Development Consent SSD-6464

Appendix D - Mount Thorley Continuation Project: Development Consent SSD-6465

Appendix E – Inclusion of Approved Plans, Strategies and Programs Required by SSD-6464 and SSD-6465

DEFINITIONS / ABBREVIATIONS

YAL – Yancoal Australia Limited

MTO- Mount Thorley Operations

WML- Warkworth Mining Limited

MTW- Mount Thorley Warkworth Coal Mine (combined operations)

DPE – NSW Department of Planning and Environment

DRG – NSW Division Resources and Energy

EPA – NSW Environment and Protection Authority

EPL – Environment Protection Licence

DAWE – Department of Agriculture, Water and the Environment (Federal)

EMP – Environmental Management Plan

EMS – Environmental Management Strategy

NRAR – Natural Resources Access Regulator

ARR – Annual Review Report

EPL AR – EPL Annual Return

1.0 INTRODUCTION

Mount Thorley Warkworth Coal Mine (MTW), is an integrated operation consisting of Warkworth Mining Limited (WML) and Mount Thorley Operations (MTO), situated 14 km southwest of Singleton, in the Upper Hunter Valley region of NSW (**Figure 1**). MTW is operated by Coal & Allied (NSW) Pty Limited, a wholly owned subsidiary of Yancoal Australia Limited (YAL). The operation supplies international and domestic markets with semi-soft coking coal and thermal coal.

Development Consents for the Warkworth Continuation and Mount Thorley Operations 2014 Projects (SSD-6464 and SSD-6465 respectively, together “the Development Consents”) were granted on 26 November 2015.

This Environmental Management Strategy (EMS) has been prepared to satisfy the relevant conditions of the Development Consents, and provides an overview of environmental management at MTW.

2.0 PROJECT DESCRIPTION

The WML and MTO projects are described in detail in the Environmental Impact Statements and supporting documents (prepared by EMGA Mitchell McLennan, June 2014), and summarised in this section. MTW is an open cut mine, using dragline and truck and shovel method. Employees work in shifts 24 hours a day, seven days a week. Operations are centred in the Whittingham Coal Measures of the Hunter Coalfield which is part of a Permian coal basin known as the Sydney basin. After being washed and prepared for sale, coal is loaded onto trains for transportation 90km to port facilities in Newcastle where it is shipped to international customers.

MTW is generally located near public roads comprising the Golden Highway alongside the northern and eastern WML boundary, Wollombi Brook and Charlton Roads to the west. The operation is bisected by Putty Road, with WML located to the north of the Putty Road, and MTO to the south. MTO shares its southern boundary with the adjoining Bulga Open Cut (BOC).

Within the WML lease, mining activities will continue to advance in a westerly direction in both North Pit and West Pit. South Pit has reached its final limit with regards to excavation. This area is currently being utilised for dumping activity.

Within the MTO lease, mining has reached the western limit with remaining reserves to be mined to depth in Loders Pit over the coming year before being utilized for overburden emplacement and tailings storage. Mining related activities are described in the current Mining Operations Plan (MOP).

Surrounding land uses include mining (nearby operations include Bulga Coal, Wambo Coal and Hunter Valley Operations), agriculture (to the east in the areas of Mount Thorley and Hambledon Hill), industrial pursuits in the Mount Thorley Industrial Estate, and nearby residential communities of Bulga, Milbrodale, Warkworth and Long Point. The township of Singleton is located approximately 7km to the east of WML.

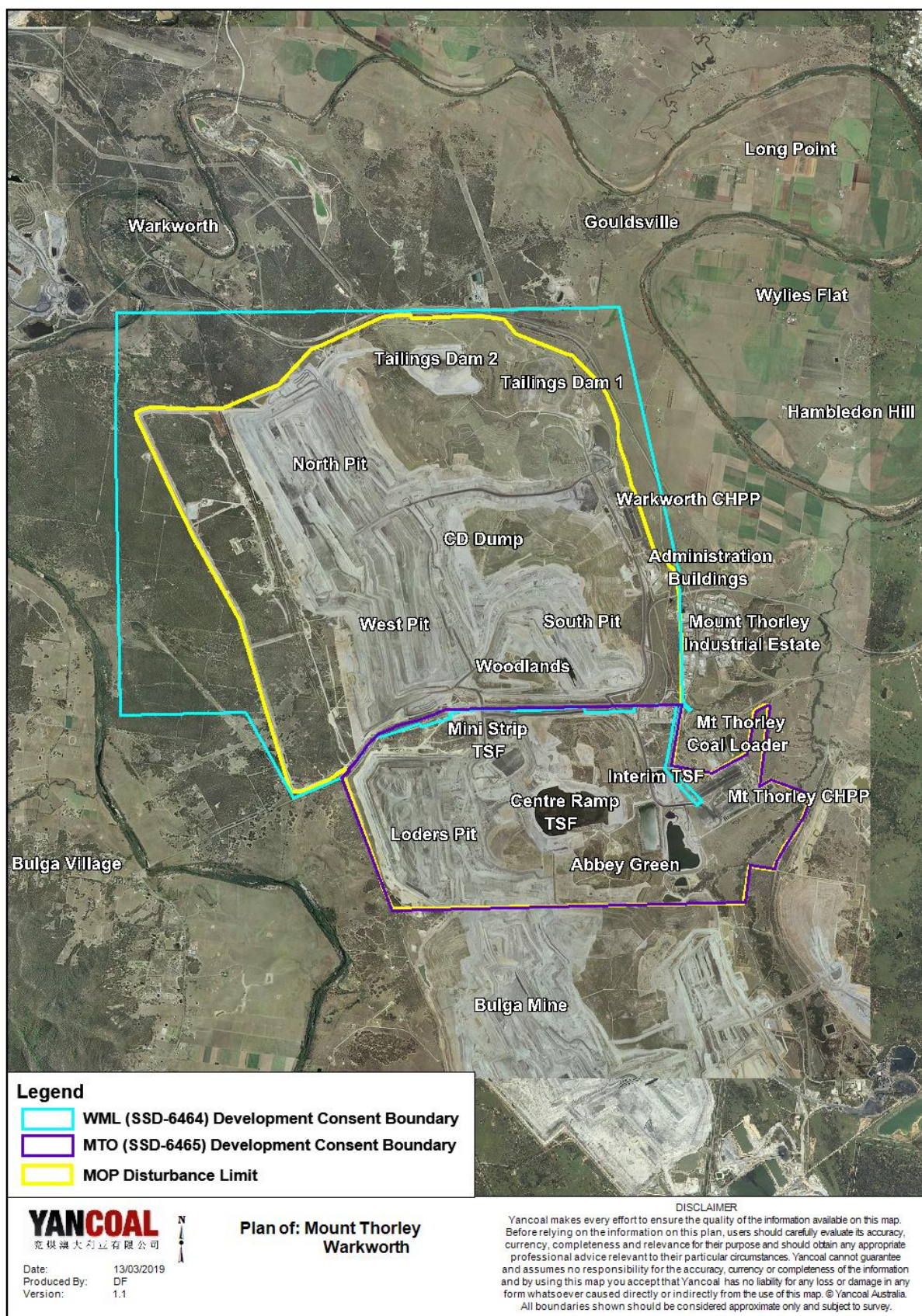


Figure 1: Regional Location

3.0 PURPOSE AND SCOPE

This Environmental Management Strategy (EMS) has been prepared to satisfy the requirements of the following development consents:

- Warkworth Continuation Project: Development Consent SSD-6464; and
- Mount Thorley Continuation Project: Development Consent SSD-6465.

The purpose of the EMS is to provide a strategic framework for environmental management at MTW. It provides an overarching framework for the environmental management and monitoring of activities undertaken at MTW and incorporates the principles of continuous improvement as detailed in **Figure 2**.

Management of environmental aspects and issues of the mine are documented, regulated, controlled and measured through this document (EMS), the Mining Operations Plan (MOP), various environmental management plans, and the Annual Review Report.

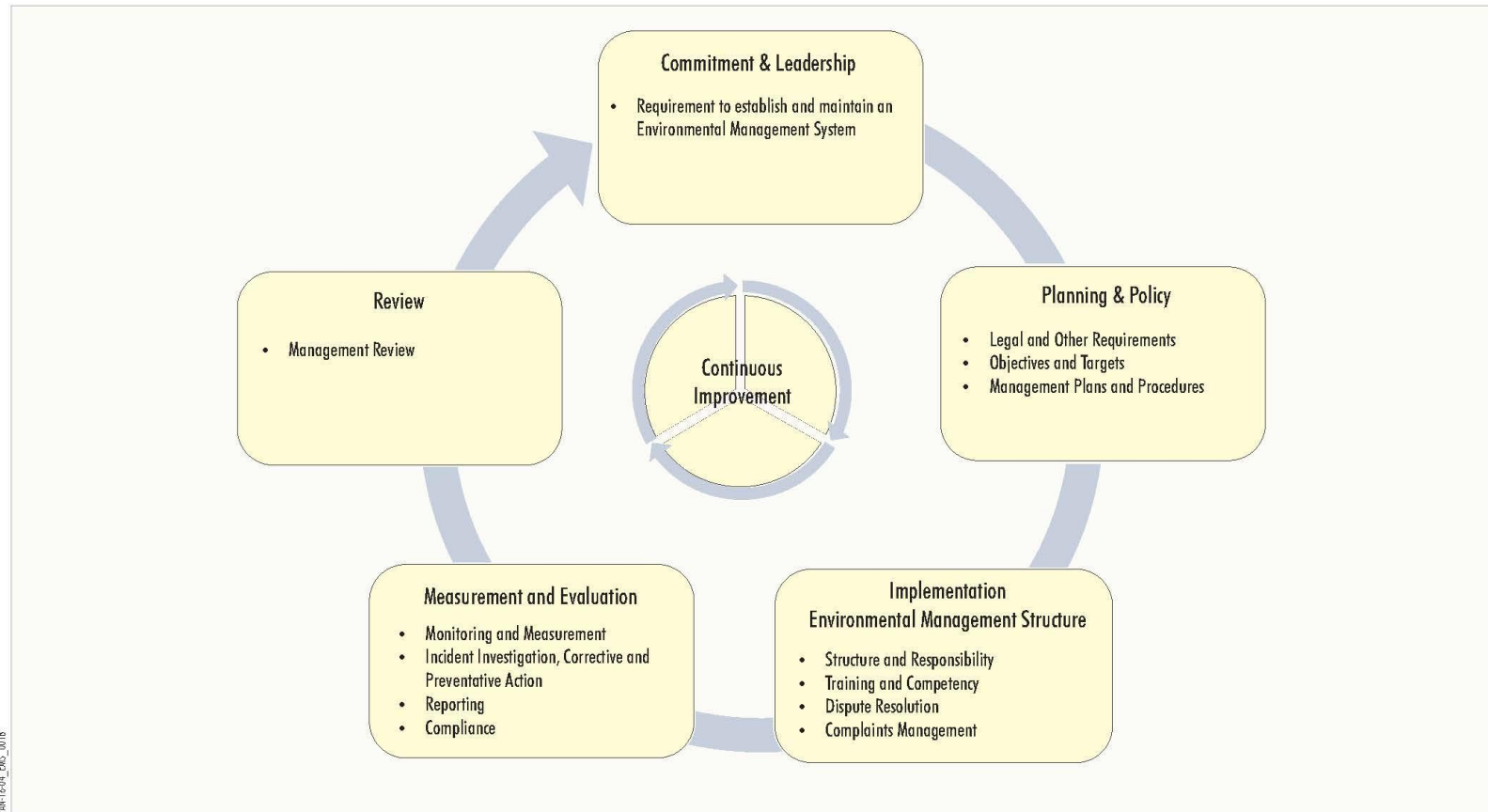


Figure 2

4.0 COMMITMENT AND LEADERSHIP

Achieving effective environmental management requires responsible and proactive leadership. The YAL Environment and Community Relations Policy (E&C Policy), provides the governing principles for environmental and community management across all YAL operations. The E&C Policy is provided in **Appendix A**. MTW management demonstrates commitment to the E&C Policy by:

- ensuring the policy is readily accessible and is displayed in prominent locations;
- endorsing and implementing this EMS;
- implementing the principles outlined in the policy into the operations.
- ensuring personnel (employees and contractors), are aware of their responsibilities in relation to the policy through effective training and induction programs; and
- appropriately resourcing implementation and review of this EMS.

5.0 STATUTORY APPROVALS

Relevant statutory approvals and licenses are summarised in **Table 1**. Copies of the approvals are available on the website (<https://insite.yancoal.com.au>). A copy of the State Significant Development Consents are included in **Appendix B** and **Appendix C**.

Table 1: MTW Statutory Approvals and Licences

Approval Document	Authority	Issue Date	Expiry Date
Warkworth Development Consent (SSD-6464 MOD 2) – Appendix B	DPE	26/11/2015. Commencement date: 15/02/2016. MOD 2 dated 27 May 2022	15/2/2037 (21 years from commencement)
Mount Thorley Development Consent (SSD-6465) - Appendix C	DPE	26/11/2015. Commencement date: 15/02/2016	15/2/2037 (21 years from commencement)
EPBC 2009/5081	DoEE	09/08/2012	31/03/2033
EPBC 2002/629	DoEE	18/02/2004	25/02/2039
EPL 1376	EPA	1 st December (Anniversary date)	-
EPL 1976	EPA	1 st April (Anniversary date)	-
EPL 24	EPA	1 st August (Anniversary date)	-
CCL 753	DRG	23/05/1990	17/02/2023
ML 1412	DRG	11/01/1997	10/01/2018* (renewal pending)
ML 1590	DRG	27/02/2007	26/02/2028
CL 219	DRG	23/09/1981	22/09/2023

Approval Document	Authority	Issue Date	Expiry Date
ML 1751	DRG	17/03/2017	17/03/2038
ML 1752	DRG	17/03/2017	17/03/2038
EL 7712	DRG	23/02/2011	23/02/2026
EL 8824	DRG	15/02/2019	15/2/2025

5.1 EMS - DEVELOPMENT CONSENT REQUIREMENTS

The conditions of the relevant Development Consents relevant to this EMS are detailed below in **Table 2.**

Table 2: Development Consent Requirements

Condition Reference	Condition	EMS Section
SSD-6464 Warkworth Continuation Project Development Consent Sch. 5 Cond. 1	<i>The applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Planning Secretary, and carry out the development in accordance with this strategy. The strategy must:</i> <i>a) be submitted to the Planning Secretary for approval prior to carrying out any development under this consent;</i> <i>b) provide the strategic framework for environmental management of the development;</i> <i>c) identify the statutory approvals that apply to the development;</i> <i>d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;</i> <i>e) describe the procedures that would be implemented to:</i> <i>• keep the local community and relevant agencies informed about the operation and environmental performance of the development;</i> <i>• receive, handle, respond to, and record complaints;</i> <i>• resolve any disputes that may arise;</i> <i>• respond to any non-compliance;</i> <i>• respond to emergencies; and</i> <i>f) include:</i> <i>• copies of any strategies, plans and programs approved under the conditions of this consent; and</i> <i>• a clear plan depicting all the monitoring required to be carried out under the conditions of this consent.</i>	<i>An approved EMS exists - This is an update to Yancoal format.</i> <i>Whole document</i> <i>Section 5</i> <i>Section 6.2</i> <i>Section 6.4, Section 7.3</i> <i>Section 6.5</i> <i>Section 6.6</i> <i>Section 7.4</i> <i>Section 6.3, Section 7.5</i> <i>Appendix E</i> <i>Appendix B</i>

Condition Reference	Condition	EMS Section
SSD-6465 Mount Thorley Operations Development Consent Sch. 5 Cond. 1	<i>The applicant shall prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary, and carry out the development in accordance with this strategy. The strategy must:</i> <i>a) Be submitted to the Secretary prior to carrying out any development under this consent;</i> <i>b) Provide the strategic framework for environmental management of the development;</i> <i>c) Identify the statutory approvals that apply to the development;</i> <i>d) Describe the role, responsibility, authority, and accountability of all key personnel involved in environmental management of the development;</i> <i>e) Describe the procedures that would be implemented to:</i> <i>Keep the local community and relevant agencies informed about the operation and environmental performance of the mine development;</i> <i>Receive, handle, respond to, and record complaints</i> <i>Resolve any disputes that may arise;</i> <i>Respond to any non-compliance;</i> <i>Respond to emergencies; and</i> <i>f) Include:</i> <i>Copies of any strategies, plans and programs that are approved under the conditions of this consent; and</i> <i>A clear plan depicting all the monitoring to be carried out under the conditions of this consent.</i>	<i>An approved EMS exists - This is an update to Yancoal format.</i> <i>Whole document</i> <i>Section 5</i> <i>Section 6.2</i> <i>Section 6.4, Section 7.3</i> <i>Section 6.5</i> <i>Section 6.6</i> <i>Section 7.4</i> <i>Section 6.3, Section 7.5</i> <i>Appendix E</i> <i>Appendix B</i>

Condition Reference	Condition	EMS Section
SSD-6464 Warkworth Continuation Project and SSD-6465 Mount Thorley Operations Development Consents Sch. 5 Cond. 3	The Applicant must ensure that the management plans required under this consent 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 consent, 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 development of 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 development; • 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 development over time; g) A protocol for managing any: • Incidents; • Complaints; • Non-compliances with statutory requirements; and • Exceedances of the impact assessment criteria and/or performance criteria; and h) A protocol for periodic review of the plan. Note: The Planning Secretary may waive some of these requirements if they are unnecessary for particular management plans.	Appendix E Section 5, Section 6.1, Appendix E Section 6, Appendix E Section 7 Section 8 Section 8 Section 7.4 and 7.5 Section 8

5.2 OTHER RELEVANT LEGISLATION

Other relevant legislation which may be applicable include, but is not limited to the following:

- *Environmental Planning and Assessment Act, 1979;*
- *Environment Protection and Biodiversity Conservation Act, 1999 (Commonwealth);*
- *Biodiversity Conservation Act, 2016;*
- *Crown Lands Act, 1989;*
- *Fisheries Management Act, 1994;*
- *Heritage Act, 1977;*
- *Mining Act, 1992;*
- *National Parks and Wildlife Act, 1974;*

- *Protection of the Environment Operations Act, 1997;*
- *Roads Act, 1993;*
- *Water Act, 1912;*
- *Water Management Act, 2000;*
- *Work Health and Safety Act, 2011; and*
- *Work Health and Safety (Mines) Act, 2013.*

6.0 IMPLEMENTATION

6.1 ENVIRONMENTAL MANAGEMENT PLANS

Environmental Management Plans (EMPs) required in accordance with relevant approvals at MTW are summarised below. Copies of the below approved management plans and other approved programs have been appended to the EMS document as **Appendix E**.

Copies of individual EMPs are available on the MTW website (<https://insite.yancoal.com.au>). The EMPs, strategies and programs required at MTW include:

- This EMS
- Noise Management Plan
- Blast Management Plan
- Water Management Plan
- Aboriginal Heritage Management Plan
- Wollombi Brook Aboriginal Cultural Heritage Conservation Area- Plan of Management
- Historic Heritage Management Plan
- Rehabilitation Management Plan (MOP)
- Biodiversity Management Plan
- Pollution Incident Response Management Plan (PIRMP -required by POEO Act)

6.2 ROLES AND RESPONSIBILITIES

Roles and responsibilities for the implementation of the **EMS** is provided in **Table 3**.

Table 3: Roles and Responsibilities

Role	Responsibilities
General Manager	• Commit site to Yancoal E&C Policy • Ensure adequate resourcing is available to develop and implement the EMS
Environment and Community Manager	• Providing leadership in the preparation, implementation and maintenance of the EMS; • Approve the EMS, any revisions and associated plans and procedures. Audit the effectiveness of implementation of the EMS; • Consult with regulatory authorities as required; • Ensuring that the EMS is reflective of contemporary operations and risks; • Interpreting the vision to their team members and giving them discretion to consider and act accordingly. • Facilitate measures for continual improvement to this EMS and EMPs. • Communicate the progress of relevant environmental requirements to relevant stakeholders.
Supervisors (All levels – Manager / Superintendent/ Specialist / Team Leader)	Each Manager / Superintendent / Specialist / Team Leader role is accountable for the implementation of the EMS standards within the area of control and with demonstrated behaviour, will ensure that: • EMS is consistently applied across their area of control; • Ensuring that all team members understand the EMS requirements and perform them accordingly; • Behaving in a manner than demonstrates their commitment and understanding of EMS; • Reporting and recommending improvements of this EMS to the E&C Manager as appropriate.
Employee / Contractor	Each employee / contractor is accountable for: • Following EMS requirements including any associated standards, procedures and systems; and • Reporting and recommending improvements of this EMS to the E&C Manager as appropriate.

6.3 ENVIRONMENTAL EMERGENCIES

MTW maintains a Pollution Incident Response Management Plan (PIRMP) that relates to its operations. Environmental emergency response procedures are integrated with on-site emergency response plans.

An Emergency Response Team is in operation at MTW and trained to coordinate and respond to emergency situations, accidents and pollution events and undertake rescues as required. Preparedness for emergencies by staff, personnel, contractors and service providers is undertaken in accordance with onsite training requirements whereby personnel are appropriately trained in the use of emergency response equipment and procedures, and will be made aware of their responsibilities should such an event occur.

Reporting of environmental incidents is discussed in **Section 7.5**, including triggering of the Pollution Incident Response Management Plan (PIRMP).

6.4 INFORMATION DISSEMINATION

Community Consultative Committee

Community Consultative Committees (CCC) are operated in accordance with the *Community Consultative Committee Guidelines for State Significant Development Projects*.¹ CCC meetings are generally scheduled in advance of the forthcoming year and are held four times per year.

The membership of the CCC is comprised of an Independent Chair and representation from the Local Government Area, the neighbouring community and site management representatives.

Minutes of CCC meetings are available on the MTW website (<https://insite.yancoal.com.au/>).

Website

MTW operates a website (<https://insite.yancoal.com.au/>) for the provision of information to community stakeholders and other interested parties about the MTW operation and its environmental performance. The following information is made available and is updated accordingly from time to time:

- current statutory approvals for the projects;
- approved strategies, management plans or programs;
- monitoring results of the project;
- a complaints register, which is updated on a monthly basis;
- minutes of CCC meetings;
- the last five annual reviews; and
- any independent environmental audit, and any responses to the recommendations in any audit.

¹ Department of Planning and Environment (2016) *Community Consultative Committee Guidelines for State Significant Development Projects*.

Internal Communication

Environmental management and performance is communicated to staff, contractors and visitors through:

- toolbox training, formal training, memos, weekly/daily planning meetings;
- induction and orientation processes;
- site inspections and auditing; and
- communication sessions.

6.5 COMMUNITY COMPLAINTS MANAGEMENT

The Community Complaints contact phone number is dedicated to the receipt of community complaints which operates 24 hours per day, seven days a week, to receive any complaints from neighbouring residents or other stakeholders. The Community Complaints contact number is advertised in the local media, community newsletters and on the MTW website (<https://insite.yancoal.com.au/>).

Table 4: Community Complaints Contact Details

Topic	Phone
Community Complaints Number	1800 656 892

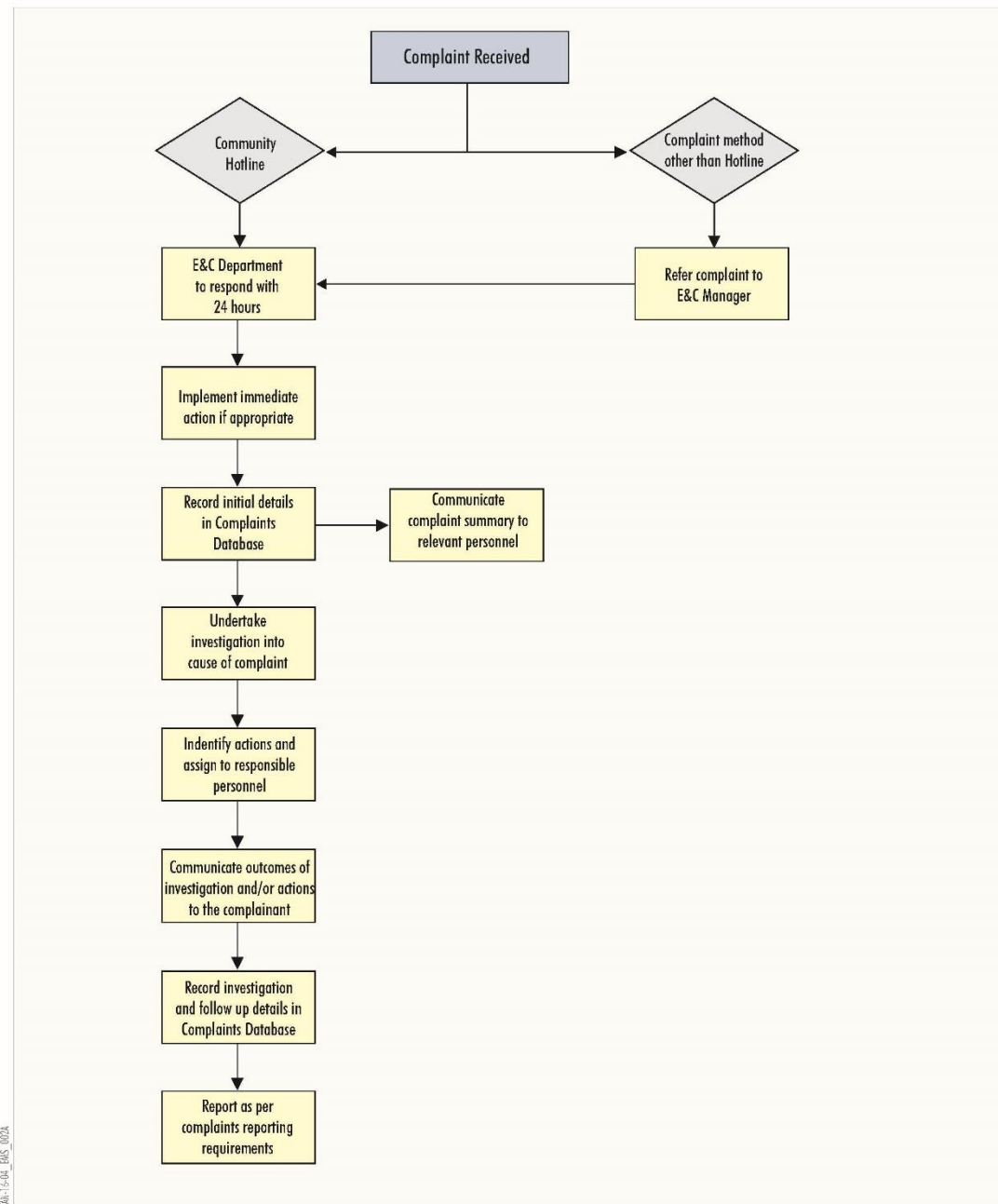
MTW follows a complaints management process when receiving, responding to and recording community complaints. A complaints management database has been developed to allow for the capture and management of complaints raised at MTW.

Investigations are to commence within 24 hours of the receipt of a complaint to determine the likely cause of the complaint. The investigation will be used to develop appropriate mitigation measures which will be presented to the complainant.

The complaints process requires the recording of relevant information including:

- the nature of the complaint;
- method of the complaint;
- relevant monitoring results and meteorological data at the time of the complaint;
- site investigation outcomes;
- any necessary site activity and activity changes;
- any necessary actions assigned; and
- communication of the investigation outcome(s) to the complainant.

An overview of the community complaint response process is detailed in **Figure 3**. A complaints register is updated monthly and made available on the MTW website.



MTW ENVIRONMENTAL MANAGEMENT STRATEGY

Community Complaints Response Process

Figure 3

6.6 DISPUTE RESOLUTION

In the event of a disagreement between operations and a member of the community in relation to an alleged exceedance of the criteria in the Development Consents, the Environment and Community Manager (or delegate) will undertake an investigation into the nature of the dispute. Should resolution of the disagreement not be reached through this primary process, and the landholder considers the development to be exceeding the criteria in the Development Consents at his/her land, then the landholder may utilise the Independent Review procedure specified in the Development Consents (Schedule 4, Condition 4 of SSD-6464 and SSD-6465). An overview of the dispute resolution process is detailed in **Figure 4**.

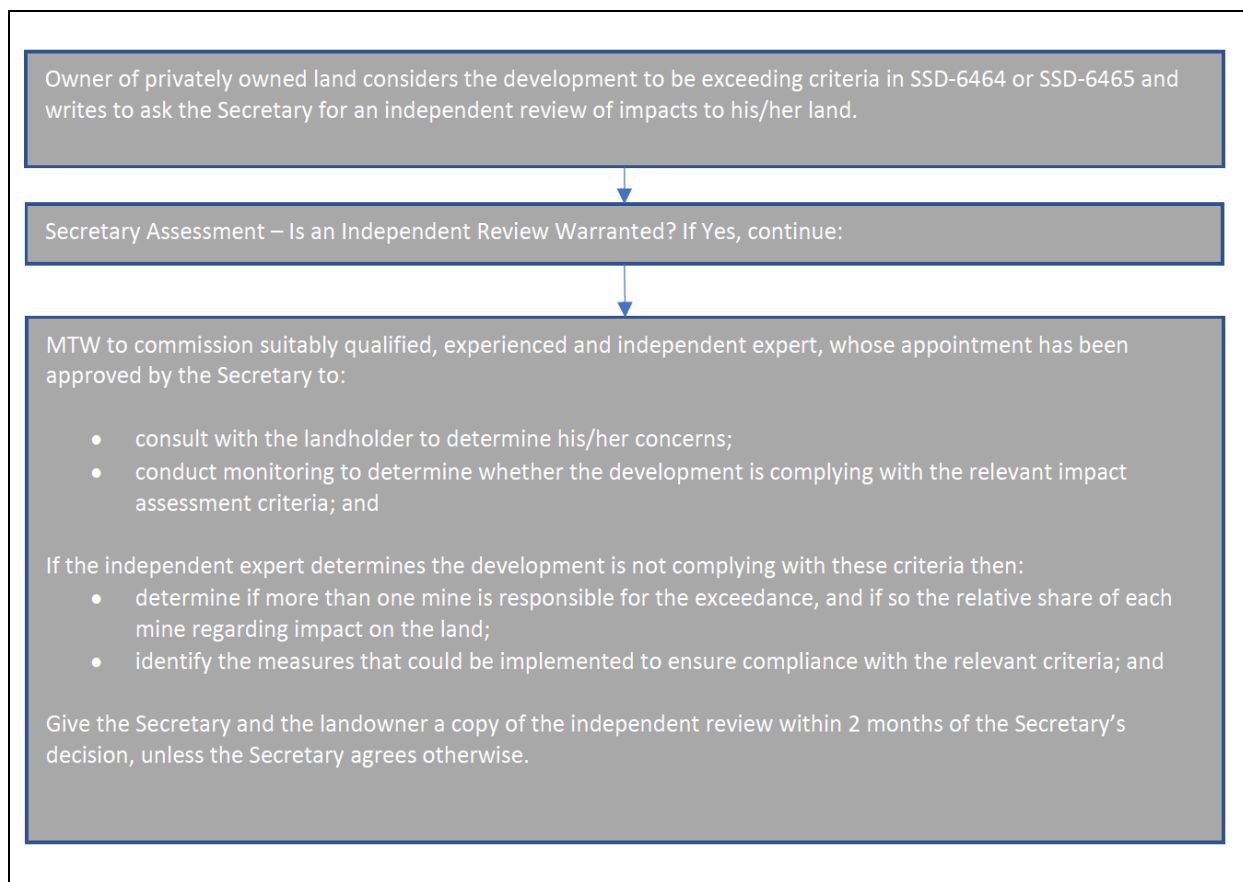


Figure 4: Independent Review Procedure – Exceedance of Consent Criteria

In the event of dispute arising from other consented conditions relating to property inspections, property investigations, specified mitigation works, compensatory water supply, and/or land acquisition matters where an agreement cannot be arrived at, these may be referred directly to the Planning Secretary of DPE by either party in accordance with the relevant consent conditions.

6.7 TRAINING

It is the responsibility of MTW to employ people that are appropriately trained, competent and have an appropriate level of experience and understanding to undertake their work in a manner that minimises impacts on the environment. This includes also, an understanding to the appropriate level, relevant environmental awareness of obligations and responsibilities whilst conducting work activities on site.

Site Induction

Prior to commencing any work activities on site, all personnel are required to undertake a site-specific induction. The induction includes a summary of the operation as well as associated health, safety, environment and community requirements. The induction includes an overview of MTWs environmental impacts and aspects with a focus on the relevant legislation and legal responsibilities applicable to all employees, contractors and visitors whilst on site. The induction includes training on risk management tools which may include consideration of environmental risk when planning job tasks.

Visitors Induction

All visitors are required to undertake a Visitor's Induction program at the point of entry, which outlines the overarching health & safety requirements and obligations of a visitor to the operation. The nominated MTW site contact will be responsible for the actions and conduct of their visitors and will clarify and reinforce any environmental requirements as required.

7.0 MONITORING, EVALUATION AND REPORTING

7.1 MONITORING

Monitoring for parameters as nominated in the Development Consents and Environment Protection Licences is comprehensively addressed within each respective EMP.

Appendix B identifies the required monitoring to be conducted across the operations. Monitoring locations are reviewed periodically and may be updated from time to time to account for progression of mining and changes in land ownership.

7.2 EVALUATION

An Annual Review Report (ARR) is prepared on a calendar year basis reporting on the previous year's activities undertaken at MTW along with the environmental monitoring results. A performance review is conducted against conditions, commitments and associated criteria and reported in each ARR.

An Independent Environmental Audit (IEA) will be undertaken every three (3) years by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary of the DPE. The IEA report is to be provided to all relevant stakeholders in accordance with the conditions of the Development Consent. A copy of the final IEA report will be made available on the website (<https://insite.yancoal.com.au>).

7.3 REPORTING

Reporting protocols have been developed for managing and reporting the following:

- routine environmental monitoring;
- incidents;
- complaints;
- non-compliances with statutory conditions; and
- exceedances of the impact assessment criteria and/or performance criteria.

Environmental reporting requirements including timing, submission and distribution method are summarised in **Table 5**.

Table 5: Reporting Requirements

Report	Frequency	Distribution	Method	Owner
Incident Report	As required	DPE, EPA (other agencies as required)	Major Projects Portal, Email	Environment and Community Manager
Annual Review Report (incorporating Annual Environmental Management Report)	Annually	DPE Resource Regulator NRAR CCC	Major Projects Portal, Email, Website	Environment and Community Manager
Annual Return	Annually	EPA	EPA Online	Environment and Community Manager
EPBC Act Compliance Report	Annually (for the period 1 January to 31 December or as specified in approval)	DAWE	Email & Website	Environment and Community Manager
Independent Environmental Audit	Every 3 years	DPE	Major Projects Portal	Environment and Community Manager
Monthly EPL Pollution Monitoring Data Summary	Monthly	EPA	Website	Environment and Community Manager
Monthly Environmental Monitoring Report	Monthly	DPE	Website	Environment and Community Manager
National Pollutant Inventory Report	Annually (for the period 1 July to 30 June)	EPA	On-Line	Environment and Community Manager
National Greenhouse and Energy Report	Annually (for the period 1 July to 30 June)	Clean Energy Regulator	On-Line	Environment and Community Manager

7.4 COMPLIANCE

Compliance with relevant statutory approvals, plans and procedures will be the responsibility of **all** personnel (staff and contractors) employed on or in association with operations. Compliance with approval conditions is to be achieved via:

- Adherence to the Development Consents, licence and ML conditions, and corporate policies;
- Monthly evaluation of monitoring data against criteria and trigger levels in EMPs;
- Conducting routine inspections of key site facilities and areas of risk;
- Compliance auditing (both internal and external);
- Annual compliance reporting within the ARR;
- Review of the EMPs on an annual basis, following a reported incident, after an Independent Environmental Audit or after an approved modification to the current approval; and
- Implementation of an effective training and education program as required.

Communication of Exceedance of Criteria

Within two (2) weeks of obtaining monitoring results showing an exceedance of the criteria detailed in the Development Consents and upon the completion of the protocol for determining if an exceedance is a non-compliance (as outlined in each management plan), operations shall:

- notify affected landowners in writing of the exceedance, and provide regular monitoring results to each affected landowner until compliance with the relevant criteria is reached; and
- in the event of an exceedance of the air quality criteria, 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 landowners and/or existing tenants of the land (including the tenants of any mine owned land).

7.5 INCIDENTS

An **Incident** (as defined by the Development Consents) is 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 event that an incident which causes or threatens to cause material harm to the environment occurs, the Incident will be managed in accordance with the Pollution Incident Response Management Plan (PIRMP).

The reporting of an Incident is to be conducted in accordance with operational protocols, relevant statutory approvals, obligations and procedures as approved within operational EMPs.

The reporting of Incidents (as defined above) will be conducted in accordance with Condition 7 and 7A, Schedule 5 and Condition 7, Schedule 5 of the Development Consents (SSD-6464, and SSD-6465, respectively) and in accordance with the protocol for industry notification of pollution incidents under

Part 5.7 of the *Protection of the Environment Operations Act, 1997* (described in the PIRMP). MTW will notify the DPE and any other relevant agencies immediately after MTW becomes aware of the incident.

Within seven (7) days of becoming aware of the incident, MTW will notify the Department of the non-compliance. The notification will be in writing via the Department's Major Projects Website. MTW will provide any other relevant agency as requested, a report of the non-compliance in question. The notification/report will:

- include the development application number and name
- describe the date, time and nature of the non-compliance;
- set out the condition that the development is non-compliant with
- identify the cause (or likely cause) of the non-compliance;
- describe what action has been taken to date; and
- describe the proposed measures to address the non-compliance.

In the event that any other environmental incident associated with operations occurs that does not meet the Incident definition above, then the incident will be managed in accordance with approved site policies and procedures.

8.0 REVIEW

In accordance with the Development Consent requirements, the Environmental Management Strategy (and all subordinate strategies, plans, and programs required by the Development Consents) will be reviewed, within 3 months of:

- (a) the submission of an Annual Review Report;
- (b) the submission of an Incident report as defined in the Development Consents;
- (c) the submission of an Independent Environmental Audit report; or
- (d) any modification to the conditions of the Development Consents (unless the conditions require otherwise).

Where the review leads to revisions in the EMS or other subordinate documents required by the Development Consents, then within 4 weeks of the review (unless the Planning Secretary agrees otherwise) the revised document(s) must be submitted to the Planning Secretary for Approval.

In addition to the above, new activities or changes to the operation that may result in environmental issues will be assessed to determine if changes are required to manage the impacts, and so if any revision to a particular subordinate plan is required.

Any revision of the EMS will be undertaken to the satisfaction of the Planning Secretary of NSW Department of Planning and Environment.

Appendix A

YAL Environment and Community Relations Policy



YANCOAL POLICY – Environment and Community Relations

Objective

Yancoal is committed to operating as an environmentally and socially responsible corporate entity. We will strive to be a valued and respected member of the communities in which we operate.

Scope

This policy applies to all Yancoal business units and operations.

Statement

Yancoal accepts its responsibility to conduct its operation in a lawful and environmentally sound manner and to work in consultation with the community and other stakeholders.

We will:

- Identify, understand, assess and manage potential environmental impacts and community issues.
- Implement, validate and maintain an effective documented environment and community relations management system.
- Strive for continual improvement in environmental performance.
- Provide the resources and training to our employees necessary to achieve our objectives.
- Deliver outcomes that meet or exceed our environmental licences and approvals, and bring a positive benefit to the communities in which we operate.
- Comply with applicable legislation and regulations.
- Foster positive relationships with regulatory agencies and community stakeholders.
- Be accountable for our actions.
- We will strive for excellence in environmental management and in the establishment of strong, trusting and sustainable community relationships.

Signed:


David Moulton
Yancoal Chief Executive Officer

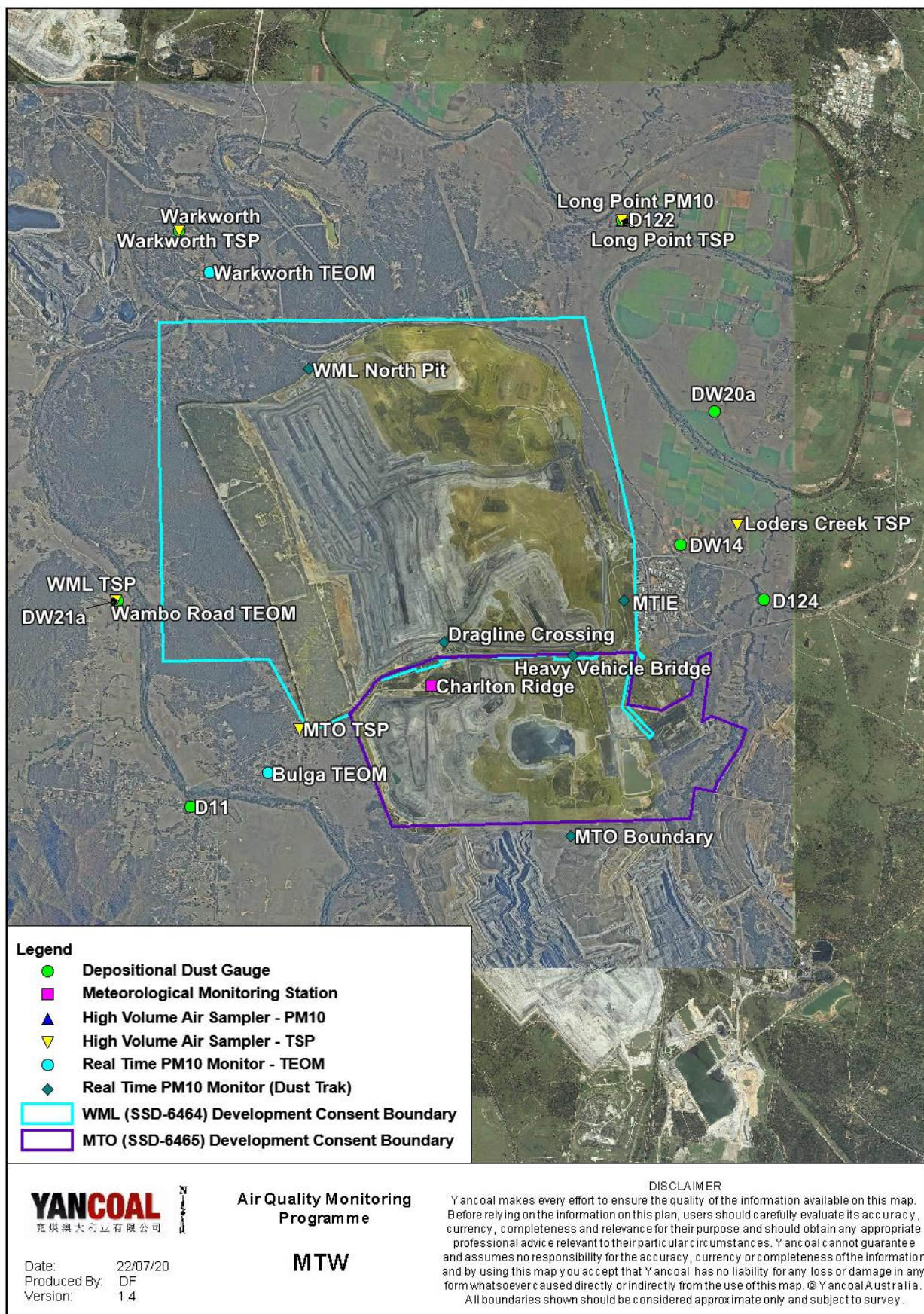
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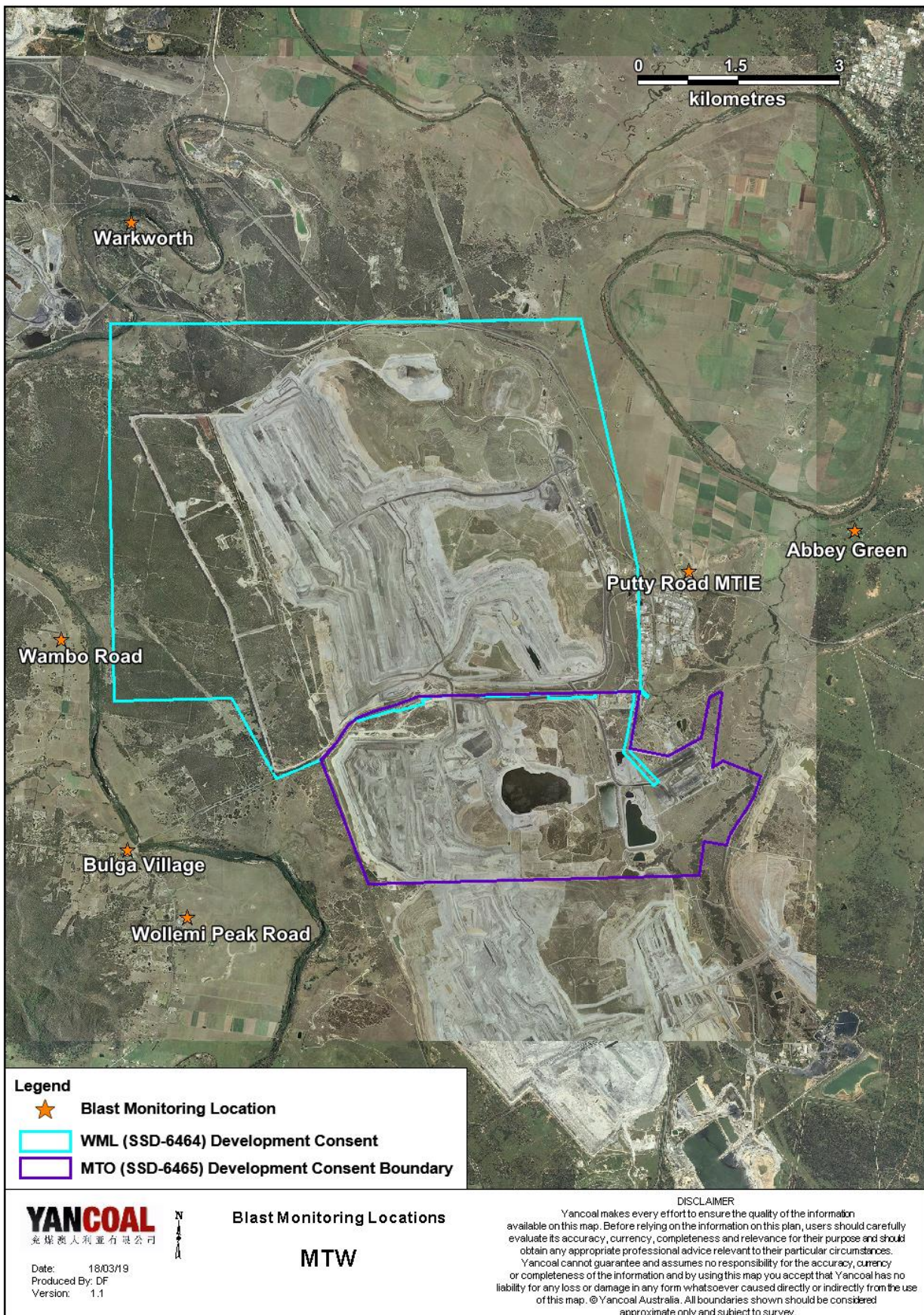
14 July 2020

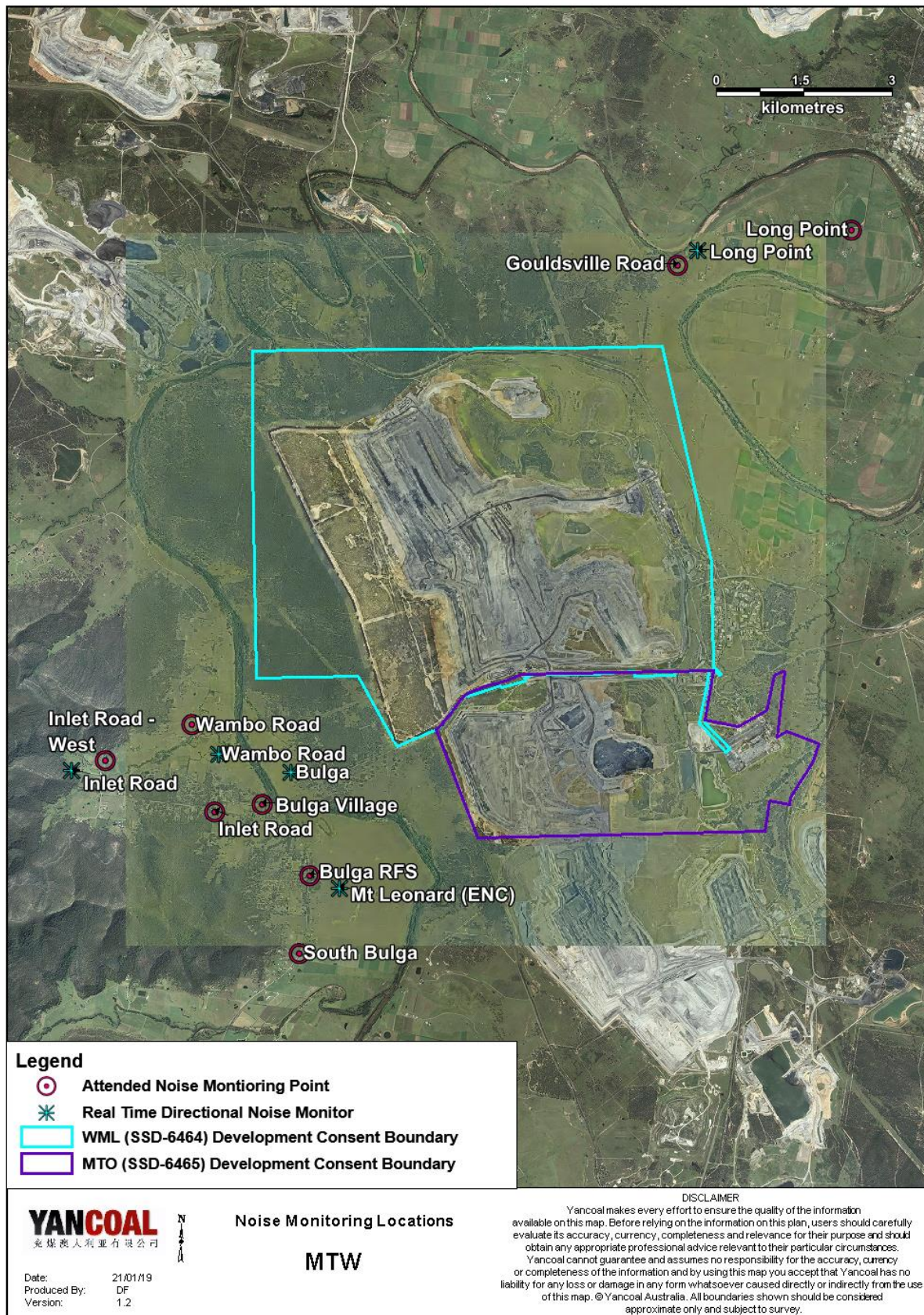


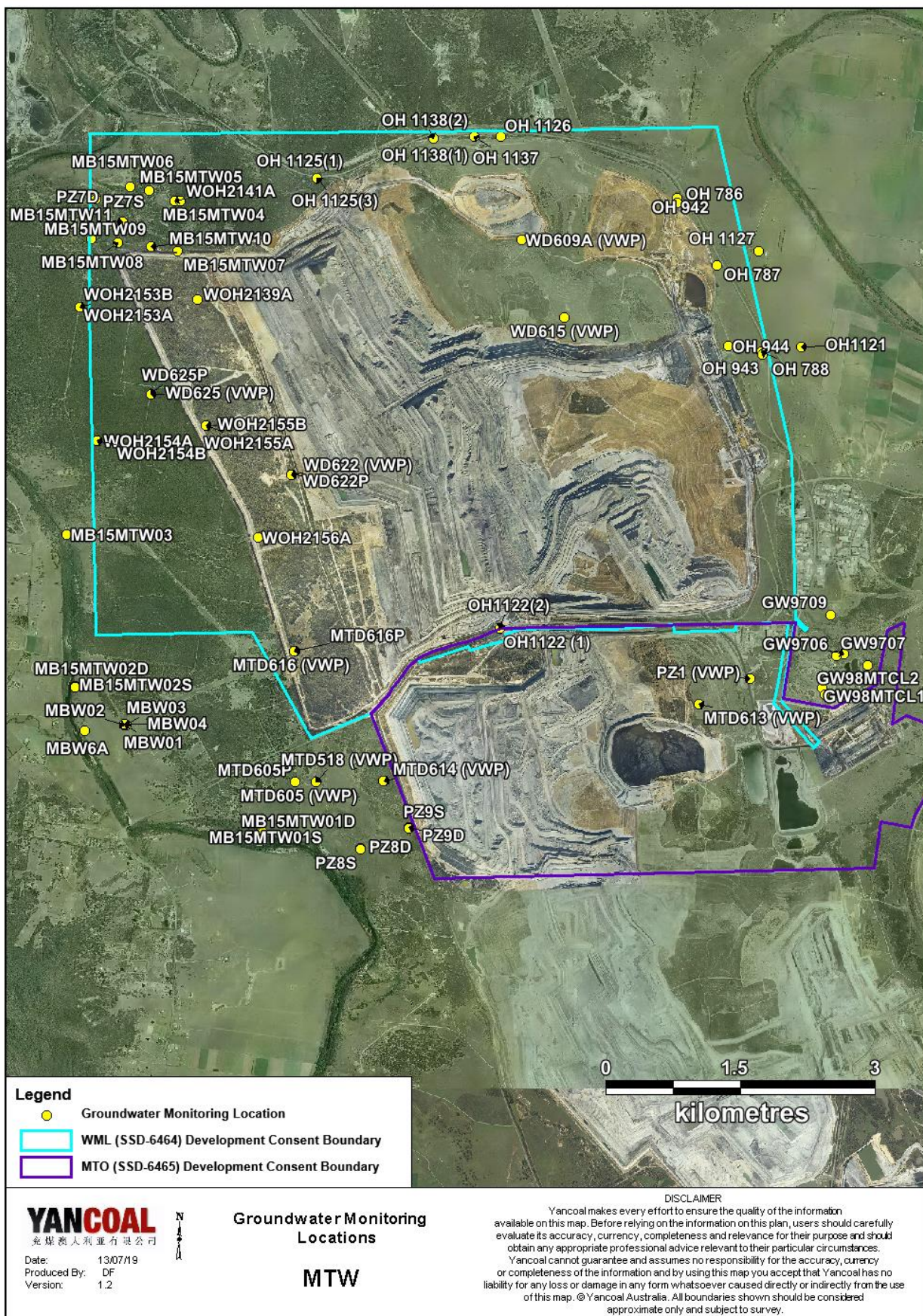
Appendix B

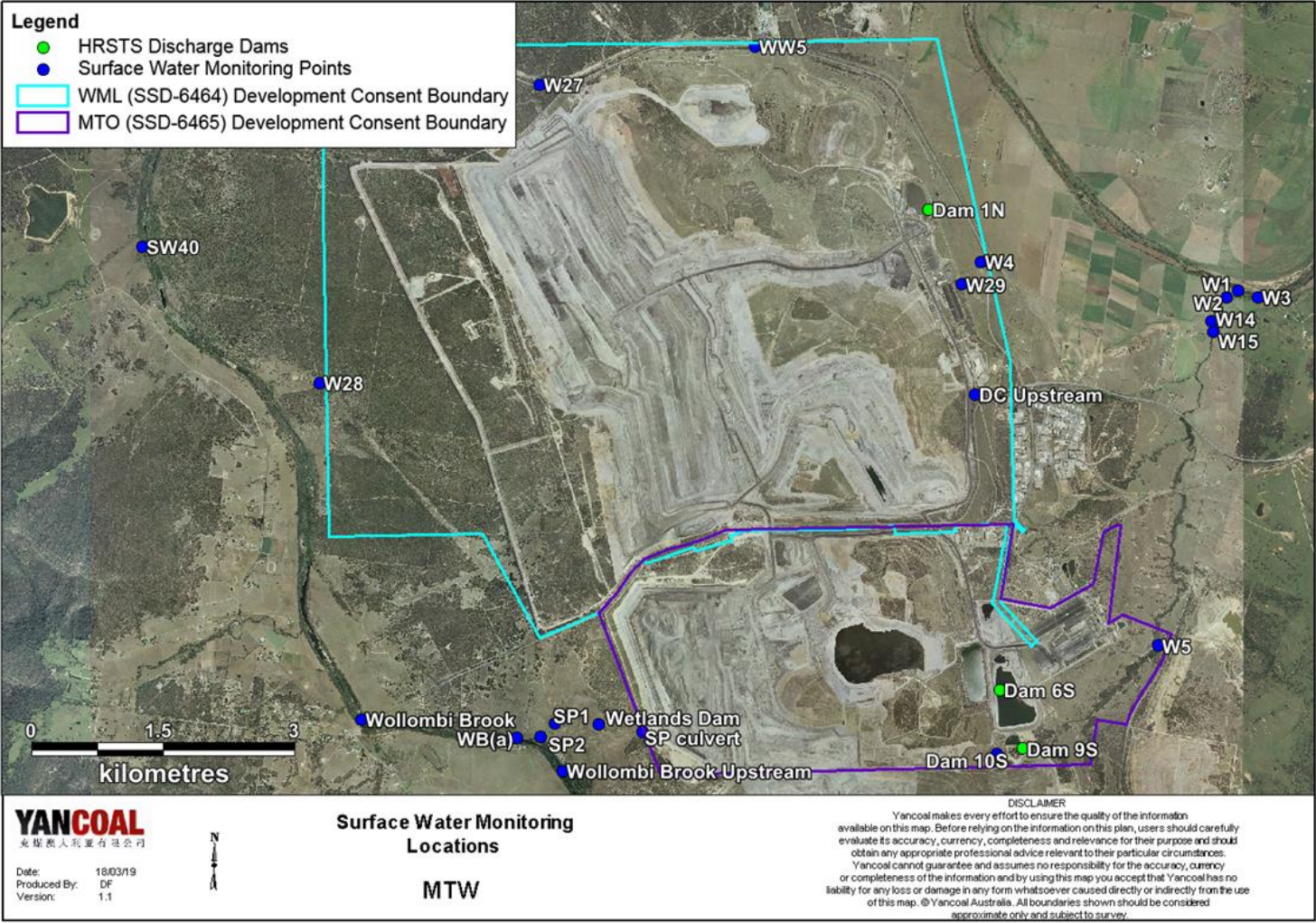
Environmental Monitoring Locations / Programs











Appendix C

Warkworth Continuation Project: Development Consent SSD- 6464

Development Consent

Section 89E of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, the Planning Assessment Commission approves the development application referred to in schedule 1, subject to the conditions in schedules 2 to 5.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.

Name
Member of the Commission

Name
Member of the Commission

Name
Member of the Commission

Name
Member of the Commission

Sydney

26 November 2015

SCHEDULE 1

Application Number:

SSD-6464

Applicant:

Warkworth Mining Limited

Consent Authority:

Minister for Planning

Land:

See Appendix 1

Development:

Warkworth Continuation Project

Blue text represents MOD 2 dated 27 May 2022

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

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

CONSOLIDATED CONSENT

TABLE OF CONTENTS

DEFINITIONS	3
ADMINISTRATIVE CONDITIONS	5
Obligation to Minimise Harm to the Environment	5
Terms of Consent	5
Limits on Consent	5
Commencement of Development Under this Consent	5
Surrender of Existing Development Consent	5
Structural Adequacy	6
Demolition	6
Protection of Public Infrastructure	6
Operation of Plant and Equipment	6
Updating & Staging Strategies, Plans or Programs	6
Community Enhancement	6
ENVIRONMENTAL PERFORMANCE CONDITIONS	7
Acquisition Upon Request	7
Additional Mitigation Upon Request	7
Noise	7
Blasting	9
Air Quality	11
Meteorological Monitoring	13
Water	13
Biodiversity	15
Heritage	19
Transport	21
Visual	21
Bushfire Management	22
Waste	22
Rehabilitation	22
ADDITIONAL PROCEDURES	25
Notification of Landowners/Tenants	25
Independent Review	25
Land Acquisition	25
ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING	27
Environmental Management	27
Reporting	28
Auditing	29
Access to Information	29
APPENDIX 1: SCHEDULE OF LAND	30
APPENDIX 2: DEVELOPMENT LAYOUT PLANS	37
APPENDIX 3: LAND OWNERSHIP PLANS	42
APPENDIX 4: DIRECT LAND-BASED BIODIVERSITY OFFSETS	52
APPENDIX 5: HERITAGE	56
APPENDIX 6: REHABILITATION PLANS	71
APPENDIX 7: NOISE COMPLIANCE ASSESSMENT	74
APPENDIX 8: INDICATIVE ROUTE-EMERGENCY ACCESS TRACK	75
APPENDIX 9: INTERIM NOISE CRITERIA	76

CONSOLIDATED CONSENT

DEFINITIONS

Aboriginal stakeholders	Cultural Heritage Working Group and any Aboriginal groups registered for cultural heritage consultation for the development
Annual review	The review required by condition 3 of schedule 5
Applicant	Warkworth Mining Limited, or any person who seeks to carry out the development approved under this consent
BCA	Building Code of Australia
BCD	Biodiversity & Conservation Division within the Department
Blast misfire	The failure of one or more holes in a blast pattern to initiate
CCC	Community Consultative Committee
CHAG	Coal & Allied Community Heritage Advisory Group, or equivalent organisation
Conditions of this consent	Conditions contained in schedules 1 to 5 (inclusive) of this document
Council	Singleton Council
CMA	Hunter-Central Rivers Catchment Management Authority
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 and Environment
Development	The development as described in the documents listed in condition 2 of Schedule 2 of this document
DPE Water	Water Group within the Department
EIS	Environmental Impact Statement titled <i>Warkworth Continuation 2014 Environmental Impact Statement</i> (6 volumes) dated June 2014, and associated response to submissions titled <i>Warkworth Continuation 2014 Response to Submissions</i> (2 volumes) dated 10 November 2014, and associated response titled <i>Warkworth Continuation 2014 Response to Planning Assessment Commission review report</i> dated 20 March 2015
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>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>
Heritage NSW	Heritage NSW within the Department
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance
Land	Has the same meaning as the definition in section 1.4 of the EP&A Act, except for where the term is used in the noise and air quality conditions in schedules 3 and 4 of this consent 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 consent
Lemington underground mine workings	The underground workings identified in Appendix 2 Figure 3A
Material harm	Is harm to the environment that: • involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or • results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) This definition excludes "harm" that is authorised under either this consent or any other statutory approval
Mine water	Water that accumulates within active mining and infrastructure areas
Mining company	Mining, extractive industry or petroleum company

CONSOLIDATED CONSENT

Mining operations	Includes the removal of overburden and extraction, processing, handling, storage and transportation of coal on site
Minister	Minister for Planning, or delegate
Minor	Not very large, important or serious
Mitigation	Activities associated with reducing the impacts of the development
Modification Report (MOD 2)	Modification Report titled <i>MTW/HVO Lemington Underground Mine Water Storage Project, Modification Report</i> dated September 2021 and the Submissions Report dated December 2021, and associated response titled <i>MTW-HVO Lemington Underground Water Storage Modifications (MP06_0261 MOD 7 AND SSD-6464 MOD 2) – Response To Additional Information Request</i> dated 15 March 2022.
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
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
NRAR	NSW Natural Resources Access Regulator
Planning Secretary	Planning Secretary of the Department, or nominee and/or delegate
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Privately-owned land	Land that is not owned by the Crown or a mining company (or its subsidiaries)
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	Means applying 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 development to a good condition, and ensure it is safe, stable and non-polluting
Resources Regulator	NSW Resources Regulator
RFS	Rural Fire Service
ROM coal	Run-of-mine coal
SA NSW	Subsidence Advisory New South Wales
Site	The land listed in Appendix 1
TSC Act	<i>Threatened Species Conservation Act 1995</i>
TfNSW	Transport for New South Wales
VPA	Voluntary Planning Agreement
Wollombi Brook Aboriginal Cultural Heritage Conservation Area	The area depicted on Figure 15 in Appendix 5

CONSOLIDATED CONSENT

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

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

TERMS OF CONSENT

2. The Applicant **must** carry out the development:
 - (a) generally in accordance with the EIS and Modification Report (MOD 2); and
 - (b) in accordance with the conditions of this consent.

Note: The general layout of the development is shown in Appendix 2.
3. If there is any inconsistency between the above documents, the most recent document prevails to the extent of the inconsistency. However, the conditions of this consent prevail to the extent of any inconsistency.
4. The Applicant **must** comply with any reasonable requirement/s of the **Planning** Secretary arising from:
 - (a) any reports, strategies, plans, programs, reviews, audits or correspondence that are submitted in accordance with this consent;
 - (b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and
 - (c) the implementation of any actions or measures contained in these documents.

LIMITS ON CONSENT

Mining Operations

5. The Applicant may carry out mining operations on site for 21 years from the date of commencement of development under this consent.

*Note: Under this consent, the Applicant is required to rehabilitate the site and perform additional undertakings to the satisfaction of the **Planning** Secretary and the **Resources Regulator**. Consequently, this consent 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.*

Coal Extraction

6. The Applicant **must** not extract more than 18 million tonnes of ROM coal from the Warkworth mine in a calendar year.

Coal Transport

7. The Applicant **must**:
 - (a) not transport any coal produced at the development by public road; and
 - (b) ensure that the coal produced on site is only sent to the Mt Thorley Coal Loader for transport by rail to export and/or domestic markets.

COMMENCEMENT OF DEVELOPMENT UNDER THIS CONSENT

8. The Applicant **must**:
 - (a) notify the **Planning** Secretary in writing of the date of commencement of development under this consent; and
 - (b) may only commence development under this consent once the **Planning** Secretary has agreed in writing that all prerequisites to the commencement of development under this consent have been met.

SURRENDER OF EXISTING DEVELOPMENT CONSENT

9. By the end January 2017, unless the **Planning** Secretary agrees otherwise, the Applicant **must** surrender the existing development consent (DA-300-9-2002-i) for the Warkworth mine in accordance with Section 104A of the EP&A Act.

Following the commencement of development under this consent, the conditions of this consent prevail to the extent of any inconsistency with the conditions of DA-300-9-2002-i.

CONSOLIDATED CONSENT

STRUCTURAL ADEQUACY

10. The Applicant **must** ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA and [SA NSW](#).

Notes:

- Under Part 4A of the EP&A Act, the Applicant 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 development; and
- The development is located in the Patrick Plains Mine Subsidence District, and under Section 15 of the Mine Subsidence Compensation Act 1961, the Applicant is required to obtain the [SA NSW's](#) approval before constructing any improvements on the site.

DEMOLITION

11. The Applicant **must** 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 Applicant and the applicable authority agree otherwise, the Applicant **must**:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

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 Applicant **must** ensure that all plant and equipment used on site, or to monitor the performance of the development, is maintained and operated in a proper and efficient manner.

UPDATING & STAGING STRATEGIES, PLANS OR PROGRAMS

14. With the approval of the [Planning](#) Secretary, the Applicant may:
- (a) submit any strategy, plan or program required by this consent on a progressive basis; and
 - (b) combine any strategy, plan or program required by this consent with any similar strategy, plan or program required for the Mt Thorley mine.

To ensure these strategies, plans or programs are updated on a regular basis, the Applicant may at any time submit revised strategies, plans or programs to the [Planning](#) Secretary for approval.

With the agreement of the [Planning](#) Secretary, the Applicant may prepare any revised strategy, plan or program without undertaking consultation with all parties under the applicable condition of this consent.

Notes:

- While any strategy, plan or program may be submitted on a progressive basis, the Applicant will need to ensure that the existing operations on site 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 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.

COMMUNITY ENHANCEMENT

15. Within 6 months of the date of this consent, unless the [Planning](#) Secretary agrees otherwise, the Applicant **must** enter into a VPA with Council in accordance with:
- (a) Division 6 of Part 4 of the EP&A Act; and
 - (b) the terms of Applicant's offer in its letter to the Department dated 4 May 2015.

The VPA **must** include provisions for the payment, collection, management and distribution of the contributions under the agreement, with a focus on funding community infrastructure and services in the area surrounding the mine, including Bulga Village.

Note: The Applicant's offer comprises a total contribution of \$11 million over 21 years for both the development and the Mt Thorley Continuation Project (SSD-6465).

CONSOLIDATED CONSENT

SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS

ACQUISITION UPON REQUEST

1. Upon receiving a written request for acquisition from an owner of the land listed in Table 1, the Applicant **must** acquire the land in accordance with the procedures in conditions 5 and 6 of schedule 4.

Table 1: Land subject to acquisition upon request

Acquisition Basis	Land
Noise & Air	77, 102, D, E, F
Noise	34, 81, 148, 150, 190, 192, J
Air	A, B

Note: To interpret the land referred to in Table 1, see the applicable figures in Appendix 3.

2. The Applicant is only required to acquire property 77 if the owner of this land no longer has voluntary land acquisition rights under the planning approvals for the Wambo mine and/or its associated rail facilities.

ADDITIONAL MITIGATION UPON REQUEST

3. Upon receiving a written request from the owner of any residence on the land listed in Table 1 or Table 2, the Applicant **must** implement additional noise and/or air quality mitigation measures at or in the vicinity of the residence in consultation with the landowner. These measures must be consistent with the measures outlined in the *Voluntary Land Acquisition and Mitigation Policy*. They must also be reasonable and feasible and proportionate with the level of predicted impact.

If within 3 months of receiving this request from the owner, the Applicant 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 **Planning** Secretary for resolution.

Table 2: Land subject to additional mitigation upon request

Mitigation Basis	Characterisation of Impact	Land
Noise	Moderate	12, 14, 15, 126, 128, 130, 139, 152, 183, 191, 192, 217, 262, 263

Notes:

- To interpret the land referred to in Table 2, see the applicable figures in Appendix 3.
- Definitions of marginal and moderate mitigation are given in the *Voluntary Land Acquisition and Mitigation Policy*.

NOISE

Noise Criteria – Before 1 January 2017

4. Before 1 January 2017, except for the land in Table 1, the Applicant **must** ensure that the noise generated by the development does not exceed the noise criteria in condition 18 of DA-300-9-2002-i.

Notes:

- The referenced noise criteria in condition 18 of DA-300-9-2002-i are reproduced in Appendix 9.
- These noise criteria apply in the interim period until the completion of the Applicant's noise attenuation program, which is to be completed by the end of 2016 (see condition 6(d) below). From 1 January 2017, the noise criteria in condition 5 will apply.

Noise Criteria – From 1 January 2017

5. From 1 January 2017, except for the land in Table 1, the Applicant **must** ensure that the noise generated by the development does not exceed the criteria in Table 3 at any residence on privately-owned land.

CONSOLIDATED CONSENT

Table 3: Noise criteria dB(A)

Location	Land	Day (L _{Aeq} (15min))	Evening (L _{Aeq} (15min))	Night (L _{Aeq} (15min))	Night (L _{A1} (1 min))
Bulga	17, 19	40	40	40	50
	37, 43, 52, 62, 63, 64, 66, 71, 72, 73, 75, 82, 210, 211, 236, 252, 920	39	39	39	49
	12, 14, 15, 16, 18, 20, 21, 22, 23, 24, 26, 28, 31, 35, 36, 38, 39, 40, 41, 42, 44, 45, 46, 47, 48, 49, 50, 53, 54, 55, 56, 57, 58, 60, 61, 67, 70, 74, 80, 84, 89, 215, 217, 229, 231, 234, 235, 237, 238, 243, 253, 254, 903, 917, 918, 919, 921 929	38	38	38	48
	8, 9, 225, 226, 227, 228, 230, 266, 922	37	37	37	47
	4, 6, 7, 10, 221, 222, 223	36	36	36	46
	All other residences on privately owned land	35	35	35	45
Milbrodale	111	36	36	36	46
	All other residences on privately owned land	35	35	35	45
Warkworth	All other residences on privately owned land	38	38	38	48
Maison Dieu	All other residences on privately owned land	35	35	35	45
Gouldsville, Long Point	126, 262	41	41	41	51
	128	39	39	39	49
	130, 139	38	38	38	48
	All other residences on privately owned land	35	35	35	45
Hambledon Hill/ Wylies Flat	192	40	40	40	50
	152, 191, 263	39	39	39	49
	183	38	38	38	48
	181, 182, 184, 185, 186, 187, 937a, 937b	37	37	37	47
	155, 156, 157, 180, 937d, 937e	36	36	36	46
	All other residences on privately owned land	35	35	35	45
Mount Thorley	^a 144, ^a 915	43	43	43	53
	^a 146	42	42	42	52
	148, 188	36	36	36	46
	All other residences on privately owned land	35	35	35	45

Notes:

- To interpret the land referred to in Table 3, see the applicable figures in Appendix 3.
- ^a Noise limits developed relative to current acquisition criteria.

Noise generated by the development is to be measured in accordance with the relevant requirements of the *NSW Industrial Noise Policy* (as may be updated from time-to-time) or an equivalent NSW Government noise policy, as amended by Appendix 7 which sets out the meteorological conditions under which these criteria apply and the requirements for evaluating compliance with these criteria.

CONSOLIDATED CONSENT

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

Operating Conditions

6. The Applicant **must**:
- implement all reasonable and feasible measures to minimise the operational, low frequency and road noise of the development;
 - operate a comprehensive noise management system on site that uses a combination of predictive meteorological forecasting and real-time noise monitoring data to guide the day to day planning of mining operations and the implementation of both proactive and reactive noise mitigation measures to ensure compliance with the relevant conditions of this consent;
 - minimise the noise impacts of the development during meteorological conditions when the noise limits in this consent do not apply (see Appendix 7);
 - ensure that:
 - all new trucks, dozers, drills and excavators purchased for use on the site after the date of this consent are commissioned as noise suppressed (or attenuated) units; and
 - the existing fleet of trucks, dozers, drills and excavators on site at the date of this consent is progressively fitted with suitable noise attenuation packages to ensure that 100% of the fleet being used on site is attenuated by the end of 2016; and
 - carry out regular monitoring to determine whether the development is complying with the relevant conditions of this consent and, if necessary, adjust the scale of operations on site to meet the criteria in this consent.

Noise Management Plan

7. The Applicant **must** prepare a Noise Management Plan for the development to the satisfaction of the **Planning** Secretary, and carry out the development in accordance with this plan. The plan must:
- be prepared in consultation with the EPA, and submitted to the **Planning** Secretary for approval prior to carrying out any development under this consent;
 - describe the measures that would be implemented to ensure compliance with the relevant noise criteria and operating conditions of this consent;
 - describe the proposed noise management system in detail;
 - include provisions for keeping the local community informed about the operation of the noise management system and monitoring programs (including any correction factors under the *NSW Industrial Noise Policy*), including regular briefings and a public information session within 6 months of the granting of this development consent;
 - include a noise monitoring program that:
 - evaluates and reports on:
 - the effectiveness of the noise management system;
 - the effectiveness of the noise attenuation program (see condition 6(d));
 - compliance against the noise criteria in this consent; 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 trigger for further attended monitoring where there is a risk of non-compliance with the noise criteria in this consent); 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

8. The Applicant **must** ensure that the blasting on the site does not cause exceedances of the criteria in Table 4.

Table 4: 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

CONSOLIDATED CONSENT

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

Blasting Hours

9. The Applicant **must** only carry out blasting on site between 7am and 5pm Monday to Saturday inclusive. No blasting is allowed on Sundays, public holidays, or at any other time without the written approval of the **Planning** Secretary.

Blasting Frequency

10. The Applicant may carry out a maximum of:
- (a) 3 blasts a day; and
 - (b) 12 blasts a week, averaged over a calendar year, at the 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, blast misfires or blasts required to ensure the safety of the mine, its workers or the general public

Notes:

- 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.
- For the avoidance of doubt, should an additional blast be required after a blast misfire, this additional blast and the blast misfire are counted as a single blast.
- In circumstances of recurring unfavourable weather conditions (following planned but not completed blast events), to avoid excess explosive sleep times and minimise any potential environmental impacts, the Applicant may seek agreement from the **Planning** Secretary for additional blasts to be fired on a given day.

11. The Applicant **must** not carry out more than 1 blast a day within 500 metres of the Putty Road and/or Golden Highway.

Property Inspections

12. If the Applicant receives a written request from the owner of any privately-owned land within 2 kilometres of the approved open cut mining pit/s 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 Applicant **must**:
- (a) 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 development on these buildings and/or structures; and
 - (b) 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 Applicant or the landowner disagrees with the findings of the property inspection report, either party may refer the matter to the **Planning** Secretary for resolution.

Property Investigations

13. 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 Applicant **must**:
- (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 Applicant **must** repair the damage to the satisfaction of the **Planning** Secretary.

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

Operating Conditions

14. During mining operations on site, the Applicant **must**:
- (a) implement all reasonable and feasible measures to:

CONSOLIDATED CONSENT

- 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;
- (b) ensure that blasting on the site does not damage historic heritage sites outside the disturbance area including the Wambo Homestead, Bulga Bridge, St Phillips Church or the following Aboriginal grinding groove sites:
- MTW-266~WSW-09-22;
 - MTW-267~WSW-09-22;
 - MTW-268~WSW-209-23; and
 - Aboriginal grinding groove site Mt Thorley M 37-6-0163 (prior to its relocation);
- (c) minimise the frequency and duration of any road closures; and
- (d) operate a suitable system (including a hotline and website updates) to enable the public to get up-to-date information on the proposed blasting schedule on site.

Note: To identify the Aboriginal grinding grooves and historic heritage sites referred to in this condition, see the applicable figures in Appendix 5.

15. The Applicant **must** not undertake blasting on site within 500 metres of:
- (a) any public road; or
 - (b) any land outside the site that is not owned by the Applicant,
- unless:
- the Applicant has a written agreement with the applicable infrastructure authority or landowner to allow blasting to be carried out closer to the infrastructure or land, and the Applicant has advised the Department in writing of the terms of this agreement; or
 - the Applicant has:
 - demonstrated to the satisfaction of the **Planning** Secretary that the blasting can be carried out closer to the infrastructure or land without compromising the safety of people or livestock, or damaging buildings and/or 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 road or land.

Blast Management Plan

16. The Applicant **must** prepare a Blast Management Plan for the development to the satisfaction of the **Planning** Secretary, and carry out the development in accordance with this plan. The plan must:
- (a) be prepared in consultation with the EPA, and submitted to the **Planning** Secretary for approval prior to carrying out any development under this consent;
 - (b) describe the measures that would be implemented to ensure compliance with the blasting criteria and operating conditions of this consent;
 - (c) include a road closure management plan for blasting within 500 metres of a public road, that has been prepared in consultation with the **TfNSW** and Council;
 - (d) include a monitoring program for evaluating the performance of the development, including:
 - compliance with the applicable criteria;
 - avoiding any blasting impacts on the heritage items specified in condition 14 above; and
 - minimising the fume emissions from the site.

AIR QUALITY

Air Quality Impact Assessment Criteria

17. Except for the land in Table 1, the Applicant **must** ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria listed in Tables 5, 6 and 7 at any residence on privately owned land.

Table 5: 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 6: Short term impact assessment criterion for particulate matter

Pollutant	Averaging period	^d Criterion
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CONSOLIDATED CONSENT

Particulate matter < 10 µm (PM ₁₀)	24 hour	^b 50 µg/m ³
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Table 7: 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 5-7

- ^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, sea fog, fire incidents or any other activity agreed by the [Planning](#) Secretary.

Mine-owned Land

18. The Applicant [must](#) ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria listed in Tables 5,6 and 7 at any occupied residence on mine-owned land (including land owned by another mining company), unless and to the extent that:
- the tenant and landowner (if the residence is owned by another mining or gas company) have been notified of any health risks associated with such exceedances in accordance with the notification requirements under schedule 4 of this consent;
 - the tenant of any land owned by the Applicant can terminate their tenancy agreement without penalty at any time, subject to giving reasonable notice and cause;
 - air quality monitoring is regularly undertaken to inform the tenant or landowner (if the residence is owned by another mining or gas company) of the particulate emissions at the residence; and
 - data from this monitoring is presented to the tenant and landowner in an appropriate format for a medical practitioner to assist the tenant and landowner in making informed decisions on the health risks associated with occupying the property.

Operating Conditions

19. The Applicant [must](#):
- implement all reasonable and feasible measures to minimise the:
 - odour, fume and dust emissions of the development; and
 - release of greenhouse gas emissions from the development;
 - operate a comprehensive 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 consent;
 - minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see note d to Tables 5-7 above); and
 - co-ordinate the air quality management on site with the air quality management at nearby mines (including the Mt Thorley, Bulga, Wambo and Hunter Valley Operations mines) to minimise any cumulative air quality impacts.

Air Quality Management Plan

20. The Applicant [must](#) prepare a detailed Air Quality Management Plan for the development to the satisfaction of the [Planning](#) Secretary, and carry out the development in accordance with this plan. The plan must:
- be prepared in consultation with the EPA, and be submitted to the [Planning](#) Secretary for approval prior to carrying out any development under this consent;
 - describe the measures that would be implemented to ensure compliance with relevant air quality criteria and operating conditions of this consent;
 - describe the proposed air quality management system;
 - include provisions for keeping the local community informed about the operation of the air quality management system and monitoring programs, including regular briefings and a public information session within 6 months of the granting of this development consent;
 - include an air quality monitoring program that:
 - adequately supports the proactive and reactive air quality management system;
 - evaluates and reports on:
 - the effectiveness of the air quality management system; and
 - compliance with the air quality operating conditions; and

CONSOLIDATED CONSENT

- 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; and
- (f) include a protocol that has been prepared in consultation with the owners of nearby mines (including the Mt Thorley, Bulga, Wambo and Hunter Valley Operations mines) to minimise cumulative air quality impacts.

METEOROLOGICAL MONITORING

21. For the life of the development, the Applicant **must** 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 temperature inversions in accordance with the *NSW Industrial Noise Policy*, unless a suitable alternative is approved by the **Planning** Secretary following consultation with the EPA.

WATER

Water Supply

22. The Applicant **must** ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of mining operations to match its available water supply.

22A. The Applicant **must** report on water taken from each water source each year in the Annual Review.

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 development.

Compensatory Water Supply

23. The Applicant **must** provide a compensatory water supply to the owner of any privately-owned land whose basic landholder water rights (as defined in the *Water Management Act 2000*) are adversely and directly impacted as a result of the development. This supply must be provided in consultation with **NRAR**, and to the satisfaction of the **Planning** Secretary.

The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent to the loss attributable to the development. Equivalent water supply should be provided (at least on an interim basis) as soon as practicable from the loss being identified, unless otherwise agreed with the landowner.

If the Applicant 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 **Planning** Secretary for resolution.

If the Applicant is unable to provide an alternative long-term supply of water, then the Applicant **must** provide alternative compensation to the satisfaction of the **Planning** Secretary.

Note: The Water Management Plan (see condition 27) is required to include trigger levels for investigating potentially adverse impacts on water supplies.

Water Discharges

24. Unless an EPL or the EPA authorises otherwise, the Applicant **must** ensure that all surface water discharges from the site comply with the:
- (a) discharge limits (both volume and quality) set for the development in any EPL; and
 - (b) relevant provisions of the POEO Act or *Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002*.

Note: For the avoidance of doubt, it is noted that the EPA will determine the cumulative allowable salinity discharges to the Hunter River catchment, according to rules of the Hunter River Salinity Trading Scheme and the respective quantities of tradeable salinity credits held by participants in the scheme (including the Bulga mine and other nearby mining operations).

Water Transfers

25. The Applicant may receive water from, and transfer water to, the Mt Thorley mine, Hunter Valley Operations mine, Bulga mine and Redbank Power Station.

Water Management Performance Measures

CONSOLIDATED CONSENT

26. The Applicant **must** comply with the performance measures in Table 8 to the satisfaction of the Planning Secretary.

Table 8: Water management performance measures

Feature	Performance Measure
Water management – General	Minimise the use of clean water (i.e. water not in contact with disturbed areas) on site Minimise the need for make-up water from external supplies (apart from permissible mine water transfers)
Hunter River Alluvial Aquifer and Wollombi Brook Alluvial Aquifer	Negligible environmental consequences to the Hunter River alluvial aquifer and the Wollombi Brook alluvial aquifer beyond those predicted for the development
Lemington underground mine workings	During water transfers into the Lemington underground mine workings, retain a maximum fill level of 30m AHD in the Lemington underground mine workings or retain a buffer zone of 10m between the base of the Hunter River alluvium and the Lemington underground mine workings fill level; whichever gives the greater vertical separation
Construction and operation of infrastructure	Design, install and maintain erosion and sediment controls generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction</i> including <i>Volume 1</i>, <i>Volume 2A – Installation of Services</i> and <i>Volume 2C – Unsealed Roads</i> Design, install and maintain the infrastructure within 40 m of watercourses generally in accordance with the <i>Guidelines for Controlled Activities on Waterfront Land (DPI 2007)</i>, or its latest version Design, install and maintain any creek crossings generally in accordance with the <i>Policy and Guidelines for Fish Habitat Conservation and Management</i> (DPI, 2013) 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 diversion & storage infrastructure	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
Sediment dams	Design, install and/or 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>
Mine water storages	Design, install and/or maintain mine water storage infrastructure to ensure no discharge of mine water off-site (except in accordance with condition 24) On-site storages (including mine infrastructure dams and treatment dams) are suitably designed, installed and/or maintained to minimise permeability Maintain adequate freeboard within the pit void at all times to minimise the risk of discharge to surface waters
Flood mitigation measures	Design, install and maintain flood mitigation measures along the western side of the development, to ensure there is adequate freeboard (at least 500mm) between the Probable Maximum Flood level in Wollombi Brook and the crest levee or peak of the flood mitigation infrastructure. Residual impacts downstream must be managed in an appropriate manner.
Overburden emplacements	Design, install and maintain emplacements to encapsulate and prevent migration of tailings, acid forming and potentially acid forming materials, and saline and sodic material Design, install and maintain emplacements to prevent off-site migration of saline groundwater seepage
Chemical and hydrocarbon storage	Chemical and hydrocarbon products to be stored in bunded areas in accordance with the relevant Australian Standards

Water Management Plan

27. The Applicant **must** prepare a Water Management Plan for the development to the satisfaction of the **Planning** Secretary, and carry out the development in accordance with this plan. The plan must:
- (a) be prepared in consultation with **the EPA and DPE Water** and submitted to the **Planning** Secretary for approval prior to carrying out any development under this consent;
 - (b) in addition to the standard requirements for management plans (see condition 3 of schedule 5), include a:
 - (i) 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, including details of water sharing between neighbouring mining operations;
 - any off-site water transfers and discharges;
 - reporting procedures, including the preparation of a site water balance for each calendar year;
 - **the methodology used to quantify the annual groundwater inflow into the Lemington underground mine workings during the period water is to be stored and extracted, and the ongoing maximum annual groundwater inflow after these activities have ceased; and**
 - investigates and implements all reasonable and feasible measures to minimise water use on site;
 - (ii) Surface Water Management Plan, that includes:
 - detailed baseline data on surface water flows and quality in the watercourses that could potentially be affected by the development;
 - a detailed description of the water management system on site, including the:
 - clean water diversion systems;
 - erosion and sediment controls (mine water system); and
 - mine water management systems including irrigation areas;
 - detailed plans, including design objectives and performance criteria, for:
 - design and management of final voids;
 - design and management for the emplacement of coal reject materials;
 - reinstatement of drainage lines on the rehabilitated areas of the site; and
 - control of any potential water pollution from the rehabilitated areas of the site;
 - performance criteria for the following, including trigger levels for investigating any potentially adverse impacts associated with the development:
 - mine water management system;
 - surface water quality of Wollombi Brook; and
 - channel stability, stream and riparian vegetation health of Wollombi Brook;
 - a program to monitor and report on:
 - the effectiveness of the mine water management system; and
 - surface water flows and quality, stream and riparian vegetation health in Wollombi Brook potentially affected by the development;
 - a plan to respond to any exceedances of the performance criteria, and mitigate and/or offset any adverse surface water impacts of the development; and
 - (iii) Groundwater Management Plan, which includes:
 - detailed baseline data on groundwater levels, yield and quality in the region, and privately-owned groundwater bores, that could be affected by the development;
 - groundwater assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts;
 - a program to monitor and report on:
 - groundwater inflows to the open cut pits;
 - the seepage/leachate from water storages, emplacements, backfilled voids, and final voids;
 - the impacts of the development on:
 - regional and local (including alluvial) aquifers;
 - groundwater supply of potentially affected landowners;
 - groundwater dependent ecosystems and riparian vegetation;
 - base flows to Wollombi Brook;
 - a plan to respond to any exceedances of the groundwater assessment criteria; and
 - a program to validate the groundwater model for the development, including an independent review of the model with every independent environmental audit, and compare the monitoring results with modelled predictions.

CONSOLIDATED CONSENT

BIODIVERSITY

Retirement of Credits

28. Within 3 years of the date of commencement of development under this consent, the Applicant **must** retire biodiversity credits of a number and class specified in Tables 9 and 10 below to the satisfaction of BCD.

The retirement of these credits must be carried out in accordance with the *NSW Biodiversity Offsets Policy for Major Projects* and can be achieved by:

- acquiring or retiring credits under the Biobanking Scheme in the TSC Act;
- making payments into an offset fund that has been developed by the NSW Government; or
- providing supplementary measures.

Table 9: Ecosystem credit requirements

Vegetation Community	Code (BVT)	Biometric Vegetation Type	Area (ha)	Endangered Ecological Community (EEC)	^aCredits required
Warkworth Sands Woodland	HU872	Rough-barked Apple - Narrow-leaved Ironbark - Blakely's Red Gum - Bull Oak - Coast Banksia woodland on sands of the Warkworth area	72.12	Warkworth Sands Woodland in the Sydney Basin Bioregion EEC	3,043
Warkworth Sands Grassland	HU872	Rough-barked Apple - Narrow-leaved Ironbark - Blakely's Red Gum - Bull Oak - Coast Banksia woodland on sands of the Warkworth area	0.67	N/A	16
Central Hunter Grey Box - Ironbark Woodland	HU817	Narrow-leaved Ironbark - Bull Oak - Grey Box shrub - grass open forest of the central and lower Hunter	614.64	Central Hunter Grey Box-Ironbark Woodland in the New South Wales North Coast and Sydney Basin Bioregions EEC	^b 12,180
Regenerating Central Hunter Grey Box - Ironbark Woodland	HU817	Narrow-leaved Ironbark - Bull Oak - Grey Box shrub - grass open forest of the central and lower Hunter	6.43	Central Hunter Grey Box-Ironbark Woodland in the New South Wales North Coast and Sydney Basin Bioregions EEC	108
Central Hunter Grey Box - Ironbark Derived Grassland	HU817	Narrow-leaved Ironbark - Bull Oak - Grey Box shrub - grass open forest of the central and lower Hunter	378.6	N/A	4,516
Central Hunter Ironbark - Spotted Gum - Grey Box Forest	HU818	Narrow-leaved Ironbark - Grey Box - Spotted Gum shrub - grass woodland of the central and lower Hunter	16.61	Central Hunter Ironbark-Spotted Gum-Grey Box Forest in the New South Wales North Coast and Sydney Basin Bioregions EEC	633

Notes:

- ^a Or as otherwise determined by BCD as part of its detailed consideration of credits retirement.
- ^b This must be read in conjunction with the similar figure in Table 11. It reflects the fact that some of these credits may be retired through mine rehabilitation.

Table 10: Species credit requirements

Species	^aCredits Required
Regent Honeyeater	18,929

CONSOLIDATED CONSENT

Southern Myotis	18,222
Large-eared Pied Bat	139

Note:

- ^a Or as otherwise determined by BCD as part of its detailed consideration of credits retirement.

Rehabilitation Offsets

29. Within 10 years of the completion of mining operations under this consent, the Applicant **must** retire ecosystem credits of a number and class specified in Table 11 to the satisfaction of BCD.

Table 11: Ecosystem Credit Requirements

Vegetation Community	Code (BVT)	Biometric Vegetation Type	Area (ha)	Endangered Ecological Community (EEC)	^a Credits Required
Central Hunter Grey Box - Ironbark Woodland	HU817	Narrow-leaved Ironbark - Bull Oak - Grey Box shrub - grass open forest of the central and lower Hunter	2,100	Central Hunter Grey Box-Ironbark Woodland in the New South Wales North Coast and Sydney Basin Bioregions EEC	11,204

Note:

- ^a Or as otherwise determined by BCD as part of its detailed consideration of credits retirement.

The retirement of these credits must be carried out in accordance with the *NSW Biodiversity Offsets Policy for Major Projects* and can be achieved by:

- retiring credits generated by mine rehabilitation;
- acquiring or retiring credits under the Biobanking Scheme in the TSC Act;
- making payments into an offset fund that has been developed by the NSW Government; or
- providing supplementary measures.

Direct Land-Based Offsets

30. Within 3 years of the date of commencement of the development under this consent, the Applicant **must** secure offset areas listed in Table 12 under an in perpetuity conservation mechanism such as entering into a biobank agreement, in accordance with the relevant provisions of the TSC Act. The direct land-based offsets may be used as offsets for any approval required under the EPBC Act for this development.

Table 12: Direct Land-based Offsets

Offset Area	Minimum Size (hectares)
Northern Biodiversity Area	303
Southern Biodiversity Area	705
Goulburn River Biodiversity Area	1,063
Bowditch Biodiversity Area	520
Putty Road Biodiversity Area	94
2003 Warkworth Sands Woodland Area	155.8
North Rothbury Biodiversity Area (Hanwood Estate)	40

Note: To identify the areas referred to in Table 12 see the applicable figures in Appendix 4.

- 30A. The Applicant may subdivide the Northern Biodiversity Area in accordance with Figure 14A of Appendix 4 of this consent and with the requirements of the EP&A Act and EP&A Regulation, to allow for transfer of ownership of the remainder of the lot(s) to satisfy the requirements of MP 06_0261.

Notes:

- Under Part 6 of the EP&A Act, the Applicant is required to obtain a subdivision certificate for a plan of subdivision.
- Division 6.4 of Part 6 of the EP&A Act sets out the application requirements for subdivision certificates.

CONSOLIDATED CONSENT

31. The Applicant may use the ecosystem and species credits generated by the establishment of an in perpetuity conservation mechanism such as a biobank agreement for all of these offset areas, apart from those credits generated for Putty Road Biodiversity Area and 2003 Warkworth Sands Woodland Area, to retire the biodiversity credit requirements of the development under condition 28. All ecosystem and species credits generated by the establishment of an in perpetuity conservation mechanism for the Putty Road Biodiversity Area and 2003 Warkworth Sands Woodland Area **must** be retired permanently upon the establishment of an in perpetuity conservation mechanism for these areas, and may not be used sold or used to retire any other credit requirements.

Additional Warkworth Sands Woodland Measures

32. Within 6 months of the commencement of development under this consent, the Applicant **must**:
- (a) develop suitable performance criteria to the satisfaction of BCD for determining the successful regeneration of the Warkworth Sands Woodland EEC in the Northern Biodiversity Area within 15 years from the commencement of development of under this consent; and
 - (b) lodge a bond (in the form of a bank guarantee) of \$1 million (indexed to CPI) with BCD.

Note: The Applicant's biodiversity offset strategy involves the regeneration of 159 hectares of Warkworth Sands Woodland in the Northern Biodiversity Area, and the protection of an additional 19.5 hectares of existing Warkworth Sands Woodland in the Northern Biodiversity Area and 56 hectares of existing Warkworth Sands Woodland in the Southern Biodiversity Area.

33. If, at the end of 15 years from the commencement of development of under this consent, the regeneration of the Warkworth Sands Woodland EEC in the Northern Biodiversity Area meets the performance criteria to the satisfaction of BCD, then BCD will refund the bond to the Applicant.

If, however, the regeneration does not meet the performance criteria to the satisfaction of BCD, then the Applicant will forfeit the bond to BCD for use by BCD for the regeneration of Warkworth Sands Woodland EEC in the local area, or equivalent strategic conservation initiatives in the region.

34. Within 12 months of the commencement of development under this consent, the Applicant **must** prepare an Integrated Management Plan for the Warkworth Sands Woodland EEC to the satisfaction of BCD. This plan must be prepared in consultation with the owners of the Wambo and Bulga mines, and outline the measures that would be implemented to co-ordinate management and recovery efforts for the EEC.
35. Within 6 months of the commencement of development under this consent, the Applicant **must** contribute \$1 million to BCD's *Saving Our Species – Regent Honeyeater* conservation program. The contribution may be used as a supplementary measure for any approval required under the EPBC Act for this development.

Biodiversity Management Plan

36. The Applicant **must** prepare a Biodiversity Management Plan for the development to the satisfaction of the Planning Secretary, and carry out the development in accordance with this plan. The plan must:
- (a) be prepared in consultation with BCD and submitted to the Planning Secretary for approval prior to the commencement of any development under this consent;
 - (b) describe the short, medium, and long term measures that would be implemented to:
 - manage the remnant vegetation and fauna habitat on the site;
 - implement the biodiversity offset strategy described in the EIS;
 - regenerate and conserve Warkworth Sands Woodland EEC in the biodiversity areas;
 - integrate the implementation of the biodiversity offset strategy to the greatest extent practicable with the rehabilitation of the site;
 - (c) include detailed performance and completion criteria for evaluating the performance of the biodiversity offset strategy (including the regeneration of Warkworth Sands Woodland), and triggering remedial action (if necessary);
 - (d) include a detailed description of the measures that would be implemented over the next 3 years for:
 - regenerating Warkworth Sands Woodland in the biodiversity offset areas;
 - protecting vegetation and fauna habitat outside the approved disturbance area on-site;
 - enhancing the quality of existing vegetation and fauna habitat on the site and in the biodiversity offset areas;
 - minimising clearing and avoid unnecessary disturbance;
 - maximising the salvage of resources within the approved disturbance area - including vegetative and soil resources – for beneficial reuse in the enhancement of any land-based offsets or the rehabilitation of the site;
 - collecting and propagate seed;
 - minimising the impacts on fauna on site, including undertaking pre-clearance surveys;
 - managing salinity using best practice dryland salinity management revegetation measures;

CONSOLIDATED CONSENT

- 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 offset strategy (including the regeneration of Warkworth Sands Woodland), 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.

Note: Management measures relating to the biodiversity offset strategy may be addressed via equivalent measures required by BCD as part of a BioBanking Agreement or similar conservation agreement.

Conservation Bond

37. Within 3 months of the approval of the Biodiversity Management Plan, unless otherwise agreed by the Planning Secretary, the Applicant **must** lodge a Conservation Bond with the Department to ensure that the biodiversity offset strategy is implemented in accordance with the performance and completion criteria of the Biodiversity Management Plan. The sum of the bond **must** be determined by:
- (a) calculating the full cost of implementing the biodiversity offset strategy (other than land acquisition costs); and
- (b) employing a suitably qualified quantity surveyor to verify the calculated costs, to the satisfaction of the Planning Secretary.

If the offset strategy is completed generally in accordance with the completion criteria in the Biodiversity Management Plan to the satisfaction of the Planning Secretary, the Planning Secretary will release the bond.

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

Notes:

- *Alternative funding arrangements for long-term management of the biodiversity offset strategy, such as provision of capital and management funding as agreed by BCD 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.*
- *The sum of the bond may be reviewed in conjunction with any revision to the Biodiversity Management Plan.*

HERITAGE

Wollombi Brook Aboriginal Cultural Heritage Conservation Area

38. The Applicant **must** prepare a conservation management plan for the Wollombi Brook Aboriginal Cultural Heritage Conservation Area to the satisfaction of the Planning Secretary, and carry out the development in accordance with this plan. The plan must:
- (a) be prepared in consultation with Heritage NSW and Aboriginal stakeholders, and submitted to the Planning Secretary for approval prior to carrying out any development to the west of Wallaby Scrub Road under this consent unless otherwise agreed by the Planning Secretary;
- (b) describe the measures that would be implemented to provide for the protection, conservation and enhancement of Aboriginal heritage values in the area;
- (c) include a program/procedures for:
- protection and management of Aboriginal sites, including protocols for the establishment of strictly controlled non-access zones and protocols around culturally sensitive areas;
 - maintaining and managing access to the area by the relevant Aboriginal stakeholders, including establishment of areas for active Aboriginal cultural heritage and landscape management; and
 - ongoing consultation and involvement of the relevant Aboriginal stakeholders in the conservation and management of Aboriginal cultural heritage in the area;
- (d) investigate the potential for collaborative management of the Aboriginal heritage values of the land within the Southern Biodiversity Area and the adjoining Wambo-owned land adjacent to the conservation area, in consultation with the owner of the Wambo mine; and
- (e) include an action plan for the implementation of the plan, including the establishment and role of the Wollombi Brook Aboriginal Cultural Heritage Conservation Area management committee in overseeing implementation of the plan.
39. Prior to carrying out any development to the west of Wallaby Scrub Road under this consent, unless the Planning Secretary agrees otherwise, the Applicant **must** enter into a conservation agreement or

CONSOLIDATED CONSENT

agreements pursuant to section 69B of the *National Parks and Wildlife Act 1974* relating to the Wollombi Brook Aboriginal Cultural Heritage Conservation Area, recording the obligations assumed by the Applicant under the conditions of this consent in relation to the conservation area, and register the agreement/s pursuant to section 69F of the *National Parks and Wildlife Act 1974*.

Note: The location of the conservation area is shown in the figure in Appendix 5.

Human Remains

40. This consent does not allow the Applicant to disturb any in-situ human remains on site.

Protection of Heritage Items

41. The Applicant **must** protect the heritage items identified in Table 1 of Appendix 5.

Salvage

42. Prior to carrying out any development on site that could affect the heritage items identified in Table 2 of Appendix 5, the Applicant **must** salvage those items in accordance with the approved program under the Aboriginal Heritage Management Plan.

Aboriginal Heritage Management Plan

43. The Applicant **must** prepare an Aboriginal Heritage Management Plan for the development to the satisfaction of the **Planning** Secretary, and carry out the development in accordance with this plan. The plan must:
- (a) be prepared in consultation with **Heritage NSW** and Aboriginal stakeholders, and submitted to the **Planning** Secretary for approval prior to carrying out any development under this consent;
 - (b) include a program to:
 - salvage, investigate and/or manage Aboriginal sites and potential archaeological deposits within the disturbance area;
 - assess and remove scarred trees within the disturbance area;
 - protect and monitor Aboriginal sites outside the disturbance areas;
 - manage the discovery of any new Aboriginal objects or skeletal remains during the development;
 - facilitate access to archaeological sites on site for Aboriginal stakeholders; and
 - Aboriginal stakeholders are consulted and involved in the conservation and management of Aboriginal cultural heritage on the site; and
 - (c) include a research program, that has been prepared by suitably qualified and experienced persons whose appointment has been approved by the **Planning** Secretary, for locating and evaluating sand bodies of likely Pleistocene and early Holocene age that may contain evidence of Aboriginal habitation in the Upper Hunter Valley.

Mount Thorley Warkworth Historic Heritage Conservation Fund

44. The Applicant **must** establish and contribute \$500,000 under the Mount Thorley Warkworth Historic Heritage Conservation Fund in consultation with Council and the CHAG and to the satisfaction of the **Planning** Secretary.

Mount Thorley Warkworth Great Northern Road Conservation Fund

45. The Applicant **must** establish and contribute \$200,000 under the Mount Thorley Warkworth Great Northern Road Conservation Fund to be administered by the Applicant in consultation with Council, CHAG, Convict Trail Project and Heritage Branch, to the satisfaction of the **Planning** Secretary.

Historic Heritage Management Plan

46. The Applicant **must** prepare a Historic Heritage Management Plan for the development to the satisfaction of the **Planning** Secretary, and carry out the development in accordance with this plan. This plan must:
- (a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the **Planning** Secretary;
 - (b) be prepared in consultation with **Heritage NSW**, Council, CHAG and local historical organisations;
 - (c) be submitted to the **Planning** Secretary for approval prior to carrying out any mining to the west of Wallaby Scrub Road;
 - (d) include the following for the management of historic heritage on site:
 - conservation management plans for the former RAAF Base Bulga, Great North Road (Wallaby Scrub Road portion), Brick House and Springwood Homestead; and
 - a program/procedures for:

CONSOLIDATED CONSENT

- archaeological investigations of Wallaby Scrub Road, Well 2 and the former RAAF Base Bulga Complex;
- photographic recording of all historic heritage sites within the disturbance areas prior to disturbance;
- relocation and storage of moveable heritage items;
- managing the discovery of any new heritage items during the development;
- ongoing consultation and involvement of the relevant historical groups in the conservation and management of historic heritage on the site;
- developing an interpretation programme of the heritage values of the RAAF Base Bulga Complex and the Great North Road Complex;
- establishing the Mount Thorley Warkworth Historic Heritage Conservation Fund and the Mount Thorley Warkworth Great Northern Road Conservation Fund; and
- protecting the other heritage items outside the disturbance areas.

Note: It is accepted that the conservation management plan for the Springwood Homestead and interpretation programme for the RAAF Base Bulga Complex and the Great North Road Complex will not be submitted with the initial Historic Heritage Management Plan. These should be progressively added to the plan once completed.

TRANSPORT

Wallaby Scrub Road

47. This consent allows open cut mining through the existing alignment of Wallaby Scrub Road.

Note: The Applicant also requires other related approvals in order to undertake mining within the existing road alignment, including an approval under the Roads Act 1993 to close Wallaby Scrub Road. It also needs to obtain a mining lease over the road under the Mining Act 1992 for mining from surface to 20 metres depth.

Intersections

48. Unless the [Planning](#) Secretary agrees otherwise, the Applicant [must](#):
- (a) close the intersection of Lydes Lane and the Golden Highway in consultation with Council and to the satisfaction of the [TfNSW](#), within 6 months of the date of this consent; and
 - (b) pay the [TfNSW](#) \$375,000 towards the upgrade of the intersection of the Golden Highway (Putty Road) and Mitchell Line of Road within 12 months of the date of this consent.

Putty Road Crossing

49. If the Applicant decides to construct a third crossing of Putty Road between the Warkworth and Mt Thorley mines, then this crossing must be constructed to the satisfaction of the [TfNSW](#), and the Applicant [will](#) bear all the costs associated with the construction, maintenance and subsequent removal of this crossing during the rehabilitation of the site.

Rural Fire Service – Emergency Access Track/Fire Trail

50. Prior to the closure of Wallaby Scrub Road, the Applicant [must](#) do the following in consultation with Council, [TfNSW](#) and the RFS:
- (a) develop a suitable emergency access track/fire trail to the west of the approved mining pit in general accordance with the indicative track/trail shown on the figure in Appendix 8, and ensure that this track/trail complies with the relevant standards in the RFS' *Planning for Bush Fire Protection* publication and the Bushfire Coordinating Committee's *Fire Trails Policy No. 2/2007*, or its latest version;
 - (b) develop a protocol with the RFS that:
 - provides for ongoing access and use of the new emergency access track/fire trail following the closure of Wallaby Scrub Road;
 - provides for access to the site during emergencies on site to assist with any emergency response; and
 - provides for the Applicant to use the emergency response equipment and appropriately trained personnel on site to assist the RFS (and any other emergency agencies) respond to emergencies in the surrounding area,to the satisfaction of the [Planning](#) Secretary.

Following approval, the Applicant [must](#) carry out the development in accordance with this protocol.

Monitoring of Coal Transport

51. The Applicant [must](#):
- (a) keep records of the amount of coal transported from the development in each calendar year; and
 - (b) make these records available on its website at the end of each calendar year.

VISUAL

Operating Conditions

52. The Applicant **must**:
- implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the development, including lighting impacts on road users and long term impacts of final voids;
 - establish and maintain vegetated bunds, vegetative screening and/or screen fencing along the boundary of the site including adjoining public roads where appropriate;
 - ensure that all external lighting associated with the development complies with *Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting*, or its latest version; and
 - monitor and report on the effectiveness of these measures.

Initial works to establish the vegetative bunds and/or screening referred to in condition 52(b) must be undertaken within 6 months of the date of commencement of development under this consent (unless otherwise agreed by the **Planning** Secretary), in accordance with a tree screening plan that has been prepared in consultation with Council and to the satisfaction of the **Planning** Secretary. The use of screen fencing **will** be limited to areas where vegetative screening is not feasible, or as an interim measure prior to establishment of vegetation.

Additional Visual Mitigation Measures

53. Upon receiving a written request from the owner of any residence on privately-owned land who has, or would have, significant direct views of the mining operations from this residence and/or its associated facilities (such as pool or barbeque area) during the development, the Applicant **must** implement additional visual impact mitigation measures (such as landscaping or vegetation screens) on the land in consultation with the landowner. These measures must be reasonable and feasible, and directed towards reducing the visibility of mining operations from the residence and/or its associated facilities.

If within 3 months of receiving this request from the owner, the Applicant 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 **Planning** 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).
- Except in exceptional circumstances, the **Planning** Secretary will not require additional visual impact mitigation to be undertaken for residences that are more than 5 kilometres from the mining operations.

BUSHFIRE MANAGEMENT

54. The Applicant **must**:
- ensure that the development is suitably equipped to respond to any fires on site; and
 - assist the Rural Fire Service and emergency services as much as practicable if there is a fire in the vicinity of the site.

WASTE

55. The Applicant **must**:
- implement all reasonable and feasible measures to minimise the waste (including coal reject) generated by the development;
 - ensure that the waste generated by the development 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

56. The Applicant **must** rehabilitate the site in accordance with the provisions under the *Mining Act 1992* and must be generally consistent with the proposed rehabilitation strategy described in the EIS (and depicted conceptually in the figure in Appendix 6), and comply with the objectives in Table 13.

CONSOLIDATED CONSENT

Table 13: Rehabilitation objectives

Feature	Objective
Mine site (as a whole)	• Safe, stable and non-polluting • Materials (including topsoils, substrates and seeds of the disturbed areas) are recovered, appropriately managed and used effectively as resources in the rehabilitation of the site • Final landforms to: ○ sustain the intended land use for the post-mining domains; ○ be designed to minimise the visual impacts of the development; ○ be in keeping with the natural terrain features of the area; ○ be integrated with the rehabilitated landforms of surrounding mines; ○ backfill the gap between the two main emplacements in accordance with the dozer (and dragline) option shown on the applicable figure in Appendix 6; ○ incorporate micro-relief; and ○ incorporate drainage lines consistent with topography and natural drainage where reasonable and feasible
Water quality	• Water retained on site is fit for the intended land use(s) for the post-mining domains • Water discharged from site is consistent with the baseline ecological, hydrological and geomorphic conditions of the creeks prior to mining disturbance • Water management is consistent with the applicable regional catchment strategy
Final voids	• Designed as long term groundwater sinks and to maximise groundwater flows across back-filled pits to the final void • Minimise: ○ the size and depth of final voids ○ the drainage catchment of final voids ○ any high wall instability risk • risk of flood interaction for all flood events up to and including the 1% AEP
Biodiversity	• Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprising local plant species • Vegetation to be established, with the restoration of at least 1,617 hectares of Central Hunter Grey Box – Ironbark Woodland EEC • Size, location and species of native tree lots and corridors are established to sustain biodiversity habitats • Species are selected that re-establishes and complements regional and local biodiversity
Surface infrastructure	• To be decommissioned and removed, unless the Resources Regulator agrees otherwise
Agriculture	• Land capability classification for the relevant nominated agricultural pursuit for each domain is established and self-sustaining within 5 years of land use establishment (first planting vegetation)
Community	• Ensure public safety • Minimise the adverse socio-economic effects associated with mine closure

Progressive Rehabilitation

57. The Applicant [must](#) rehabilitate the site progressively, that is, 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 [must](#) be employed when areas prone to dust generation cannot yet be permanently rehabilitated.

CONSOLIDATED CONSENT

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 development.

Rehabilitation Management Plan

58. The Applicant **must** prepare a Rehabilitation Management Plan for the development **in accordance with the provisions under the *Mining Act 1992***, and carry out the development in accordance with this plan. The plan must:
- (a) be prepared in consultation with the Department, **DPE Water**, **BCD**, Council and the CCC;
 - (b) be prepared in accordance with any relevant **Resources Regulator** guideline, including any NSW government policy regarding final voids, **and be consistent with the documents listed in condition 2 of Schedule 2 and Appendix 6 of this consent**;
 - (c) be submitted to the **Resources Regulator** for **review** prior to carrying out any development under this consent;
 - (d) describe how the rehabilitation of the site would be integrated with the implementation the biodiversity offset strategy;
 - (e) include detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site, and triggering remedial action (if necessary);
 - (f) describe the measures that would be implemented to ensure compliance with the relevant conditions of this consent, and address all aspects of rehabilitation including timeframes for achieving specified rehabilitation objectives;
 - (g) includes a mine closure strategy, that details measures to minimise the long term impacts associated with mine closure, including final landform and final voids, final land use and socio-economic issues;
 - (h) include interim rehabilitation where necessary to minimise the area exposed for dust generation;
 - (i) 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
 - (j) build to the maximum extent practicable on the other management plans required under this consent.
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CONSOLIDATED CONSENT

SCHEDULE 4 ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS/TENANTS

1. Within 1 month of the date of this consent, the Applicant **must**:
 - (a) notify in writing the owners of:
 - the land listed in Table 1 of schedule 3 that they have the right to require the Applicant to acquire their land in accordance with the procedures in conditions 5-6 below at any stage during the development;
 - any residence on the land listed in Table 2 of schedule 3 that they have the right to request the Applicant to ask for additional noise mitigation measures to be installed at their residence at any stage during the development; and
 - 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;
 - (b) notify the tenants of any mine-owned land of their rights under this consent (see condition 18 of schedule 3); 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 owners and/or existing tenants of any land (including mine-owned land) where the predictions in the EIS identify that dust emissions generated by the development are likely to be greater than the relevant air quality criteria in schedule 3 at any time during the life of the development.
2. Prior to entering into any tenancy agreement for any land owned by the Applicant that is predicted to experience exceedances of the recommended dust and/or noise criteria, or for any of the land listed in Table 1 that is subsequently purchased by the Applicant, the Applicant **must**:
 - (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 consent, to the satisfaction of the **Planning** Secretary.
3. As soon as practicable after obtaining monitoring results showing:
 - (a) an exceedance of any relevant criteria in schedule 3, the Applicant **must** notify affected landowners in writing of the exceedance, and provide regular monitoring results to each affected landowner until the development is again complying with the relevant criteria; and
 - (b) an exceedance of the relevant air quality criteria in schedule 3, the Applicant **must** 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 landowners and/or existing tenants of the land (including the tenants of any mine-owned land).

INDEPENDENT REVIEW

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

If the **Planning** Secretary is satisfied that an independent review is warranted, then the Applicant **must**:

- (a) commission a suitably qualified, experienced and independent expert, whose appointment has been approved by the **Planning** Secretary, to:
 - consult with the landowner to determine his/her concerns;
 - conduct monitoring to determine whether the development is complying with the relevant impact assessment criteria in schedule 3; and
 - if the development is not complying with these criteria then:
 - determine if the more than one mine is responsible for the exceedance, and if so the relative share of each mine regarding the impact on the land;
 - identify the measures that could be implemented to ensure compliance with the relevant criteria; and
- (b) give the **Planning** Secretary and landowner a copy of the independent review within 2 months of the **Planning** Secretary's decision, unless the **Planning** Secretary agrees otherwise.

LAND ACQUISITION

5. Within 3 months of receiving a written request from a landowner with acquisition rights, the Applicant **must** make a binding written offer to the landowner based on:
 - (a) the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the development, having regard to the:
 - existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and

CONSOLIDATED CONSENT

- presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date, but excluding any improvements that have resulted from the implementation of the additional noise and/or air quality mitigation measures in condition 3 of schedule 3;
- (b) the reasonable costs associated with:
 - relocating within the Muswellbrook, Singleton or Cessnock local government area, or to any other local government area determined by the [Planning](#) Secretary; and
 - obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired; and
- (c) reasonable compensation for any disturbance caused by the land acquisition process.

However, if at the end of this period, the Applicant and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the [Planning](#) Secretary for resolution.

Upon receiving such a request, the [Planning Secretary](#) may request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to:

- consider submissions from both parties;
- determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in paragraphs (a)-(c) above;
- prepare a detailed report setting out the reasons for any determination; and
- provide a copy of the report to both parties.

Within 14 days of receiving the independent valuer's report, the Applicant [must](#) make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination.

However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to the [Planning](#) Secretary for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the [Planning](#) Secretary will determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in paragraphs (a)-(c) above, the independent valuer's report, the detailed report of the party that disputes the independent valuer's determination and any other relevant submissions.

Within 14 days of this determination, the Applicant [must](#) make a binding written offer to the landowner to purchase the land at a price not less than the [Planning](#) Secretary's determination.

If the landowner refuses to accept the Applicant's binding written offer under this condition within 6 months of the offer being made, then the Applicant's obligations to acquire the land [will](#) cease, unless the [Planning](#) Secretary determines otherwise.

6. The Applicant [must](#) pay all reasonable costs associated with the land acquisition process described in condition 5 above, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of this plan at the Office of the Registrar-General.
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CONSOLIDATED CONSENT

SCHEDULE 5 ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. The Applicant **must** prepare an Environmental Management Strategy for the development to the satisfaction of the **Planning** Secretary, and carry out the development in accordance with this strategy. The strategy must:
 - (a) be submitted to the **Planning** Secretary for approval prior to carrying out any development under this consent;
 - (b) provide the strategic framework for environmental management of the development;
 - (c) identify the statutory approvals that apply to the development;
 - (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (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 development;
 - 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 consent; and
 - a clear plan depicting all the monitoring required to be carried out under the conditions of this consent.

Adaptive Management

2. The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent 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 Applicant 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 **Planning** Secretary.

Management Plan Requirements

3. The Applicant **must** ensure that the management plans required under this consent 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 development 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 development;
 - 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 development 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

CONSOLIDATED CONSENT

- (h) a protocol for periodic review of the plan.

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

Annual Review

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

Revision of Strategies, Plans and Programs

5. Within 3 months of:
- the submission of an:
 - annual review under condition 4 above;
 - incident report under condition 7 below;
 - audit report under condition 9 below; or
 - any modification to the conditions of this consent (unless the conditions require otherwise), or
 - the introduction of any NSW government policy regarding voids,
- the Applicant **must** review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Planning Secretary.

Where this review leads to revisions in any such document, then within 4 weeks of the review, unless the Planning Secretary agrees otherwise, the revised document must be submitted to the Planning 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 development.

Community Consultative Committee

6. The Applicant **must** operate a Community Consultative Committee (CCC) for the development to the satisfaction of the Planning Secretary. This CCC must be operated in 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 Applicant complies with this consent.
- In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the Applicant, Council, recognised environmental groups and the local community.

REPORTING

Incident Notification

7. The Applicant **must** immediately notify the Department and any other relevant agencies after it becomes aware of an incident. The notification must be in writing via the Department's Major Projects Website and identify the development (including the development application number and name) and set out the location and nature of the incident.

Non-Compliance Notification

- 7A. Within seven days of becoming aware of a non-compliance, the Applicant **must** notify the Department of the non-compliance. The notification must be in writing via the Department's Major Projects Website and identify the development (including the development application number and name), set out the condition

CONSOLIDATED CONSENT

of this consent that the development is non-compliant with, why it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Regular Reporting

8. 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.

AUDITING

Independent Environmental Audit

9. Within 1 year of the commencement of development under this consent, and every 3 years thereafter, unless the **Planning** Secretary directs otherwise, the Applicant **must** commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:
 - (a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the **Planning** Secretary;
 - (b) include consultation with the relevant agencies;
 - (c) 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);
 - (d) include an assessment – undertaken by an independent expert whose appointment has been endorsed by **BCD** – of the progress towards implementation of the biodiversity offset strategy, in particular the regeneration of Warkworth Sands Woodland against the detailed performance and completion criteria under the biodiversity management plan (see condition 36 of schedule 3);
 - (e) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and
 - (f) 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.
- Note: This audit team must be led by a suitably qualified auditor and include experts in any field specified by the **Planning** Secretary.*
10. Within 6 weeks of the completion of this audit, unless the **Planning** Secretary agrees otherwise, the Applicant **must** submit a copy of the audit report to the **Planning** Secretary, together with its response to any recommendations contained in the audit report.

ACCESS TO INFORMATION

11. From the commencement of development under this consent, the Applicant **must**:
 - (a) make copies of the following publicly available on its website:
 - the EIS;
 - 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, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - the results of real time noise monitoring, updated daily (unless otherwise agreed by the **Planning** Secretary);
 - a complaints register, which is to be updated monthly;
 - minutes of CCC meetings;
 - the annual reviews of the development (for the last 5 years, if applicable);
 - any independent environmental audit of the development, and the Applicant's response to the recommendations in any audit;
 - any other matter required by the **Planning** Secretary; and
 - (b) keep this information up-to-date.
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CONSOLIDATED CONSENT

APPENDIX 1 SCHEDULE OF LAND

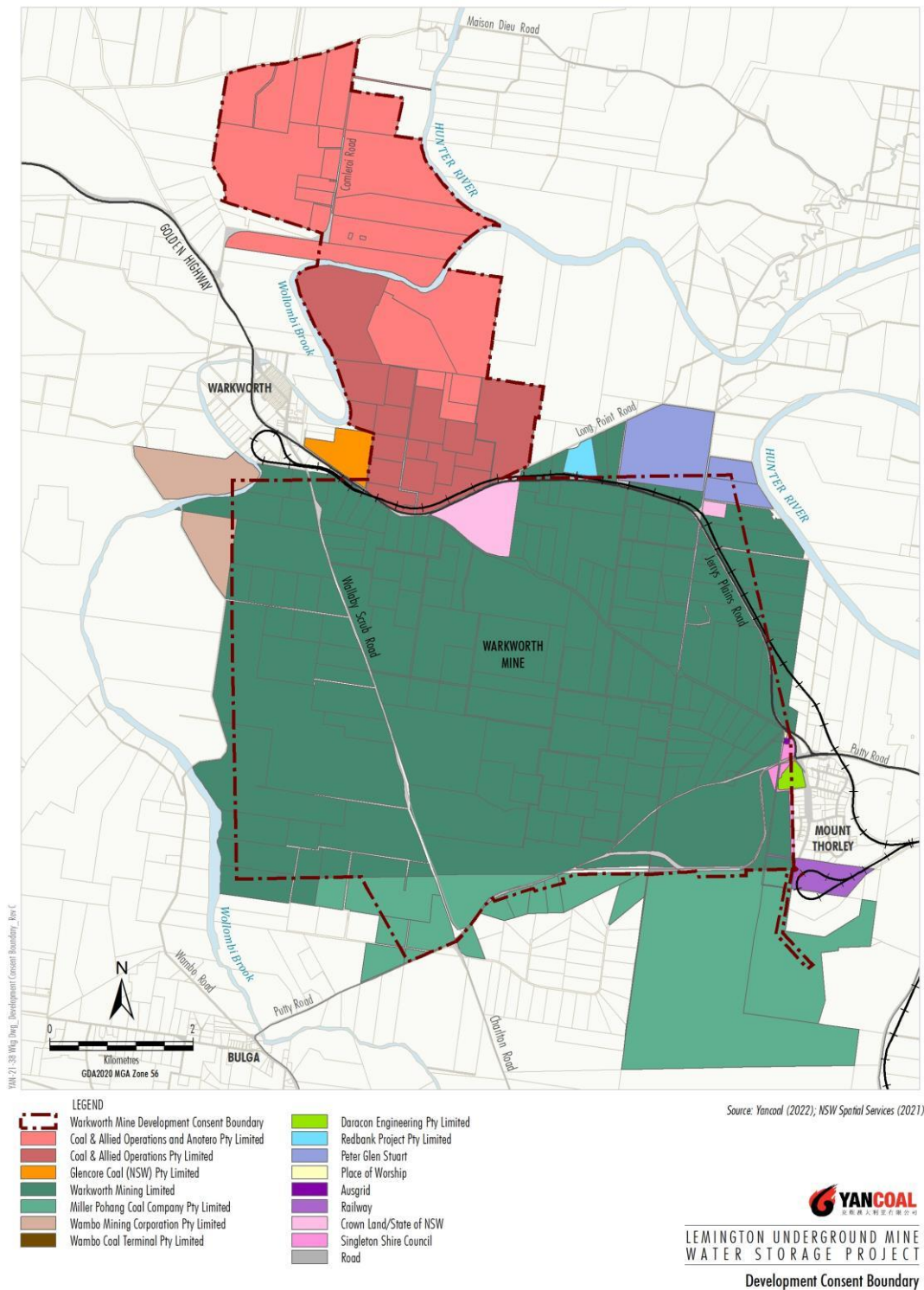


Figure 1: Land Ownership Plan Within the Development Application Area

CONSOLIDATED CONSENT

LOT	DP	Owner
2	1270162	Wambo Mining Corporation Pty Limited
40	587922	Ausgrid
1	129806	Coal & Allied Operations Pty Limited
1	129808	Coal & Allied Operations Pty Limited
146	970755	Coal & Allied Operations Pty Limited
2	129806	Coal & Allied Operations Pty Limited
135	755267	Coal & Allied Operations Pty Limited
4	113342	Coal & Allied Operations Pty Limited
143	755267	Coal & Allied Operations Pty Limited
142	755267	Coal & Allied Operations Pty Limited
3	705493	Crown Land/State of NSW
1	1086834	Crown Land/State of NSW
2011	1137289	Crown Land/State of NSW
372	1026537	Daracon Engineering Pty Limited
1	43422	Miller Pohang Coal Company Pty Limited
273	260663	Miller Pohang Coal Company Pty Limited
271	260663	Miller Pohang Coal Company Pty Limited
341	612684	Miller Pohang Coal Company Pty Limited
271	600747	Miller Pohang Coal Company Pty Limited
1	42614	Miller Pohang Coal Company Pty Limited
272	600747	Miller Pohang Coal Company Pty Limited
17	658927	Miller Pohang Coal Company Pty Limited
61	755270	Miller Pohang Coal Company Pty Limited
5	247340	Miller Pohang Coal Company Pty Limited
99	755270	Miller Pohang Coal Company Pty Limited
6	587986	Miller Pohang Coal Company Pty Limited
8	247340	Miller Pohang Coal Company Pty Limited
7	247340	Miller Pohang Coal Company Pty Limited
9	247340	Miller Pohang Coal Company Pty Limited
551	569597	Miller Pohang Coal Company Pty Limited
19	247339	Miller Pohang Coal Company Pty Limited
2	610376	Miller Pohang Coal Company Pty Limited
3	42614	Miller Pohang Coal Company Pty Limited
74	755267	Peter Glen Stuart
126	665628	Peter Glen Stuart
75	755267	Peter Glen Stuart
450	1119428	Redbank Project Pty Limited
10	1121154	Road
371	1026537	Singleton Shire Council
5	1026900	Singleton Shire Council
29	255730	Singleton Shire Council
28	255730	Singleton Shire Council
6	251238	State Rail Authority of NSW
2	602169	Trustees of Church Property for the Diocese of Newcastle

CONSOLIDATED CONSENT

LOT	DP	Owner
2	1086834	Wambo Coal Terminal Pty Limited
451	1119428	Wambo Coal Terminal Pty Limited
23	3030	Wambo Mining Corporation Pty Limited
3	129819	Warkworth Mining Limited
1	129819	Warkworth Mining Limited
2	129819	Warkworth Mining Limited
272	260663	Warkworth Mining Limited
5	43383	Warkworth Mining Limited
36	260056	Warkworth Mining Limited
35	260056	Warkworth Mining Limited
11	1121154	Warkworth Mining Limited
142	573290	Warkworth Mining Limited
1	949066	Warkworth Mining Limited
143	573290	Warkworth Mining Limited
141	573290	Warkworth Mining Limited
1	176095	Warkworth Mining Limited
138	248186	Warkworth Mining Limited
130	248186	Warkworth Mining Limited
203	704466	Warkworth Mining Limited
144	573290	Warkworth Mining Limited
134	248186	Warkworth Mining Limited
132	248186	Warkworth Mining Limited
1	129822	Warkworth Mining Limited
139	248186	Warkworth Mining Limited
137	248186	Warkworth Mining Limited
89	755267	Warkworth Mining Limited
151	755267	Warkworth Mining Limited
21	625709	Warkworth Mining Limited
131	755267	Warkworth Mining Limited
133	248186	Warkworth Mining Limited
131	248186	Warkworth Mining Limited
5	113342	Warkworth Mining Limited
2	827333	Warkworth Mining Limited
136	248186	Warkworth Mining Limited
90	755267	Warkworth Mining Limited
135	248186	Warkworth Mining Limited
2	705493	Warkworth Mining Limited
155	755267	Warkworth Mining Limited
150	755267	Warkworth Mining Limited
4	43383	Warkworth Mining Limited
1	326245	Warkworth Mining Limited
22	113342	Warkworth Mining Limited
170	755267	Warkworth Mining Limited
3	43383	Warkworth Mining Limited
106	755267	Warkworth Mining Limited

CONSOLIDATED CONSENT

LOT	DP	Owner
2	43383	Warkworth Mining Limited
1	130276	Warkworth Mining Limited
2	227280	Warkworth Mining Limited
1	227280	Warkworth Mining Limited
1	1041796	Warkworth Mining Limited
2	130264	Warkworth Mining Limited
2	129822	Warkworth Mining Limited
841	531116	Warkworth Mining Limited
140	248186	Warkworth Mining Limited
3	227280	Warkworth Mining Limited
22	625709	Warkworth Mining Limited
1B	37572	Warkworth Mining Limited
1	130264	Warkworth Mining Limited
1	130275	Warkworth Mining Limited
4	658759	Warkworth Mining Limited
120	1089243	Warkworth Mining Limited
1	326244	Warkworth Mining Limited
47	1096589	Warkworth Mining Limited
1	1097294	Warkworth Mining Limited
2	1097294	Warkworth Mining Limited
1	246201	Warkworth Mining Limited
99	755267	Warkworth Mining Limited
7	247820	Warkworth Mining Limited
3	129811	Warkworth Mining Limited
1	129811	Warkworth Mining Limited
6	247820	Warkworth Mining Limited
2	129811	Warkworth Mining Limited
1	129812	Warkworth Mining Limited
360	1135647	Warkworth Mining Limited
3	246201	Warkworth Mining Limited
2	246201	Warkworth Mining Limited
350	1135536	Warkworth Mining Limited
220	1135537	Warkworth Mining Limited
11	246201	Warkworth Mining Limited
5	246201	Warkworth Mining Limited
2	804245	Warkworth Mining Limited
1	129800	Warkworth Mining Limited
1	804245	Warkworth Mining Limited
1	573286	Warkworth Mining Limited
178	755267	Warkworth Mining Limited
7	245850	Warkworth Mining Limited
4	245850	Warkworth Mining Limited
16	113342	Warkworth Mining Limited
182	755267	Warkworth Mining Limited
9	246201	Warkworth Mining Limited

CONSOLIDATED CONSENT

LOT	DP	Owner
129	755267	Warkworth Mining Limited
5	245850	Warkworth Mining Limited
92	755267	Warkworth Mining Limited
48	755267	Warkworth Mining Limited
156	755267	Warkworth Mining Limited
46	755267	Warkworth Mining Limited
130	755267	Warkworth Mining Limited
196	755267	Warkworth Mining Limited
87	755267	Warkworth Mining Limited
144	755267	Warkworth Mining Limited
14	113342	Warkworth Mining Limited
134	755267	Warkworth Mining Limited
1	245850	Warkworth Mining Limited
105	755267	Warkworth Mining Limited
183	755267	Warkworth Mining Limited
189	755267	Warkworth Mining Limited
167	755267	Warkworth Mining Limited
110	755267	Warkworth Mining Limited
137	755267	Warkworth Mining Limited
94	755267	Warkworth Mining Limited
179	755267	Warkworth Mining Limited
8	245850	Warkworth Mining Limited
10	246201	Warkworth Mining Limited
96	755267	Warkworth Mining Limited
93	755267	Warkworth Mining Limited
184	755267	Warkworth Mining Limited
159	755267	Warkworth Mining Limited
173	755267	Warkworth Mining Limited
1	43383	Warkworth Mining Limited
15	113342	Warkworth Mining Limited
97	755267	Warkworth Mining Limited
111	755267	Warkworth Mining Limited
132	755267	Warkworth Mining Limited
157	755267	Warkworth Mining Limited
95	755267	Warkworth Mining Limited
3	245850	Warkworth Mining Limited
1	755267	Warkworth Mining Limited
103	755267	Warkworth Mining Limited
2	245850	Warkworth Mining Limited
6	113342	Warkworth Mining Limited
2	129799	Warkworth Mining Limited
18	113342	Warkworth Mining Limited
168	755267	Warkworth Mining Limited
8	246201	Warkworth Mining Limited
6	245850	Warkworth Mining Limited

CONSOLIDATED CONSENT

LOT	DP	Owner
13	113342	Warkworth Mining Limited
200	755267	Warkworth Mining Limited
180	755267	Warkworth Mining Limited
177	755267	Warkworth Mining Limited
10	113342	Warkworth Mining Limited
7	113342	Warkworth Mining Limited
17	113342	Warkworth Mining Limited
1	129799	Warkworth Mining Limited
91	755267	Warkworth Mining Limited
5	248570	Warkworth Mining Limited
102	755267	Warkworth Mining Limited
152	755267	Warkworth Mining Limited
1	248570	Warkworth Mining Limited
104	755267	Warkworth Mining Limited
197	657482	Warkworth Mining Limited
4	248570	Warkworth Mining Limited
2	248570	Warkworth Mining Limited
2	735566	Warkworth Mining Limited
11	113342	Warkworth Mining Limited
12	246201	Warkworth Mining Limited
161	755267	Warkworth Mining Limited
172	755267	Warkworth Mining Limited
164	755267	Warkworth Mining Limited
191	755267	Warkworth Mining Limited
63	755267	Warkworth Mining Limited
16	755267	Warkworth Mining Limited
12	113342	Warkworth Mining Limited
187	755267	Warkworth Mining Limited
6	248570	Warkworth Mining Limited
A	182301	Warkworth Mining Limited
7	248570	Warkworth Mining Limited
27	755267	Warkworth Mining Limited
165	755267	Warkworth Mining Limited
190	755267	Warkworth Mining Limited
166	657481	Warkworth Mining Limited
8	1026900	Warkworth Mining Limited
154	755267	Warkworth Mining Limited
20	113342	Warkworth Mining Limited
35	755270	Warkworth Mining Limited
1	705493	Warkworth Mining Limited
136	755267	Warkworth Mining Limited
21	113342	Warkworth Mining Limited
71	755270	Warkworth Mining Limited
162	755267	Warkworth Mining Limited
185	755267	Warkworth Mining Limited

CONSOLIDATED CONSENT

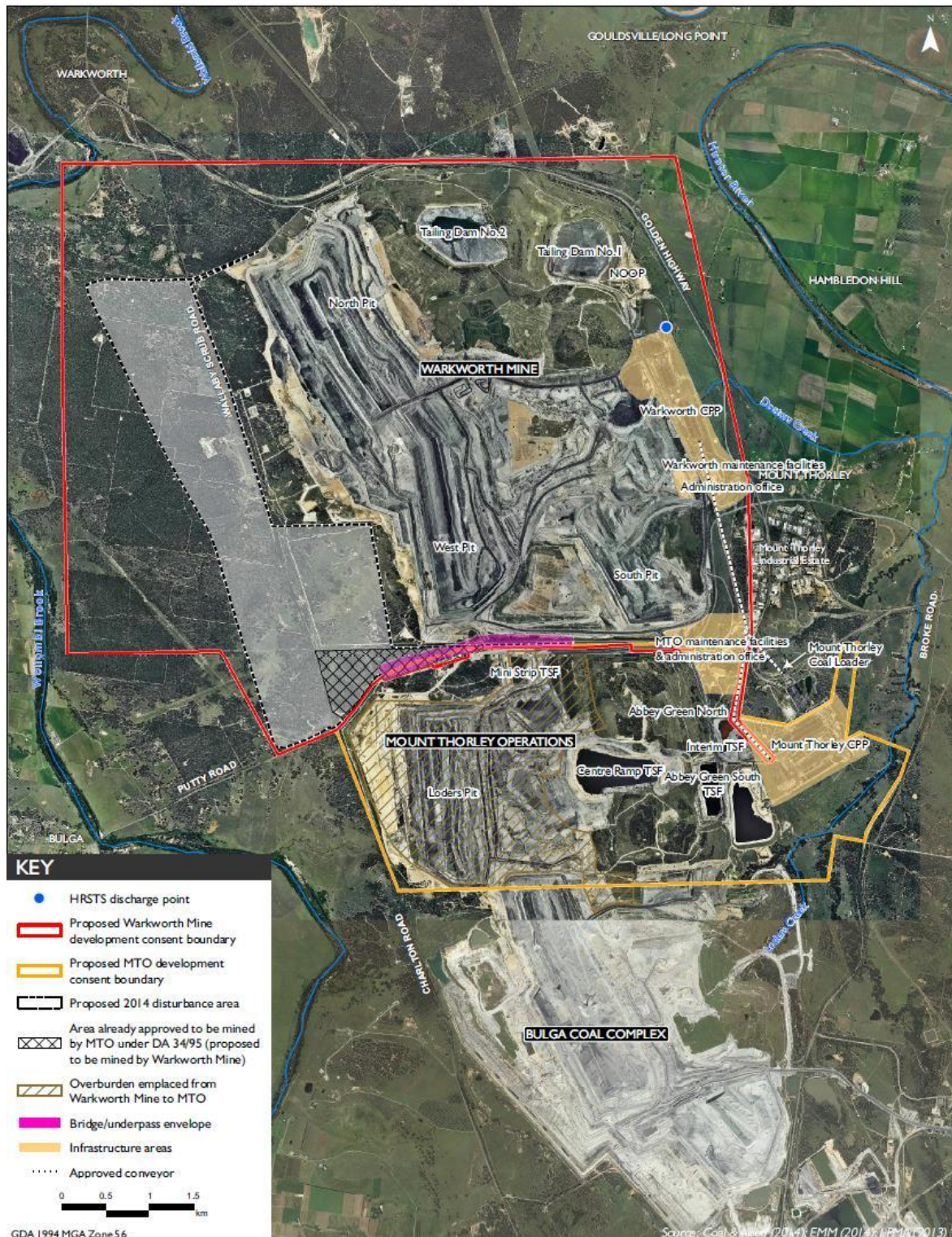
LOT	DP	Owner
19	113342	Warkworth Mining Limited
B	182301	Warkworth Mining Limited
12	1121154	Warkworth Mining Limited
26	755270	Warkworth Mining Limited
25	755270	Warkworth Mining Limited
24	755270	Warkworth Mining Limited
1	610376	Warkworth Mining Limited
1	1043120	Glencore Coal (NSW) Pty Limited
3	783484	Coal & Allied Operations Pty Limited
145	755267	Coal & Allied Operations Pty Limited
122	755267	Coal & Allied Operations Pty Limited
108	755267	Coal & Allied Operations Pty Limited
119	755267	Coal & Allied Operations Pty Limited
4	783484	Coal & Allied Operations Pty Limited
5	783484	Coal & Allied Operations Pty Limited
1	48592	Coal & Allied Operations Pty Limited
141	753792	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
1	592598	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
1	997228	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
194	755267	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
121	755267	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
13	247239	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
16	247239	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
14	247239	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
1420	586339	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
2	719879	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
1	182139	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
1	822177	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
1	105943	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
1	657394	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
1	1103396	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
5	720643	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
122	753792	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
15	247239	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
12	247239	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
B	386100	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
A	386100	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
112	755267	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
195	755267	Coal & Allied Operations Pty Limited
118	755267	Coal & Allied Operations Pty Limited
128	755267	Coal & Allied Operations Pty Limited
140	753792	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
1	48591	Coal & Allied Operations Pty Ltd And Anotero Pty Limited
1	251877	Coal & Allied Operations Pty Ltd And Anotero Pty Limited

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Name	Description
Singleton Shire Council	Various Council and Crown Public and Unformed Roads located within, between or adjacent to the above Parcels of Land
Freehold	Any Unidentified Historical Title Residues located within, between or adjacent to the above Parcels of Land
Crown	Creeks, Brooks or Streams located within, between or adjacent to the above Parcels of Land
Crown	Any Unidentified Crown Land or Crown Land Historical Title Residues located within, between or adjacent to the above Parcels of Land

CONSOLIDATED CONSENT

APPENDIX 2 DEVELOPMENT LAYOUT PLANS



COAL & ALLIED
Managed by Rio Tinto Coal Australia

The proposal
Warkworth Continuation 2014
Environmental Impact Statement
Figure 2.3

Figure 3: General Development Layout

CONSOLIDATED CONSENT

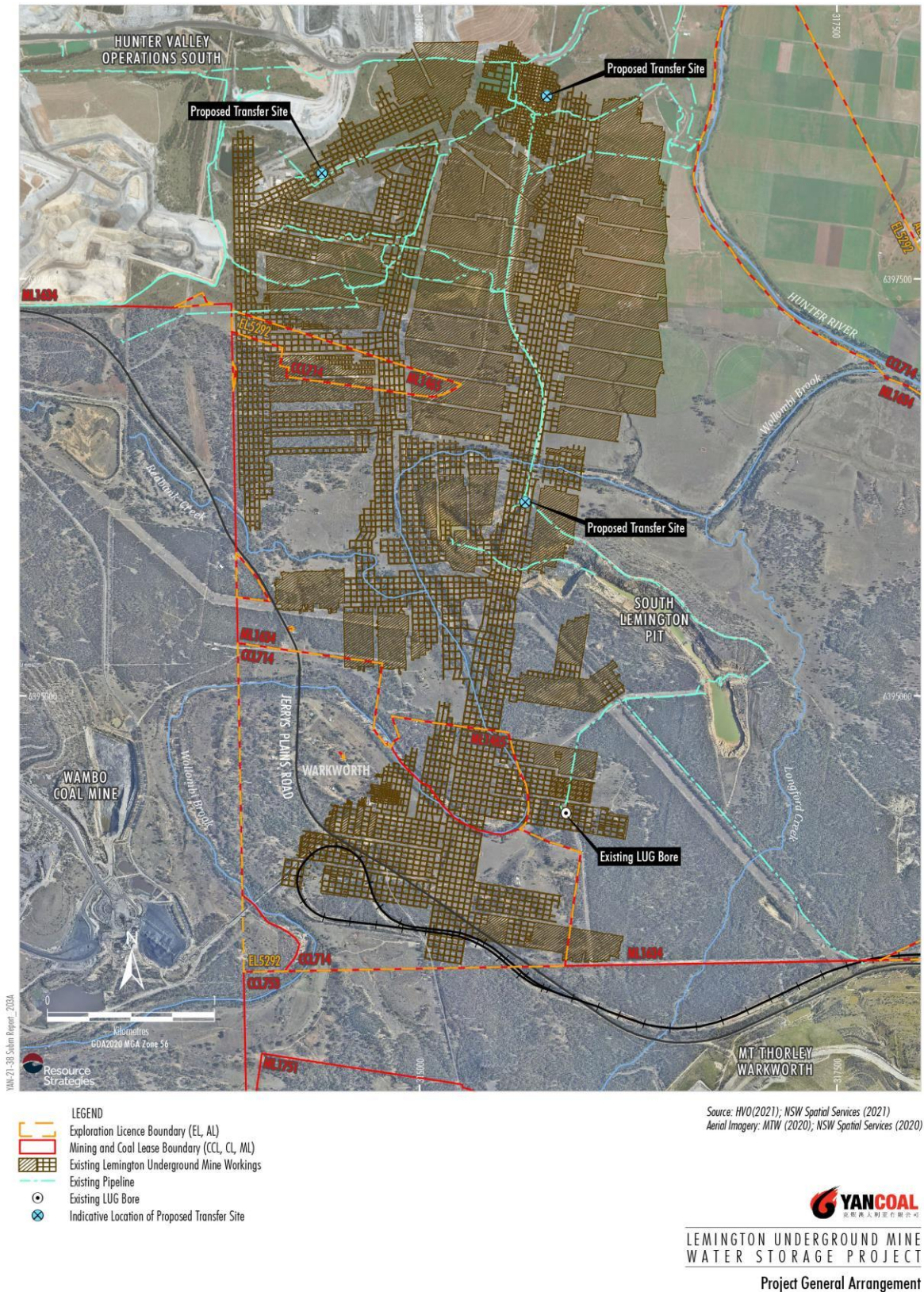


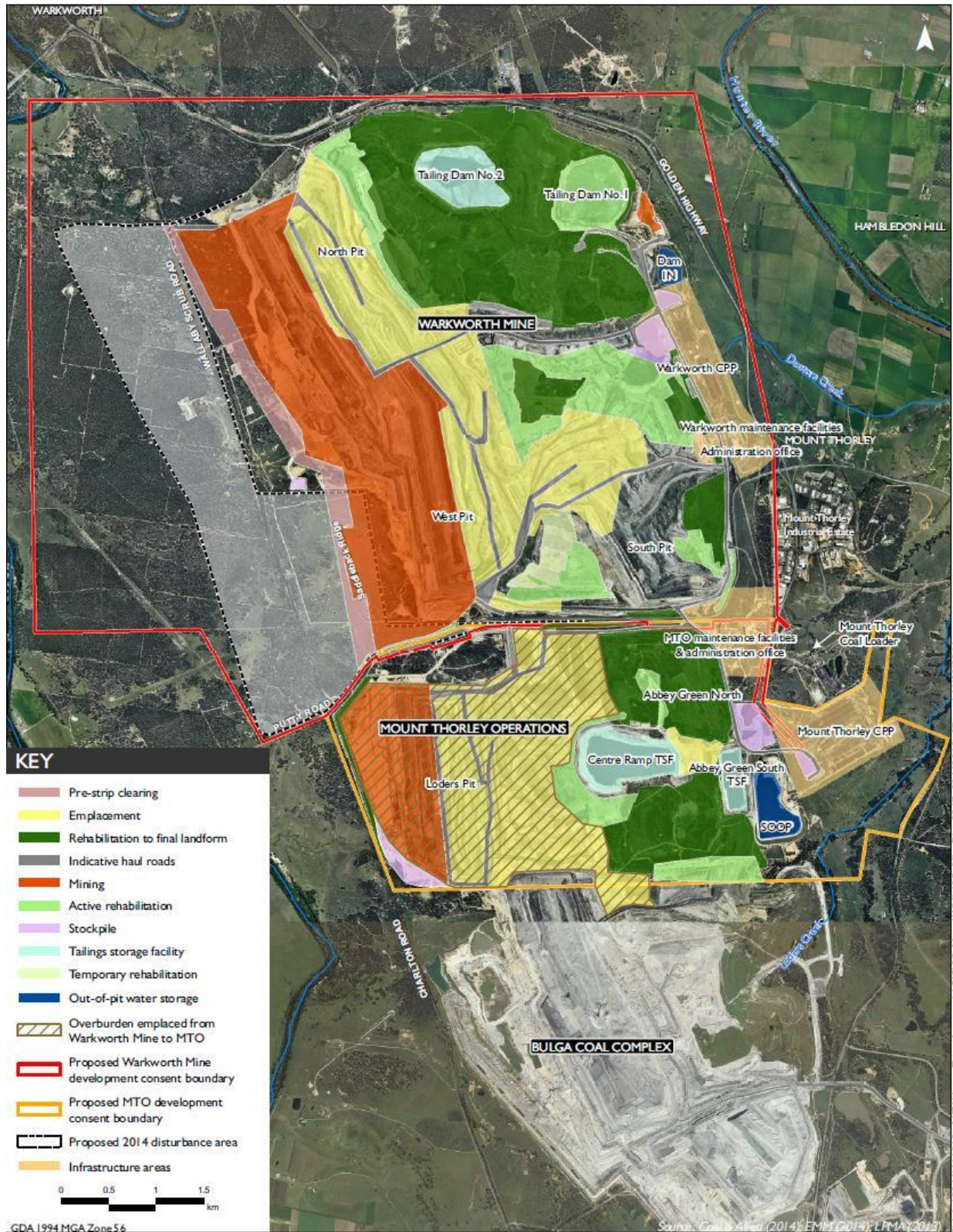
Figure 3A: General Development Layout – Lemington Underground Mine Workings

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Figure 3B: General Development Layout – Ultra Class Truck Workshop

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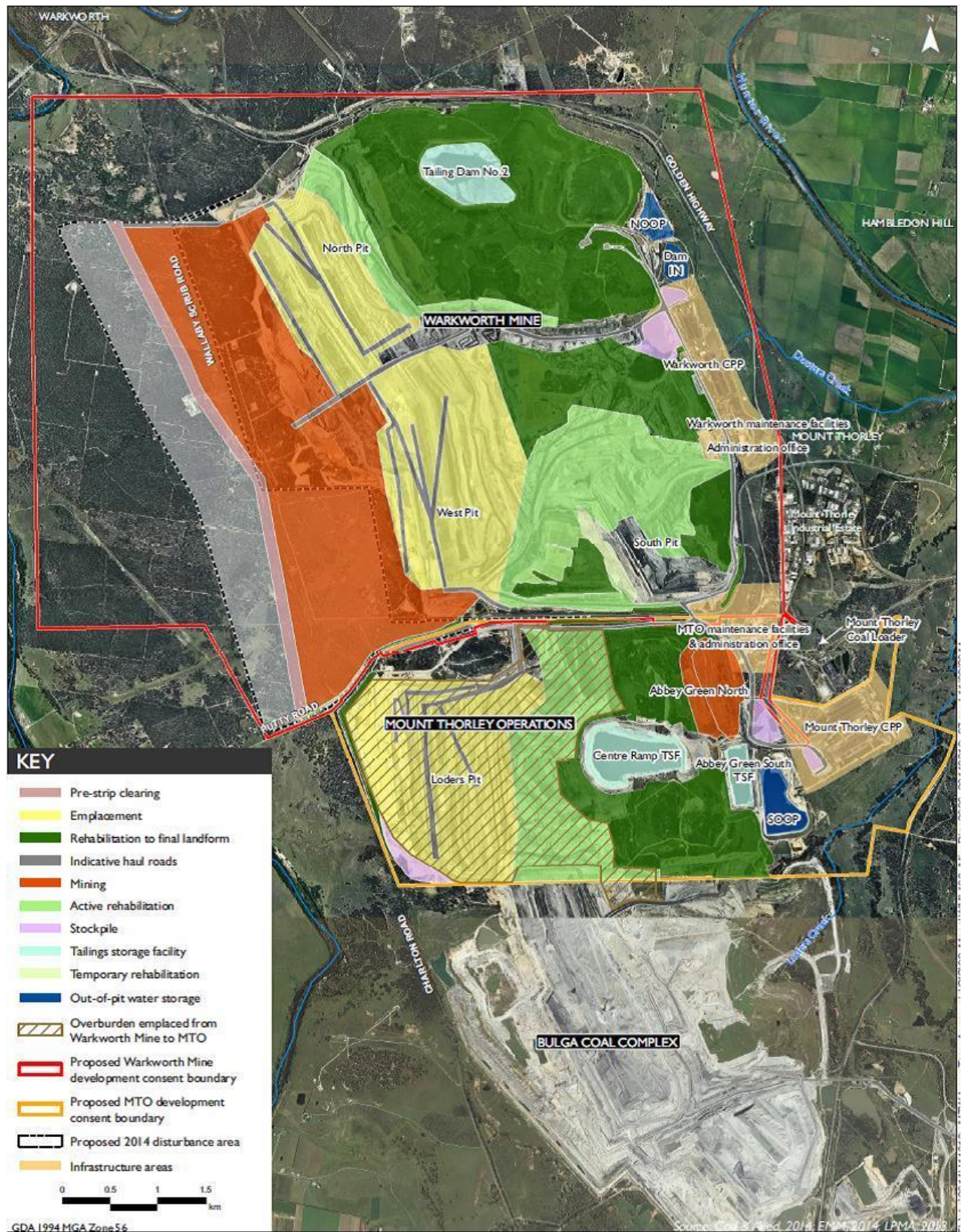


Indicative Year 3 mine plan
Warkworth Continuation 2014
Environmental Impact Statement

Figure 2.7

Figure 4: Conceptual Mine Plan – Year 3

CONSOLIDATED CONSENT

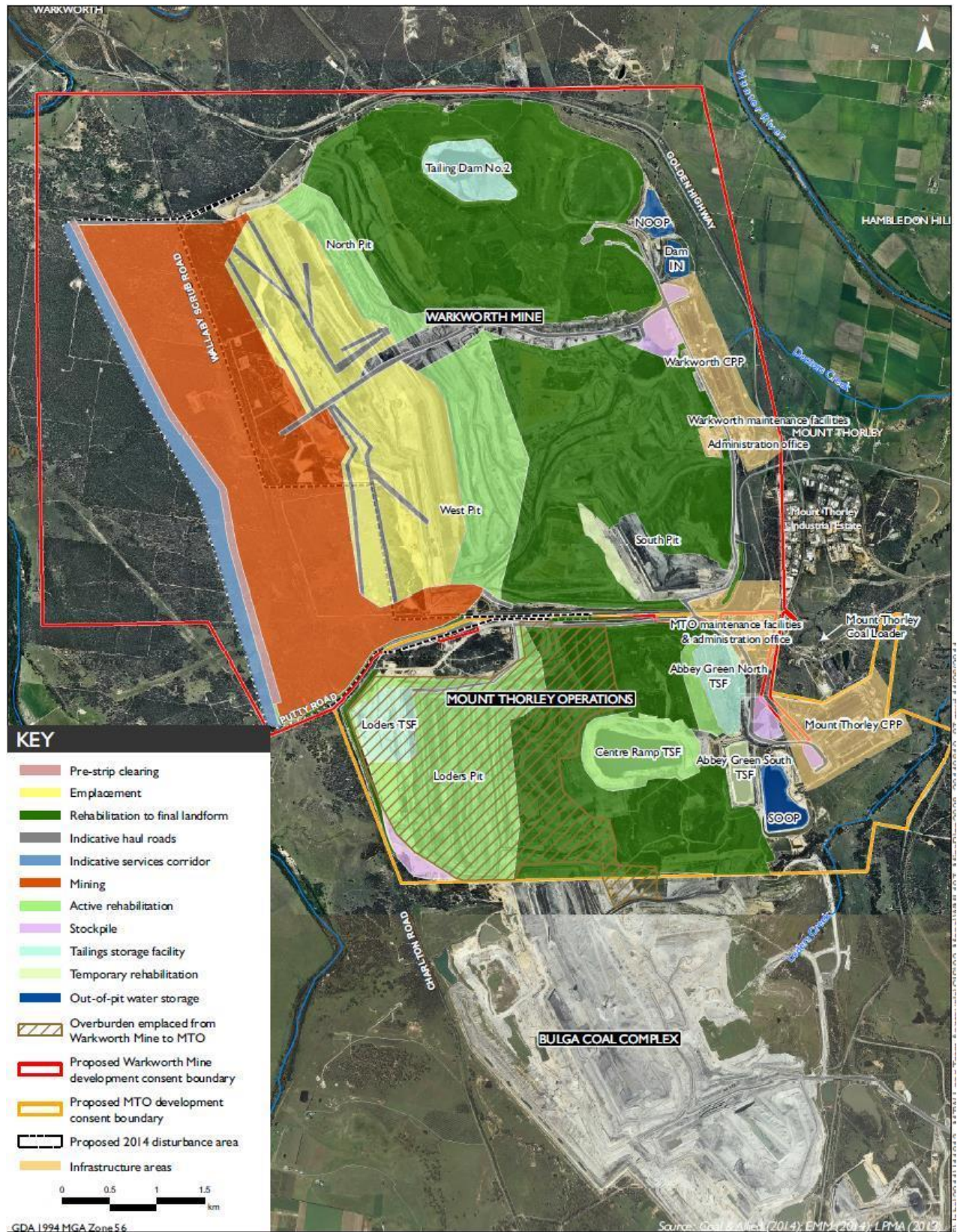


COAL & ALLIED
Managed by Rio Tinto Coal Australia

Indicative Year 9 mine plan
Warkworth Continuation 2014
Environmental Impact Statement
Figure 2.8

Figure 5: Conceptual Mine Plan - Year 9

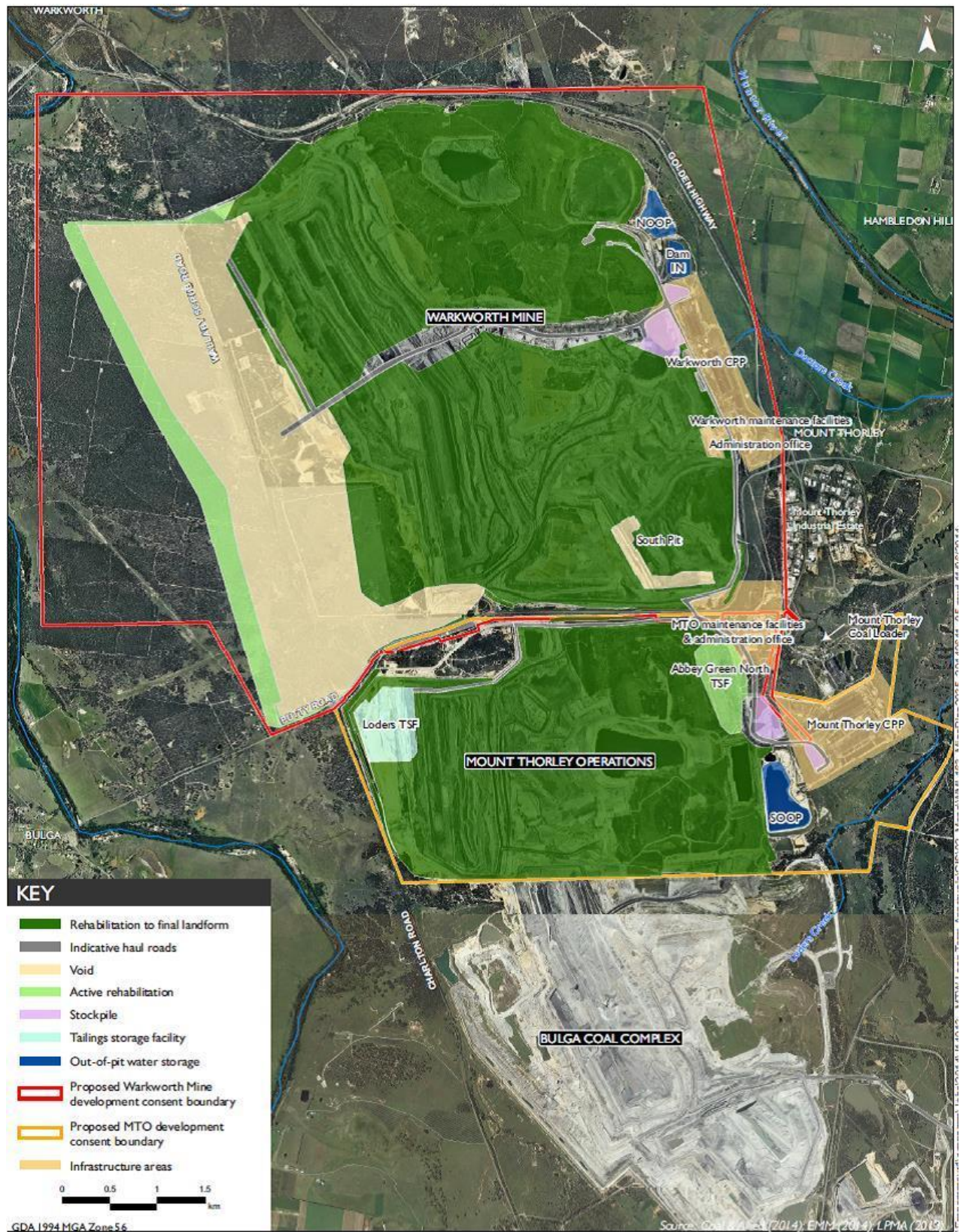
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Indicative Year 14 mine plan
Warkworth Continuation 2014
Environmental Impact Statement
Figure 2.9

Figure 6: Conceptual Mine Plan – Year 14

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Indicative Year 21 mine plan
Warkworth Continuation 2014
Environmental Impact Statement
Figure 2.10

Figure 7: Conceptual Mine Plan – Year 21

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APPENDIX 3 LAND OWNERSHIP PLANS

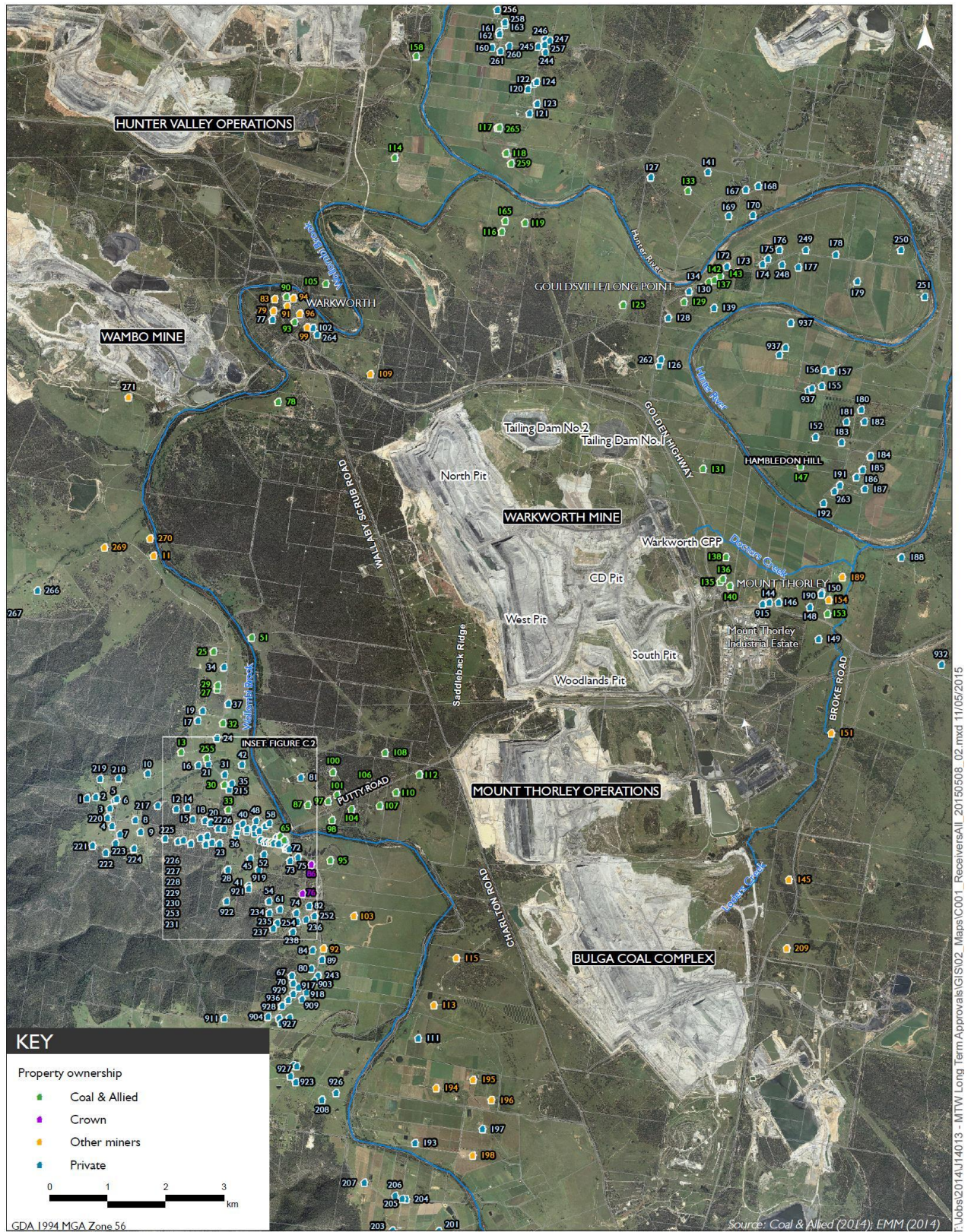


Figure 8: Surrounding Residences

CONSOLIDATED CONSENT

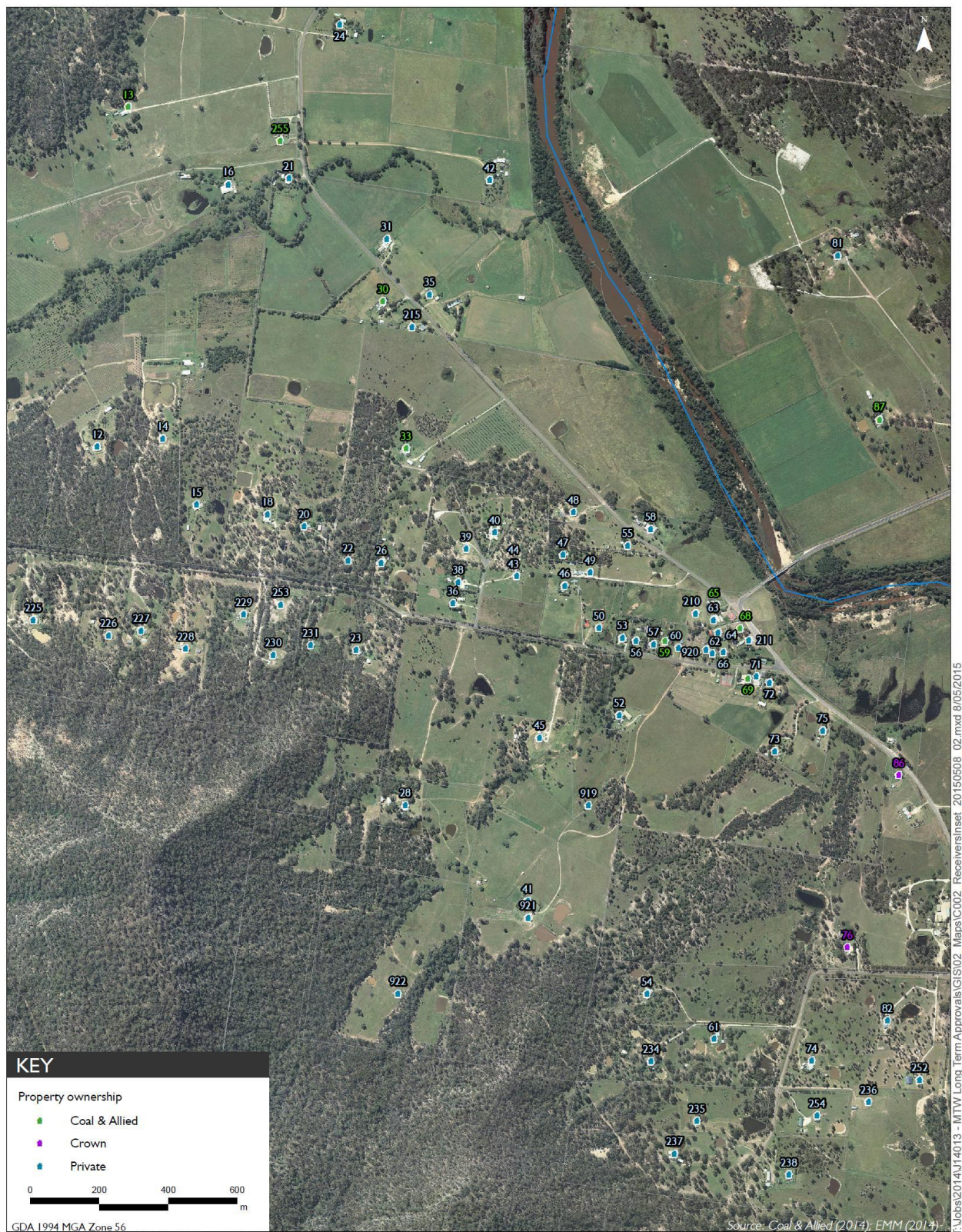


Figure 9: Surrounding Residences – South West (Bulga)

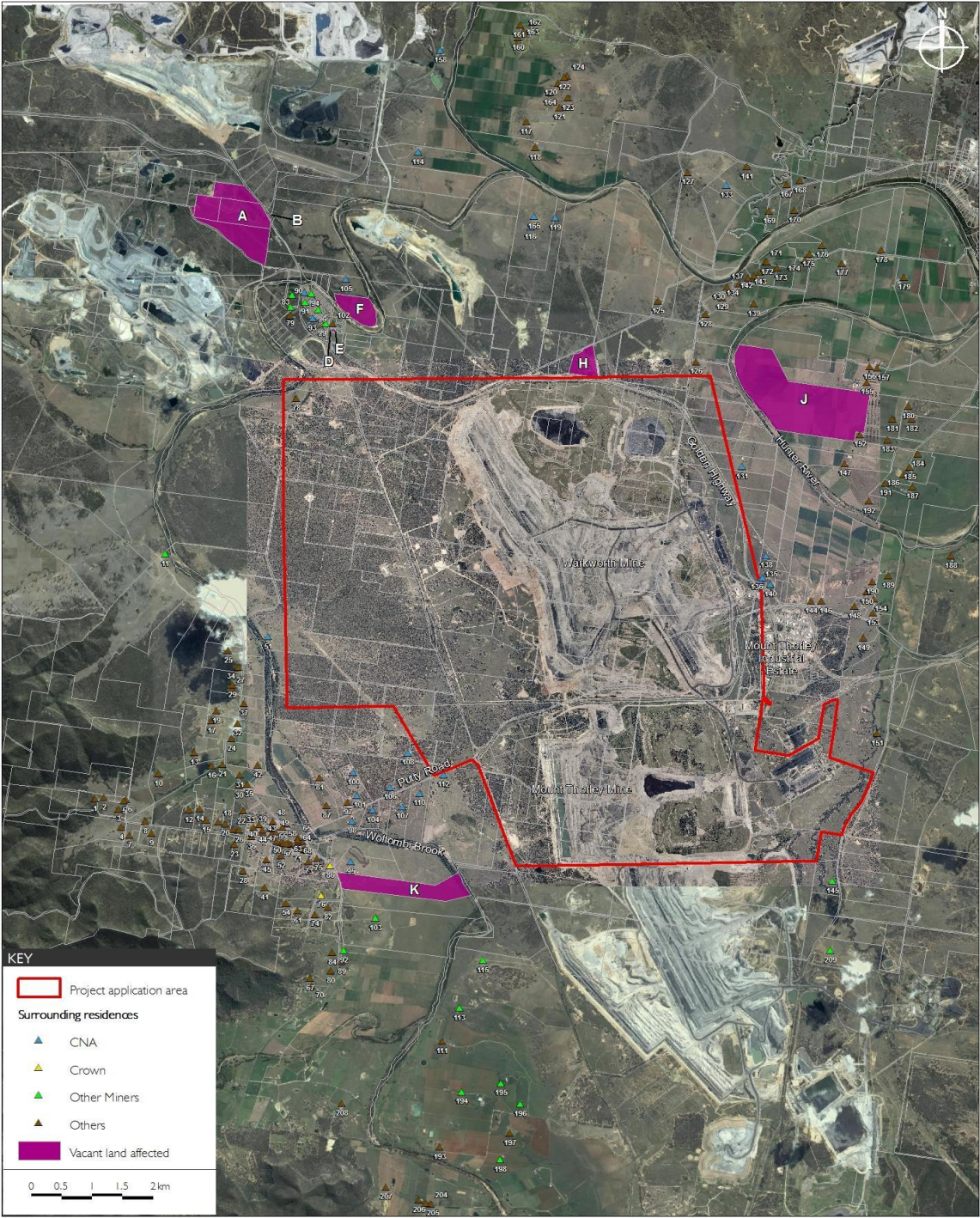


Figure 10: Vacant Land

CONSOLIDATED CONSENT

Assessment location ID	Property owner
1	Judith Leslie
2	Shayne Aaron Currie
3	Charleroi Pty Limited
4	Graeme O'Brien & Susann Florence O'Brien
5	Daniel Bruce Jones
6	Russell James Doidge, Trinette Louise Reid
7	Darral Keith Margery & Annette Gaye Margery
8	Laurence Fletcher, Margaret Ann Fletcher
9	Donald Bruce Roser
10	Andrew Mark Robey, Kim Luanne Robey
11	Wambo Mining Corporation Pty. Limited
12	Ronald Alexander Corino, Pauline Rayner
13	Warkworth Mining Limited
14	Karin Margaret Hunt
15	William Lindsay Gordon Slaney, Peta Slaney
16	Leona Ann Williams
17	George David Lianos, Honor Claire Lianos
18	Barry John Anderson, Melissa Gai Anderson
19	Denis Cyril Maizey, Elaine Margaret Maizey
20	Gregory William Banks, Marion Elizabeth Banks
21	Gregory William Banks, Marion Elizabeth Banks
22	Elizabeth Mackenzie
23	Peter Jason Kolatchew, Heidi Kolatchew
24	Ronald Garry Bailey, Fiona Susan Bailey
25	William George Joseph Lambkin, Dawn Lambkin*
26	Barbara Gae Harrison, Trevor Eric Harrison
27	Warkworth Mining Limited
28	Hubert George Upward
29	Warkworth Mining Limited
30	Warkworth Mining Limited
31	Gregory Malcolm Caban
32	Warkworth Mining Limited
33	Warkworth Mining Limited
34	Allan Clyde Lepisto, Nerida Lepisto
35	Lawrence Malcolm Caban, Rhonda Beryl Caban
36	Raymond Carl Powell
37	Gregory Paul Crowe
38	Benjamin John Street, Jami Ann Street
39	Gregory John Mcnaught
40	Margaret Player, John MacLachlan Player
41	Hubert George Upward
42	Mark Anthony Lancaster, Debbie Marie Lancaster

CONSOLIDATED CONSENT

Assessment location ID	Property owner
43	Geoffrey Allen Burgess, Betty Joy Burgess
44	Barry Fogwell
45	Adam Charles Cameron
46	Jason Phillip Horn
47	Philip Adamthwaite
48	Brett James Gallagher, Rebecca Louise Gallagher
49	John Thompson, Delwyn Kay Jackson
50	Bradley Richard Sales, Sharon Ann Bellamy
51	Warkworth Mining Limited
52	Stewart James Mitchell, Marie Clare Mitchell
53	Robert McLaughlin
54	Christopher Stanley Neville & Elizabeth Ann Neville
55	Robert John Evans
56	Leonard Walter Mclachlan, Noelene Rita Mclachlan
57	Paul William Harris, Tracey Anne Swindail
58	David Andrew Gregory
59	Warkworth Mining Limited
60	Vaughan Thomas Cagney, Candice Rose Albert
61	Darrell Stanley Kaizer
62	Dwi Octaviani
63	Margueriette Ann Henneberry, Paul Andrew Burgess
64	Dusko Dragicevic, Milan Dragicevic
65	Warkworth Mining Limited
66	Michael Vivian Bendall, Sue-Ellen Bendall
67	Michael Shane Dawson & Suzana Dawson
68	Warkworth Mining Limited
69	Warkworth Mining Limited
70	Peter Francis Ritchie And Fiona Jennifer Ritchie
71	Robert Ian Hedley, Jan Maree Louis
72	Frank Henry Turnbull
73	Phillip Joseph Reid, Carol Reid
74	Ronald Guy Godyn, Anne-Marie Godyn
75	Lindsay Robert Smith, Jillian Maree Smith
76	The State Of New South Wales
77	William Joseph Kelly, Marie Joyce Kelly, Lawrence Kelly
78	Warkworth Mining Limited
79	Wambo Mining Corporation Pty. Limited
80	Dimitrious Vikas & Joy Mary Vikas
81	Agl Energy Limited
82	Stephen Glenn Williamson, Nicole Leanne Highett
83	Xstrata Coal Pty Limited
84	Mary Veronica Thompson

CONSOLIDATED CONSENT

Assessment location ID	Property owner
86	The State Of New South Wales
87	Andre Marc Renaud, Noela Mary Renaud*
89	Bryan Dudley Medhurst
90	Coal & Allied Operations Pty Limited
91	Wambo Coal Pty Limited
92	Saxonvale Coal Pty Limited, Nippon Steel Australia Pty Limited
93	Coal & Allied Operations Pty Limited
94	Wambo Coal Pty Limited
95	Miller Pohang Coal Company Pty Limited
96	Wambo Mining Corporation Pty. Limited
97	Warkworth Mining Limited
98	Miller Pohang Coal Company Pty Limited
99	Wambo Coal Pty Limited
100	Miller Pohang Coal Company Pty Limited
101	Miller Pohang Coal Company Pty Limited
102	Brian Edward Kennedy, John Griffiths (Warkworth Hall)
103	Saxonvale Coal Pty. Limited, Nippon Steel Australia Pty. Limited
104	Miller Pohang Coal Company Pty Limited
105	Coal & Allied Operations Pty Limited
106	Miller Pohang Coal Company Pty Limited
107	Miller Pohang Coal Company Pty Limited
108	Miller Pohang Coal Company Pty Limited
109	Xstrata Coal (Nsw) Pty Limited
110	Miller Pohang Coal Company Pty Limited
111	Ian Wallace Russell
112	Miller Pohang Coal Company Pty Limited
113	Saxonvale Coal Pty Limited, Nippon Steel Australia Pty Limited
114	Coal & Allied Operations Pty Limited
115	Saxonvale Coal Pty. Limited, Nippon Steel Australia Pty. Limited
116	Coal & Allied Operations Pty Limited
117	Coal & Allied Operations Pty Limited
118	Coal & Allied Operations Pty Limited
119	Coal & Allied Operations Pty Limited
120	Russell John Wenham, Janelle Susan Wenham
121	Julie Gai Ernst, Gregory John Ernst
122	Stephen Douglas Edwards, Terri-Anne Howard, Joselyn Vida Clifton
123	Neil Robert Nelson, Glenda Joy Nelson
124	Stephen Douglas Edwards, Terri-Anne Howard, Joselyn Vida Clifton
125	Coal & Allied Operations Pty Limited
126	Peter Glen Stuart
127	Noel Francis Riley, Elaine Roslyn Riley
128	Warren John Welsh, Adam John Young

CONSOLIDATED CONSENT

Assessment location ID	Property owner
129	Coal & Allied Operations Pty Limited
130	Francescantonio Ventra, Joanne Ventra
131	Warkworth Mining Limited
133	Coal & Allied Operations Pty Limited
134	Andrew Arthur Barrett, Nicole Maree Kenny
135	Warkworth Mining Limited
136	Warkworth Mining Limited
137	Coal & Allied Operations Pty Limited
138	Warkworth Mining Limited
139	Kevin Denis Hartcher, Linda Anne Hartcher
140	Warkworth Mining Limited
141	Warren Thomas Barry, Lesley Una Barry
142	Coal & Allied Operations Pty Limited
143	Coal & Allied Operations Pty Limited
144	Jason Cyril Rumbel, Rebecca Ruth Rumbel
145	Saxonvale Coal Pty. Limited, Nippon Steel Australia Pty. Limited
146	Paul Henry Russell
147	Warkworth Mining Limited
148	Dorothy Clare Russell
149	Timothy Peter Hedley
150	Keith David Isaac, Sharon Ann Isaac
151	Bulga Coal Management Pty Limited
152	Graham Edwin Berry, Elizabeth Anne Berry
153	Warkworth Mining Limited
154	Bulga Coal Management Pty Limited
155	Trevor Keith Berry, Graham Edwin Berry
156	Jean Mary O'Hara
157	Jean Mary O'Hara
158	Coal & Allied Operations Pty Limited
160	Elizabeth Stuart Bowman
161	Wyoming Holsteins Pty Limited
162	Wyoming Holsteins Pty Limited
163	Wyoming Holsteins Pty Limited
165	Coal & Allied Operations Pty Limited
167	Nathan James Laing
168	Stuart Francis Nichol Wright, Pamela Lynn Wright
169	Harold Douglas Hobden
170	John Marcheff
172	John Stuart Gough, Lynette Jean Gough
173	Michael John Wellard, Faye Denise Wellard
174	Margaret Anne Neal
175	Bradley John Halter

CONSOLIDATED CONSENT

Assessment location ID	Property owner
176	Michael Raymond Mapp, Shirley Maree Mapp
177	Greig Andrew Delaney
178	Craig Ian Flissinger, Catherine Anne Flissinger
179	Tickalara Pty. Limited
180	Bruce Graham Moore
181	David Charles Vassallo, Sheree Ann Vassallo
182	Robert Francis Holstein And Andrea Terry Holstein
183	Paul Anthony Cavanough, Jacinta Jade Dawkins
184	Campbell Stuart Ball And Gail Agnes Ball
185	Leonard Dale Franks
186	Leonard Dale Franks
187	Keith Heuston Pty. Limited
188	Comserve (No.932) Pty Ltd
189	Bulga Coal Management Pty Limited
190	Keith David Isaac, Sharon Ann Isaac
191	Robert John Vidler, Coral May Vidler
192	Jean Mary O'Hara
193	Robert Kennedy
194	Saxonvale Coal Pty Limited, Nippon Steel Australia Pty Limited
195	Saxonvale Coal Pty Limited, Nippon Steel Australia Pty Limited
196	Saxonvale Coal Pty Limited, Nippon Steel Australia Pty Limited
197	Robert Kennedy
198	Saxonvale Coal Pty Limited, Nippon Steel Australia Pty Limited
199	Adrian Garton, Susan Jean Garton
200	Karren Anne Mccraw, Kenneth Ian Mccraw
201	Richard James Owens
202	Richard James Owens
203	Grapemen Holdings Pty Limited
204	Brenda Joan Tanner
205	Victoria Ann Foster
206	Theo Poulos, Maria Poulos
207	John Stephen Tulloch
208	Cybele Genevieve Orton
209	Saxonvale Coal Pty Limited, Nippon Steel Australia Pty Limited
210	Meria Violet Ford
211	Mike Dean Silk, Antoinette Silk
215	Allan Wayne Louis, Cheryl Anne Louis
217	Packtron Packaging Pty Limited
218	Phillip John Haerse, Elizabeth Rae Haerse
219	Philip Geoffrey Carroll
220	George Jiri Tlaskal
221	Christina Mary Metlikovec

CONSOLIDATED CONSENT

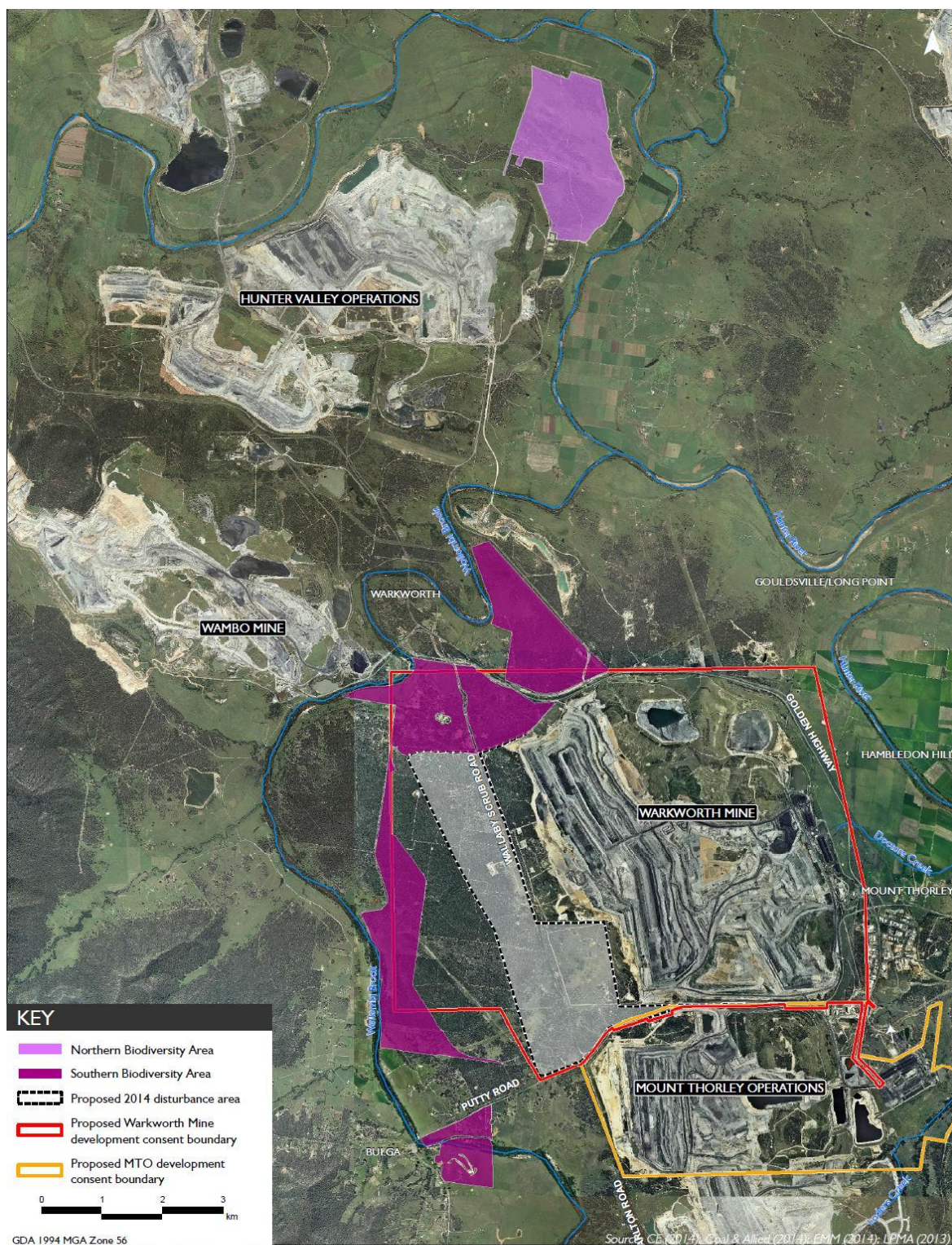
Assessment location ID	Property owner
222	John Vincent Putland
223	Andrew Glenn Upward
224	Rex Wayne Davis, Heather Anne Davis
225	Anthony and Trudie Seibel – Barnes
226	Neale Mccallum, Julie Marie Mcnaughton
227	Ian Wyn Jones, Karen Michelle Jones
228	Jason Peter Passlow, Belinda Louise Lee
229	Maurice Francis Chapman, Nellie Vera Chapman
230	Paul Dermot Byrne O'Toole, Melissa Jane O'Toole
231	Mark Mcalpin Roser, Nicole Roser
234	Robert John Bridge, Kylie Terese Bridge
235	Garrett James Walters & Clare Joanne Gowans
236	Scott Francis Ryan
237	Leslie Carol Krey
238	Raymond George Caban, Kathryn Louise Caban
243	John Patrick Cant, Cherie Margaret Cant
244	Todd Anthony Mills, Sharron Ann Mills
245	Chriss Ivan Maskey
246	Paul Raymond Burley, Catherine Maree Burley
247	Tony Zanardi, Sandra Maree Zanardi
248	Keith Joseph Horne
249	Thomas William Watson, Betty Watson
250	John Michael Woods
251	Frederick John & Carole Maria Flinn
252	Jaques Family Investments Pty Limited
253	Stuart Edward Reakes
254	Peter William Shore & Melanie Louise Shore
255	Warkworth Mining Limited
256	Bruce Eric Moxey, Thea Anne Moxey
257	Robert John Algie
258	Wyoming Holsteins Pty Limited
259	Coal & Allied Operations Pty Limited
260	Wyoming Holstiens Pty. Limited
261	Wyoming Holstiens Pty. Limited
262	Peter Glen Stuart
263	John Klasen, Ruth Anne Klasen
264	George Robert Miller (Anglican Church)
265	Coal & Allied Operations Pty Limited
266	Ronald Wayne Fenwick
267	Kenneth Max Brosi
268	Kenneth Max Brosi, Julie Anne Brosi & Pauline June Mcloughlin
269	Wambo Mining Corporation Pty Limited

CONSOLIDATED CONSENT

Assessment location ID	Property owner
270	Wambo Mining Corporation Pty Limited
271	Wambo Mining Corporation Pty Limited
903	Adam John Baker
904	Allan Mark Brasington, Judith Anne Brasington
905	Cameron Michael Turner, Melissa Jayne Harris
909	Emanuel Victor Vassallo
911	Gary Dale Harris
915	Jason Cyril Rumbel, Rebecca Ruth Rumbel
917	John Robert Lamb
918	Joseph Vassallo, Doris Vassallo
919	Kenneth Neil Cameron
920	Lindsay Gordon Harris, Jillian May Ferguson
921	Melanie Caban, Keiran Lionel Caban
922	Melanie Evelyn Upward
923	Michelle Maria Brennan
926	Paul William Mackay, Suzanne Elizabeth Mackay
927	Phillip John Gunter, Leona Mary Gunter
928	Sarah Elizabeth Purser, Stirling Owen Keayes
929	Simon James Beavis
932	Stephen Dennis Tipping
936	Thomas Charles Jackson, Susan Gai Jackson
937	Trevor Keith Berry, Graham Edwin Berry

CONSOLIDATED CONSENT

APPENDIX 4 DIRECT LAND-BASED BIODIVERSITY OFFSETS



Location of Northern and Southern Biodiversity Areas
Warkworth Continuation 2014
Response to Submissions
Figure 2.10

Figure 11: Location of Northern and Southern Biodiversity Areas

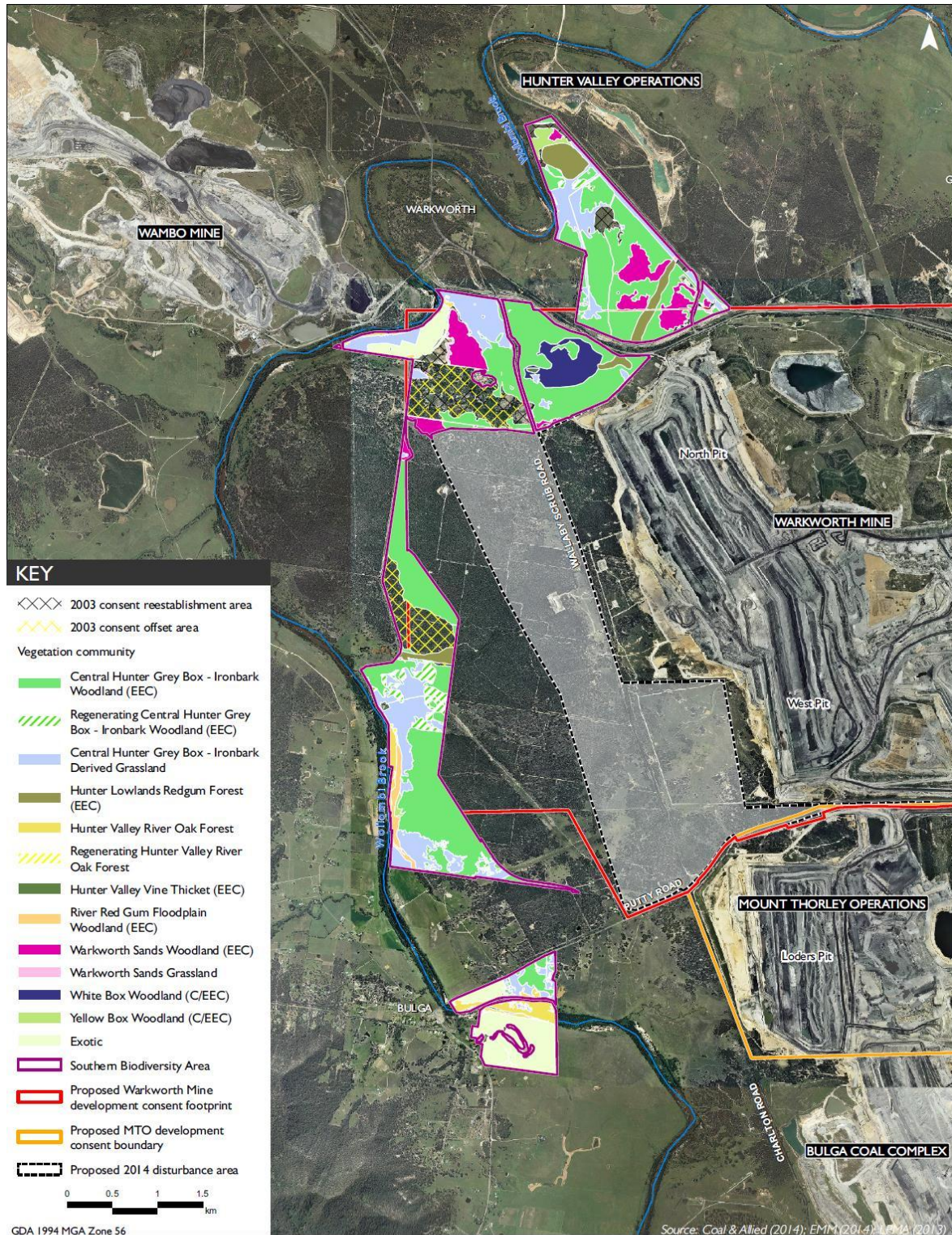


Figure 12: Vegetation Communities in the Southern Biodiversity Area

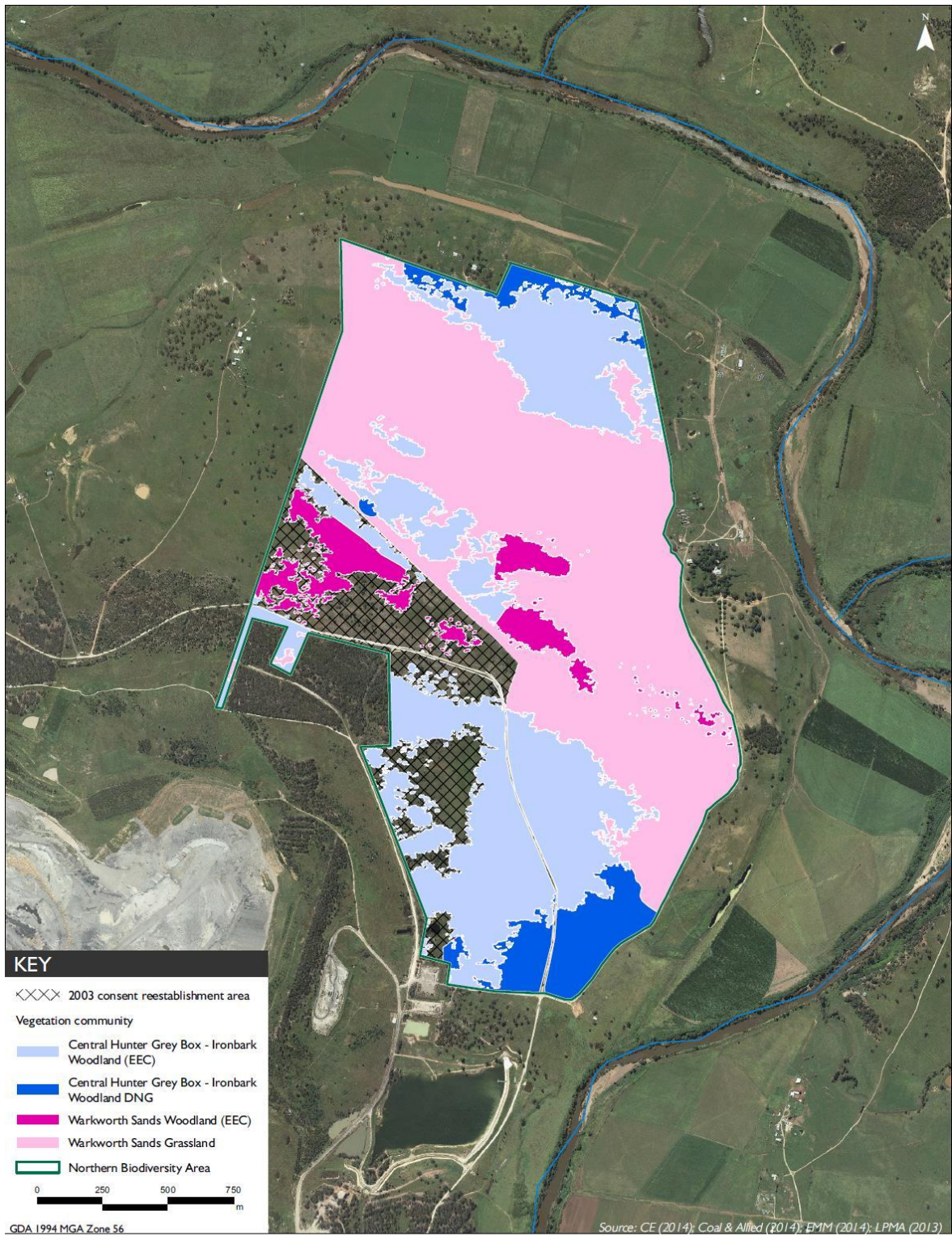
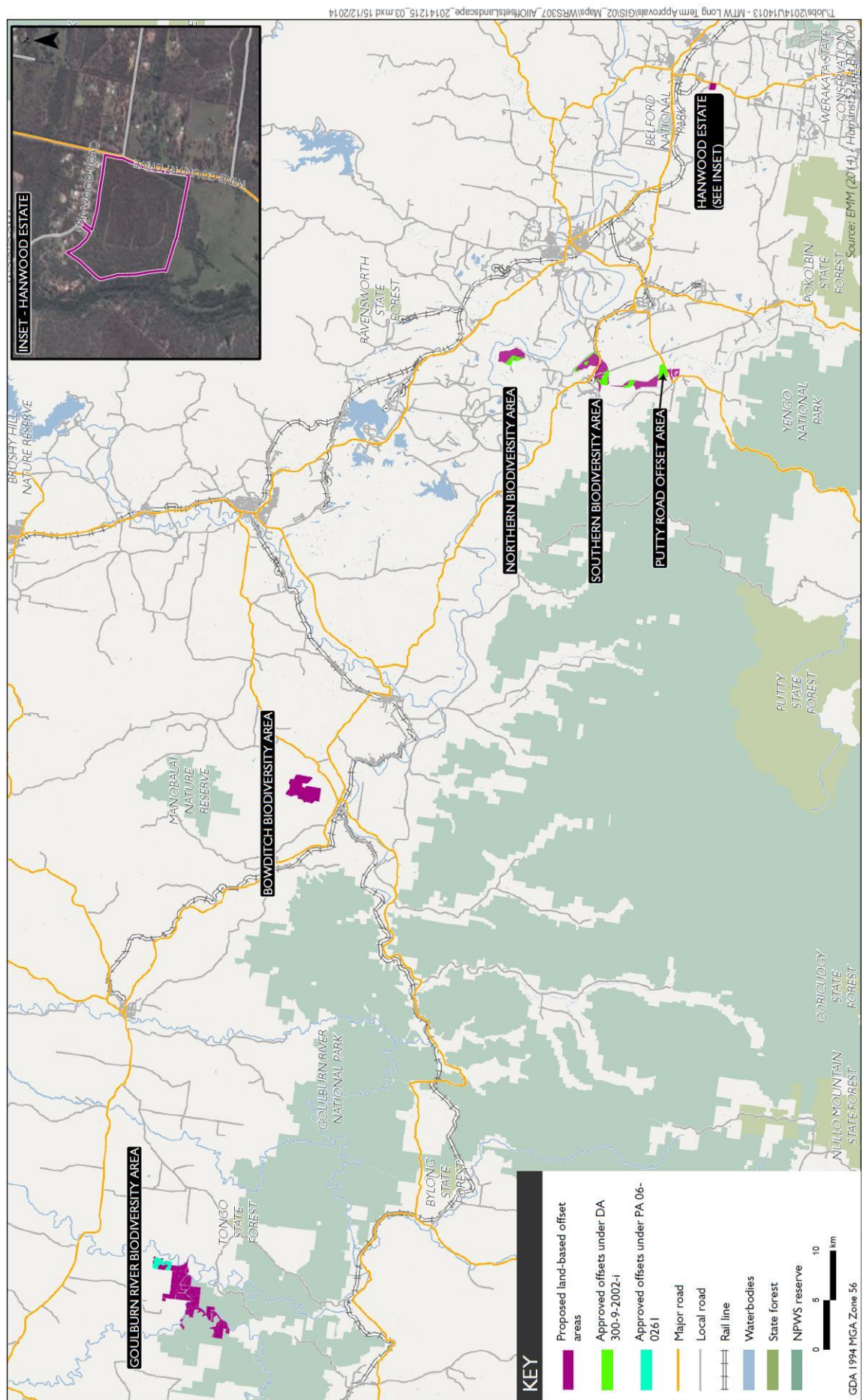


Figure 13: Vegetation Communities in the Northern Biodiversity Area

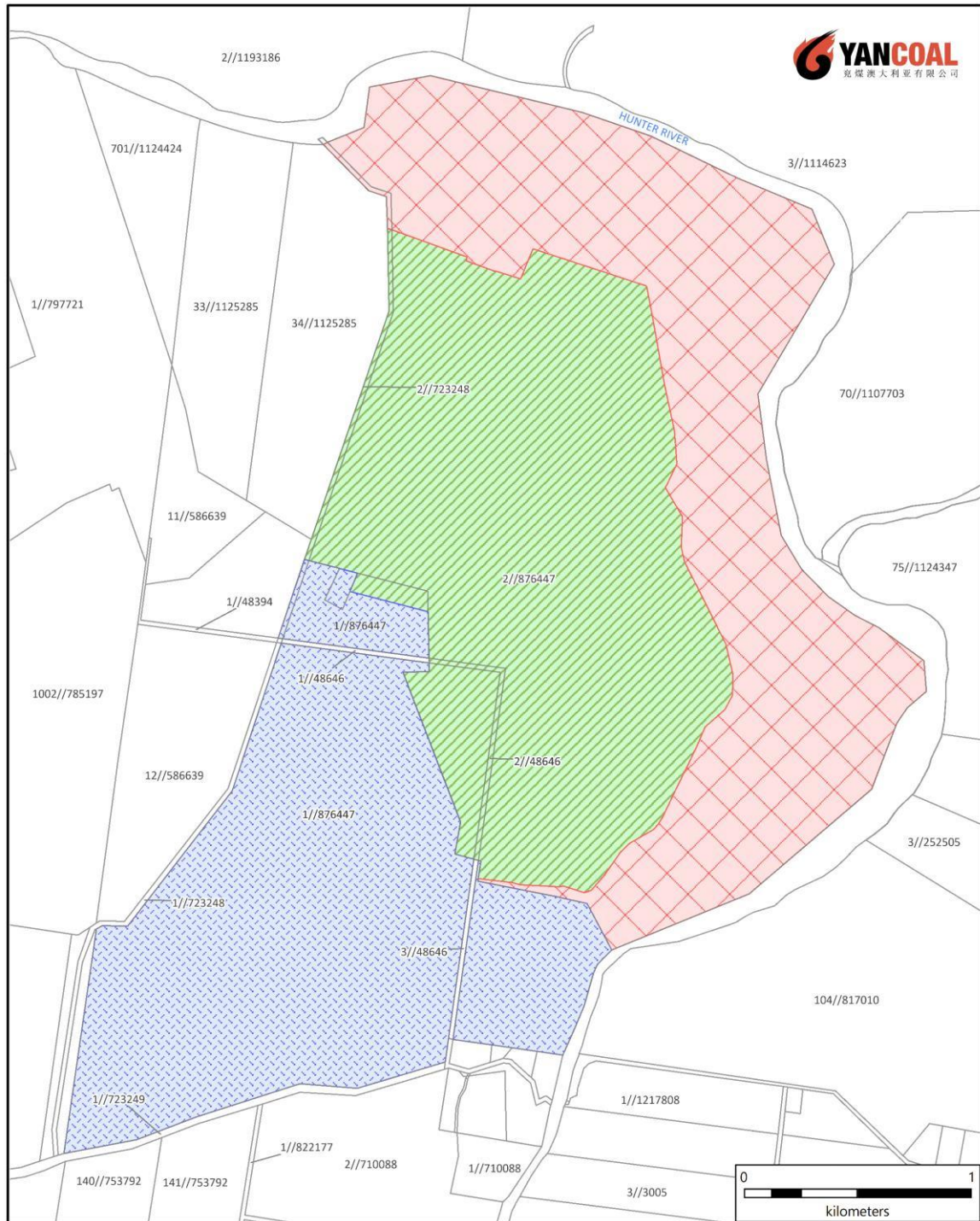


Existing consents and proposed land-based offset areas

Warkworth Continuation 2014

Figure 14: Location of Goulburn River, Bowditch and Other Biodiversity Areas

CONSOLIDATED CONSENT



Indicative Subdivision for the Northern Biodiversity Area (NBA)

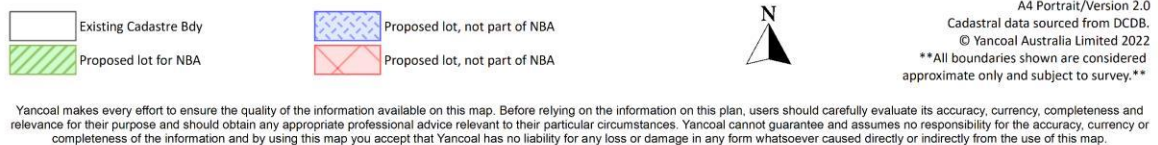


Figure 14A: Indicative Subdivision of the Northern Biodiversity Area

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APPENDIX 5 HERITAGE

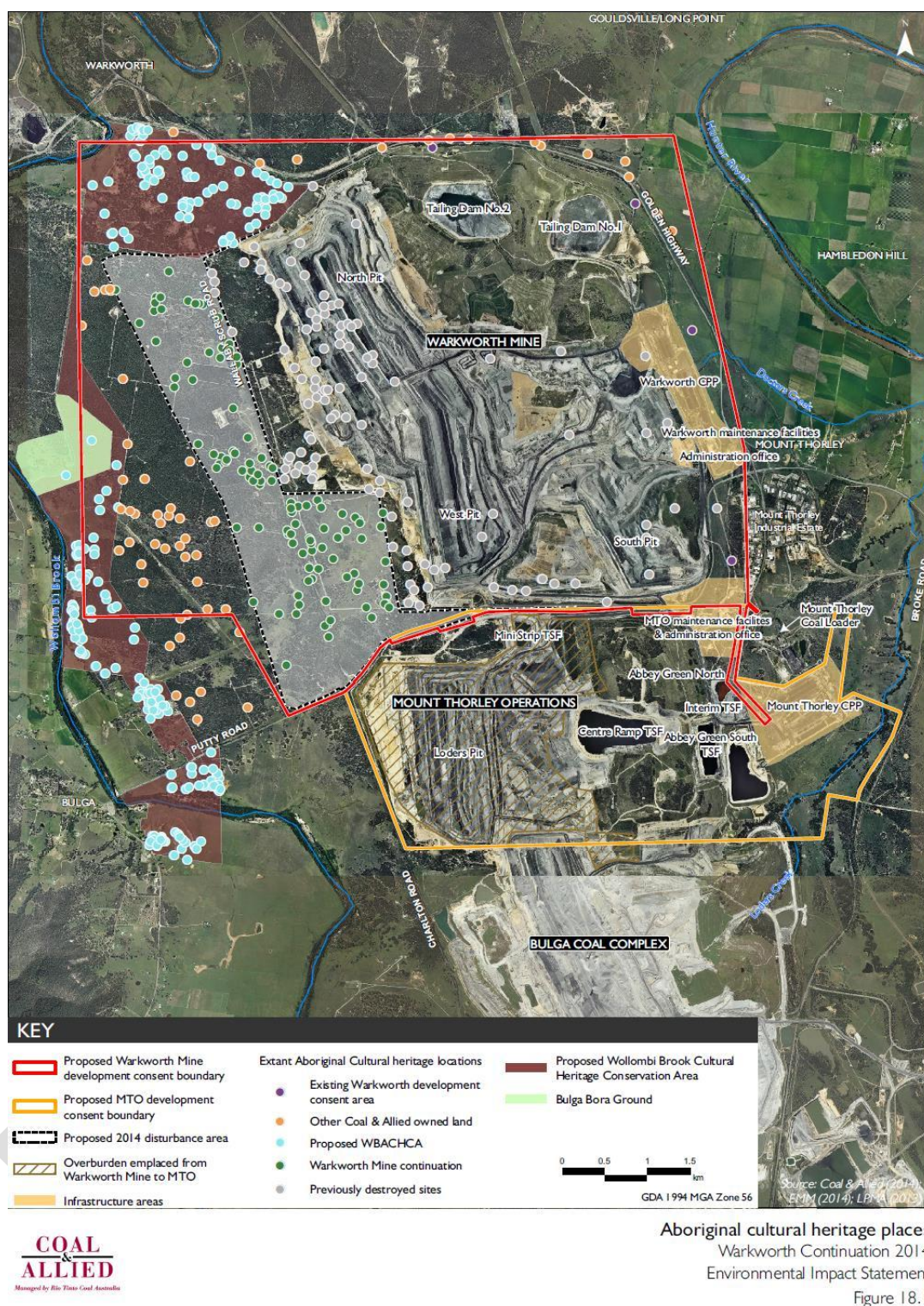


Figure 15: Wollombi Brook Aboriginal Cultural Heritage Conservation Area

CONSOLIDATED CONSENT

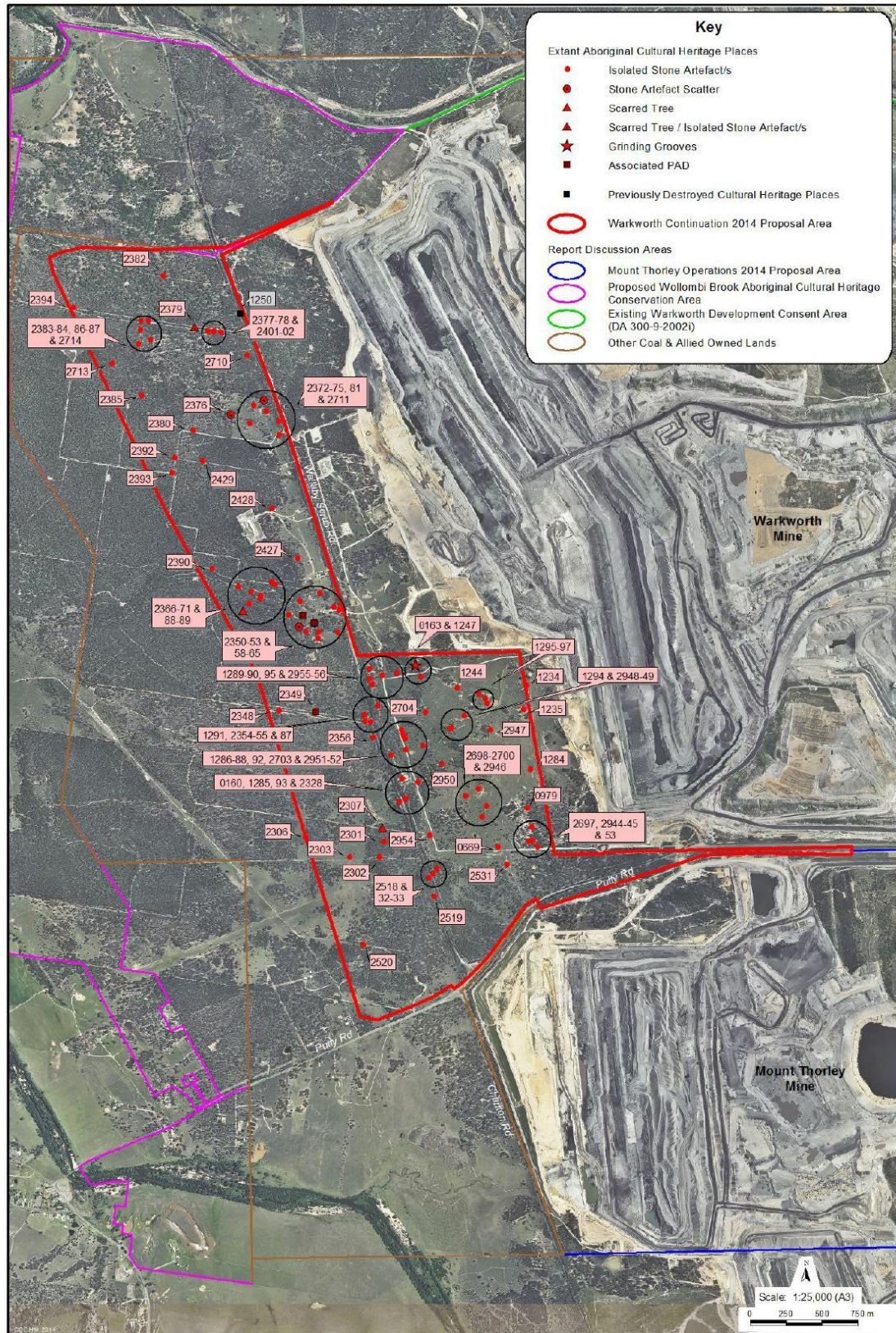


Figure 4: Map showing the location and current status of Aboriginal cultural heritage places within the Warkworth Continuation 2014 proposal area. Note: all place numbers are prefixed by the AHIMS code 37-6-XXXX.

Figure 16: Aboriginal Cultural Heritage Places Identified in Table 2 Below

CONSOLIDATED CONSENT

Table 1: Aboriginal Cultural Heritage Places to be Protected

AHIMS No	Place Name	Place Type	PAD	Status
37-6-0641	Lemington Mine Lease ISF4	Isolated Stone Artefact/s	-	Valid
37-6-0848	Site T (Bulga)	Stone Artefact Scatter	-	Valid
37-6-0991	JP30	Isolated Stone Artefact/s	-	Valid
37-6-1437	JP 16	Isolated Stone Artefact/s	-	Valid
37-6-1438	JP 17	Isolated Stone Artefact/s	-	Valid
37-6-1440	JP 18	Isolated Stone Artefact/s	-	Valid
37-6-1441	JP 19	Isolated Stone Artefact/s	-	Valid
37-6-1442	JP 21	Isolated Stone Artefact/s	-	Valid
37-6-1445	JP 24	Stone Artefact Scatter	-	Valid
37-6-1446	JP 25	Stone Artefact Scatter	-	Valid
37-6-1448	JP 27	Stone Artefact Scatter	-	Valid
37-6-1450	JP 31	Isolated Stone Artefact/s	-	Valid
37-6-1451	JP 35	Stone Artefact Scatter	-	Valid
37-6-2062	KR57	Stone Artefact Scatter	-	Valid
37-6-2064	KR59	Stone Artefact Scatter	-	Valid
37-6-2065	KR60	Stone Artefact Scatter	-	Valid
37-6-2304	MTW-5	Isolated Stone Artefact/s	-	Valid
37-6-2305	MTW-6	Isolated Stone Artefact/s	-	Valid
37-6-2311	MTW-12	Isolated Stone Artefact/s	-	Valid
37-6-2322	MTW-23	Isolated Stone Artefact/s	-	Valid
37-6-2323	MTW-24	Isolated Stone Artefact/s	-	Valid
37-6-2329	MTW-30	Isolated Stone Artefact/s	-	Valid
37-6-2331	MTW-32	Isolated Stone Artefact/s	-	Valid
37-6-2332	MTW-33	Isolated Stone Artefact/s	-	Valid
37-6-2333	MTW-34	Isolated Stone Artefact/s	-	Valid
37-6-2334	MTW-35	Isolated Stone Artefact/s	-	Valid
37-6-2335	MTW-36	Isolated Stone Artefact/s	-	Valid
37-6-2336	MTW-37	Isolated Stone Artefact/s	-	Valid
37-6-2337	MTW-38	Isolated Stone Artefact/s	-	Valid
37-6-2338	MTW-39	Isolated Stone Artefact/s / Shell Material	-	Valid
37-6-2339	MTW-40	Isolated Stone Artefact/s	-	Valid
37-6-2340	MTW-41	Isolated Stone Artefact/s	-	Valid
37-6-2341	MTW-42	Isolated Stone Artefact/s	-	Valid
37-6-2342	MTW-43	Scarred Tree	-	Valid
37-6-2343	MTW-44	Isolated Stone Artefact/s / Stone Source	-	Valid
37-6-2344	MTW-45	Isolated Stone Artefact/s	-	Valid
37-6-2345	MTW-46	Isolated Stone Artefact/s	-	Valid
37-6-2346	MTW-47	Isolated Stone Artefact/s	-	Valid
37-6-2347	MTW-48	Isolated Stone Artefact/s	-	Valid
37-6-2391	MTW-92	Isolated Stone Artefact/s	-	Valid
37-6-2395	MTW-96	Isolated Stone Artefact/s	-	Valid
37-6-2396	MTW-97	Isolated Stone Artefact/s	-	Valid
37-6-2397	MTW-98	Isolated Stone Artefact/s	-	Valid
37-6-2398	MTW-99	Isolated Stone Artefact/s	-	Valid
37-6-2399	MTW-100	Isolated Stone Artefact/s	-	Valid

CONSOLIDATED CONSENT

37-6-2400	MTW-101	Isolated Stone Artefact/s	-	Valid
37-6-2436	MTW-137	Isolated Stone Artefact/s	-	Valid
37-6-2437	MTW-138	Isolated Stone Artefact/s	-	Valid
37-6-2438	MTW-140	Stone Artefact Scatter	-	Valid
37-6-2439	MTW-141	Stone Artefact Scatter	-	Valid
37-6-2440	MTW-142	Stone Artefact Scatter	-	Valid
37-6-2441	MTW-143	Isolated Stone Artefact/s	Yes	Valid
37-6-2442	MTW-144	Isolated Stone Artefact/s	-	Valid
37-6-2443	MTW-145	Isolated Stone Artefact/s	-	Valid
37-6-2444	MTW-146-WSW-09-4	Isolated Stone Artefact/s	Yes	Valid
37-6-2445	MTW-147-WSW-09-4	Isolated Stone Artefact/s	Yes	Valid
37-6-2446	MTW-148-WSW-09-4	Isolated Stone Artefact/s	Yes	Valid
37-6-2447	MTW-149-WSW-09-4	Isolated Stone Artefact/s	Yes	Valid
37-6-2448	MTW-150-WSW-09-4	Stone Artefact Scatter	Yes	Valid
37-6-2449	MTW-151-WSW-09-4	Isolated Stone Artefact/s	Yes	Valid
37-6-2450	MTW-152-WSW-09-4	Isolated Stone Artefact/s	Yes	Valid
37-6-2451	MTW-153-WSW-09-4	Isolated Stone Artefact/s	Yes	Valid
37-6-2452	MTW-154-WSW-09-4	Isolated Stone Artefact/s	Yes	Valid
37-6-2453	MTW-155-WSW-09-4	Isolated Stone Artefact/s	Yes	Valid
37-6-2454	MTW-156-WSW-09-4	Isolated Stone Artefact/s	Yes	Valid
37-6-2455	MTW-157-WSW-09-4	Isolated Stone Artefact/s	Yes	Valid
37-6-2456	MTW-158-WSW-09-4	Isolated Stone Artefact/s	Yes	Valid
37-6-2457	MTW-159-WSW-09-4	Isolated Stone Artefact/s	Yes	Valid
37-6-2458	MTW-160-WSW-09-4	Isolated Stone Artefact/s	Yes	Valid
37-6-2459	MTW-161-WSW-09-4	Isolated Stone Artefact/s	Yes	Valid
37-6-2460	MTW-162-WSW-09-4	Isolated Stone Artefact/s	Yes	Valid
37-6-2461	MTW-163-WSW-09-41	Isolated Stone Artefact/s	-	Valid
37-6-2462	MTW-164-WSW-09-40	Isolated Stone Artefact/s	-	Valid
37-6-2463	MTW-165-WSW-09-27	Scarred Tree	-	Valid
37-6-2464	MTW-166-WSW-09-42	Isolated Stone Artefact/s	-	Valid
37-6-2465	MTW-167-WSW-09-43	Isolated Stone Artefact/s	-	Valid
37-6-2466	MTW-168-WSW-09-28	Scarred Tree	-	Valid
37-6-2467	MTW-169-WSW-09-29	Scarred Tree	-	Valid
37-6-2468	MTW-170-WSW-09-44	Isolated Stone Artefact/s	-	Valid
37-6-2469	MTW-171-WSW-09-5	Isolated Stone Artefact/s	-	Valid
37-6-2470	MTW-172-WSW-09-45	Isolated Stone Artefact/s	-	Valid
37-6-2471	MTW-173-WSW-09-6	Isolated Stone Artefact/s	Yes	Valid
37-6-2472	MTW-174-WSW-09-6	Isolated Stone Artefact/s	Yes	Valid
37-6-2473	MTW-175-WSW-09-6	Isolated Stone Artefact/s	Yes	Valid
37-6-2474	MTW-176-WSW-09-6	Stone Artefact Scatter	Yes	Valid
37-6-2475	MTW-177-WSW-09-7	Isolated Stone Artefact/s	-	Valid
37-6-2476	MTW-178-WSW-09-68	Isolated Stone Artefact/s	-	Valid
37-6-2477	MTW-179-WSW-09-30	Scarred Tree	-	Valid
37-6-2478	MTW-180-WSW-09-69	Isolated Stone Artefact/s	-	Valid
37-6-2479	MTW-181-WSW-09-31	Scarred Tree	-	Valid
37-6-2480	MTW-182-WSW-09-70	Isolated Stone Artefact/s	-	Valid
37-6-2481	MTW-183-WSW-09-71	Isolated Stone Artefact/s	-	Valid
37-6-2482	MTW-184-WSW-09-11	Stone Artefact Scatter	Yes	Valid
37-6-2483	MTW-185-WSW-09-12	Isolated Stone Artefact/s	-	Valid

CONSOLIDATED CONSENT

37-6-2484	MTW-186-WSW-09-12	Isolated Stone Artefact/s	-	Valid
37-6-2485	MTW-187-WSW-09-12	Isolated Stone Artefact/s	-	Valid
37-6-2486	MTW-188-WSW-09-12	Isolated Stone Artefact/s	-	Valid
37-6-2487	MTW-189-WSW-09-12	Isolated Stone Artefact/s	-	Valid
37-6-2488	MTW-190-WSW-09-57	Isolated Stone Artefact/s	-	Valid
37-6-2489	MTW-191-WSW-09-72	Isolated Stone Artefact/s	-	Valid
37-6-2490	MTW-192-WSW-09-13	Isolated Stone Artefact/s	-	Valid
37-6-2491	MTW-193-WSW-09-73	Isolated Stone Artefact/s	-	Valid
37-6-2492	MTW-194-WSW-09-74	Isolated Stone Artefact/s	-	Valid
37-6-2494	MTW-196-WSW-09-14	Isolated Stone Artefact/s	-	Valid
37-6-2505	MTW-207-WSW-09-18	Isolated Stone Artefact/s	-	Valid
37-6-2506	MTW-208-WSW-09-17	Isolated Stone Artefact/s	-	Valid
37-6-2507	MTW-209-WSW-09-18	Stone Artefact Scatter	-	Valid
37-6-2521	MTW-223-WSW-09-32	Scarred Tree	-	Valid
37-6-2522	MTW-224-WSW-09-53	Isolated Stone Artefact/s	-	Valid
37-6-2523	MTW-225-WSW-09-54	Isolated Stone Artefact/s	-	Valid
37-6-2524	MTW-226-WSW-09-8	Isolated Stone Artefact/s / Stone Source	-	Valid
37-6-2577	MTW-282-WSW-09-63	Isolated Stone Artefact/s	-	Valid
37-6-2578	MTW-283-WSW-09-36	Scarred Tree	-	Valid
37-6-2579	MTW-284-WSW-09-64	Isolated Stone Artefact/s	-	Valid
37-6-2580	MTW-285-WSW-09-37	Scarred Tree	-	Valid
37-6-2581	MTW-286-WSW-09-65	Isolated Stone Artefact/s	-	Valid
37-6-2708	WS12	Isolated Stone Artefact/s	-	Valid
37-6-2709	WS13	Isolated Stone Artefact/s	-	Valid
37-6-2712	WS6	Isolated Stone Artefact/s	-	Valid
37-6-2942	MTW-521	Isolated Stone Artefact/s	-	Valid
37-6-2943	MTW-522	Isolated Stone Artefact/s	-	Valid
37-6-0611	Jerry's Plains Road 2	Isolated Stone Artefact/s	-	Valid
37-6-0682	Wark-2	Isolated Stone Artefact/s	-	Valid
37-6-2061	KR56	Stone Artefact Scatter	-	Valid
37-6-2063	KR58	Stone Artefact Scatter	-	Valid
37-6-0055	Wollombi Brook 04	Spiritual Place	-	Valid
37-6-0056	Wollombi Brook 03	Spiritual Place / Scarred Tree	-	Valid
37-6-1103	Site 1 GG	Grinding Grooves	-	Valid
37-6-1239	W70	Isolated Stone Artefact/s	-	Valid
37-6-1241	W71	Isolated Stone Artefact/s	-	Valid
37-6-1254	W25 (MTW337-336)	Stone Artefact Scatter	-	Valid
37-6-1255	W26 (MTW-334, MTW-343)	Isolated Stone Artefact/s	-	Valid
37-6-1258	W27 (MTW-342)	Isolated Stone Artefact/s	-	Valid
37-6-1259	W28 (MTW-314)	Isolated Stone Artefact/s	-	Valid
37-6-1260	W29 (MTW-356)	Isolated Stone Artefact/s	-	Valid
37-6-1262	W31 (MTW-333)	Isolated Stone Artefact/s	-	Valid
37-6-1264	W32	Isolated Stone Artefact/s	-	Valid
37-6-1265	W33 (MTW-332)	Isolated Stone Artefact/s	-	Valid
37-6-1267	W34 (MTW-320)	Isolated Stone Artefact/s	-	Valid
37-6-1268	W35 (MTW-312)	Isolated Stone Artefact/s	-	Valid

CONSOLIDATED CONSENT

37-6-1270	W36 (MTW-316)	Isolated Stone Artefact/s	-	Valid
37-6-1300	W64 (MTW-315)	Isolated Stone Artefact/s	-	Valid
37-6-2308	MTW-9	Isolated Stone Artefact/s	-	Valid
37-6-2309	MTW-10	Isolated Stone Artefact/s	-	Valid
37-6-2310	MTW-11	Isolated Stone Artefact/s	-	Valid
37-6-2312	MTW-13	Stone Source	-	Valid
37-6-2313	MTW-14	Scarred Tree	-	Valid
37-6-2314	MTW-15	Isolated Stone Artefact/s	-	Valid
37-6-2315	MTW-16	Stone Arrangement	-	Valid
37-6-2316	MTW-17	Isolated Stone Artefact/s	-	Valid
37-6-2317	MTW-18	Isolated Stone Artefact/s	-	Valid
37-6-2318	MTW-19	Isolated Stone Artefact/s	-	Valid
37-6-2319	MTW-20	Isolated Stone Artefact/s	-	Valid
37-6-2320	MTW-21	Isolated Stone Artefact/s	-	Valid
37-6-2321	MTW-22	Isolated Stone Artefact/s	-	Valid
37-6-2324	MTW-25	Isolated Stone Artefact/s / Stone Source	-	Valid
37-6-2325	MTW-26	Isolated Stone Artefact/s	-	Valid
37-6-2326	MTW-27	Isolated Stone Artefact/s	-	Valid
37-6-2327	MTW-28	Isolated Stone Artefact/s	Yes	Valid
37-6-2330	MTW-31	Isolated Stone Artefact/s	-	Valid
37-6-2403	MTW-104	Isolated Stone Artefact/s	-	Valid
37-6-2404	MTW-105	Isolated Stone Artefact/s	-	Valid
37-6-2405	MTW-106	Isolated Stone Artefact/s	-	Valid
37-6-2406	MTW-107	Isolated Stone Artefact/s	-	Valid
37-6-2407	MTW-108	Isolated Stone Artefact/s	-	Valid
37-6-2408	MTW-109	Stone Artefact Scatter	-	Valid
37-6-2409	MTW-110	Isolated Stone Artefact/s	-	Valid
37-6-2410	MTW-111	Isolated Stone Artefact/s	-	Valid
37-6-2411	MTW-112	Isolated Stone Artefact/s	-	Valid
37-6-2412	MTW-113	Stone Artefact Scatter	-	Valid
37-6-2413	MTW-114, MTW-518	Isolated Stone Artefact/s	-	Valid
37-6-2414	MTW-115	Isolated Stone Artefact/s	-	Valid
37-6-2415	MTW-116	Isolated Stone Artefact/s	-	Valid
37-6-2416	MTW-117	Isolated Stone Artefact/s	-	Valid
37-6-2417	MTW-118	Isolated Stone Artefact/s	-	Valid
37-6-2418	MTW-119	Isolated Stone Artefact/s	-	Valid
37-6-2419	MTW-120	Isolated Stone Artefact/s	-	Valid
37-6-2420	MTW-121	Isolated Stone Artefact/s	-	Valid
37-6-2421	MTW-122	Isolated Stone Artefact/s	-	Valid
37-6-2422	MTW-123	Isolated Stone Artefact/s	-	Valid
37-6-2423	MTW-124	Isolated Stone Artefact/s	-	Valid
37-6-2424	MTW-125	Isolated Stone Artefact/s	-	Valid
37-6-2425	MTW-126	Isolated Stone Artefact/s	-	Valid
37-6-2426	MTW-127	Isolated Stone Artefact/s	-	Valid
37-6-2430	MTW-131	Isolated Stone Artefact/s	-	Valid

CONSOLIDATED CONSENT

37-6-2431	MTW-132	Isolated Stone Artefact/s	-	Valid
37-6-2432	MTW-133	Isolated Stone Artefact/s	-	Valid
37-6-2433	MTW-134	Isolated Stone Artefact/s	-	Valid
37-6-2434	MTW-135	Isolated Stone Artefact/s	-	Valid
37-6-2435	MTW-136	Isolated Stone Artefact/s	-	Valid
37-6-2493	MTW-195-WSW-09-75	Isolated Stone Artefact/s	-	Valid
37-6-2495	MTW-197-WSW-09-14	Isolated Stone Artefact/s	-	Valid
37-6-2496	MTW-198-WSW-09-14	Isolated Stone Artefact/s	-	Valid
37-6-2497	MTW-199-wsw-09-14	Isolated Stone Artefact/s	-	Valid
37-6-2498	MTW-200-WSW-09-15	Isolated Stone Artefact/s	Yes	Valid
37-6-2499	MTW-201-WSW-09-15	Isolated Stone Artefact/s	Yes	Valid
37-6-2500	MTW-202-WSW-09-15	Stone Artefact Scatter	Yes	Valid
37-6-2501	MTW-203-WSW-09-79	Isolated Stone Artefact/s	-	Valid
37-6-2502	MTW-204-WSW-09-16	Isolated Stone Artefact/s	-	Valid
37-6-2503	MTW-205-WSW-09-76	Isolated Stone Artefact/s	-	Valid
37-6-2504	MTW-206-WSW-09-80	Isolated Stone Artefact/s	-	Valid
37-6-2508	MTW-210-WSW-09-19	Isolated Stone Artefact/s	Yes	Valid
37-6-2509	MTW-211-WSW-09-19	Isolated Stone Artefact/s	Yes	Valid
37-6-2510	MTW-212-WSW-09-19	Isolated Stone Artefact/s	Yes	Valid
37-6-2511	MTW-213-WSW-09-19	Isolated Stone Artefact/s	Yes	Valid
37-6-2512	MTW-214-WSW-09-78	Isolated Stone Artefact/s	-	Valid
37-6-2513	MTW-215-WSW-09-77	Isolated Stone Artefact/s	-	Valid
37-6-2514	MTW-216-WSW-09-46	Isolated Stone Artefact/s	-	Valid
37-6-2515	MTW-217-WSW-09-47	Isolated Stone Artefact/s	-	Valid
37-6-2516	MTW-218-WSW-09-48	Isolated Stone Artefact/s	-	Valid
37-6-2517	MTW-219-WSW-09-49	Isolated Stone Artefact/s	-	Valid
37-6-2525	MTW-227-WSW-09-33	Scarred Tree	-	Valid
37-6-2526	MTW-228-WSW-09-34	Scarred Tree	-	Valid
37-6-2527	MTW-230-WSW-09-55	Isolated Stone Artefact/s	-	Valid
37-6-2528	MTW-231-WSW-09-56	Isolated Stone Artefact/s	-	Valid
37-6-2529	MTW-232-WSW-09-20	Isolated Stone Artefact/s	Yes	Valid
37-6-2530	MTW-233-WSW-09-58	Isolated Stone Artefact/s	-	Valid
37-6-2534	MTW-237-WSW-09-10	Isolated Stone Artefact/s	Yes	Valid
37-6-2535	MTW-238-WSW-09-10	Isolated Stone Artefact/s	Yes	Valid
37-6-2536	MTW-239-WSW-09-10	Isolated Stone Artefact/s	Yes	Valid
37-6-2537	MTW-240-WSW-09-10	Isolated Stone Artefact/s	Yes	Valid
37-6-2538	MTW-241-WSW-09-10	Isolated Stone Artefact/s	Yes	Valid
37-6-2539	MTW-242-WSW-09-10	Isolated Stone Artefact/s	Yes	Valid
37-6-2540	MTW-243-WSW-09-10	Isolated Stone Artefact/s	Yes	Valid
37-6-2541	MTW-244-WSW-09	Isolated Stone Artefact/s	-	Valid
37-6-2542	MTW-245-WSW-09-10	Isolated Stone Artefact/s	Yes	Valid
37-6-2543	MTW-246-WSW-09-10	Isolated Stone Artefact/s	Yes	Valid
37-6-2544	MTW-247-WSW-09-10	Isolated Stone Artefact/s	Yes	Valid
37-6-2545	MTW-248-WSW-09-10	Isolated Stone Artefact/s	Yes	Valid
37-6-2546	MTW-249-WSW-09-10	Isolated Stone Artefact/s	Yes	Valid

CONSOLIDATED CONSENT

37-6-2547	MTW-250-WSW-09-10	Isolated Stone Artefact/s	Yes	Valid
37-6-2548	MTW-251-WSW-09-10	Isolated Stone Artefact/s	Yes	Valid
37-6-2549	MTW-252-WSW-09-20	Isolated Stone Artefact/s	Yes	Valid
37-6-2550	MTW-253-WSW-09-20	Isolated Stone Artefact/s	Yes	Valid
37-6-2551	MTW-254-WSW-09-20	Isolated Stone Artefact/s	Yes	Valid
37-6-2552	MTW-255-WSW-09-20	Isolated Stone Artefact/s	Yes	Valid
37-6-2553	MTW-256-WSW-09-22	Isolated Stone Artefact/s	Yes	Valid
37-6-2554	MTW-258-WSW-09-21	Scarred Tree	Yes	Valid
37-6-2555	MTW-260-WSW-09-21	Mound Feature (possible Burials)	Yes	Valid
37-6-2556	MTW-261-WSW-09-21	Isolated Stone Artefact/s	Yes	Valid
37-6-2557	MTW-262-WSW-09-21	Isolated Stone Artefact/s	Yes	Valid
37-6-2558	MTW-263-WSW-09-21	Isolated Stone Artefact/s	Yes	Valid
37-6-2559	MTW-264-WSW-09-21	Scarred Tree	Yes	Valid
37-6-2560	MTW-265-WSW-09-21	Isolated Stone Artefact/s	Yes	Valid
37-6-2561	MTW-266-WSW-09-22	Grinding Grooves	Yes	Valid
37-6-2562	MTW-267-WSW-09-22	Grinding Grooves	Yes	Valid
37-6-2563	MTW-268-WSW-09-23	Grinding Grooves	Yes	Valid
37-6-2564	MTW-269-WSW-09-24	Isolated Stone Artefact/s	Yes	Valid
37-6-2565	MTW-270-WSW-09-24	Isolated Stone Artefact/s	Yes	Valid
37-6-2566	MTW-271-WSW-09-24	Isolated Stone Artefact/s	Yes	Valid
37-6-2567	MTW-272-WSW-09-24	Isolated Stone Artefact/s	Yes	Valid
37-6-2568	MTW-273-WSM-09-24	Isolated Stone Artefact/s	Yes	Valid
37-6-2569	MTW-274-WSW-09-24	Isolated Stone Artefact/s	Yes	Valid
37-6-2570	MTW-275-WSW-09-24	Isolated Stone Artefact/s	Yes	Valid
37-6-2571	MTW-276	Isolated Stone Artefact/s	Yes	Valid
37-6-2572	MTW-277-WSW-09-24	Isolated Stone Artefact/s	Yes	Valid
37-6-2573	MTW-278-WSW-09-61	Isolated Stone Artefact/s	-	Valid
37-6-2574	MTW-279-WSW-09-62	Isolated Stone Artefact/s	-	Valid
37-6-2575	MTW-280-WSW-09-62	Isolated Stone Artefact/s	-	Valid
37-6-2576	MTW-281-WSW-09-62	Isolated Stone Artefact/s	-	Valid
37-6-2582	MTW-287-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2583	MTW-288-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2584	MTW-289-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2585	MTW-290-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2586	MTW-291-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2587	MTW-292-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2588	MTW-293-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2589	MTW-294-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2590	MTW-295-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2591	MTW-296-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2592	MTW-297-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2593	MTW-298-wsw-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2594	MTW-299-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2595	MTW-300-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2596	MTW-301-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid

CONSOLIDATED CONSENT

37-6-2597	MTW-302-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2598	MTW-303-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2599	MTW-304-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2600	MTW-305-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2601	MTW-306-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2602	MTW-307-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2603	MTW-308-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2604	MTW-309-WSW-09-25	Isolated Stone Artefact/s	Yes	Valid
37-6-2605	MTW-310-WSW-09-66	Isolated Stone Artefact/s	-	Valid
37-6-2606	MTW-311-WSW-09-67	Isolated Stone Artefact/s	-	Valid
37-6-2607	MTW-313	Isolated Stone Artefact/s	-	Valid
37-6-2608	MTW-317	Isolated Stone Artefact/s	-	Valid
37-6-2609	MTW-318	Isolated Stone Artefact/s	-	Valid
37-6-2610	MTW-319	Scarred Tree	-	Valid
37-6-2611	WE 16 (MTW-321)	Scarred Tree	-	Valid
37-6-2612	MTW-322	Scarred Tree	-	Valid
37-6-2613	MTW-323	Scarred Tree	-	Valid
37-6-2614	MTW-324	Scarred Tree	-	Valid
37-6-2615	MTW-325	Isolated Stone Artefact/s	-	Valid
37-6-2616	MTW-326	Isolated Stone Artefact/s	-	Valid
37-6-2617	MTW-327	Isolated Stone Artefact/s	-	Valid
37-6-2618	MTW-328	Isolated Stone Artefact/s	-	Valid
37-6-2619	MTW-329	Isolated Stone Artefact/s	-	Valid
37-6-2620	MTW-330	Isolated Stone Artefact/s	-	Valid
37-6-2621	PN6 (MTW-331)	Isolated Stone Artefact/s	-	Valid
37-6-2622	MTW-335	Isolated Stone Artefact/s	-	Valid
37-6-2623	MTW-338	Isolated Stone Artefact/s	-	Valid
37-6-2624	MTW-339	Isolated Stone Artefact/s	-	Valid
37-6-2625	MTW-340	Isolated Stone Artefact/s	-	Valid
37-6-2626	MTW-341	Isolated Stone Artefact/s	-	Valid
37-6-2627	MTW-344	Isolated Stone Artefact/s	-	Valid
37-6-2628	MTW-345	Isolated Stone Artefact/s	-	Valid
37-6-2629	MTW-346	Isolated Stone Artefact/s	-	Valid
37-6-2630	MTW-347	Isolated Stone Artefact/s		Valid
37-6-2631	MTW-348	Isolated Stone Artefact/s	-	Valid
37-6-2632	MTW-349	Isolated Stone Artefact/s	-	Valid
37-6-2633	MTW-350	Isolated Stone Artefact/s	-	Valid
37-6-2634	MTW-351	Isolated Stone Artefact/s	-	Valid
37-6-2635	MTW-352	Isolated Stone Artefact/s	-	Valid
37-6-2636	MTW-353	Isolated Stone Artefact/s	-	Valid
37-6-2637	MTW-354	Isolated Stone Artefact/s	-	Valid
37-6-2638	MTW-355	Isolated Stone Artefact/s	-	Valid
37-6-2639	MTW-357	Stone Artefact Scatter	-	Valid
37-6-2640	MTW-358	Isolated Stone Artefact/s	-	Valid
37-6-2641	MTW-359	Isolated Stone Artefact/s	-	Valid

CONSOLIDATED CONSENT

37-6-2642	MTW-360	Isolated Stone Artefact/s	-	Valid
37-6-2643	MTW-361	Isolated Stone Artefact/s	-	Valid
37-6-2644	MTW-362	Isolated Stone Artefact/s	-	Valid
37-6-2645	MTW-363	Isolated Stone Artefact/s	-	Valid
37-6-2646	MTW-365	Isolated Stone Artefact/s	-	Valid
37-6-2647	MTW-366	Isolated Stone Artefact/s	Yes	Valid
37-6-2648	MTW-367	Isolated Stone Artefact/s	Yes	Valid
37-6-2649	MTW-368	Isolated Stone Artefact/s	Yes	Valid
37-6-2650	MTW-369	Isolated Stone Artefact/s	Yes	Valid
37-6-2651	MTW-370	Isolated Stone Artefact/s	Yes	Valid
37-6-2652	MTW-371	Isolated Stone Artefact/s	Yes	Valid
37-6-2653	MTW-372	Isolated Stone Artefact/s	Yes	Valid
37-6-2654	MTW-373	Isolated Stone Artefact/s	Yes	Valid
37-6-2655	MTW-374	Isolated Stone Artefact/s	Yes	Valid
37-6-2656	MTW-375	Isolated Stone Artefact/s	Yes	Valid
37-6-2657	MTW-376	Isolated Stone Artefact/s	Yes	Valid
37-6-2658	MTW-377	Isolated Stone Artefact/s	Yes	Valid
37-6-2659	MTW-378	Isolated Stone Artefact/s	Yes	Valid
37-6-2660	MTW-379	Isolated Stone Artefact/s	Yes	Valid
37-6-2661	MTW-380	Isolated Stone Artefact/s	Yes	Valid
37-6-2662	MTW-381	Isolated Stone Artefact/s	Yes	Valid
37-6-2663	MTW-382	Isolated Stone Artefact/s	Yes	Valid
37-6-2664	MTW-383	Isolated Stone Artefact/s	Yes	Valid
37-6-2665	MTW-384	Isolated Stone Artefact/s	Yes	Valid
37-6-2666	MTW-385	Isolated Stone Artefact/s	Yes	Valid
37-6-2667	MTW-386	Isolated Stone Artefact/s	Yes	Valid
37-6-2668	MTW-387	Isolated Stone Artefact/s	Yes	Valid
37-6-2669	MTW-388	Isolated Stone Artefact/s	Yes	Valid
37-6-2670	MTW-389	Isolated Stone Artefact/s	Yes	Valid
37-6-2671	MTW-390	Isolated Stone Artefact/s	Yes	Valid
37-6-2672	MTW-391	Isolated Stone Artefact/s	Yes	Valid
37-6-2673	MTW-392	Isolated Stone Artefact/s	Yes	Valid
37-6-2674	MTW-393	Isolated Stone Artefact/s	Yes	Valid
37-6-2675	MTW-394	Isolated Stone Artefact/s	Yes	Valid
37-6-2676	MTW-395	Isolated Stone Artefact/s	Yes	Valid
37-6-2677	MTW-396	Isolated Stone Artefact/s	Yes	Valid
37-6-2678	MTW-397	Isolated Stone Artefact/s	-	Valid
37-6-2679	MTW-398	Isolated Stone Artefact/s	Yes	Valid
37-6-2680	MTW-399	Isolated Stone Artefact/s	Yes	Valid
37-6-2681	MTW-400	Isolated Stone Artefact/s	Yes	Valid
37-6-2682	MTW-401	Isolated Stone Artefact/s	Yes	Valid
37-6-2683	MTW-402	Isolated Stone Artefact/s	Yes	Valid
37-6-2684	MTW-403	Isolated Stone Artefact/s	Yes	Valid
37-6-2685	MTW-404	Isolated Stone Artefact/s	Yes	Valid
37-6-2686	MTW-405	Isolated Stone Artefact/s	Yes	Valid

CONSOLIDATED CONSENT

37-6-2687	MTW-406	Isolated Stone Artefact/s	Yes	Valid
37-6-2688	MTW-407	Isolated Stone Artefact/s	Yes	Valid
37-6-2689	MTW-408	Isolated Stone Artefact/s	Yes	Valid
37-6-2690	MTW-409	Isolated Stone Artefact/s	-	Valid
37-6-2691	MTW-410	Isolated Stone Artefact/s	-	Valid
37-6-2692	MTW-411	Isolated Stone Artefact/s	-	Valid
37-6-2693	MTW-412	Isolated Stone Artefact/s	-	Valid
37-6-2694	MTW-413	Scarred Tree	-	Valid
37-6-2705	PN4	Isolated Stone Artefact/s	-	Valid
37-6-2706	PN5 (N)	Isolated Stone Artefact/s	-	Valid
37-6-2924	MTW-505	Isolated Stone Artefact/s	-	Valid
37-6-2923	MTW-506	Isolated Stone Artefact/s	-	Valid
37-6-2925	MTW-507	Isolated Stone Artefact/s	-	Valid
37-6-2926	MTW-508	Isolated Stone Artefact/s	-	Valid
37-6-2927	MTW-509	Isolated Stone Artefact/s	-	Valid
37-6-2928	MTW-510	Isolated Stone Artefact/s	-	Valid
37-6-2929	MTW-511	Stone Artefact Scatter	-	Valid
37-6-2930	MTW-512	Isolated Stone Artefact/s	-	Valid
37-6-2931	MTW-513	Isolated Stone Artefact/s	-	Valid
37-6-2936	MTW-514	Isolated Stone Artefact/s	-	Valid
37-6-2937	MTW-515	Isolated Stone Artefact/s	-	Valid
37-6-2938	MTW-516	Isolated Stone Artefact/s	-	Valid
37-6-2939	MTW-517	Isolated Stone Artefact/s	-	Valid
37-6-2940	MTW-519	Isolated Stone Artefact/s	-	Valid
37-6-2941	MTW-520	Isolated Stone Artefact/s	-	Valid

CONSOLIDATED CONSENT

Table 2: Aboriginal Cultural Heritage Places to be Impacted by the Development

AHIMS No	Place Name	Place Type	PAD	Status
37-6-0160	Mt Thorley J (MTW590-594)	Isolated Stone Artefact/s	-	Valid
37-6-0163	Mt Thorley M	Grinding Grooves	-	Valid
37-6-0669	MT 37 (MTW587-587)	Isolated Stone Artefact/s	-	Valid
37-6-0979	BP-4	Isolated Stone Artefact/s	-	Valid
37-6-1234	W12 (MTW-563)	Isolated Stone Artefact/s	-	Partially Destroyed
37-6-1235	W13 (MTW-562)	Isolated Stone Artefact/s	-	Partially Destroyed
37-6-1244	W20 (MTW-573)	Isolated Stone Artefact/s	-	Valid
37-6-1247	W21	Isolated Stone Artefact/s	-	Valid
37-6-1250	W23	Isolated Stone Artefact/s	-	Destroyed
37-6-1284	W48 (MTW-561)	Isolated Stone Artefact/s	-	Valid
37-6-1285	W49 (MTW-579)	Isolated Stone Artefact/s	-	Valid
37-6-1286	W50 (MTW-580)	Isolated Stone Artefact/s	-	Valid
37-6-1287	W51 (MTW-582)	Isolated Stone Artefact/s	-	Valid
37-6-1288	W52 (MTW-584)	Isolated Stone Artefact/s	-	Valid
37-6-1289	W53	Isolated Stone Artefact/s	-	Valid
37-6-1290	W54 (MTW-599)	Isolated Stone Artefact/s	-	Valid
37-6-1291	W55 (MTW-596)	Isolated Stone Artefact/s	-	Valid
37-6-1292	W56 (MTW-595)	Isolated Stone Artefact/s	-	Valid
37-6-1293	W57 (MTW-589)	Isolated Stone Artefact/s	-	Valid
37-6-1294	W58 (MTW-574)	Isolated Stone Artefact/s	-	Valid
37-6-1295	W59	Isolated Stone Artefact/s	-	Valid
37-6-1296	W60 (MTW-570)	Isolated Stone Artefact/s	-	Valid
37-6-1297	W61 (MTW-572)	Isolated Stone Artefact/s	-	Valid
37-6-2301	MTW-2	Isolated Stone Artefact/s	-	Valid
37-6-2302	MTW-3	Isolated Stone Artefact/s	-	Valid
37-6-2303	MTW-4	Isolated Stone Artefact/s	-	Valid
37-6-2306	MTW-7	Isolated Stone Artefact/s	-	Valid
37-6-2307	MTW-8	Scarred Tree	-	Valid
37-6-2328	MTW-29	Isolated Stone Artefact/s	-	Valid
37-6-2348	MTW-49	Isolated Stone Artefact/s	-	Valid
37-6-2349	MTW-50	Isolated Stone Artefact/s	Yes	Valid
37-6-2350	MTW-51	Isolated Stone Artefact/s	-	Valid
37-6-2351	MTW-52	Isolated Stone Artefact/s	-	Valid
37-6-2352	MTW-53	Isolated Stone Artefact/s	-	Valid
37-6-2353	MTW-54	Isolated Stone Artefact/s	-	Valid
37-6-2354	MTW-55	Isolated Stone Artefact/s	-	Valid
37-6-2355	MTW-56	Isolated Stone Artefact/s	-	Valid
37-6-2356	MTW-57	Isolated Stone Artefact/s	-	Valid
37-6-2357	MTW-58	Isolated Stone Artefact/s	-	Valid
37-6-2358	MTW-59	Isolated Stone Artefact/s	-	Valid
37-6-2359	MTW-60	Stone Artefact Scatter	Yes	Valid
37-6-2360	MTW-61	Stone Artefact Scatter	-	Valid

CONSOLIDATED CONSENT

AHIMS No	Place Name	Place Type	PAD	Status
37-6-2361	MTW-62	Isolated Stone Artefact/s	-	Valid
37-6-2362	MTW-63	Isolated Stone Artefact/s	-	Valid
37-6-2363	MTW-64	Isolated Stone Artefact/s	-	Valid
37-6-2364	MTW-65	Isolated Stone Artefact/s	Yes	Valid
37-6-2365	MTW-66	Isolated Stone Artefact/s	-	Valid
37-6-2366	MTW-67	Isolated Stone Artefact/s	-	Valid
37-6-2367	MTW-68	Isolated Stone Artefact/s	-	Valid
37-6-2368	MTW-69	Isolated Stone Artefact/s	-	Valid
37-6-2369	MTW-70	Scarred Tree	-	Valid
37-6-2370	MTW-71	Isolated Stone Artefact/s	-	Valid
37-6-2371	MTW-72	Isolated Stone Artefact/s	-	Valid
37-6-2372	MTW-73	Isolated Stone Artefact/s	-	Valid
37-6-2373	MTW-74	Isolated Stone Artefact/s	-	Valid
37-6-2374	WS2A (MTW-75)	Stone Artefact Scatter	-	Valid
37-6-2375	MTW-76	Isolated Stone Artefact/s	-	Valid
37-6-2376	MTW-77	Stone Artefact Scatter	-	Valid
37-6-2377	MTW-78	Isolated Stone Artefact/s	-	Valid
37-6-2378	MTW-79	Isolated Stone Artefact/s	-	Valid
37-6-2379	MTW-80	Scarred Tree / Isolated Stone Artefact/s	-	Valid
37-6-2380	MTW-81	Isolated Stone Artefact/s	-	Valid
37-6-2381	MTW-82	Isolated Stone Artefact/s	-	Valid
37-6-2382	MTW-83	Isolated Stone Artefact/s	-	Valid
37-6-2383	MS1 (MTW-84)	Isolated Stone Artefact/s	-	Valid
37-6-2384	MS8 (MTW-85)	Isolated Stone Artefact/s	-	Valid
37-6-2385	MTW-86	Isolated Stone Artefact/s	-	Valid
37-6-2386	MTW-87	Isolated Stone Artefact/s	-	Valid
37-6-2387	MTW-88	Isolated Stone Artefact/s	-	Valid
37-6-2388	MTW-89	Isolated Stone Artefact/s	-	Valid
37-6-2389	MTW-90	Isolated Stone Artefact/s	-	Valid
37-6-2390	MTW-91	Isolated Stone Artefact/s	-	Valid
37-6-2392	MTW-93	Isolated Stone Artefact/s	-	Valid
37-6-2393	MTW-94	Isolated Stone Artefact/s	-	Valid
37-6-2394	MTW-95	Isolated Stone Artefact/s	-	Valid
37-6-2401	MTW-102	Isolated Stone Artefact/s	-	Valid
37-6-2402	MTW-103	Isolated Stone Artefact/s	-	Valid
37-6-2427	MTW-128	Isolated Stone Artefact/s	-	Valid
37-6-2428	MTW-129	Isolated Stone Artefact/s	-	Valid
37-6-2429	MTW-130	Isolated Stone Artefact/s	-	Valid
37-6-2518	MTW-220-MSW-09-50	Isolated Stone Artefact/s	-	Valid
37-6-2519	MTW-221-WSW-09-51	Isolated Stone Artefact/s	-	Valid
37-6-2520	MTW-222-WSW-09-52	Isolated Stone Artefact/s	-	Valid
37-6-2531	MTW-234-WSW-09-9	Isolated Stone Artefact/s	-	Valid
37-6-2532	MTW-235-WSW-09-59	Isolated Stone Artefact/s	-	Valid
37-6-2533	MTW-236-WSW-09-60	Isolated Stone Artefact/s	-	Valid

CONSOLIDATED CONSENT

AHIMS No	Place Name	Place Type	PAD	Status
37-6-2695	PL10 (MTW-600)	Isolated Stone Artefact/s	-	Valid
37-6-2697	PL2	Isolated Stone Artefact/s	-	Valid
37-6-2698	PL3	Isolated Stone Artefact/s	-	Valid
37-6-2699	PL4 (MTW-568)	Isolated Stone Artefact/s	-	Valid
37-6-2700	PL5 (MTW-577)	Isolated Stone Artefact/s	-	Valid
37-6-2703	PL8	Isolated Stone Artefact/s	-	Valid
37-6-2704	PL9	Isolated Stone Artefact/s	-	Valid
37-6-2707	WS10	Isolated Stone Artefact/s	-	Valid
37-6-2710	WS2	Isolated Stone Artefact/s	-	Valid
37-6-2711	WS3	Isolated Stone Artefact/s	-	Valid
37-6-2713	WS7	Isolated Stone Artefact/s	-	Valid
37-6-2714	WS9	Isolated Stone Artefact/s	-	Valid
37-6-2944	MTW-566	Isolated Stone Artefact/s	-	Valid
37-6-2945	MTW-567	Isolated Stone Artefact/s	-	Valid
37-6-2946	MTW-569	Isolated Stone Artefact/s	-	Valid
37-6-2947	MTW-571	Isolated Stone Artefact/s	-	Valid
37-6-2948	MTW-575	Isolated Stone Artefact/s	-	Valid
37-6-2949	MTW-576	Isolated Stone Artefact/s	-	Valid
37-6-2950	MTW-578	Isolated Stone Artefact/s	-	Valid
37-6-2951	MTW-581	Isolated Stone Artefact/s	-	Valid
37-6-2952	MTW-583	Isolated Stone Artefact/s	-	Valid
37-6-2953	MTW-585	Isolated Stone Artefact/s	-	Valid
37-6-2954	MTW-588	Isolated Stone Artefact/s	-	Valid
37-6-2955	MTW-597	Isolated Stone Artefact/s	-	Valid
37-6-2956	MTW-598	Isolated Stone Artefact/s	-	Valid

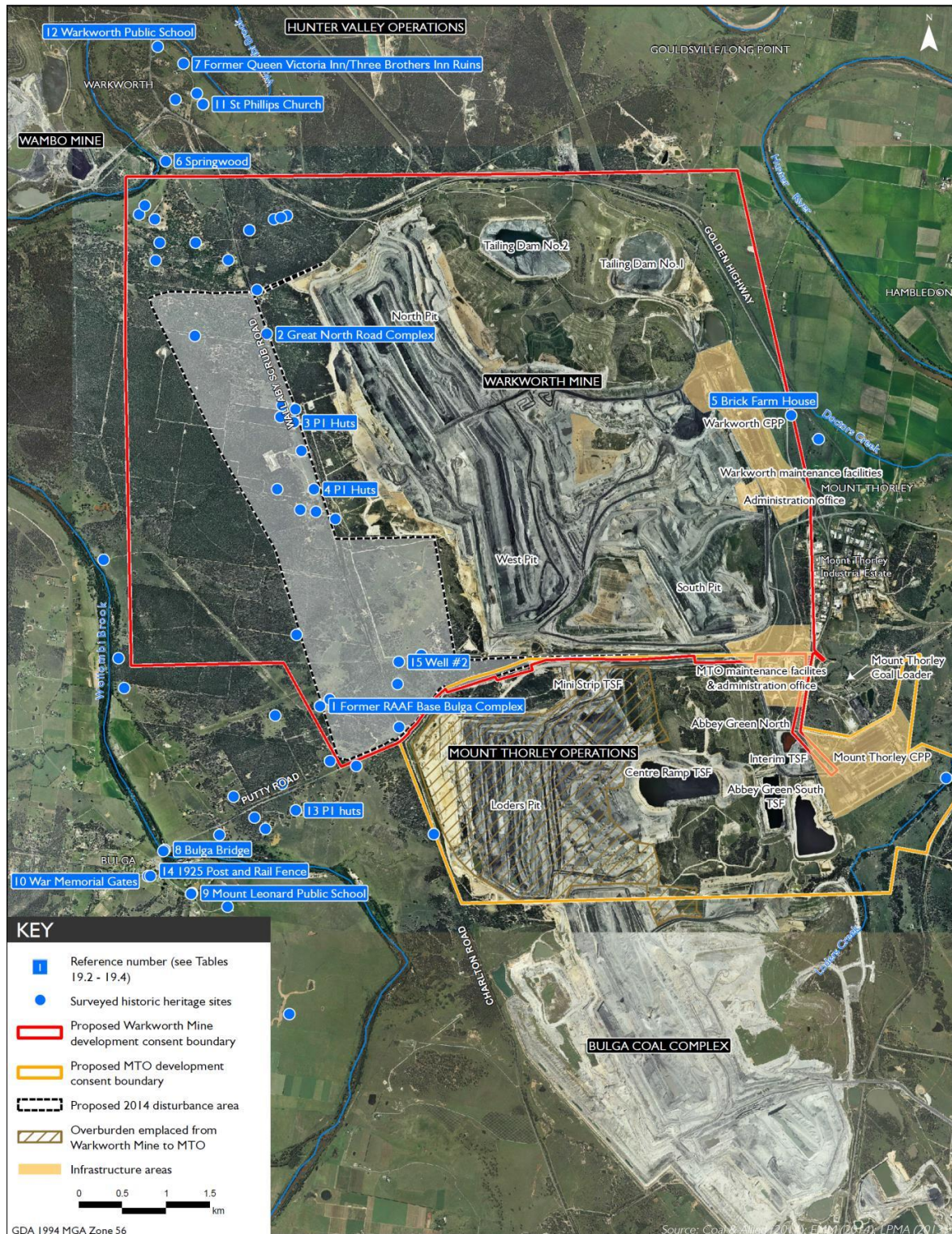
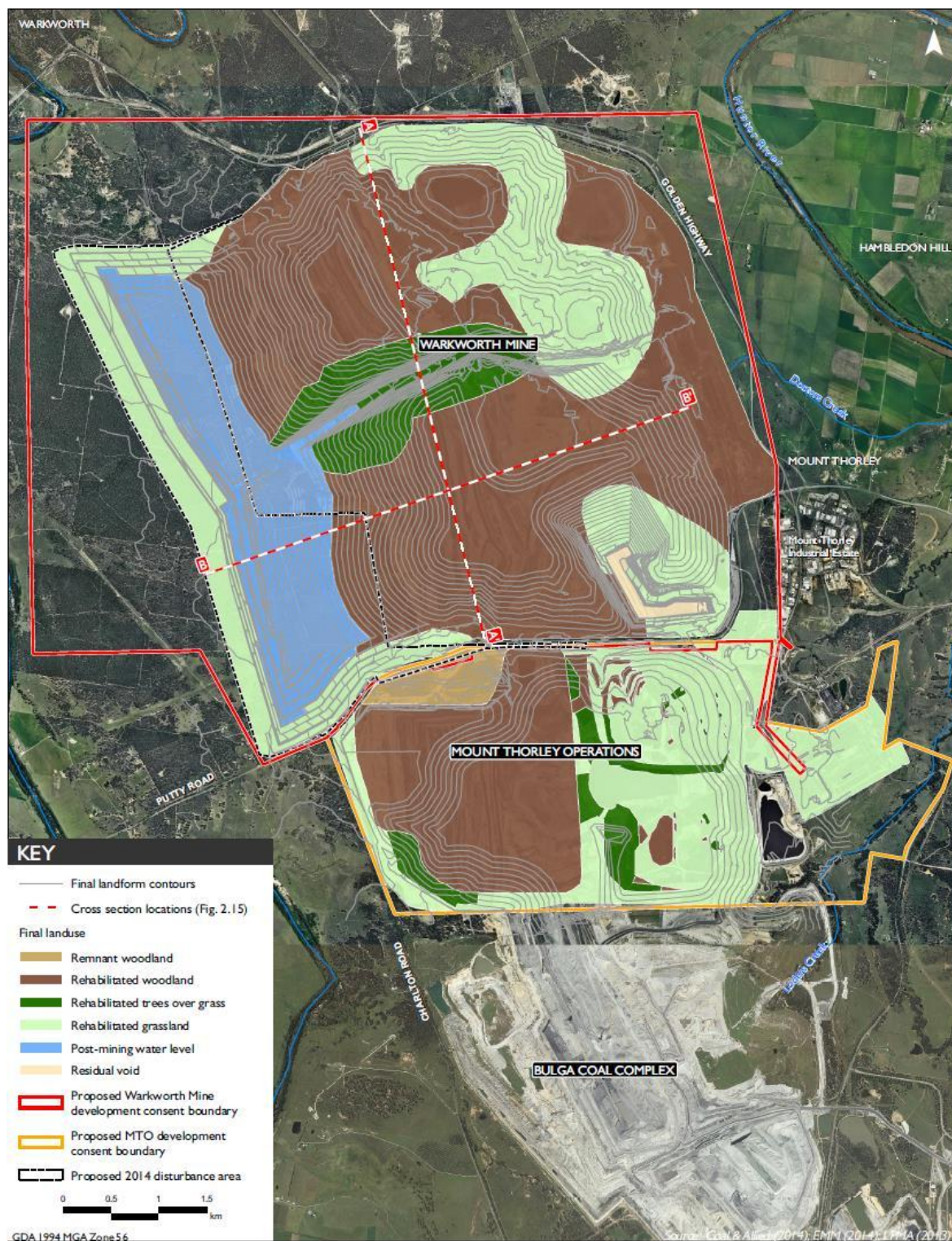


Figure 17: Historic Heritage Items

APPENDIX 6 REHABILITATION PLANS



Final landuse and contours
Warkworth Continuation 2014
Environmental Impact Statement
Figure 2.16

Figure 18: Indicative Final Landform and Land Use

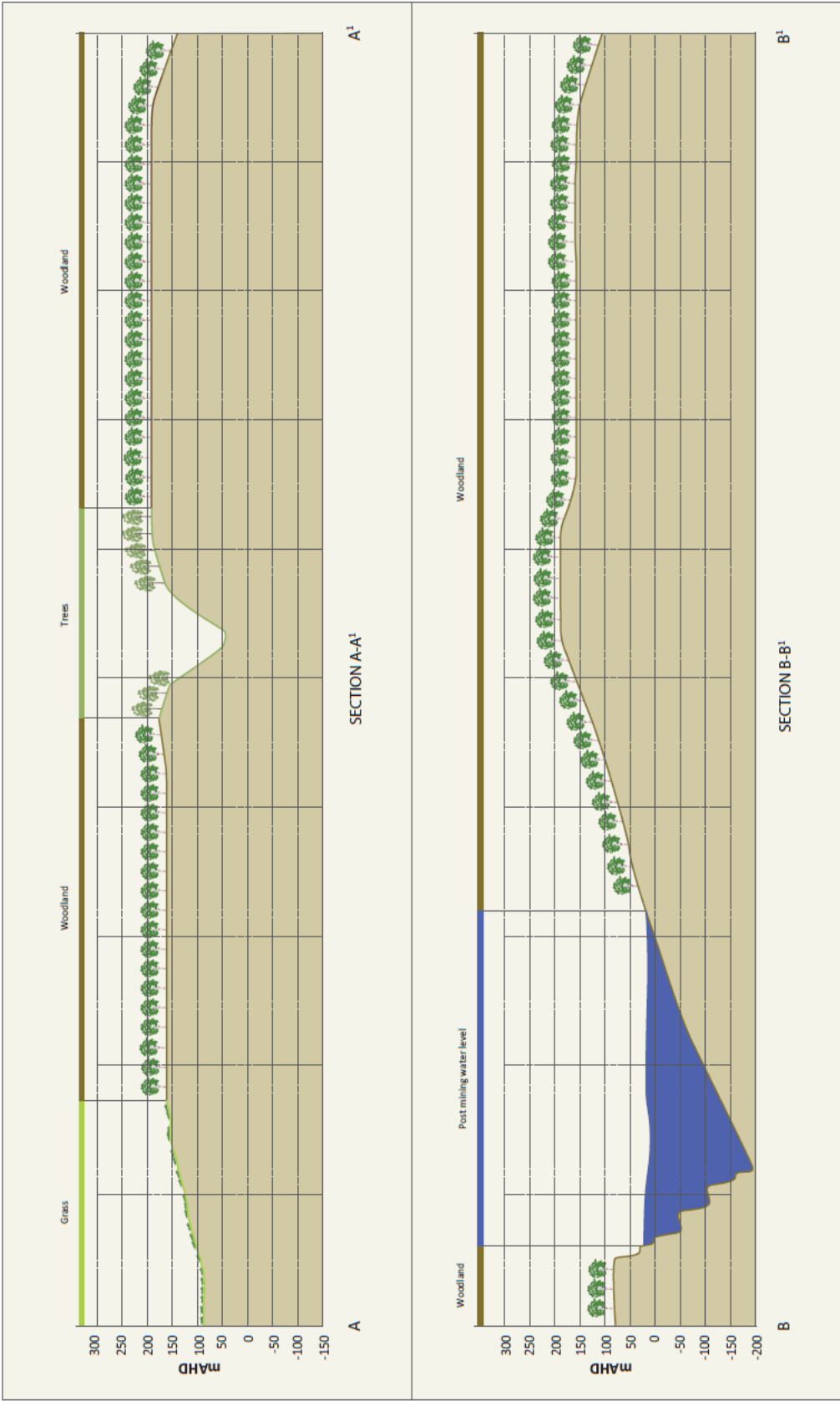


Figure 19: Indicative Final Landform – Cross Sections

CONSOLIDATED CONSENT

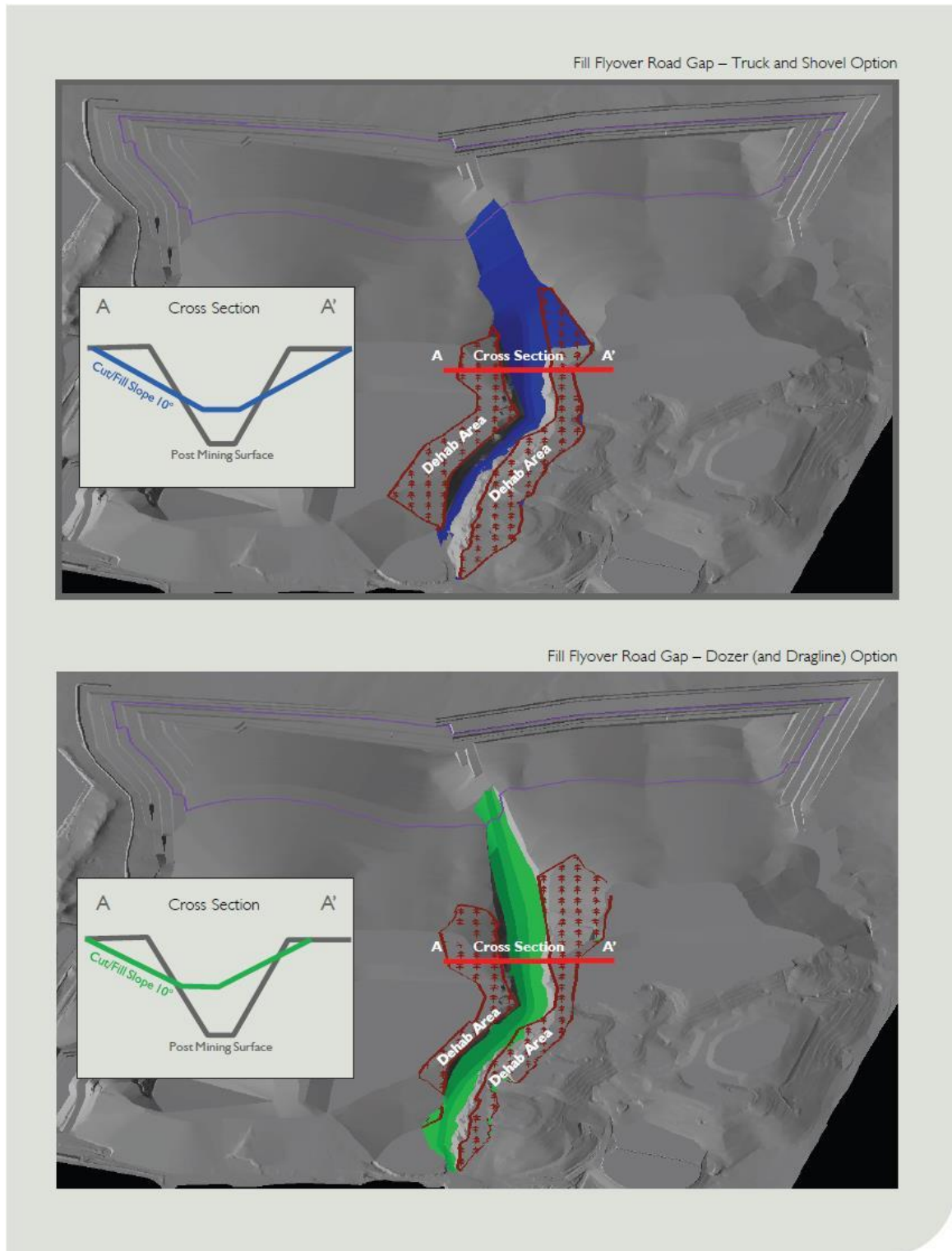


Figure 20: Indicative Final Landform – Main Emplacements Gap

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APPENDIX 7 NOISE COMPLIANCE ASSESSMENT

Applicable Meteorological Conditions

1. The noise criteria in Table 3 of schedule 3 are to apply under all meteorological conditions except the following:
 - a) wind speeds greater than 3 m/s at 10 m above ground level; or
 - b) stability category F temperature inversion conditions and wind speeds greater than 2 m/s at 10 m above ground level; or
 - c) stability category G temperature inversion conditions.

Determination of Meteorological Conditions

2. Except for wind speed at microphone height, the data to be used for determining meteorological conditions **must** 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 12 times a year, unless the **Planning** Secretary directs otherwise.
5. Unless otherwise agreed with the **Planning** Secretary, 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) or an equivalent NSW Government noise policy, 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 conformance 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; or
 - low frequency noise, where it is demonstrated that the dBC – dBA noise difference is caused by distance attenuation only.

CONSOLIDATED CONSENT

APPENDIX 8 INDICATIVE ROUTE – EMERGENCY ACCESS TRACK

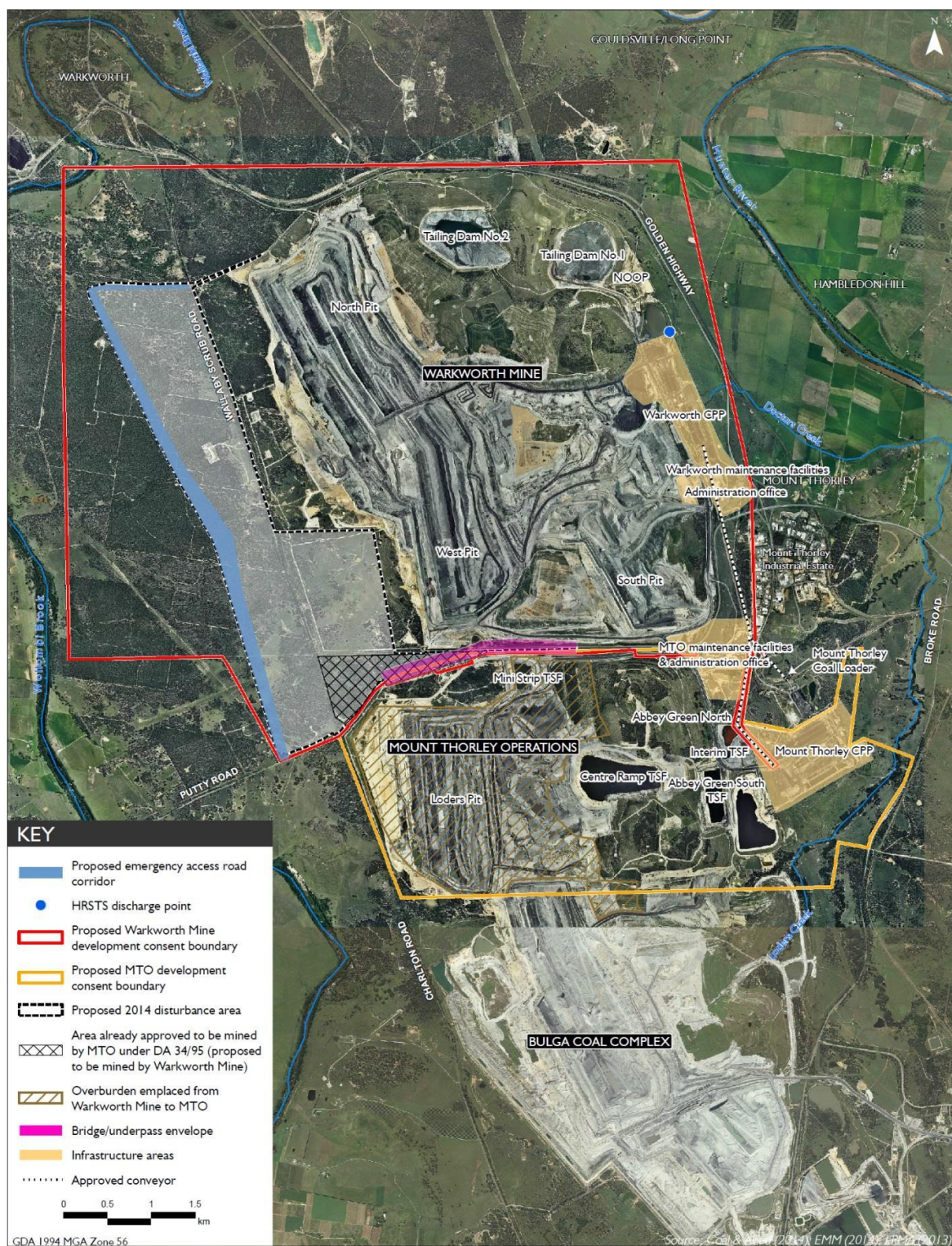


Figure 21: Indicative Alternative Emergency Access Track/Fire Trail Corridor

CONSOLIDATED CONSENT

APPENDIX 9 INTERIM NOISE CRITERIA

Noise criteria in condition 18 of DA-300-9-2002-i

Day/Evening/Night $L_{Aeq}(15 \text{ minute})$	Land Number
39	31, 38, 58
38	5, 35, 47, 70 Bulga Village ¹ Warkworth Village ²
37	4, 39, 40, 41, 45, 49, 50, 56, 69
36	7, 9, 11, 42, 43, 54, 55, 125
35	All other residential or sensitive receptors, excluding: 10, 34, 36, 46, 127, 128, 129

Note: To interpret the land referred to in this table, see the applicable figure below.

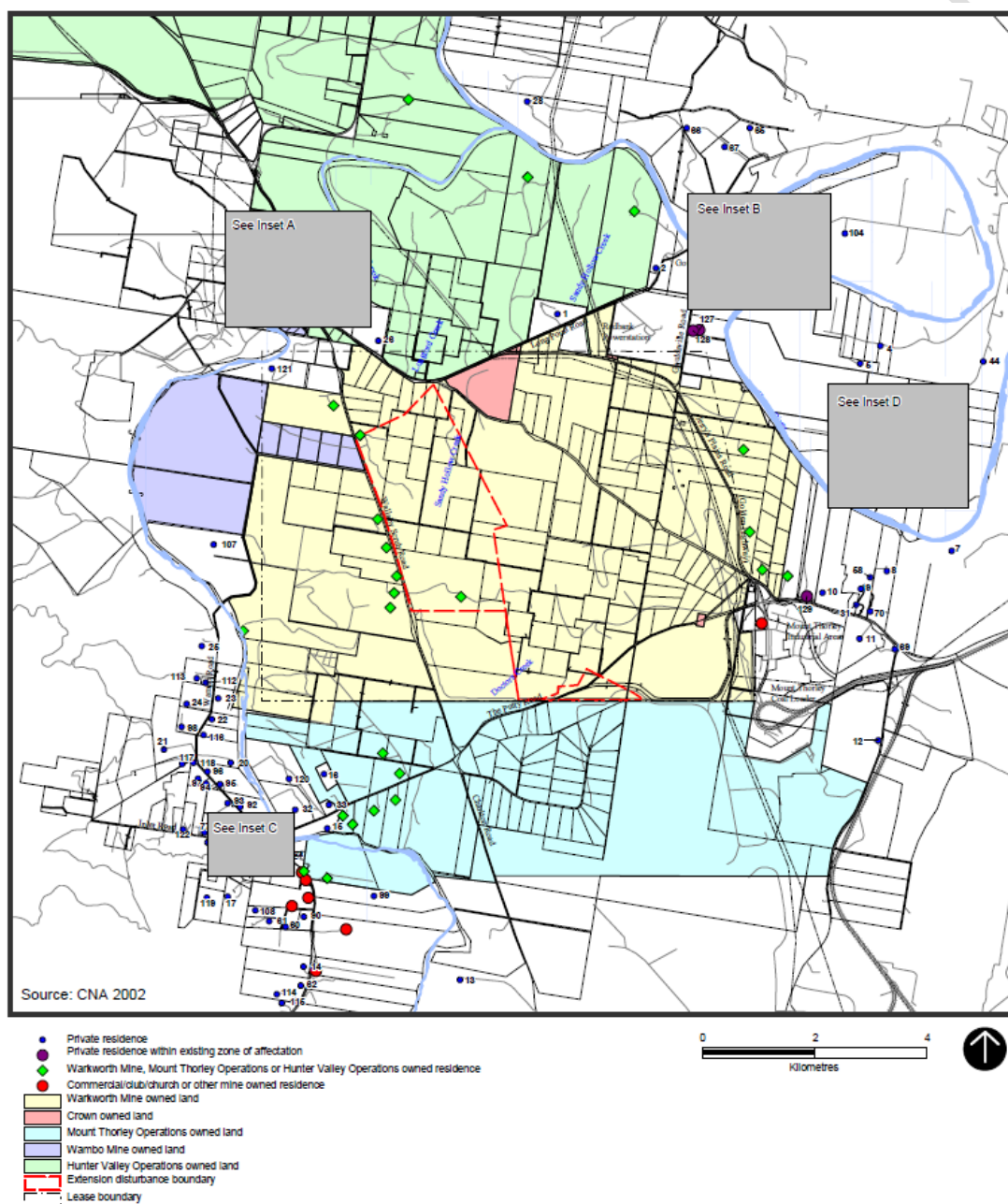
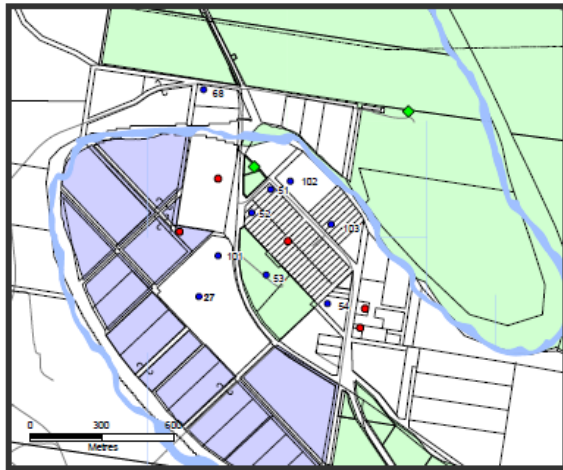


Figure 22: Surrounding Receivers

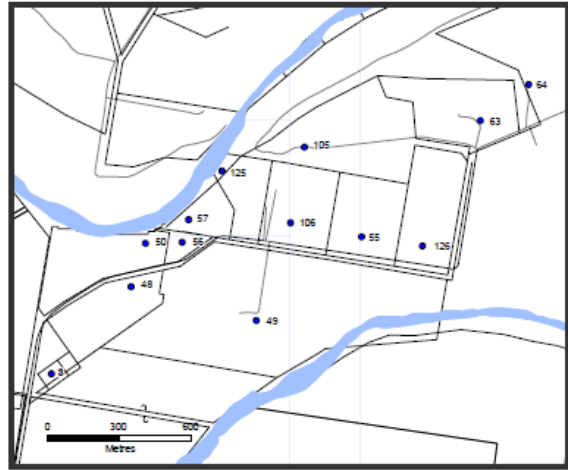
¹ Bulga Village includes the residential or sensitive receptors generally within the area bounded by properties 18, 20, 23, 22, 117, 122, 89, and 111 on the map EIS-35 in Volume 4 of the EIS for DA-300-9-2002-i.

² Warkworth Village includes the residential or sensitive noise receptors generally within the area bounded by properties 29, 68, and 121 on the map EIS-35 in Volume 4 of the EIS for DA-300-9-2002-i.

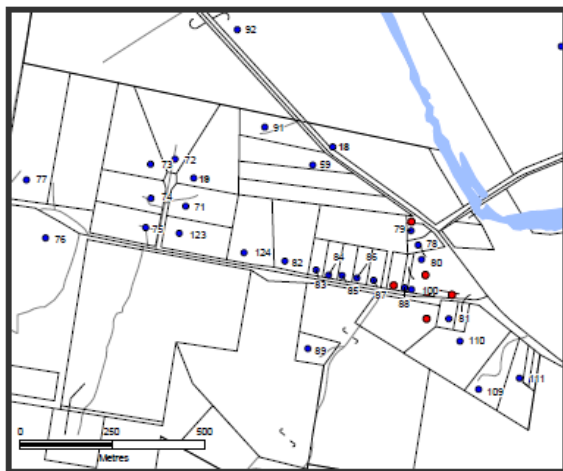
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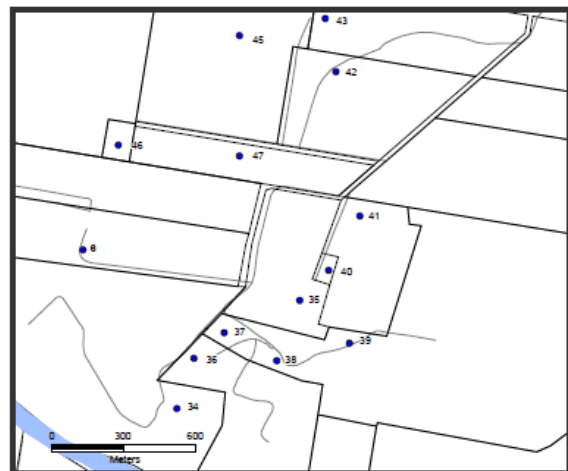
Inset A (Warkworth)



Inset B (Goudsville)



Inset C (Bulga)



Inset D (Hambledon Hill)

Figure 23: Surrounding Receivers

Appendix D
Mount Thorley Continuation Project: Development Consent
SSD-6465

Development Consent

Section 89E of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, the Planning Assessment Commission approves the development application referred to in schedule 1, subject to the conditions in schedules 2 to 5.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



Lynelle Briggs AO (Chair)
Member of the Commission



Gordon Kirkby
Member of the Commission



Garry West
Member of the Commission



Paul Forward
Member of the Commission

Sydney

26 November 2015

SCHEDULE 1

Application Number:	SSD-6465
Applicant:	Mt Thorley Operations Pty Limited
Consent Authority:	Minister for Planning
Land:	See Appendix 1
Development:	Mt Thorley Continuation Project

TABLE OF CONTENTS

DEFINITIONS	3
ADMINISTRATIVE CONDITIONS	5
Obligation to Minimise Harm to the Environment	5
Terms of Consent	5
Limits on Consent	5
Commencement of Development Under This Consent	5
Surrender of Existing Development Consent	5
Structural Adequacy	6
Demolition	6
Protection of Public Infrastructure	6
Operation of Plant and Equipment	6
Updating & Staging Strategies, Plans or Programs	6
Community Enhancement	6
ENVIRONMENTAL PERFORMANCE CONDITIONS	7
Acquisition Upon Request	7
Noise	7
Additional Noise Mitigation Upon Request	8
Blasting	9
Air Quality	11
Meteorological Monitoring	12
Water	12
Heritage	15
Transport	15
Visual	15
Bushfire Management	16
Waste	16
Rehabilitation	16
ADDITIONAL PROCEDURES	18
Notification of Landowners/Tenants	18
Independent Review	18
Land Acquisition	18
ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING	20
Environmental Management	20
Reporting	21
Auditing	22
Access to Information	22
APPENDIX 1: SCHEDULE OF LAND	23
APPENDIX 2: DEVELOPMENT LAYOUT PLANS	26
APPENDIX 3: LAND OWNERSHIP PLANS	31
APPENDIX 4: HERITAGE	41
APPENDIX 5: REHABILITATION PLAN	43
APPENDIX 6: NOISE COMPLIANCE ASSESSMENT	44

DEFINITIONS

Aboriginal stakeholders	Cultural Heritage Working Group and any Aboriginal groups registered for cultural heritage consultation for the development
Annual review	The review required by condition 3 of schedule 5
Applicant	Mt Thorley Operations Pty Limited, or any person who seeks to carry out the development approved under this consent
BCA	Building Code of Australia
Blast misfire	The failure of one or more holes in a blast pattern to initiate
CCC	Community Consultative Committee
Conditions of this consent	Conditions contained in schedules 1 to 5 inclusive
Council	Singleton Shire Council
CMA	Hunter-Central Rivers Catchment Management Authority
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 and Environment
Development	The development as described in the EIS
DRE	Division of Resources and Energy within the NSW Department of Trade & Investment
EIS	Environmental Impact Statement titled <i>Mount Thorley Operations 2014 Environmental Impact Statement</i> (5 volumes) dated June 2014, and associated response to submissions titled <i>Mount Thorley Operations 2014 Response to Submissions</i> (2 volumes) dated 10 November 2014, and associated response titled <i>Mt Thorley Continuation 2014 Response to Planning Assessment Commission review report</i> dated 20 March 2015
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>
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 consent
Land	As defined in the EP&A Act, except for where the term is used in the noise and air quality conditions in schedules 3 and 4 of this consent 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 consent
Material harm to the environment	Actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial
Mine water	Water that accumulates within active mining and infrastructure areas
Mining operations	Includes the removal of overburden and extraction, processing, handling, storage and transportation of coal on site
Mining company	Mining, extractive industry or petroleum company
Minister	Minister for Planning, or delegate
Minor	Not very large, important or serious
Mitigation	Activities associated with reducing the impacts of the development
MSB	Mine Subsidence Board
Negligible	Small and unimportant, such as to be not worth considering
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
NOW	NSW Office of Water within the Department of Primary Industries
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 the Crown or a mining company (or its subsidiary)
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 development to a good condition, and ensure it is safe, stable and non-polluting
RFS	Rural Fire Service
RMS	Roads and Maritime Services
ROM coal	Run-of-mine coal
Secretary	Secretary of the Department, or nominee and/or delegate
Site	The land listed in Appendix 1
Loders Creek Aboriginal Cultural Heritage Conservation Area	The area depicted on Figure 10 in Appendix 4
VPA	Voluntary Planning Agreement

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

1. In addition to meeting the specific performance criteria established under this consent, the Applicant 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 development.

TERMS OF CONSENT

2. The Applicant shall carry out the development:
 - (a) generally in accordance with the EIS; and
 - (b) in accordance with the conditions of this consent.

Note: The general layout of the development is shown in Appendix 2.
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 consent shall prevail to the extent of any inconsistency.
4. The Applicant shall comply with any reasonable requirement/s of the Secretary arising from:
 - (a) any reports, strategies, plans, programs, reviews, audits or correspondence that are submitted in accordance with this consent;
 - (b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and
 - (c) the implementation of any actions or measures contained in these documents.

LIMITS ON CONSENT

Mining Operations

5. The Applicant may carry out mining operations on site for 21 years from the date of commencement of development under this consent.

Note: Under this consent, the Applicant is required to rehabilitate the site and perform additional undertakings to the satisfaction of the Secretary and the DRE. Consequently, this consent 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.

Coal Extraction

6. The Applicant shall not extract more than 10 million tonnes of ROM coal from the Mt Thorley mine in a calendar year.

Coal Transport

7. The Applicant shall:
 - (a) not transport any coal produced at the development by public road; and
 - (b) ensure that the coal produced on site is only sent to the Mt Thorley Coal Loader for transport by rail to export and/or domestic markets.

COMMENCEMENT OF DEVELOPMENT UNDER THIS CONSENT

8. The Applicant shall:
 - (a) notify the Secretary in writing of the date of commencement of development under this consent; and
 - (b) may only commence development under this consent once the Secretary has agreed in writing that all prerequisites to the commencement of development under this consent have been met.

SURRENDER OF EXISTING DEVELOPMENT CONSENT

9. By the end of January 2017, unless the Secretary agrees otherwise, the Applicant shall surrender the existing development consent (DA-34/95) for the Mt Thorley mine in accordance with Section 104A of the EP&A Act.

Following the commencement of development under this consent, the conditions of this consent shall prevail to the extent of any inconsistency with the conditions of DA-34/95.

STRUCTURAL ADEQUACY

10. The Applicant 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 and MSB.

Notes:

- Under Part 4A of the EP&A Act, the Applicant 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 development.
- The development is located in the Patrick Plains Mine Subsidence District, and under Section 15 of the Mine Subsidence Compensation Act 1961, the Applicant is required to obtain the MSB's approval before constructing any improvements on the site.

DEMOLITION

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

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 Applicant shall ensure that all plant and equipment used on site, or to monitor the performance of the development, is maintained and operated in a proper and efficient manner.

UPDATING & STAGING STRATEGIES, PLANS OR PROGRAMS

14. With the approval of the Secretary, the Applicant may:
- (a) submit any strategy, plan or program required by this consent on a progressive basis; and
 - (b) combine any strategy, plan or program required by this consent with any similar strategy, plan or program required for the Warkworth mine.

To ensure these strategies, plans or programs are updated on a regular basis, the Applicant may at any time submit revised strategies, plans or programs to the Secretary for approval.

With the agreement of the Secretary, the Applicant may prepare any revised strategy, plan or program without undertaking consultation with all parties under the applicable condition of this consent.

Notes:

- While any strategy, plan or program may be submitted on a progressive basis, the Applicant will need to ensure that the existing operations on site 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 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.

COMMUNITY ENHANCEMENT

15. Within 6 months of the date of this consent, unless the Secretary agrees otherwise, the Applicant shall enter into a VPA with Council in accordance with:
- (a) Division 6 of Part 4 of the EP&A Act; and
 - (b) the terms of Applicant's offer in its letter to the Department dated 4 May 2015.

The VPA shall include provisions for the payment, collection, management and distribution of the contributions under the agreement, with a focus on funding community infrastructure and services in the area surrounding the mine, including Bulga Village.

Note: The Applicant's offer comprises a total contribution of \$11 million over 21 years for both the development and the Warkworth Continuation Project (SSD-6464).

SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS

ACQUISITION UPON REQUEST

- Upon receiving a written request for acquisition from an owner of the land listed in Table 1, the Applicant shall acquire the land in accordance with the procedures in conditions 5 and 6 of schedule 4.

Table 1: Land subject to acquisition upon request

Acquisition Basis	Land
Noise	144, 146, 149, 915
Air	K

Note: To interpret the land referred to in Table 1, see the applicable figures in Appendix 3.

NOISE

Noise Criteria

- Except for the land in Table 1, the Applicant shall ensure that the noise generated by the development does not exceed the criteria in Table 2 at any residence on privately-owned land.

Table 2: Noise criteria dB(A)

Location	Land	Day (L _{Aeq} (15min))	Evening (L _{Aeq} (15min))	Night (L _{Aeq} (15min))	Night (L _{A1} (1 min))
Bulga	75	40	40	40	50
	42, 53, 55, 56, 57, 58, 60, 62, 63, 64, 66, 71, 72, 73, 82, 210, 211, 236, 252, 920	39	39	39	49
	16, 17, 19, 21, 24, 31, 35, 36, 37, 40, 41, 43, 44, 45, 46, 47, 48, 49, 50, 52, 54, 61, 67, 70, 74, 80, 84, 89, 215, 234, 235, 237, 238, 243, 254, 903, 917, 918, 919, 929	38	38	38	48
	18, 20, 22, 23, 26, 28, 38, 39, 230, 231, 253, 921, 922	37	37	37	47
	12, 14, 15, 226, 227, 228, 229, 909, 928, 936	36	36	36	46
	All other residences on privately owned land	35	35	35	45
Milbrodale	111	37	37	37	47
	All other residences on privately owned land	35	35	35	45
Warkworth	All other residences on privately owned land	38	38	38	48
Maison Dieu	All other residences on privately owned land	35	35	35	45
Gouldsville, Long Point	126, 262	38	38	38	48
	All other residences on privately owned land	35	35	35	45
Hambledon Hill/ Wylies Flat	All other residences on privately owned land	35	35	35	45
Mt Thorley	148	39	39	39	49
	190	38	38	38	48
	150	37	37	37	47
	All other residences on privately owned land	35	35	35	45

Note: To interpret the land referred to in Table 2, see the applicable figures in Appendix 3.

Noise generated by the development is to be measured in accordance with the relevant requirements of the *NSW Industrial Noise Policy* (as may be updated from time-to-time) or an equivalent NSW Government noise policy, as amended by Appendix 6 which 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 Applicant has an agreement with the owner/s of the relevant residence or land to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement.

ADDITIONAL NOISE MITIGATION UPON REQUEST

3. Upon receiving a written request from the owner of any residence on the land listed in Table 1 or Table 3, the Applicant shall implement additional noise mitigation measures at or in the vicinity of the residence in consultation with the landowner. These measures must be consistent with the measures outlined in the *Voluntary Land Acquisition and Mitigation Policy*. They must also be reasonable and feasible and proportionate with the level of predicted impact.

If within 3 months of receiving this request from the owner, the Applicant 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.

Table 3: Land subject to additional noise mitigation upon request

Mitigation Basis	Characterisation of Impact	Receiver
Noise	Moderate	148, 190

Notes:

- To interpret the land referred to in Table 3, see the applicable figures in Appendix 3.
- Definitions of marginal and moderate mitigation are given in the *Voluntary Land Acquisition and Mitigation Policy*.

Operating Conditions

4. The Applicant shall:
 - (a) implement all reasonable and feasible measures to minimise the operational, low frequency and road noise of the development;
 - (b) operate a comprehensive noise management system on site that uses a combination of predictive meteorological forecasting and real-time noise monitoring data to guide the day to day planning of mining operations and the implementation of both proactive and reactive noise mitigation measures to ensure compliance with the relevant conditions of this consent;
 - (c) minimise the noise impacts of the development during meteorological conditions when the noise limits in this consent do not apply (see Appendix 6); and
 - (d) ensure that:
 - all new trucks, dozers, drills and excavators purchased for use on the site after the date of this consent are commissioned as noise suppressed (or attenuated) units; and
 - the existing fleet of trucks, dozers, drills and excavators on site at the date of this approval is progressively fitted with suitable noise attenuation packages to ensure that 100% of the fleet being used on site is attenuated by the end of 2016; and
 - (e) carry out regular monitoring to determine whether the development is complying with the relevant conditions of this consent and, if necessary, adjust the scale of operations on site to meet the criteria in this consent.

Noise Management Plan

5. The Applicant shall prepare a Noise Management Plan for the development to the satisfaction of the Secretary, and carry out the development in accordance with this plan. The plan must:
 - (a) be prepared in consultation with the EPA, and submitted to the Secretary for approval prior to the commencement of any development under this consent;
 - (b) describe the measures that would be implemented to ensure compliance with the relevant noise criteria and operating conditions of this consent;
 - (c) describe the proposed noise management system in detail;
 - (d) include provisions for keeping the local community informed about the operation of the noise management system and monitoring programs (including any correction factors under the *NSW Industrial Noise Policy*), including regular briefings and a public information session within 6 months of the granting of this development consent;
 - (e) include a noise monitoring program that:
 - evaluates and reports on:
 - the effectiveness of the noise management system;
 - the effectiveness of the noise attenuation program (see condition 4(d));
 - compliance against the noise criteria in this consent; 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 trigger for further attended monitoring where there is a risk of non-compliance with the noise criteria in this consent); 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 Applicant shall ensure that the blasting on the site does not cause exceedances of the criteria in Table 4.

Table 4: 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

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

Blasting Hours

- The Applicant shall only carry out blasting on site between 7am and 5pm 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 Applicant may carry out a maximum of:
 - 2 blasts a day; and
 - 6 blasts a week, averaged over a calendar year, at the 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, blast misfires or blasts required to ensure the safety of the mine, its workers or the general public

Notes:

- 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.
- For the avoidance of doubt, should an additional blast be required after a blast misfire, this additional blast and the blast misfire are counted as a single blast.
- In circumstances of recurring unfavourable weather conditions (following planned but not completed blast events), to avoid excess explosive sleep times and minimise any potential environmental impacts, the Applicant may seek agreement from the Secretary for additional blasts to be fired on a given day.

- The Applicant shall not carry out more than 1 blast a day within 500 metres of the Putty Road.

Property Inspections

- If the Applicant receives a written request from the owner of any privately-owned land within 2 kilometres of the approved open cut mining pit/s 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 Applicant 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 development 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 Applicant 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

11. 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 Applicant 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 Applicant 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 Applicant 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

12. During mining operations on site, the Applicant shall:
- (a) implement all reasonable and feasible measures 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;
 - (b) ensure that blasting on the site does not damage any historic heritage sites;
 - (c) minimise the frequency and duration of any road closures, and avoid road closures during peak traffic periods; and
 - (d) operate a suitable system (including a hotline and website updates) to enable the public to get up-to-date information on the proposed blasting schedule on site.

Note: To identify the historic heritage sites referred to in this condition, see the applicable figure in Appendix 4.

13. The Applicant shall not undertake blasting on site within 500 metres of:
- (a) any public road; or
 - (b) any land outside the site that is not owned by the Applicant,
- unless:
- the Applicant has a written agreement with the applicable infrastructure authority or landowner to allow blasting to be carried out closer to the infrastructure or land, and the Applicant has advised the Department in writing of the terms of this agreement; or
 - the Applicant 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 buildings and/or 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 road or land.

Blast Management Plan

14. The Applicant shall prepare a Blast Management Plan for the development to the satisfaction of the Secretary, and carry out the development in accordance with this plan. The plan must:
- (a) be prepared in consultation with the EPA, and submitted to the Secretary for approval prior to carrying out any development under this consent;
 - (b) describe the measures that would be implemented to ensure compliance with the blasting criteria and operating conditions of this consent;
 - (c) include a road closure management plan for blasting within 500 metres of a public road, that has been prepared in consultation with the RMS and Council;
 - (d) include a monitoring program for evaluating the performance of the development, including:
 - compliance with the applicable criteria;
 - avoiding any blasting impacts on the historic heritage items referred to in condition 12 above; and
 - minimising the fume emissions from the site.

AIR QUALITY

Air Quality Criteria

15. The Applicant shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria listed in Tables 5, 6 and 7 at any residence on privately owned land.

Table 5: 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 6: 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 7: Long term impact assessment criteria for deposited dust

Pollutant	Averaging period	Maximum increase² in deposited dust level	Maximum total¹ deposited dust level
^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month

Notes to Tables 5-7

- ^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, sea fog, fire incidents or any other activity agreed by the Secretary.

Mine-owned Land

16. The Applicant shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria listed in Tables 5, 6 and 7 at any occupied residence on mine-owned land (including land owned by another mining or petroleum company, unless and to the extent that:
- (a) the tenant and landowner (if the residence is owned by another mining or petroleum company) have been notified of any health risks associated with such exceedances in accordance with the notification requirements under schedule 4 of this consent;
 - (b) the tenant of any land owned by the Applicant can terminate their tenancy agreement without penalty at any time, subject to giving reasonable notice and cause;
 - (c) air quality monitoring is regularly undertaken to inform the tenant or landowner (if the residence is owned by another mining or gas company) of the particulate emissions at the residence; and
 - (d) data from this monitoring is presented to the tenant and landowner in an appropriate format for a medical practitioner to assist the tenant and landowner in making informed decisions on the health risks associated with occupying the property.

Operating Conditions

17. The Applicant shall:
- (a) implement all reasonable and feasible measures to minimise the:
 - odour, fume and dust emissions of the development; and
 - release of greenhouse gas emissions from the development;
 - (b) operate a comprehensive 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 consent;
 - (c) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see note d to Tables 5-7 above); and
 - (d) co-ordinate the air quality management on site with the air quality management at nearby mines (including the Warkworth, Bulga, Wambo and Hunter Valley Operations mines) to minimise any cumulative air quality impacts.

Air Quality Management Plan

18. The Applicant shall prepare a detailed Air Quality Management Plan for the development to the satisfaction of the Secretary, and carry out the development in accordance with this plan. The plan must:
- (a) be prepared in consultation with the EPA, and be submitted to the Secretary for approval prior to carrying out any development under this consent;
 - (b) describe the measures that would be implemented to ensure compliance with relevant air quality criteria and operating conditions of this consent;
 - (c) describe the proposed air quality management system;
 - (d) include provisions for keeping the local community informed about the operation of the air quality management system and monitoring programs, including regular briefings and a public information session within 6 months of the granting of this development consent;
 - (e) include an air quality monitoring program that:
 - adequately supports the proactive and reactive air quality management system;
 - evaluates and reports on:
 - the effectiveness of the air quality management system; and
 - 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; and
 - (f) include a protocol that has been prepared in consultation with the owners of nearby mines (including the Warkworth, Bulga, Wambo and Hunter Valley Operations mines) to minimise the cumulative air quality impacts of these mines and the development.

METEOROLOGICAL MONITORING

19. For the life of the development, the Applicant 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 temperature inversions 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

20. The Applicant shall ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of mining operations 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 development.

Compensatory Water Supply

21. The Applicant shall provide a compensatory water supply to the owner of any privately-owned land whose basic landholder water rights as defined in the *Water Management Act 2000* are adversely and directly impacted as a result of the development. This supply must be provided in consultation with NOW, and to the satisfaction of the Secretary.

The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent to the loss attributable to the development. Equivalent water supply should be provided (at least on an interim basis) as soon as practicable from the loss being identified, unless otherwise agreed with the landowner.

If the Applicant 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 Applicant is unable to provide an alternative long-term supply of water, then the Applicant shall provide alternative compensation to the satisfaction of the Secretary.

Note: The Water Management Plan (see condition 25) is required to include trigger levels for investigating potentially adverse impacts on water supplies.

Water Discharges

22. Unless an EPL or the EPA authorises otherwise, the Applicant shall ensure that all surface water discharges from the site comply with the:
- (a) discharge limits (both volume and quality) set for the development in any EPL; and
 - (b) relevant provisions of the POEO Act or *Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002*.

Note: For the avoidance of doubt, it is noted that the EPA will determine the cumulative allowable salinity discharges to the Hunter River catchment, according to rules of the Hunter River Salinity Trading Scheme and the respective quantities of tradeable salinity credits held by participants in the scheme (including the Bulga mine and other nearby mining operations).

Water Transfers

23. The Applicant may receive water from, and transfer water to, the Warkworth mine, Bulga mine, Hunter Valley Operations mine and Redbank Power Station.

Water Management Performance Measures

24. The Applicant shall comply with the performance measures in Table 8 to the satisfaction of the Secretary.

Table 8: Water management performance measures

Feature	Performance Measure
Water management – General	Minimise the use of clean water (i.e. water not in contact with disturbed areas) on site Minimise the need for make-up water from external supplies (apart from permissible mine water transfers) Maximise the use of mine water
Construction and operation of infrastructure	Design, install and maintain erosion and sediment controls generally in accordance with the series <i>Managing Urban Stormwater: Soils and Construction</i> including <i>Volume 1</i>, <i>Volume 2A – Installation of Services</i> and <i>Volume 2C – Unsealed Roads</i> Design, install and maintain the infrastructure within 40 m of watercourses generally in accordance with the <i>Guidelines for Controlled Activities on Waterfront Land (DPI 2007)</i>, or its latest version Design, install and maintain any creek crossings generally in accordance with the <i>Policy and Guidelines for Fish Habitat Conservation and Management (DPI, 2013)</i> and <i>Why Do Fish Need To Cross The Road? Fish Passage Requirements for Waterway Crossings (NSW Fisheries 2003)</i>, or their latest versions
Clean water diversion & storage infrastructure	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
Sediment dams	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>
Mine water storages	Design, install and maintain mine water storage infrastructure to ensure no unlicensed or uncontrolled discharge of mine water off-site (except in accordance with condition 20) On-site storages (including mine infrastructure dams and treatment dams) are suitably designed, installed and maintained to minimise permeability Maintain adequate freeboard within the pit void at all times to minimise the risk of discharge to surface waters
Flood mitigation measures	Design, install and maintain flood mitigation measures along the western side of the development, to ensure there is adequate freeboard (at least 500mm) between the Probable Maximum Flood level in Wollombi Brook and the crest levee or peak of the flood mitigation infrastructure Residual impacts downstream must be managed in an appropriate manner
Overburden emplacements	Design, install and maintain emplacements to encapsulate and prevent migration of tailings, acid forming and potentially acid forming materials, and saline and sodic material Design, install and maintain emplacements to prevent offsite migration of saline groundwater seepage

Feature	Performance Measure
Chemical and hydrocarbon storage	Chemical and hydrocarbon products to be stored in bunded areas in accordance with the relevant Australian Standards
Loders Creek	Maintain or improve baseline channel stability Improve riparian health

Water Management Plan

25. The Applicant shall prepare a Water Management Plan for the development to the satisfaction of the Secretary, and carry out the development in accordance with this plan. The plan must:
- (a) be prepared in consultation with the EPA, NOW and OEH and submitted to the Secretary for approval prior to carrying out any development under this consent; and
 - (b) in addition to the standard requirements for management plans (see condition 3 of schedule 5), include a:
 - (i) 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, including details of water sharing between neighbouring mining operations;
 - any off-site water transfers and discharges;
 - reporting procedures, including the preparation of a site water balance for each calendar year; and
 - investigates and implements all reasonable and feasible measures to minimise water use on site;
 - (ii) Surface Water Management Plan, that includes:
 - detailed baseline data on surface water flows and quality in the watercourses that could potentially be affected by the development;
 - a detailed description of the water management system on site, including the:
 - clean water diversion systems;
 - erosion and sediment controls (mine water system); and
 - mine water management systems including irrigation areas;
 - detailed plans, including design objectives and performance criteria, for:
 - design and management of final voids;
 - design and management for the emplacement of coal reject materials;
 - reinstatement of drainage lines on the rehabilitated areas of the site; and
 - control of any potential water pollution from the rehabilitated areas of the site;
 - performance criteria for the following, including trigger levels for investigating any potentially adverse impacts associated with the development:
 - mine water management system;
 - surface water quality of Lodgers Creek; and
 - channel stability, stream and riparian vegetation health of Lodgers Creek;
 - a program to monitor and report on:
 - the effectiveness of the mine water management system; and
 - surface water flows and quality, stream and riparian vegetation health in Lodgers Creek potentially affected by the development;
 - a plan to respond to any exceedances of the performance criteria, and mitigate and/or offset any adverse surface water impacts of the development; and
 - (iii) Groundwater Management Plan, which includes:
 - detailed baseline data on groundwater levels, yield and quality in the region, and privately-owned groundwater bores, that could be affected by the development;
 - groundwater assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts;
 - a program to monitor and report on:
 - groundwater inflows to the open cut pits;
 - the seepage/leachate from water storages, emplacements, backfilled voids, and final voids;
 - the impacts of the development on:
 - regional and local (including alluvial) aquifers;
 - groundwater supply of potentially affected landowners;
 - groundwater dependent ecosystems and riparian vegetation;
 - base flows to Lodgers Creek;
 - a plan to respond to any exceedances of the groundwater assessment criteria; and
 - a program to validate the groundwater model for the development, including an independent review of the model with every independent environmental audit, and compare the monitoring results with modelled predictions.

HERITAGE

Protection of Heritage Items

26. The Applicant shall protect the heritage items identified in Table 1 of Appendix 4.

Loders Creek Aboriginal Cultural Heritage Conservation Area

27. Within 3 years of the commencement of development under this consent, unless the Secretary agrees otherwise, the Applicant shall enter into a conservation agreement or agreements pursuant to section 69B of the *National Parks and Wildlife Act 1974* relating to the Loders Creek Aboriginal Cultural Heritage Conservation Area, recording the obligations assumed by the Applicant under the conditions of this consent in relation to the conservation area, and register the agreement/s pursuant to section 69F of the *National Parks and Wildlife Act 1974*.

Note: The location of the conservation area is shown in the figure in Appendix 4.

Aboriginal Heritage Management Plan

28. The Applicant shall prepare an Aboriginal Heritage Management Plan for the development to the satisfaction of the Secretary, and carry out the development in accordance with this plan. The plan must:
- (a) be prepared in consultation with OEH and Aboriginal stakeholders, and submitted to the Secretary for approval prior to carrying out any development under this consent;
 - (b) include a detailed plan of management for the Loders Creek Aboriginal Cultural Heritage Conservation Area;
 - (c) include a program to:
 - salvage, investigate and/or manage Aboriginal sites and potential archaeological deposits within the project disturbance area;
 - assess and remove scarred trees within the disturbance area;
 - protect and monitor Aboriginal sites outside the project disturbance area;
 - manage the discovery of any new Aboriginal objects or skeletal remains during the development;
 - facilitate access to archaeological sites on site for Aboriginal stakeholders; and
 - Aboriginal stakeholders are consulted and involved in the conservation and management of Aboriginal cultural heritage on the site.

TRANSPORT

Monitoring of Coal Transport

29. The Applicant shall:
- (a) keep records of the amount of coal transported from the development in each calendar year; and
 - (b) make these records available on its website at the end of each calendar year.

VISUAL

Operating Conditions

30. The Applicant shall:
- (a) implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the development, including lighting impacts on road users and impacts of mining voids;
 - (b) establish and maintain vegetated bunds, vegetative screening and/or screen fencing along the boundary of the site including adjoining public roads where appropriate;
 - (c) ensure that all external lighting associated with the development complies with *Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting*, or its latest version; and
 - (d) monitor and report on the effectiveness of these measures.

Initial works to establish the vegetative bunds and/or screening referred to in condition 30(b) must be undertaken within 6 months of the date of commencement of development under this consent (unless otherwise agreed by the Secretary), in accordance with a tree screening plan that has been prepared in consultation with Council and to the satisfaction of the Secretary. The use of screen fencing shall be limited to areas where vegetative screening is not feasible, or as an interim measure prior to establishment of vegetation.

Additional Visual Impact Mitigation

31. Upon receiving a written request from the owner of any residence on privately-owned land who has, or would have, significant direct views of the mining operations from this residence and/or its associated facilities (such as pool or barbeque area) during the development, the Applicant shall implement additional visual mitigation measures (such as landscaping or vegetation screens) on the land in consultation with the landowner. These measures must be reasonable and feasible, and directed towards reducing the visibility of mining operations from the residence and/or its associated facilities.

If within 3 months of receiving this request from the owner, the Applicant 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).
- Except in exceptional circumstances, the Secretary will not require additional visual impact mitigation to be undertaken for residences that are more than 5 kilometres from the mining operations.

BUSHFIRE MANAGEMENT

32. The Applicant shall:
- (a) ensure that the development is suitably equipped to respond to any fires on site; and
 - (b) assist the Rural Fire Service and emergency services as much as practicable if there is a fire in the vicinity of the site.

WASTE

33. The Applicant shall:
- (a) implement all reasonable and feasible measures to minimise the waste (including coal reject) generated by the development;
 - (b) ensure that the waste generated by the development is appropriately stored, handled and disposed of; and
 - (c) monitor and report on effectiveness of the waste minimisation and management measures in the Annual Review.

REHABILITATION

Rehabilitation Objectives

34. The Applicant shall rehabilitate the site to the satisfaction of the DRE. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the EIS (and depicted conceptually in the figure in Appendix 5), and comply with the objectives in Table 9.

Table 9: Rehabilitation objectives

Feature	Objective
Mine site (as a whole)	• Safe, stable and non-polluting • Materials (including topsoils, substrates and seeds of the disturbed areas) are recovered, appropriately managed and used effectively as resources in the rehabilitation of the site • Final landforms to: ○ sustain the intended land use for the post-mining domains; ○ be designed to minimise the visual impacts of the development; ○ be in keeping with the natural terrain features of the area; ○ be integrated with the rehabilitated landforms of surrounding mines; ○ incorporate micro-relief; and ○ incorporate drainage lines consistent with topography and natural drainage where reasonable and feasible
Water quality	• Water retained on site is fit for the intended land use(s) for the post-mining domains • Water discharged from site is consistent with the baseline ecological, hydrological and geomorphic conditions of the creeks prior to mining disturbance • Water management is consistent with the applicable regional catchment strategy

Feature	Objective
Biodiversity	• Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprising local plant species • Vegetation to be established with at least 483 ha of Central Hunter Grey Box - Ironbark Woodland EEC • Size, location and species of native tree lots and corridors are established to sustain biodiversity habitats • Species are selected that re-establishes and complements regional and local biodiversity
Surface infrastructure	• To be decommissioned and removed, unless the DRE agrees otherwise
Agriculture	• Land capability classification for the relevant nominated agricultural pursuit for each domain is established and self-sustaining within 5 years of land use establishment (first planting vegetation)
Community	• Ensure public safety • Minimise the adverse socio-economic effects associated with mine closure

Progressive Rehabilitation

35. The Applicant shall rehabilitate the site progressively, that is, 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 yet 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 development.

Rehabilitation Management Plan

36. The Applicant shall prepare a Rehabilitation Management Plan for the development to the satisfaction of the DRE, and carry out the development in accordance with this plan. The plan must:
- be submitted to the DRE for approval prior to carrying out any development under this consent;
 - be prepared in consultation with the Department, NOW, OEH, Council and the CCC;
 - be prepared in accordance with any relevant DRE guideline, including any NSW government policy regarding voids;
 - include detailed performance and completion criteria for evaluating the performance of the rehabilitation of the site, and triggering remedial action (if necessary);
 - describe the measures that would be implemented to ensure compliance with the relevant conditions of this consent, and address all aspects of rehabilitation including timeframes for achieving specified rehabilitation objectives;
 - includes a mine closure strategy, that details measures to minimise the long term impacts associated with mine closure, including final landform, final land use and socio-economic issues;
 - include interim rehabilitation where necessary to minimise the area exposed for dust generation;
 - 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
 - build to the maximum extent practicable on the other management plans required under this consent.

SCHEDULE 4 ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS/TENANTS

1. Within 1 month of the date of this consent, the Applicant shall:
 - (a) notify in writing the owners of:
 - the land listed in Table 1 of schedule 3 that they have the right to require the Applicant to acquire their land in accordance with the procedures in conditions 5-6 below at any stage during the development;
 - any residence on the land listed in Table 3 of schedule 3 that they have the right to request the Applicant to ask for additional noise mitigation measures to be installed at their residence at any stage during the development; and
 - 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;
 - (b) notify the tenants of any mine-owned land of their rights under this consent (see condition 16 of schedule 3); 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 owners and/or existing tenants of any land (including mine-owned land) where the predictions in the EIS identify that dust emissions generated by the development are likely to be greater than the relevant air quality criteria in schedule 3 at any time during the life of the development.
2. Prior to entering into any tenancy agreement for any land owned by the Applicant that is predicted to experience exceedances of the recommended dust and/or noise criteria, or for any of the land listed in Table 1 that is subsequently purchased by the Applicant, the Applicant 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 consent, 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 Applicant shall notify affected landowners in writing of the exceedance, and provide regular monitoring results to each affected landowner until the development is again complying with the relevant criteria; and
 - (b) an exceedance of the relevant air quality criteria in schedule 3, the Applicant 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 landowners and/or existing tenants of the land (including the tenants of any mine-owned land).

INDEPENDENT REVIEW

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

If the Secretary is satisfied that an independent review is warranted, then the Applicant 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 development is complying with the relevant impact assessment criteria in schedule 3; and
 - if the development is not complying with these criteria then:
 - determine if the more than one mine is responsible for the exceedance, and if so the relative share of each mine regarding the impact on the land;
 - 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 within 2 months of the Secretary's decision, unless the Secretary agrees otherwise.

LAND ACQUISITION

5. Within 3 months of receiving a written request from a landowner with acquisition rights, the Applicant shall make a binding written offer to the landowner based on:
 - (a) the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the development, having regard to the:
 - existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and

- presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date, but excluding any improvements that have resulted from the implementation of the additional noise mitigation measures in condition 3 of schedule 3;
- (b) the reasonable costs associated with:
 - relocating within the Muswellbrook, Singleton or Cessnock local government area, or to any other local government area determined by the Secretary; and
 - obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired; and
- (c) reasonable compensation for any disturbance caused by the land acquisition process.

However, if at the end of this period, the Applicant and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Secretary for resolution.

Upon receiving such a request, the Secretary shall request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to:

- consider submissions from both parties;
- determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in paragraphs (a)-(c) above;
- prepare a detailed report setting out the reasons for any determination; and
- provide a copy of the report to both parties.

Within 14 days of receiving the independent valuer's report, the Applicant shall make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination.

However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to the Secretary for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the Secretary will determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in paragraphs (a)-(c) above, the independent valuer's report, the detailed report of the party that disputes the independent valuer's determination and any other relevant submissions.

Within 14 days of this determination, the Applicant shall make a binding written offer to the landowner to purchase the land at a price not less than the Secretary's determination.

If the landowner refuses to accept the Applicant's binding written offer under this condition within 6 months of the offer being made, then the Applicant's obligations to acquire the land shall cease, unless the Secretary determines otherwise.

6. The Applicant shall pay all reasonable costs associated with the land acquisition process described in condition 5 above, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of this plan at the Office of the Registrar-General.

SCHEDULE 5

ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. The Applicant shall prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary, and carry out the development in accordance with this strategy. The strategy must:
 - (a) be submitted to the Secretary for approval prior to carrying out any development under this consent;
 - (b) provide the strategic framework for environmental management of the development;
 - (c) identify the statutory approvals that apply to the development;
 - (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (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 development;
 - 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 consent; and
 - a clear plan depicting all the monitoring required to be carried out under the conditions of this consent.

Adaptive Management

2. The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent 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 Applicant 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.

Management Plan Requirements

3. The Applicant shall ensure that the management plans required under this consent 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 development 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 development;
 - 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 development over time;
 - (g) a protocol for managing and reporting any:
 - incidents;
 - complaints;
 - non-compliances with statutory requirements; and
 - exceedances of the impact assessment criteria and/or performance criteria; and

- (h) a protocol for periodic review of the plan.

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

Annual Review

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

Revision of Strategies, Plans and Programs

5. Within 3 months of:
- the submission of an:
 - annual review under condition 4 above;
 - incident report under condition 7 below;
 - audit report under condition 9 below; or
 - any modification to the conditions of this consent (unless the conditions require otherwise), or
 - the introduction of any NSW government policy regarding voids,
- the Applicant shall review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Secretary.

Where this review leads to revisions in any such document, then within 4 weeks of the review, unless the Secretary agrees otherwise, 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 development.

Community Consultative Committee

6. The Applicant shall operate a Community Consultative Committee (CCC) for the development to the satisfaction of the Secretary. This CCC must be operated in accordance with the *Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects* (Department of Planning, 2007, or its latest version). It may also be combined with any CCC for the Warkworth mine.

Notes:

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

REPORTING

Incident Reporting

7. The Applicant shall immediately notify the Secretary and any other relevant agencies of any incident. Within 7 days of the date of the incident, the Applicant 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 Applicant shall 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.

AUDITING

Independent Environmental Audit

9. Within 1 year of the commencement of development under this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:
- (a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
 - (b) include consultation with the relevant agencies;
 - (c) assess the environmental performance of the 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);
 - (d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and
 - (e) recommend appropriate measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under the abovementioned approvals.

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

10. Within 6 weeks of the completion of this audit, unless the Secretary agrees otherwise, the Applicant 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. From the commencement of development under this consent, the Applicant shall:
- (a) make copies of the following publicly available on its website:
 - the EIS;
 - 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, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - the results of real time noise monitoring, updated daily (unless otherwise agreed by the Secretary);
 - a complaints register, which is to be updated monthly;
 - minutes of CCC meetings;
 - the annual reviews of the development (for the last 5 years, if applicable);
 - 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
 - (b) keep this information up-to-date.
-

APPENDIX 1 SCHEDULE OF LAND

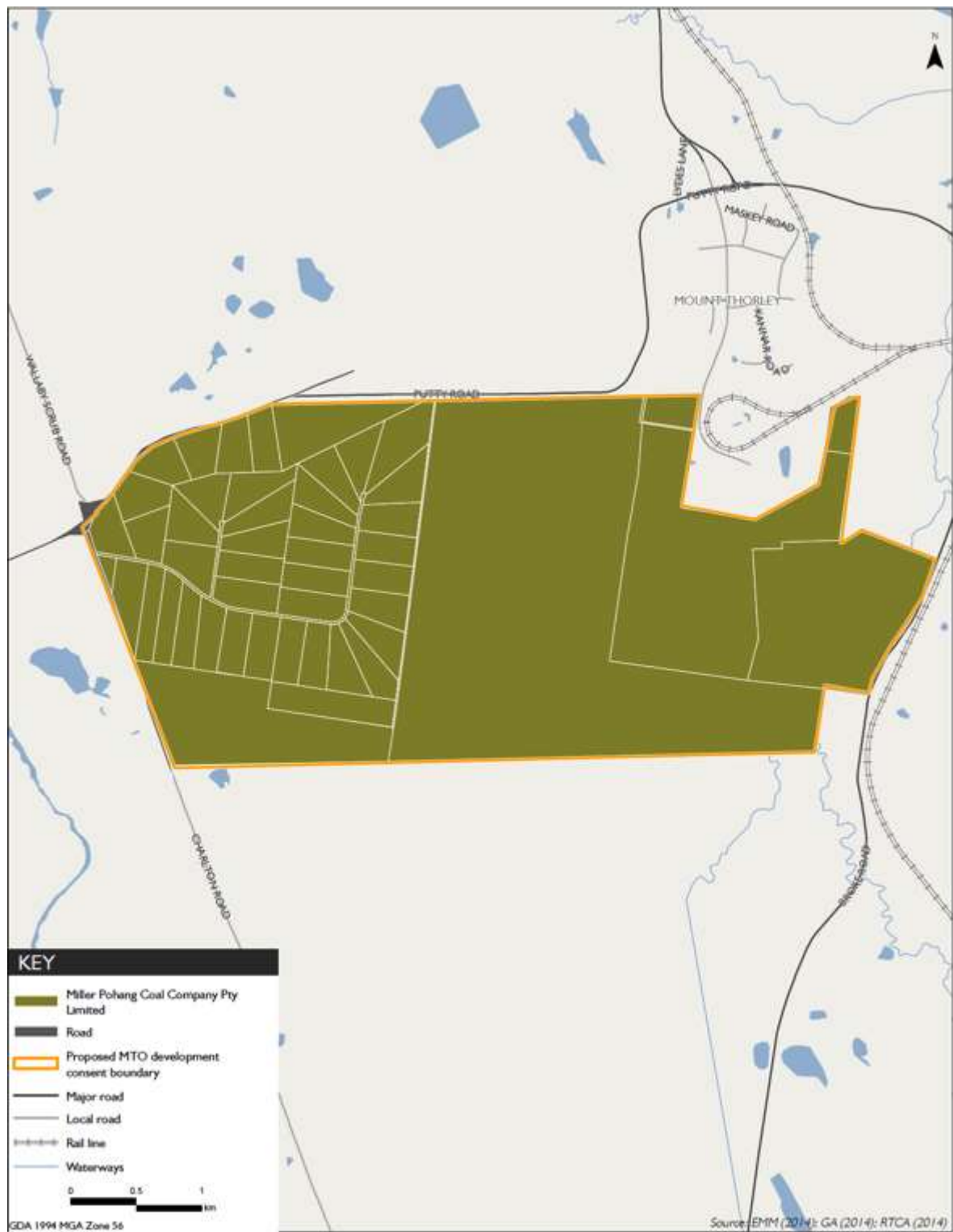


Figure 1: Land Ownership Plan Within the Development Application Area

LOT	DP	OWNER
1	45576	Miller Pohang Coal Company Pty Limited
36	755270	Miller Pohang Coal Company Pty Limited
29	248429	Miller Pohang Coal Company Pty Limited
28	248429	Miller Pohang Coal Company Pty Limited
271	600747	Miller Pohang Coal Company Pty Limited
8	251238	Miller Pohang Coal Company Pty Limited
1	42614	Miller Pohang Coal Company Pty Limited
37	248429	Miller Pohang Coal Company Pty Limited
39	248429	Miller Pohang Coal Company Pty Limited
3	247340	Miller Pohang Coal Company Pty Limited
1	247340	Miller Pohang Coal Company Pty Limited
555	609997	Miller Pohang Coal Company Pty Limited
35	248429	Miller Pohang Coal Company Pty Limited
17	658927	Miller Pohang Coal Company Pty Limited
41	248429	Miller Pohang Coal Company Pty Limited
43	248429	Miller Pohang Coal Company Pty Limited
6	247340	Miller Pohang Coal Company Pty Limited
8	247340	Miller Pohang Coal Company Pty Limited
19	247339	Miller Pohang Coal Company Pty Limited
46	248429	Miller Pohang Coal Company Pty Limited
708	749857	Miller Pohang Coal Company Pty Limited
22	263943	Miller Pohang Coal Company Pty Limited
2	42614	Miller Pohang Coal Company Pty Limited
9	247340	Miller Pohang Coal Company Pty Limited
7	247340	Miller Pohang Coal Company Pty Limited
272	600747	Miller Pohang Coal Company Pty Limited
271	260663	Miller Pohang Coal Company Pty Limited
38	248429	Miller Pohang Coal Company Pty Limited
4	247340	Miller Pohang Coal Company Pty Limited
2	247340	Miller Pohang Coal Company Pty Limited
56	755270	Miller Pohang Coal Company Pty Limited
36	248429	Miller Pohang Coal Company Pty Limited
42	248429	Miller Pohang Coal Company Pty Limited
12	247340	Miller Pohang Coal Company Pty Limited
14	247340	Miller Pohang Coal Company Pty Limited
34	248429	Miller Pohang Coal Company Pty Limited
18	247340	Miller Pohang Coal Company Pty Limited
16	247340	Miller Pohang Coal Company Pty Limited
31	248429	Miller Pohang Coal Company Pty Limited
10	247340	Miller Pohang Coal Company Pty Limited
44	248429	Miller Pohang Coal Company Pty Limited

LOT	DP	OWNER
33	248429	Miller Pohang Coal Company Pty Limited
11	247340	Miller Pohang Coal Company Pty Limited
30	248429	Miller Pohang Coal Company Pty Limited
5	247340	Miller Pohang Coal Company Pty Limited
13	247340	Miller Pohang Coal Company Pty Limited
45	248429	Miller Pohang Coal Company Pty Limited
273	260663	Miller Pohang Coal Company Pty Limited
15	247340	Miller Pohang Coal Company Pty Limited
17	247340	Miller Pohang Coal Company Pty Limited
40	248429	Miller Pohang Coal Company Pty Limited
32	248429	Miller Pohang Coal Company Pty Limited
1	43422	Miller Pohang Coal Company Pty Limited

APPENDIX 2 DEVELOPMENT LAYOUT PLANS

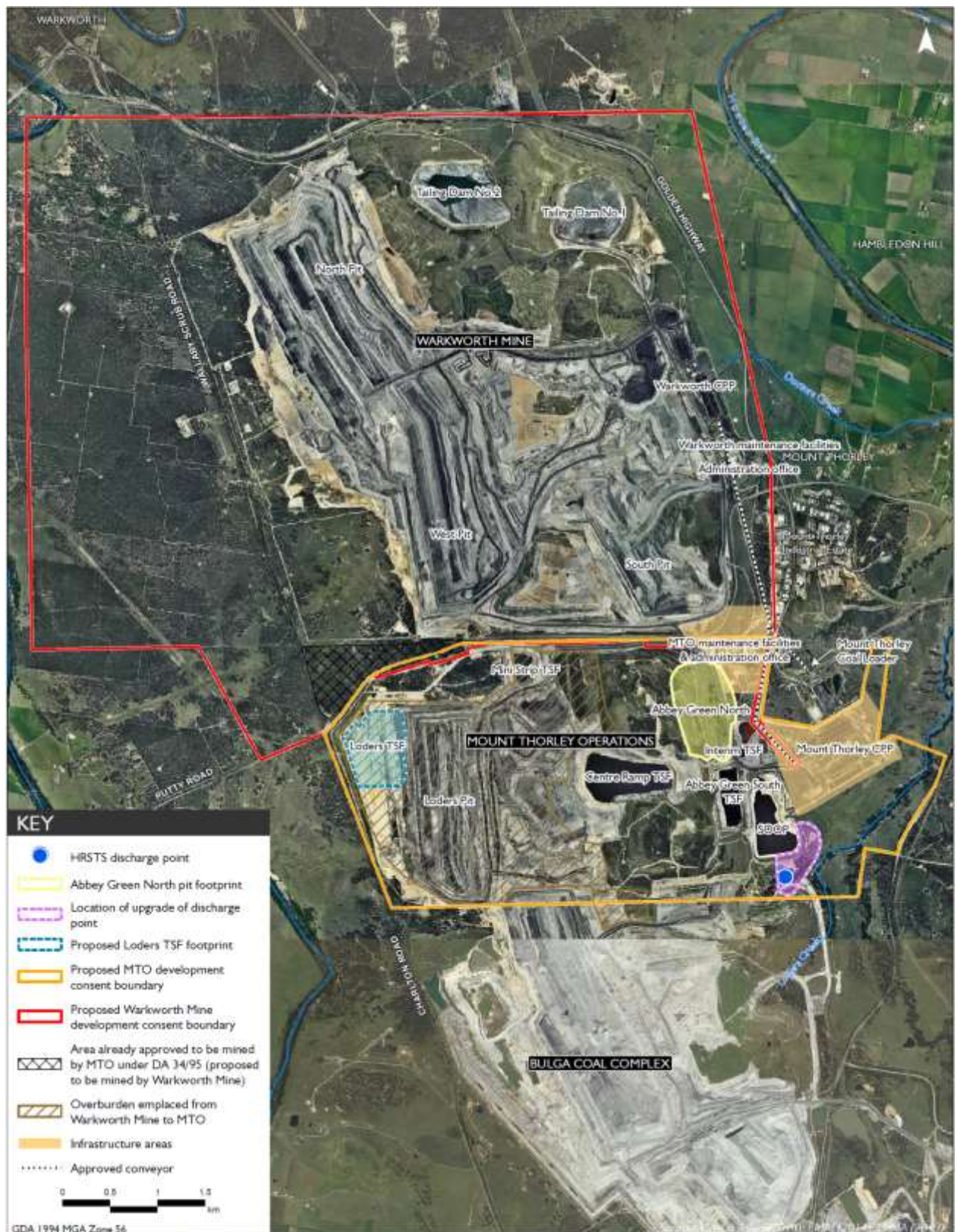


Figure 2: Project Layout

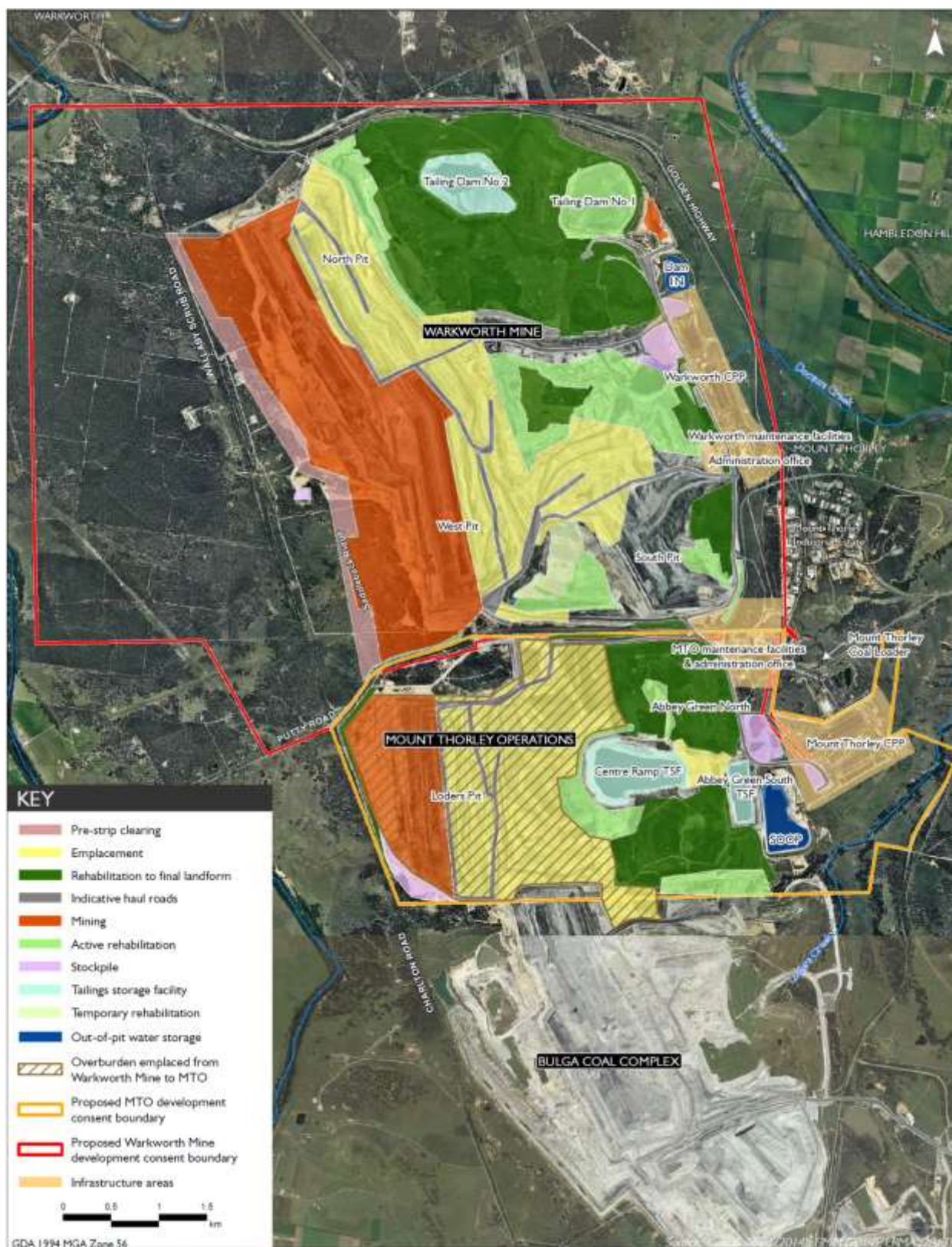


Figure 3: Conceptual Mine Plan - Year 3

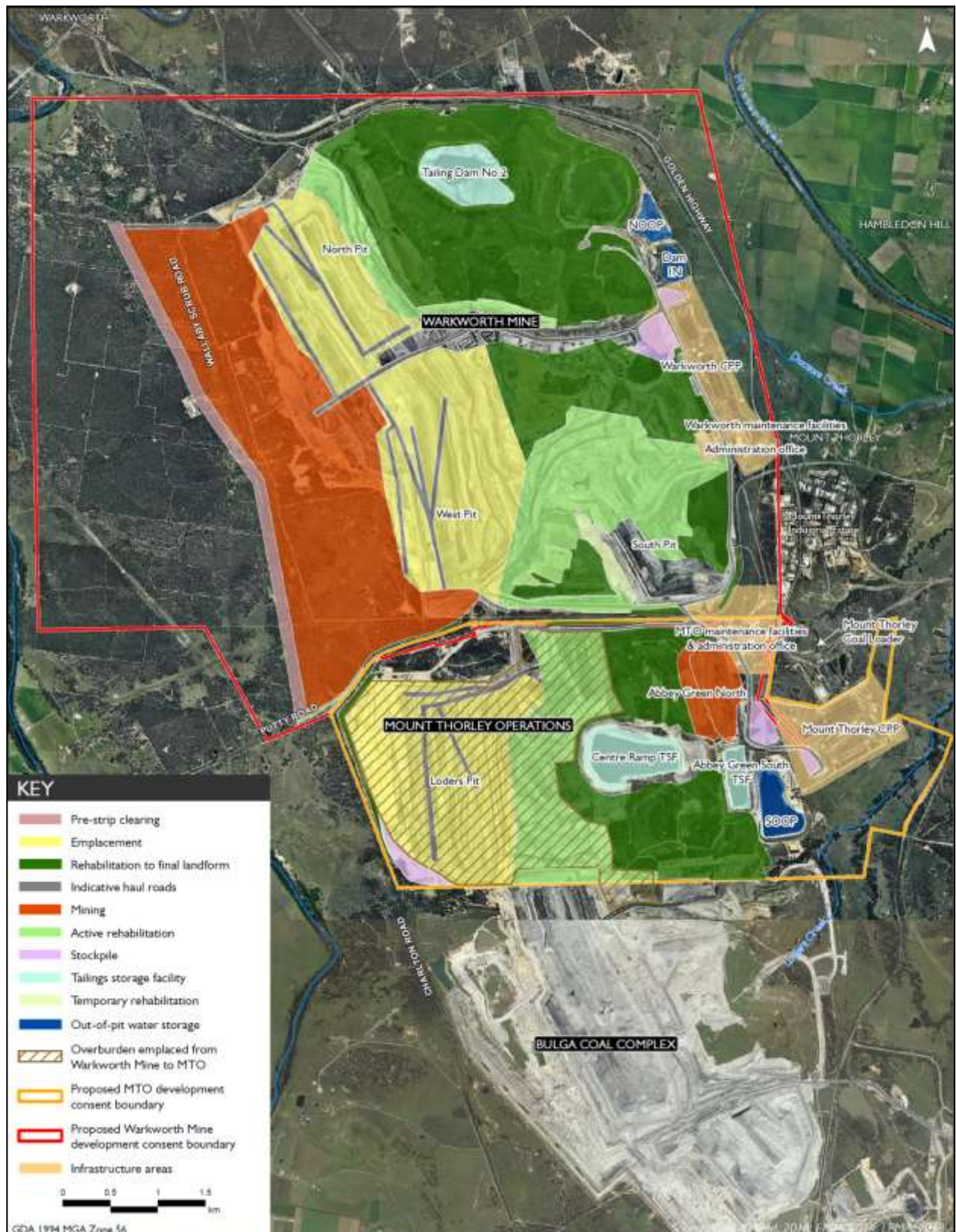


Figure 4: Conceptual Mine Plan - Year 9

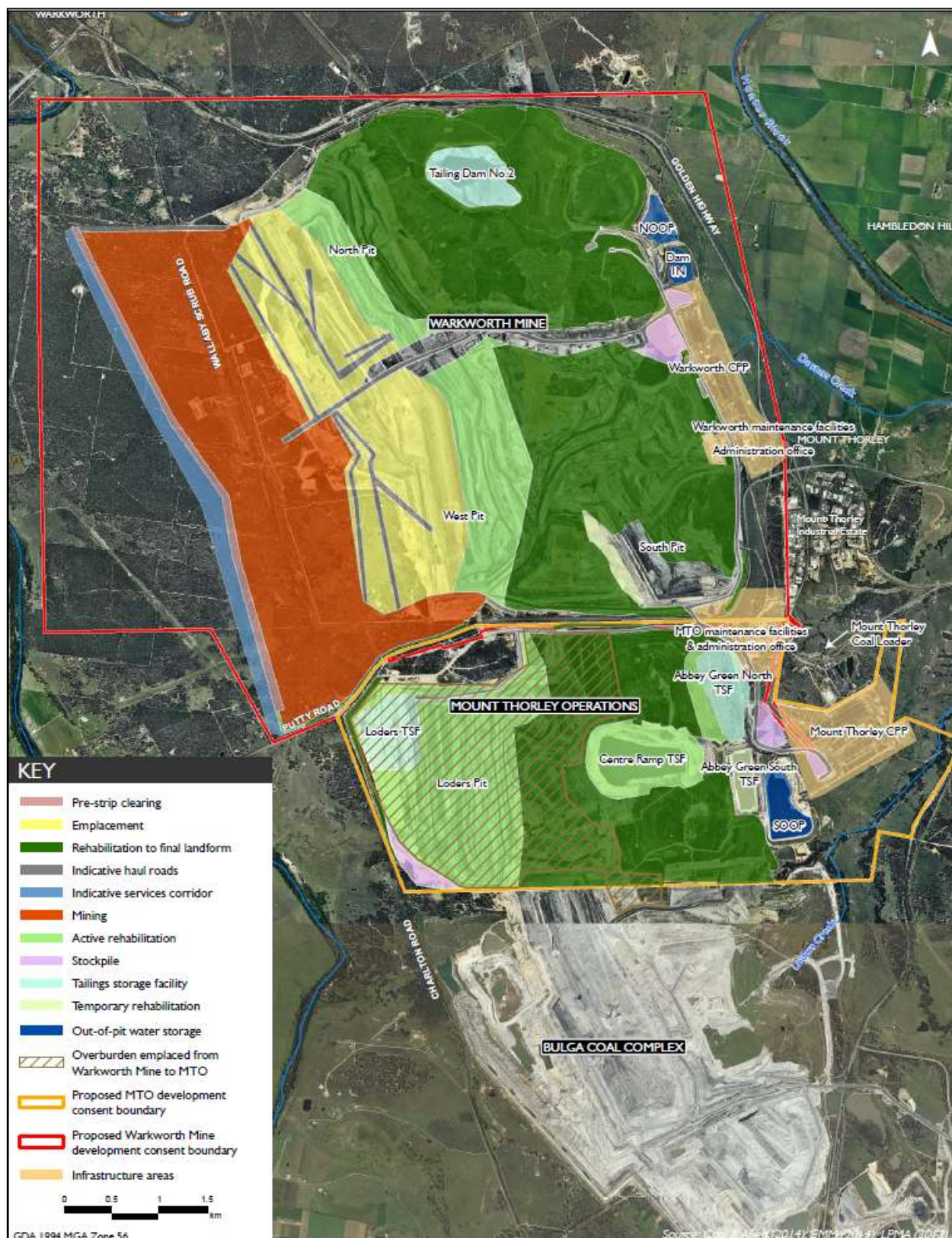


Figure 5: Conceptual Mine Plan - Year 14

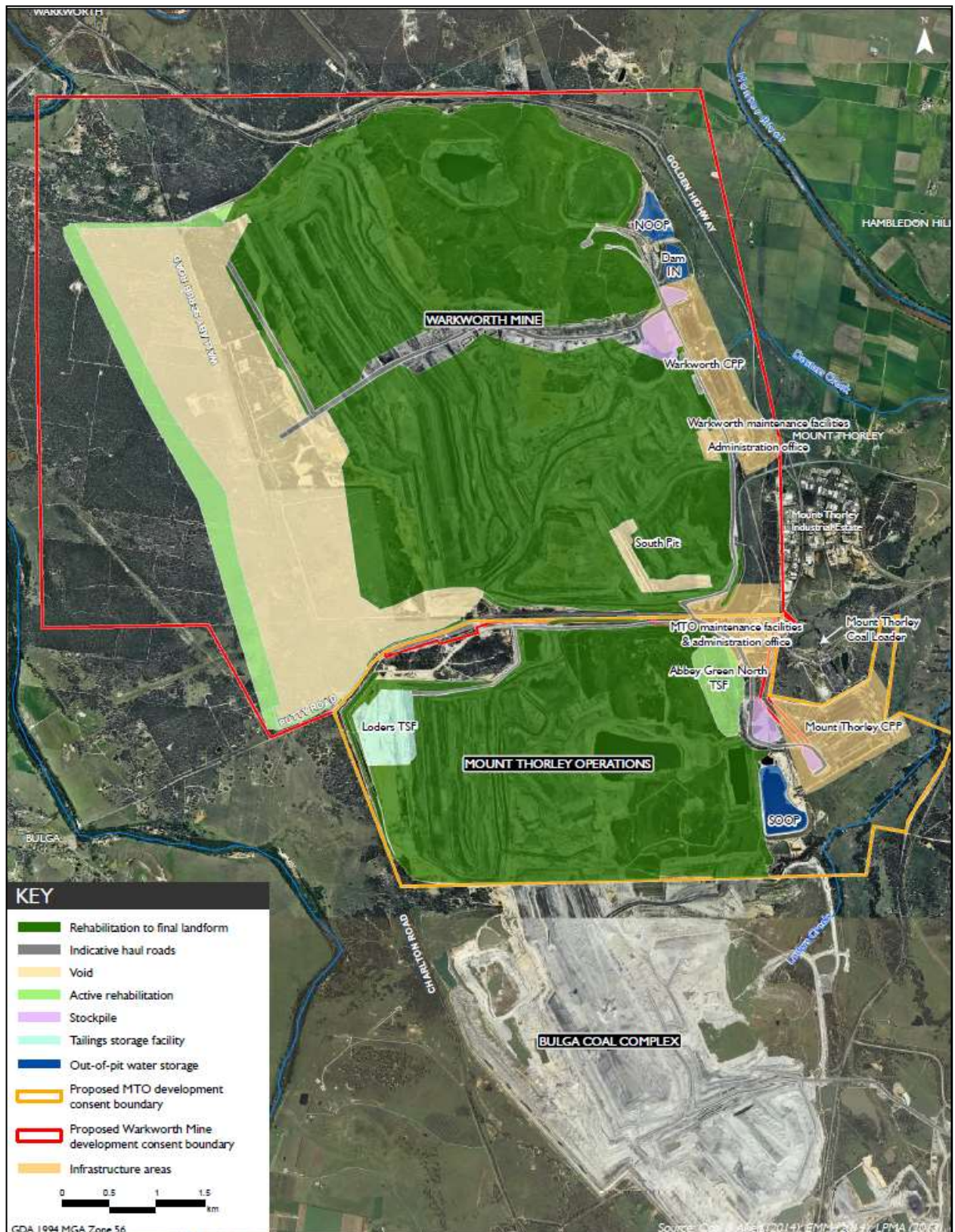


Figure 6: Conceptual Mine Plan - Year 21

APPENDIX 3 LAND OWNERSHIP PLANS

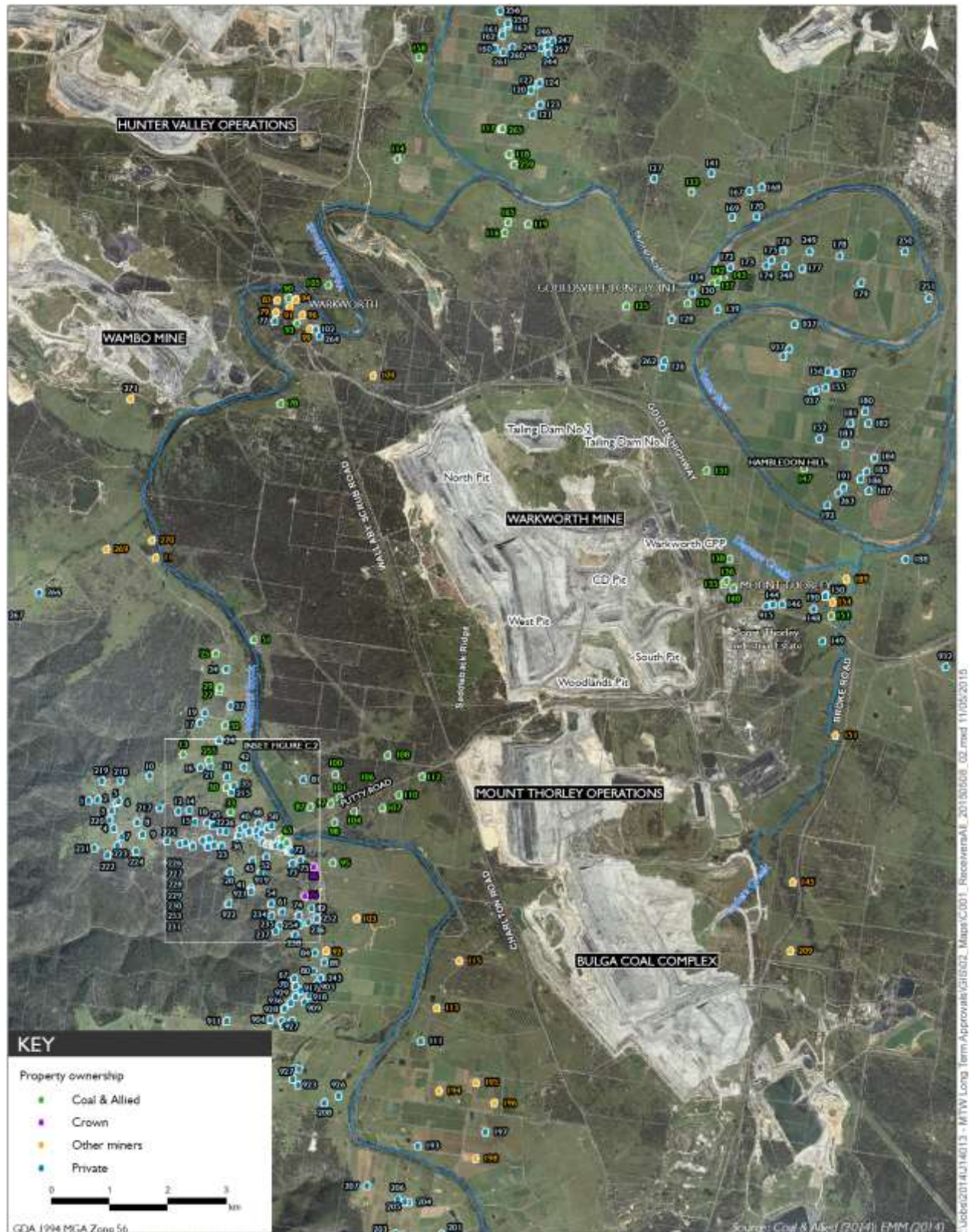


Figure 7: Surrounding Residences

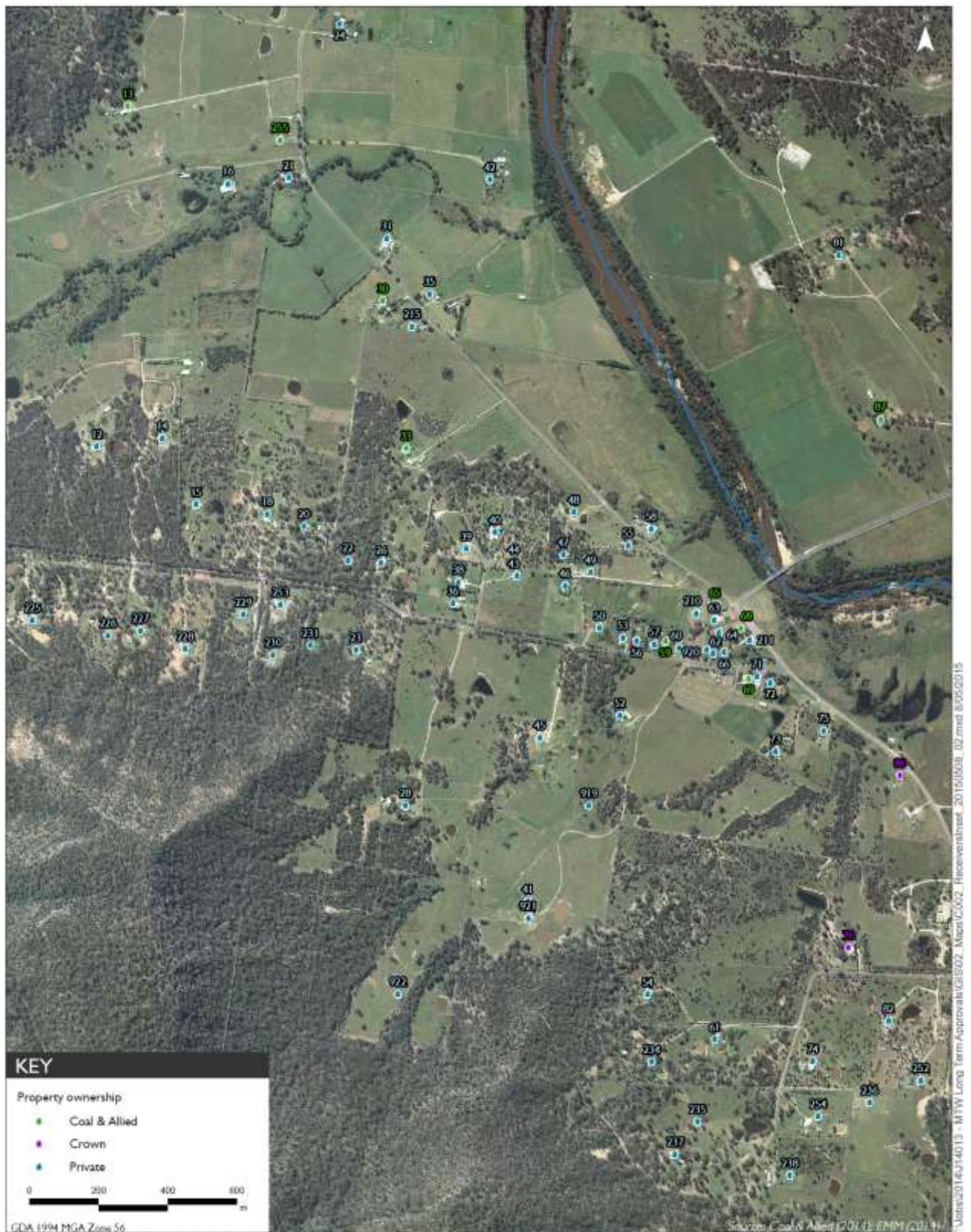


Figure 8: Surrounding Residences – South West (Bulga)



Figure 9: Vacant Land

Assessment location ID	Property owner
1	Judith Leslie
2	Shayne Aaron Currie
3	Charleroi Pty Limited
4	Graeme O'Brien & Susann Florence O'Brien
5	Daniel Bruce Jones
6	Russell James Doidge, Trinette Louise Reid
7	Darral Keith Margery & Annette Gaye Margery
8	Laurence Fletcher, Margaret Ann Fletcher
9	Donald Bruce Roser
10	Andrew Mark Robey, Kim Luanne Robey
11	Wambo Mining Corporation Pty. Limited
12	Ronald Alexander Corino, Pauline Rayner
13	Warkworth Mining Limited
14	Karin Margaret Hunt
15	William Lindsay Gordon Slaney, Peta Slaney
16	Leona Ann Williams
17	George David Lianos, Honor Claire Lianos
18	Barry John Anderson, Melissa Gai Anderson
19	Denis Cyril Maizey, Elaine Margaret Maizey
20	Gregory William Banks, Marion Elizabeth Banks
21	Gregory William Banks, Marion Elizabeth Banks
22	Elizabeth Mackenzie
23	Peter Jason Kolatchew, Heidi Kolatchew
24	Ronald Garry Bailey, Fiona Susan Bailey
25	William George Joseph Lambkin, Dawn Lambkin*
26	Barbara Gae Harrison, Trevor Eric Harrison
27	Warkworth Mining Limited
28	Hubert George Upward
29	Warkworth Mining Limited
30	Warkworth Mining Limited
31	Gregory Malcolm Caban
32	Warkworth Mining Limited
33	Warkworth Mining Limited
34	Allan Clyde Lepisto, Nerida Lepisto
35	Lawrence Malcolm Caban, Rhonda Beryl Caban
36	Raymond Carl Powell
37	Gregory Paul Crowe
38	Benjamin John Street, Jami Ann Street
39	Gregory John Mcnaught
40	Margaret Player, John MacLachlan Player
41	Hubert George Upward
42	Mark Anthony Lancaster, Debbie Marie Lancaster
43	Geoffrey Allen Burgess, Betty Joy Burgess

Assessment location ID	Property owner
44	Barry Fogwell
45	Adam Charles Cameron
46	Jason Phillip Horn
47	Philip Adamthwaite
48	Brett James Gallagher, Rebecca Louise Gallagher
49	John Thompson, Delwyn Kay Jackson
50	Bradley Richard Sales, Sharon Ann Bellamy
51	Warkworth Mining Limited
52	Stewart James Mitchell, Marie Clare Mitchell
53	Robert McLaughlin
54	Christopher Stanley Neville & Elizabeth Ann Neville
55	Robert John Evans
56	Leonard Walter Mclachlan, Noelene Rita Mclachlan
57	Paul William Harris, Tracey Anne Swindail
58	David Andrew Gregory
59	Warkworth Mining Limited
60	Vaughan Thomas Cagney, Candice Rose Albert
61	Darrell Stanley Kaizer
62	Dwi Octaviani
63	Margueriette Ann Henneberry, Paul Andrew Burgess
64	Dusko Dragicevic, Milan Dragicevic
65	Warkworth Mining Limited
66	Michael Vivian Bendall, Sue-Ellen Bendall
67	Michael Shane Dawson & Suzana Dawson
68	Warkworth Mining Limited
69	Warkworth Mining Limited
70	Peter Francis Ritchie And Fiona Jennifer Ritchie
71	Robert Ian Hedley, Jan Maree Louis
72	Frank Henry Turnbull
73	Phillip Joseph Reid, Carol Reid
74	Ronald Guy Godyn, Anne-Marie Godyn
75	Lindsay Robert Smith, Jillian Maree Smith
76	The State Of New South Wales
77	William Joseph Kelly, Marie Joyce Kelly, Lawrence Kelly
78	Warkworth Mining Limited
79	Wambo Mining Corporation Pty. Limited
80	Dimitrious Vikas & Joy Mary Vikas
81	AgI Energy Limited
82	Stephen Glenn Williamson, Nicole Leanne Highett
83	Xstrata Coal Pty Limited
84	Mary Veronica Thompson
86	The State Of New South Wales
87	Andre Marc Renaud, Noela Mary Renaud*

Assessment location ID	Property owner
89	Bryan Dudley Medhurst
90	Coal & Allied Operations Pty Limited
91	Wambo Coal Pty Limited
92	Saxonvale Coal Pty Limited, Nippon Steel Australia Pty Limited
93	Coal & Allied Operations Pty Limited
94	Wambo Coal Pty Limited
95	Miller Pohang Coal Company Pty Limited
96	Wambo Mining Corporation Pty. Limited
97	Warkworth Mining Limited
98	Miller Pohang Coal Company Pty Limited
99	Wambo Coal Pty Limited
100	Miller Pohang Coal Company Pty Limited
101	Miller Pohang Coal Company Pty Limited
102	Brian Edward Kennedy, John Griffiths (Warkworth Hall)
103	Saxonvale Coal Pty. Limited, Nippon Steel Australia Pty. Limited
104	Miller Pohang Coal Company Pty Limited
105	Coal & Allied Operations Pty Limited
106	Miller Pohang Coal Company Pty Limited
107	Miller Pohang Coal Company Pty Limited
108	Miller Pohang Coal Company Pty Limited
109	Xstrata Coal (Nsw) Pty Limited
110	Miller Pohang Coal Company Pty Limited
111	Ian Wallace Russell
112	Miller Pohang Coal Company Pty Limited
113	Saxonvale Coal Pty Limited, Nippon Steel Australia Pty Limited
114	Coal & Allied Operations Pty Limited
115	Saxonvale Coal Pty. Limited, Nippon Steel Australia Pty. Limited
116	Coal & Allied Operations Pty Limited
117	Coal & Allied Operations Pty Limited
118	Coal & Allied Operations Pty Limited
119	Coal & Allied Operations Pty Limited
120	Russell John Wenham, Janelle Susan Wenham
121	Julie Gai Ernst, Gregory John Ernst
122	Stephen Douglas Edwards, Terri-Anne Howard, Joselyn Vida Clifton
123	Neil Robert Nelson, Glenda Joy Nelson
124	Stephen Douglas Edwards, Terri-Anne Howard, Joselyn Vida Clifton
125	Coal & Allied Operations Pty Limited
126	Peter Glen Stuart
127	Noel Francis Riley, Elaine Roslyn Riley
128	Warren John Welsh, Adam John Young
129	Coal & Allied Operations Pty Limited
130	Francescantonio Ventra, Joanne Ventra
131	Warkworth Mining Limited

Assessment location ID	Property owner
133	Coal & Allied Operations Pty Limited
134	Andrew Arthur Barrett, Nicole Maree Kenny
135	Warkworth Mining Limited
136	Warkworth Mining Limited
137	Coal & Allied Operations Pty Limited
138	Warkworth Mining Limited
139	Kevin Denis Hartcher, Linda Anne Hartcher
140	Warkworth Mining Limited
141	Warren Thomas Barry, Lesley Una Barry
142	Coal & Allied Operations Pty Limited
143	Coal & Allied Operations Pty Limited
144	Jason Cyril Rumbel, Rebecca Ruth Rumbel
145	Saxonvale Coal Pty. Limited, Nippon Steel Australia Pty. Limited
146	Paul Henry Russell
147	Warkworth Mining Limited
148	Dorothy Clare Russell
149	Timothy Peter Hedley
150	Keith David Isaac, Sharon Ann Isaac
151	Bulga Coal Management Pty Limited
152	Graham Edwin Berry, Elizabeth Anne Berry
153	Warkworth Mining Limited
154	Bulga Coal Management Pty Limited
155	Trevor Keith Berry, Graham Edwin Berry
156	Jean Mary O'Hara
157	Jean Mary O'Hara
158	Coal & Allied Operations Pty Limited
160	Elizabeth Stuart Bowman
161	Wyoming Holsteins Pty Limited
162	Wyoming Holsteins Pty Limited
163	Wyoming Holsteins Pty Limited
165	Coal & Allied Operations Pty Limited
167	Nathan James Laing
168	Stuart Francis Nichol Wright, Pamela Lynn Wright
169	Harold Douglas Hobden
170	John Marcheff
172	John Stuart Gough, Lynette Jean Gough
173	Michael John Wellard, Faye Denise Wellard
174	Margaret Anne Neal
175	Bradley John Halter
176	Michael Raymond Mapp, Shirley Maree Mapp
177	Greig Andrew Delaney
178	Craig Ian Flissinger, Catherine Anne Flissinger
179	Tickalara Pty. Limited

Assessment location ID	Property owner
180	Bruce Graham Moore
181	David Charles Vassallo, Sheree Ann Vassallo
182	Robert Francis Holstein And Andrea Terry Holstein
183	Paul Anthony Cavanough, Jacinta Jade Dawkins
184	Campbell Stuart Ball And Gail Agnes Ball
185	Leonard Dale Franks
186	Leonard Dale Franks
187	Keith Heuston Pty. Limited
188	Comserve (No.932) Pty Ltd
189	Bulga Coal Management Pty Limited
190	Keith David Isaac, Sharon Ann Isaac
191	Robert John Vidler, Coral May Vidler
192	Jean Mary O'Hara
193	Robert Kennedy
194	Saxonvale Coal Pty Limited, Nippon Steel Australia Pty Limited
195	Saxonvale Coal Pty Limited, Nippon Steel Australia Pty Limited
196	Saxonvale Coal Pty Limited, Nippon Steel Australia Pty Limited
197	Robert Kennedy
198	Saxonvale Coal Pty Limited, Nippon Steel Australia Pty Limited
199	Adrian Garton, Susan Jean Garton
200	Karren Anne Mccraw, Kenneth Ian Mccraw
201	Richard James Owens
202	Richard James Owens
203	Grapemen Holdings Pty Limited
204	Brenda Joan Tanner
205	Victoria Ann Foster
206	Theo Poulos, Maria Poulos
207	John Stephen Tulloch
208	Cybele Genevieve Orton
209	Saxonvale Coal Pty Limited, Nippon Steel Australia Pty Limited
210	Meria Violet Ford
211	Mike Dean Silk, Antoinette Silk
215	Allan Wayne Louis, Cheryl Anne Louis
217	Packtron Packaging Pty Limited
218	Phillip John Haerse, Elizabeth Rae Haerse
219	Philip Geoffrey Carroll
220	George Jiri Tlaskal
221	Christina Mary Metlikovec
222	John Vincent Putland
223	Andrew Glenn Upward
224	Rex Wayne Davis, Heather Anne Davis
225	Anthony and Trudie Seibel – Barnes
226	Neale Mccallum, Julie Marie Mcnaughton

Assessment location ID	Property owner
227	Ian Wyn Jones, Karen Michelle Jones
228	Jason Peter Passlow, Belinda Louise Lee
229	Maurice Francis Chapman, Nellie Vera Chapman
230	Paul Dermot Byrne O'Toole, Melissa Jane O'Toole
231	Mark Mcalpin Roser, Nicole Roser
234	Robert John Bridge, Kylie Terese Bridge
235	Garrett James Walters & Clare Joanne Gowans
236	Scott Francis Ryan
237	Leslie Carol Krey
238	Raymond George Caban, Kathryn Louise Caban
243	John Patrick Cant, Cherie Margaret Cant
244	Todd Anthony Mills, Sharron Ann Mills
245	Chriss Ivan Maskey
246	Paul Raymond Burley, Catherine Maree Burley
247	Tony Zanardi, Sandra Maree Zanardi
248	Keith Joseph Horne
249	Thomas William Watson, Betty Watson
250	John Michael Woods
251	Frederick John & Carole Maria Flinn
252	Jaques Family Investments Pty Limited
253	Stuart Edward Reakes
254	Peter William Shore & Melanie Louise Shore
255	Warkworth Mining Limited
256	Bruce Eric Moxey, Thea Anne Moxey
257	Robert John Algie
258	Wyoming Holsteins Pty Limited
259	Coal & Allied Operations Pty Limited
260	Wyoming Holstiens Pty. Limited
261	Wyoming Holstiens Pty. Limited
262	Peter Glen Stuart
263	John Klasen, Ruth Anne Klasen
264	George Robert Miller (Anglican Church)
265	Coal & Allied Operations Pty Limited
266	Ronald Wayne Fenwick
267	Kenneth Max Brosi
268	Kenneth Max Brosi, Julie Anne Brosi & Pauline June McLoughlin
269	Wambo Mining Corporation Pty Limited
270	Wambo Mining Corporation Pty Limited
271	Wambo Mining Corporation Pty Limited
903	Adam John Baker
904	Allan Mark Brasington, Judith Anne Brasington
905	Cameron Michael Turner, Melissa Jayne Harris
909	Emanuel Victor Vassallo

Assessment location ID	Property owner
911	Gary Dale Harris
915	Jason Cyril Rumbel, Rebecca Ruth Rumbel
917	John Robert Lamb
918	Joseph Vassallo, Doris Vassallo
919	Kenneth Neil Cameron
920	Lindsay Gordon Harris, Jillian May Ferguson
921	Melanie Caban, Keiran Lionel Caban
922	Melanie Evelyn Upward
923	Michelle Maria Brennan
926	Paul William Mackay, Suzanne Elizabeth Mackay
927	Phillip John Gunter, Leona Mary Gunter
928	Sarah Elizabeth Purser, Stirling Owen Keayes
929	Simon James Beavis
932	Stephen Dennis Tipping
936	Thomas Charles Jackson, Susan Gai Jackson
937	Trevor Keith Berry, Graham Edwin Berry

APPENDIX 4 HERITAGE

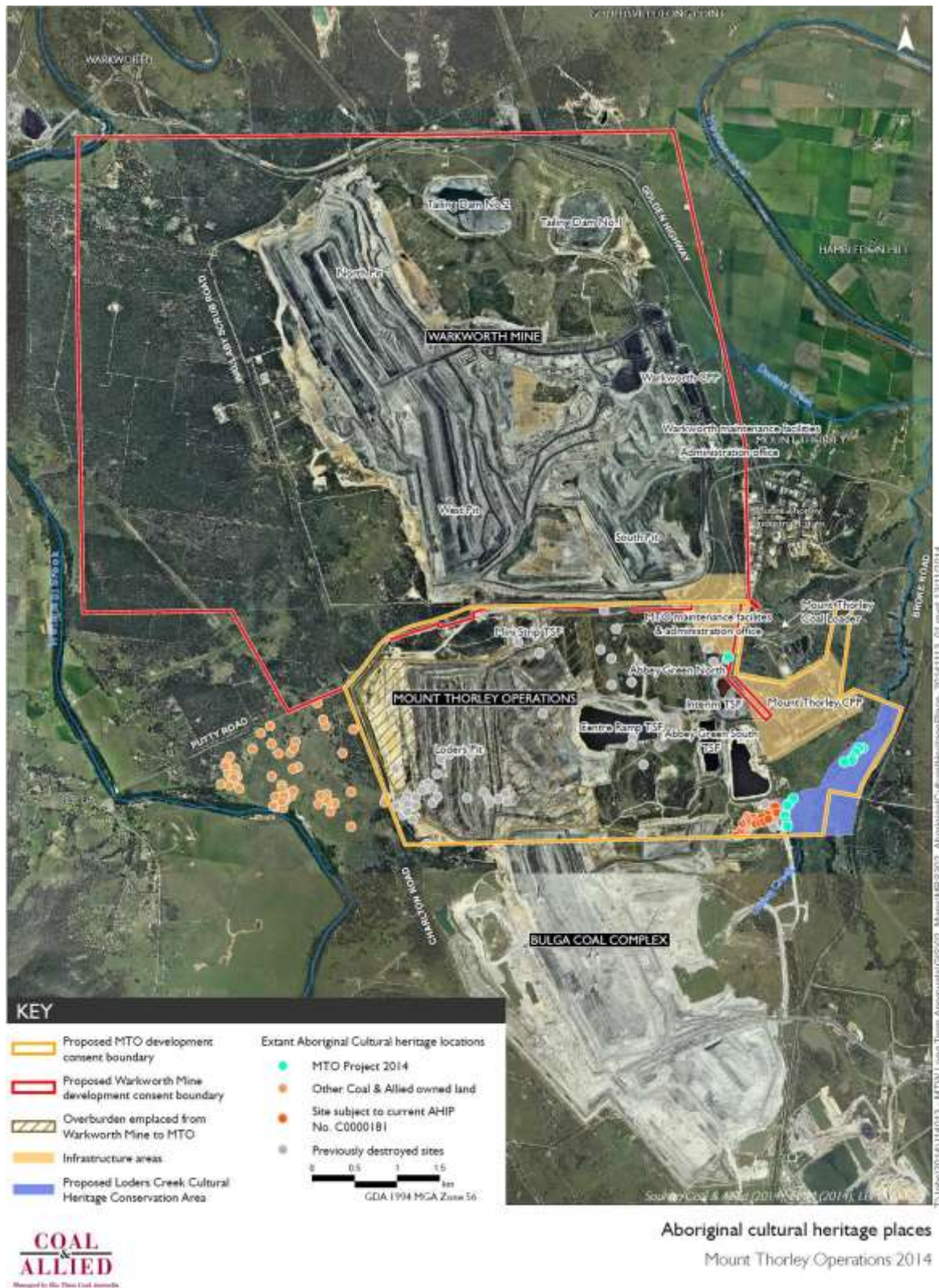


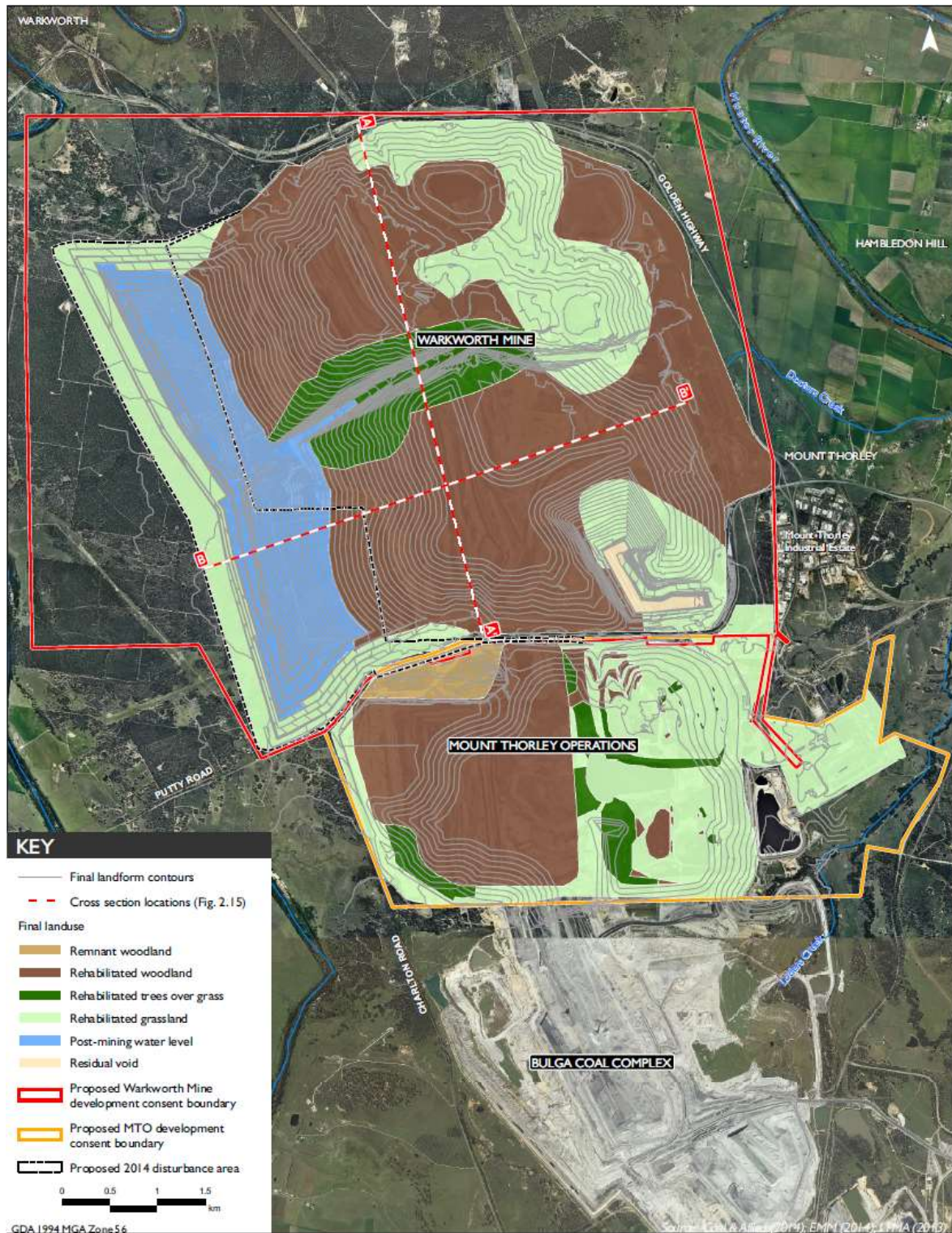
Figure 10: Extant Aboriginal Sites and Loders Creek Aboriginal Cultural Heritage Conservation Area

Table 1: Aboriginal Cultural Heritage Sites to be Protected

Details of extant only Aboriginal cultural heritage places within the MTO 2014 proposal area [NB: this is derived from Table 13 from the WCP EIS, vol. 5, Appx M, ACH study]

AHIMS No	Restricted	Place Name	Place Type	PAD	Status
37-6-0312	-	MT 26	Stone Artefact Scatter	-	Valid
37-6-0313	-	MT 27	Stone Artefact Scatter	-	Valid
37-6-0314	-	MT 28	Stone Artefact Scatter	-	Valid
37-6-0315	-	MT 29	Stone Artefact Scatter	-	Valid
37-6-0316	-	MT 30	Stone Artefact Scatter	-	Valid
37-6-0317	-	MT 31	Stone Artefact Scatter	-	Valid
37-6-0318	-	MT 32	Stone Artefact Scatter	-	Valid
37-6-0319	-	MT 33	Isolated Stone Artefact/s	-	Valid
37-6-0656	-	B73	Stone Artefact Scatter	-	Valid
37-6-0658	-	B 75	Stone Artefact Scatter	-	Valid
37-6-0659	-	B 76	Stone Artefact Scatter	-	Valid
37-6-0660	-	B 77	Stone Artefact Scatter	-	Valid
37-6-2717	-	AG-PAD-1	PAD	Yes	Partially Destroyed

APPENDIX 5 REHABILITATION PLAN



Final landuse and contours
Warkworth Continuation 2014
Environmental Impact Statement
Figure 2.16

Figure 11: Indicative Final Landform and Land Use

APPENDIX 6 NOISE COMPLIANCE ASSESSMENT

Applicable Meteorological Conditions

1. The noise criteria in Table 2 of schedule 3 are to apply under all meteorological conditions except the following:
 - a) wind speeds greater than 3 m/s at 10 m above ground level; or
 - b) stability category F temperature inversion conditions and wind speeds greater than 2 m/s at 10 m above ground level; or
 - c) stability category G temperature inversion conditions.

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 12 times a year, unless the Secretary directs otherwise.
5. Unless otherwise agreed with the Secretary, 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) or an equivalent NSW Government noise policy, 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 conformance 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; or
 - low frequency noise, where it is demonstrated that the dBC – dBA noise difference is caused by distance attenuation only.

Appendix E

Inclusion of Approved Plans, Strategies and Programs Required by SSD-6464 and SSD-6465

Approved Plans, strategies and programs are available on the MTW website (<https://insite.yancoal.com.au/>). This includes:

- Noise Management Plan
 - Blast Management Plan
 - Water Management Plan
 - Aboriginal Heritage Management Plan
 - Wollombi Brook Aboriginal Cultural Heritage Conservation Area-Plan of Management
 - Historic Heritage Management Plan
 - Rehabilitation Management Plan (MOP)
 - Biodiversity Management Plan
 - Pollution Incident Response Management Plan (PIRMP -required by POEO Act)
-