

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 4.

These conditions are required to:

- prevent and/or minimise any adverse environmental impacts of the development;
- set standards and performance measures for acceptable environmental performance; and
- provide for the ongoing environmental management of the development.

Ross Carter
Member of the Commission

Lynelle Briggs AO
Member of the Commission

David Johnson
Member of the Commission

Sydney

19 June 2017

SCHEDULE 1

Application Number: SSD 7592
Applicant: Springvale Coal Pty Limited
Consent Authority: Minister for Planning
Land: See Appendix 1
Development: Springvale Water Treatment Project

12 January 2018 modification (MOD 1) in red type

October 2018 modification (MOD 2) in blue type

May 2019 modification (MOD 3) in green type

October 2019 modification (MOD 4) in orange type

January 2020 modification (MOD 5) in purple type

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DEFINITIONS

Aboriginal stakeholders	Aboriginal stakeholders registered for cultural heritage consultation for the development
Applicant	Springvale Coal Pty Limited, or any person who seeks to carry out the development approved under this consent
Ash Emplacement Areas	The ash emplacement areas approved under development consents 230/89 (dated 21 March 1980) and 80/10060 (dated 1 April 1982), and project approval MP 09_0186 (dated 16 February 2012), as shown in Figure 1 of Appendix 3
Conditions of this consent	Conditions contained in schedules 1 to 4 inclusive
Construction	The construction of the development, including but not limited to the carrying out of any earthworks on site and the construction of the Water Treatment Plant, Raw Water Transfer Pipeline, Residuals Transfer Pipeline and any ancillary infrastructure (but excludes any upgrades to the public road network required under this consent, geotechnical drilling and/or surveying)
Council	Lithgow City Council
Coxs River Water Supply Pipeline	Pipeline to transfer treated water from the Water Treatment Plant to Thompsons Creek Reservoir, as shown in Figure 1 of Appendix 2
Department	Department of Planning and Environment
Development	The development as described in the EIS
DRG	Division of Resources and Geoscience, within the Department of Planning and Environment
EEC	Endangered ecological community, as defined under the NSW <i>Threatened Species Conservation Act 1995</i>
EIS	Springvale Water Treatment Project Environmental Impact Statement dated September 2016 and the associated Response to Submissions dated December 2016, as amended by: • Springvale Water Treatment Project Amendment to Development Application (GHD Pty Ltd, December 2016); • Springvale Water Treatment Project Modification 1 Statement of Environmental Effects dated November 2017 and associated Response to Submissions dated December 2017; • Springvale Water Treatment Project Modification 2 – Skelly Road Statement of Environmental Effects dated September 2018; • Springvale Water Treatment Project Modification 3 – Modification Report dated March 2019; • Springvale Water Treatment Project Modification 4 – Modification Report dated September 2019 and associated Response to Submissions dated 8 October 2019 and additional information dated 24 October 2019; and • Springvale Water Treatment Project Modification 5 – Modification Report dated January 2020;
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 6 pm to 10 pm
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	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
INP	<i>NSW Industrial Noise Policy</i> (NSW EPA, 2000)
Material harm	Is harm 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, or drains from, active mining areas, emplacements, stockpiles, tailings dams and infrastructure areas
Minister	Minister for Planning, or delegate
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the development
Negligible	Small and unimportant, such as to be not worth considering <i>An occurrence, set of circumstances or development that is a breach of this consent</i>
Non-compliance	
OEH	Office of Environment and Heritage
Operations	The operation of the development, but does not include commissioning, trials of equipment or the use of temporary facilities
Partially treated mine water	<i>Mine water which has been filtered to remove solids</i>
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Project site	Land to which the development consent applies (see Figure 1 in Appendix 2)
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
Raw Water Transfer Pipeline	Pipeline to transfer mine water from the existing Gravity Tank Compound on the Newnes Plateau to the Mount Piper Power Station, as shown in Figure 1 of Appendix 2
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, to ensure it is safe, stable and non-polluting
Residuals Transfer Pipeline	Pipeline to transfer residual waste from the Water Treatment Plant to the Western Coal Services Site (SSD 12_5579), as shown in Figure 1 of Appendix 2
RFS	Rural Fire Service
RMS	Roads and Maritime Services
Secretary	<i>Planning Secretary under the EP&A Act, or nominee</i>
Temporary facilities	Temporary facilities used for the construction and/or decommissioning of the development, including but not limited to temporary site offices and compounds, concrete batching plants, materials storage compounds, maintenance workshops, testing laboratories or material stockpiles
Treated water	Mine water which has been processed by the Water Treatment Plant
TSC Act	<i>Threatened Species Act 1995</i>
Water Treatment Plant	The Springvale Water Treatment Plant and associated infrastructure shown in Figure 2 of Appendix 2, including the reverse osmosis building, crystalliser, aerator, ash silo, sand filters, lamella clarifiers, sludge handling room, buffer ponds, brine slurry ponds, brine slurry pump station, chemical storage building and switch room
Western Coal Services Site	The coal handling and processing site, including a reject emplacement area and ancillary infrastructure, approved under development consent SSD-5579 (dated 4 April 2014), as shown in Figure 2 of Appendix 3

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

1. In addition to meeting the specific environmental 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, decommissioning or rehabilitation of the development.

TERMS OF CONSENT

2. The Applicant must 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 must prevail to the extent of the inconsistency. However, the conditions of this consent must prevail to the extent of any inconsistency.
4. The Applicant must comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of:
 - (a) any reports, strategies, plans 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

Pipelines

5. The Applicant must not transfer more than:
 - (a) 42 megalitres of mine water on any day via the Raw Water Transfer Pipeline;
 - (b) 0.35 megalitres of residual waste per day on an annual average basis via the Residuals Transfer Pipeline; and
 - (c) 0.43 megalitres of residual waste on any day via the Residuals Transfer Pipeline;
6. The Applicant must transfer all excess treated water via the Coxs River Water Supply Pipeline to the Thompsons Creek Reservoir, except during emergency situations, subject to approval from the Secretary.

Note:

- *An emergency situation may include any event where overtopping of Thompsons Creek Reservoir is likely to occur*

- 6A. The Applicant may transfer up to a maximum of 5,760 megalitres of partially treated mine water to Thompsons Creek Reservoir, until 30 June 2020.

NOTIFICATION OF COMMENCEMENT

7. Prior to the commencement of construction, operations, decommissioning or rehabilitation, the Applicant must notify the Department in writing of the date of commencement of the relevant phase of the development.

If any of these phases of the development are to be staged, then the Applicant must notify the Department in writing prior to the commencement of the relevant stage, and clearly identify the development that would be carried out during the relevant stage.

STRUCTURAL ADEQUACY

8. 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 *Building Code of Australia*.

Notes:

- Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.

DEMOLITION

9. The Applicant must ensure that all demolition work on site is carried out in accordance with *Australian Standard AS 2601-2001: The Demolition of Structures*, or its latest version.

PROTECTION OF PUBLIC INFRASTRUCTURE

10. 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.

OPERATION OF PLANT AND EQUIPMENT

11. The Applicant must ensure that all plant and equipment used on site, or in connection with the development, is:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

SCHEDULE 3 ENVIRONMENTAL CONDITIONS

WATER

Water Pollution

1. Unless an EPL authorises otherwise, the Applicant must comply with section 120 of the *Protection of the Environment Operations Act 1997*.

Note: Section 120 of the POEO Act makes it an offence to pollute any waters.

Erosion and Sediment Control

2. The Applicant must ensure that the development is carried out in accordance with *Managing Urban Stormwater: Soils and Construction Manual* (Landcom, 2004), or its latest version.

Water Management Performance Measures

3. The Applicant must comply with the performance measures in Table 1 below, to the satisfaction of the Secretary.

Table 1: Water management performance measures

Feature	Performance Measure
General	Maintain separation between mine water and treated water management systems. Minimise the use of clean water on site.

	Design, install, operate and maintain water management systems in a proper and efficient manner.
Upper Cocks River catchment, including Cocks River, Wangcol Creek, Pipers Flat Creek and Thompsons Creek	Negligible environmental consequences to surface water resources beyond those predicted in the EIS, including: • negligible change in surface water flows beyond those predicted; • negligible change in surface water quality beyond those predicted; and • negligible impact to other surface water users beyond those predicted. Maintain or improve baseline channel stability.
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 including Volume 1, Volume 2A – Installation of Services and Volume 2C – Unsealed Roads</i>. Design, install and maintain infrastructure within 40 m of watercourses generally in accordance with the <i>Guidelines for Controlled Activities on Waterfront Land</i> (DPI 2007), or its latest version. Design, 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.
Brine and residual waste	Minimise the production and transfer of brine and residual waste from the development. Ensure that any brine and residual waste that is transferred from the development complies with the relevant development consents for the Ash Emplacement Areas and the Western Coal Services Site.
Chemical and hydrocarbon storage	Chemical and hydrocarbon products to be stored in bunded areas in accordance with the relevant <i>Australian Standards</i> .

Water Management Plan

4. Prior to the commencement of construction, the Applicant must prepare a Water Management Plan for the project, in consultation with EPA and WaterNSW, and to the satisfaction of the Secretary. This plan must:
- be prepared by suitably qualified and experienced person/s whose appointment has been approved by the Secretary; and
 - include:
 - detailed baseline data on surface water flows and quality in the watercourses that could potentially be affected by the proposal;
 - a program to augment the baseline data over the life of the development;
 - a detailed description of measures to ensure that the Applicant complies with the water management performance measures (Table 1);
 - a program to monitor and report on the performance measures;
 - reporting procedures for the results of the monitoring program; and
 - a plan to respond to any exceedances of the performance criteria, and mitigate any adverse surface water impacts of the development.

The Applicant must implement the approved Water Management Plan for the development.

Brine and Residual Waste Disposal Plan

5. Prior to the commissioning of the Water Treatment Plant, the Applicant must prepare a Brine and Residual Waste Disposal Plan, in consultation with WaterNSW and the EPA, and to the satisfaction of the Secretary. This plan must:
- be prepared by suitably qualified and experienced person/s whose appointment has been approved by the Secretary;
 - include a detailed investigation into the potential impacts of the disposal of residual waste and brine from the development, including:
 - an analysis of the presence and extent of any soil contamination impacts under the existing disposal arrangements, including the potential leachability of the residual waste and brine;
 - further options to decrease the quantity of residual waste and brine over time; and

- additional management and mitigation measures to reduce the impacts of brine and residual waste; and
- (c) propose a program to implement measures to reduce the impacts of brine and residual waste.

The Applicant must implement the approved Brine and Residual Waste Disposal Plan for the development.

BIODIVERSITY

Restrictions on Clearing and Habitat

6. The Applicant must:
 - (a) ensure that no more than 27.84 hectares of native vegetation is cleared for the development, unless the Secretary agrees otherwise; and
 - (b) minimise:
 - the impacts of the development on hollow-bearing trees;
 - the impacts of the development on threatened bird and bat populations; and
 - the clearing of native vegetation and key habitat within the approved disturbance footprint.

Biodiversity Offset

7. Within 2 years of the commencement of construction, unless the Secretary agrees otherwise, the Applicant must retire biodiversity credits of a number and class specified in Tables 2 and 3 below, to the satisfaction of OEH.

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

- (c) acquiring or retiring credits under the biobanking scheme in the TSC Act;
- (d) making payments into an offset fund that has been established by the NSW Government; or
- (e) providing suitable supplementary measures.

Table 2: Ecosystem credit requirements

Biometric Vegetation Type	Impact Area (ha)	Credits Required
HN514 Broad-leaved Peppermint - Red Stringybark grassy open forest on undulating hills, South Eastern Highlands	0.47	22
HN558 Narrow-leaved Peppermint - Mountain Gum – Brown Barrel moist open forest on high altitude ranges, northern South Eastern Highlands	1.11	58
HN570 Red Stringybark - Brittle Gum - Inland Scribbly Gum dry open forest of the tablelands, South Eastern Highland	21.22	858
HN572 Ribbon Gum - Snow Gum grassy forest on damp flats, eastern South Eastern Highlands	2.12	24
HN599 Sydney Peppermint - Narrow-leaved Peppermint shrubby open forest on sheltered slopes of the Newnes Plateau, Sydney Basin	0.73	35
HN600 Sydney Peppermint - Silvertop Ash heathy open forest on sandstone ridges of the upper Blue Mountains, Sydney Basin	1.71	91
HN602 Tableland swamp meadow on impeded drainage sites of the western Sydney Basin and South Eastern Highlands	0.02	1
HN630 Phragmites australis and Typha orientalis coastal freshwater wetlands	0.46	8

Table 3: Species credit requirements

Species	Credits Required
<i>Eucalyptus cannonii</i> (Capertee Stringybark)	39
<i>Caesia parviflora</i> var. <i>minor</i> (Pale Grass-lily)	42
<i>Chalinolobus dwyeri</i> (Large-eared Pied Bat)	9

Biodiversity Management Plan

8. Prior to the commencement of construction, the Applicant must prepare a Biodiversity Management Plan for the development to the satisfaction of the Secretary. This plan must:
 - (a) be prepared in consultation with OEH; and
 - (b) include:
 - updated baseline mapping of the vegetation communities and key fauna habitat on site;
 - a description of the measures that would be implemented for:
 - minimising the amount of native vegetation clearing within the approved development footprint;
 - minimising the loss of key fauna habitat, including tree hollows;
 - minimising the impacts on fauna on site, including undertaking pre-clearance surveys;
 - rehabilitating and revegetating temporary disturbance areas;
 - protecting native vegetation and key fauna habitat outside the approved disturbance area;
 - maximising the salvage of resources within the approved disturbance area – including vegetative and soil resources – for beneficial reuse (including fauna habitat enhancement) during the rehabilitation and revegetation of the site;
 - collecting and propagating seed (where relevant);
 - controlling weeds and feral pests;
 - controlling erosion; and
 - bushfire management;
 - a detailed program to monitor and report on the effectiveness of these measures.

Following the Secretary's approval, the Applicant must implement the Biodiversity Management Plan.

HERITAGE

Protection of Aboriginal Heritage Sites

9. The Applicant must ensure that the development does not cause any direct or indirect impacts on any Aboriginal heritage items identified in Appendix 4.

Aboriginal Cultural Heritage Management Plan

10. Prior to carrying out any development under this consent, the Applicant must prepare an Aboriginal Cultural Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must:
- (a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary;
 - (b) be prepared in consultation with OEH and the Aboriginal stakeholders;
 - (c) include the following for the management of Aboriginal heritage:
 - ensure any workers on site receive suitable heritage inductions prior to carrying out any project on site, and that suitable records are kept of these inductions;
 - a program and description of the measures/procedures that would be implemented for managing the discovery of any new Aboriginal objects or skeletal remains during the development; and
 - a strategy for the storage of heritage items salvaged on site, both during the development and in the long term.

The Applicant must implement the approved Aboriginal Cultural Heritage Management Plan for the development.

TRAFFIC

Castlereagh Highway – Pipeline Crossing

11. The pipeline crossing of the Castlereagh Highway must be undertaken in accordance with the *Roads and Maritime Services Requirements for Classified Road Crossings*.

Operating Conditions

12. The Applicant must ensure:
- (a) the internal roadway is constructed as an all-weather roadway;
 - (b) there is sufficient parking on site for all vehicles, and no parking occurs on the public road network in the vicinity of the site;
 - (c) all vehicles are loaded and unloaded on site, and enter and leave the site in a forward direction; and
 - (d) vehicles leaving the site are in a clean condition and do not result in dirt being tracked onto the public road network.

Construction Traffic Management Plan

13. Prior to the commencement of construction or decommissioning, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Secretary. This plan must be prepared in consultation with the RMS and Council where relevant, and include:
- (a) details of the entire transport route to be used for development-related traffic;
 - (b) a protocol for undertaking dilapidation surveys to assess the:
 - existing condition of the transport route/s prior to construction or decommissioning activities; and
 - condition of the transport route/s following construction or decommissioning activities;
 - (c) a protocol for the repair of any roads identified in the dilapidation surveys to have been damaged during construction or decommissioning works;
 - (d) details of the measures that would be implemented to minimise traffic safety issues and disruption to local users of the transport route/s during construction or decommissioning works, including:
 - temporary traffic controls, including detours and signage;
 - notifying the local community about project-related traffic impacts;
 - responding to any emergency repair or maintenance requirements; and
 - (e) a drivers code of conduct that addresses:
 - travelling speeds; and
 - procedures to ensure that drivers implement safe driving practices.

Following approval, the Applicant must implement the measures described in the Construction Traffic Management Plan.

NOISE

Construction and Decommissioning Hours

14. Unless the Secretary agrees otherwise, the Applicant may only undertake construction or decommissioning activities on site between:
- (a) 7 am to 6 pm Monday to Friday;
 - (b) 8 am to 1 pm Saturdays; and
 - (c) at no time on Sundays and NSW public holidays.

The following construction or decommissioning activities may be undertaken outside these hours without the approval of the Secretary:

- the delivery of materials as requested by the NSW Police Force or other authorities for safety reasons; or
- emergency work to avoid the loss of life, property and/or material harm to the environment.

15. The Applicant must minimise the noise generated by any construction or decommissioning activities on site in accordance with the best practice requirements outlined in the *Interim Construction Noise Guideline* (DECC, 2009), or its latest version.

Construction Noise Management Plan

16. Prior to the commencement of construction or decommissioning, the Applicant must prepare a Construction Noise Management Plan to identify all feasible and reasonable noise and vibration mitigation measures. The Plan must be developed in accordance with the *Interim Construction Noise Guideline* (DECC, 2009) and must include, but not necessarily be limited to:
- (a) details of all potentially noise-affected receivers;
 - (b) analysis of all feasible mitigation measures to reduce construction noise and vibration impacts;
 - (c) procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity;
 - (d) contingency plans to be implemented in the event of non-compliance and/or noise and vibration complaints; and
 - (e) details of a contact person to follow up complaints.

Following approval, the Applicant must implement the measures described in the Noise Management Plan.

AIR QUALITY

Dust

17. The Applicant must minimise the dust generated by the development.

Odour

18. The Applicant must ensure no offensive odours are emitted from the development site, as defined under the *Protection of the Environment Operations Act 1997*.

HAZARDS

Storage and Handling of Dangerous Goods

19. All dangerous goods on site must be stored and handled in accordance with the relevant Australian Standard.

WASTE

20. The Applicant must:
- (a) minimise the waste generated by the development;

- (b) classify all waste on site in accordance with the EPA's *Waste Classification Guidelines*;
- (c) appropriately store and handle all waste on site in accordance with its classification; and
- (d) remove all waste from the site as soon as practicable, and ensure it is sent to appropriately licensed waste facilities for disposal.

BUSHFIRE PROTECTION

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

VISUAL

22. The Applicant must:
- (a) minimise the off-site visual impacts of the development;
 - (b) ensure the visual appearance of all ancillary infrastructure (including paint colours, specifications and screening) blends in as far as possible with the surrounding landscape; and
 - (c) not mount any advertising signs or logos on site, except where this is required for safety purposes.

LIGHTING

23. The Applicant must:
- (a) minimise the off-site lighting impacts of the development; and
 - (b) ensure that all external lighting associated with the development:
 - is installed as low intensity lighting (except where required for safety or emergency purposes);
 - does not shine above the horizontal; and
 - complies with *Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting*, or its latest version.

DECOMMISSIONING AND REHABILITATION

Rehabilitation Objectives

24. The Applicant must rehabilitate the site to the satisfaction of the Secretary within 2 years of the commencement of decommissioning the development. This rehabilitation must comply with the objectives in Table 4.

Table 4: Rehabilitation Objectives

Feature	Objective
Development site (as a whole)	• Safe, stable and non-polluting • Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use as far as is reasonable and feasible
Surface infrastructure, including pipelines	• To be decommissioned and removed, unless the Secretary agrees otherwise • All surface infrastructure sites (including pipeline routes) are to be revegetated with suitable local native species to a landform consistent with the surrounding environment
Land use	• Restore land capability to pre-existing uses
Community	• Ensure public safety

Progressive Rehabilitation

25. The Applicant must:
- (a) rehabilitate all areas of the site not proposed for future disturbance (including pipeline routes) progressively, that is, as soon as reasonably practicable following construction or decommissioning;
 - (b) minimise the total area exposed at any time; and
 - (c) employ interim rehabilitation strategies to minimise dust generation, soil erosion and weed incursion on parts of the site that cannot yet be permanently rehabilitated.

SCHEDULE 4 ENVIRONMENTAL MANAGEMENT AND REPORTING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. Prior to the commencement of construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:
 - (a) provide the strategic framework for environmental management of the development;
 - (b) identify the statutory approvals that apply to the development;
 - (c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (d) 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
 - (e) include:
 - copies of any plans approved under the conditions of this consent; and
 - a clear plan depicting all the monitoring to be carried out in relation to the development.

Following approval, the Applicant must implement the Environmental Management Strategy.

Management Plan Requirements

2. 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 criteria and/or performance criteria; and
 - (h) a protocol for periodic review of the plan.

Staged Submission of Strategies, Plans or Programs

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

Notes:

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

Revision of Strategies and Plans

4. The Applicant must:
 - (a) update the strategies and plans required under this consent to the satisfaction of the Secretary prior to carrying out any decommissioning activities on site; and
 - (b) review and, if necessary, revise the strategies and plans required under this consent to the satisfaction of the Secretary within 1 month of the:
 - submission of an incident report under condition 5 below; or
 - any modification to the conditions of consent.

ANNUAL REVIEW

5. By the end of March each year, the Applicant must submit a review of the environmental performance of the development for the previous calendar year to the satisfaction of the Secretary. This review must:
 - (a) describe the development (including any rehabilitation) that was carried out in the past year, and the development that is proposed to be carried out over the next year;
 - (b) include a comprehensive review of the monitoring results and complaints records of the 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;
 - (c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;
 - (d) identify any trends in the monitoring data over the life of the development;
 - (e) identify any discrepancies between the predicted and actual impacts of the development, and
 - (f) analyse the potential cause of any significant discrepancies; and
 - (g) describe what measures will be implemented over the next year to improve the environmental performance of the development.

INCIDENT REPORTING

6. The Applicant must:
 - (a) notify the Secretary and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment;
 - (b) notify the Secretary and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident for any other incident associated with the development; and
 - (c) within 7 days of the date of the incident, provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.

PROGRESS REPORTING

7. The Applicant must monitor the status of the development and submit a quarterly progress report to the Secretary. The report must:
 - (a) be submitted within 3 months of 19 June 2017 and every 3 months thereafter until the operation of the Water Treatment Plant;
 - (b) describe the development (including any construction) that was carried in the past 3 months, and the development that is proposed to be carried out over the next year;
 - (c) identify any potential delays and describe measures to ensure that the Water Treatment Plant is operational by 1 July 2019; and
 - (d) be made publicly available on the Applicant's website; to the satisfaction of the Secretary.

ACCESS TO INFORMATION

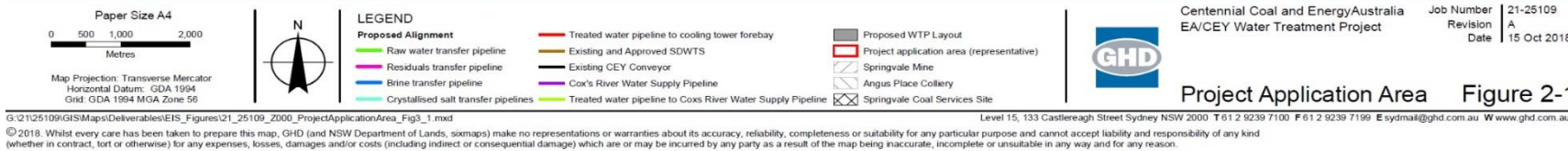
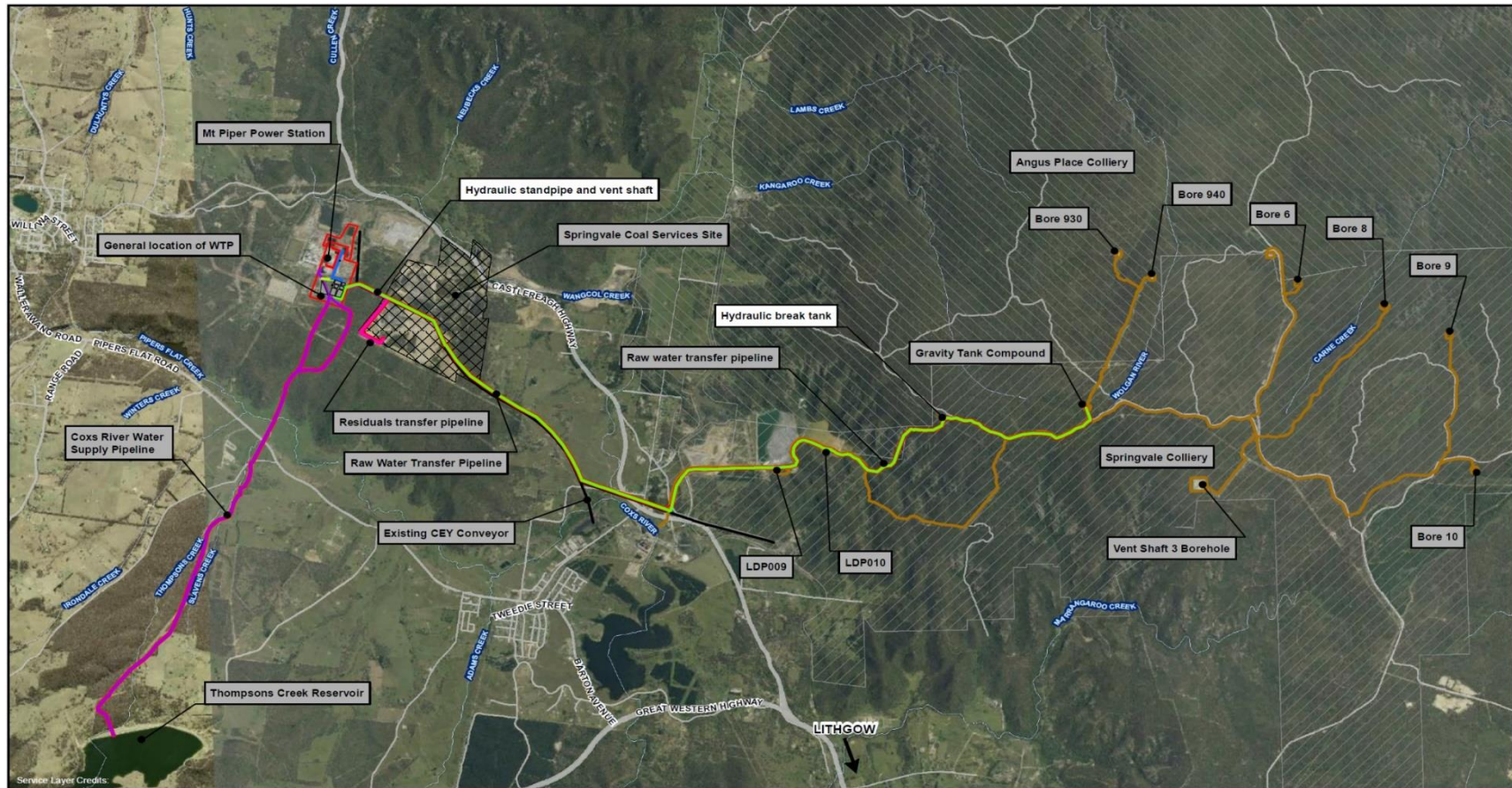
8. The Applicant must:
 - (a) make the following information publicly available on its website as relevant to the stage of the development:
 - the EIS;
 - the final layout plans for the development;
 - current statutory approvals for the development;
 - the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
 - how complaints about the development can be made;

- a complaints register;
 - any other matter required by the Secretary; and
- (b) keep this information up to date,
to the satisfaction of the Secretary.

APPENDIX 1: SCHEDULE OF LAND

Landowner	Lot and DP
Energy Australia NSW Pty Ltd	Lot 191 DP 629212 Lot 101 DP 829410 Lot 2 DP 702619 Lot 15 DP 804929 Lots 3 and 5 DP 829137 Lots 101 and 103 DP 1164619 Lot 1 and 5 DP 1087684 Lot 1 DP 829065 Lot 9 DP 804929 Lot 1 DP 829065 Lot 2 DP 702619 Lot 1 DP 800003 Lot 241 DP 8019151/1183453 Lot 191 DP 629212 Lot 254 DP 806025 Lot 103 DP 1164619
Centennial Springvale Pty Ltd and Springvale SK Kores Pty Ltd	Lot 1 DP 88503 Lot 501 DP 825541 Lot 2 DP 126483 Lot 13 and 357 DP 751651 Lot 2 DP 1151441
Lithgow City Council	Wolgan Road Skelly Road Brays Lane
Ivanhoe Coal Pty Ltd	Lot 2 DP 567915 Lot 101 DP 1137972 Lot 16 DP 751651 Lot 174 DP 751651 Lot 385 and Lot 375 DP 754651
Janette Winifred Hunt (private)	Lot 371 DP 751651
NSW State Forest	NSW State Forest Lot 502, DP 822541 Lot 3 DP 1151441
RMS	Castlereagh Highway
The Crown	Various paper roads
Wayne Alfred Hollands & Lorraine Elsie Hollands	Lot 1 DP 710709 Lot 101 DP 1053026 Lot 102 DP 1053026
Taranza Pty Ltd	Lot 2 DP 874368
The State of New South Wales	Lot 2 DP 1183453 Lot 47 and Lot 91 DP 751638 Lot 502 DP 825541
Alexander William Fraser and Marie Janice McCann	Lot 122 DP 751651
Edward Gerard Eustace & Glenys Joy Wilkinson Eustace	Lot 7 DP 828737
Ivanhoe Coal Pty Ltd	Lots 166, 160, 159, 165 and 164 DP 751638 Lot 1 DP 1151441
Marjon Holdings Ltd	Lot 242 DP 801915
Jackson Turnbull & Carmel June Turnbull	Lot 123 DP 751651 Lot 1 DP 1176813
Transport for NSW	Lot 2003 DP 1221830

APPENDIX 2: PROJECT LAYOUT



APPENDIX 3: RELATED PROJECTS

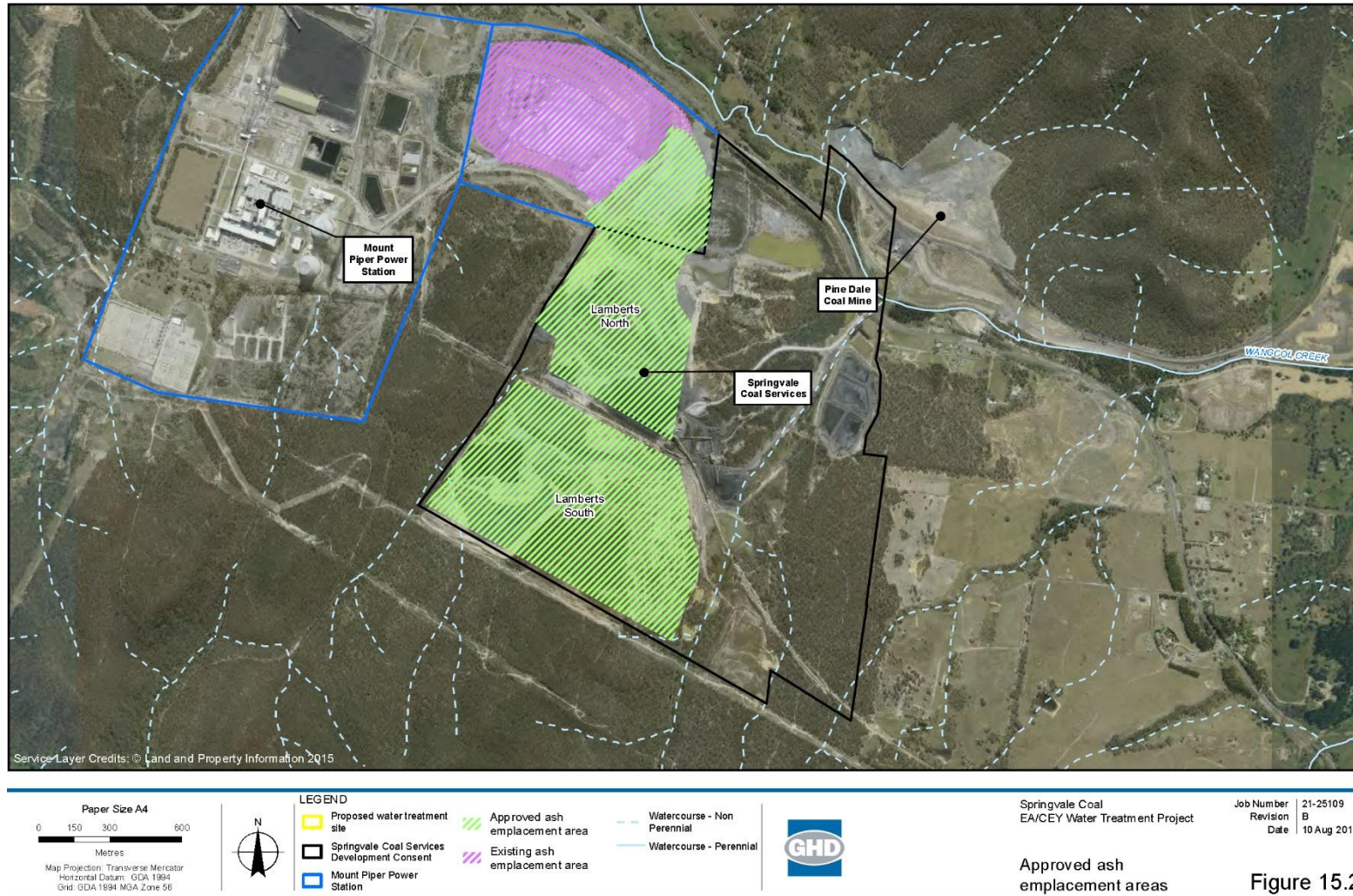


Figure 1: *Ash Emplacement Areas*

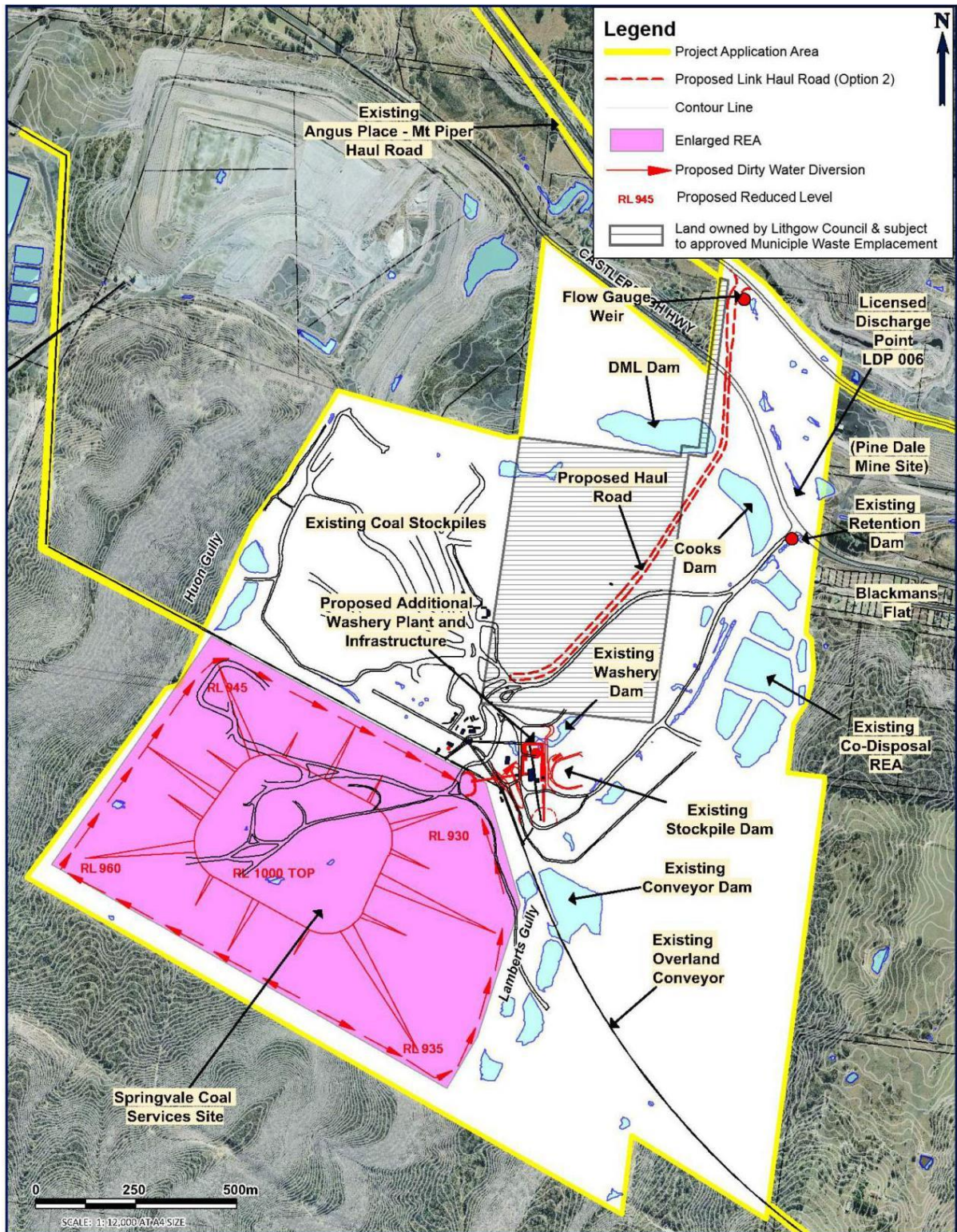
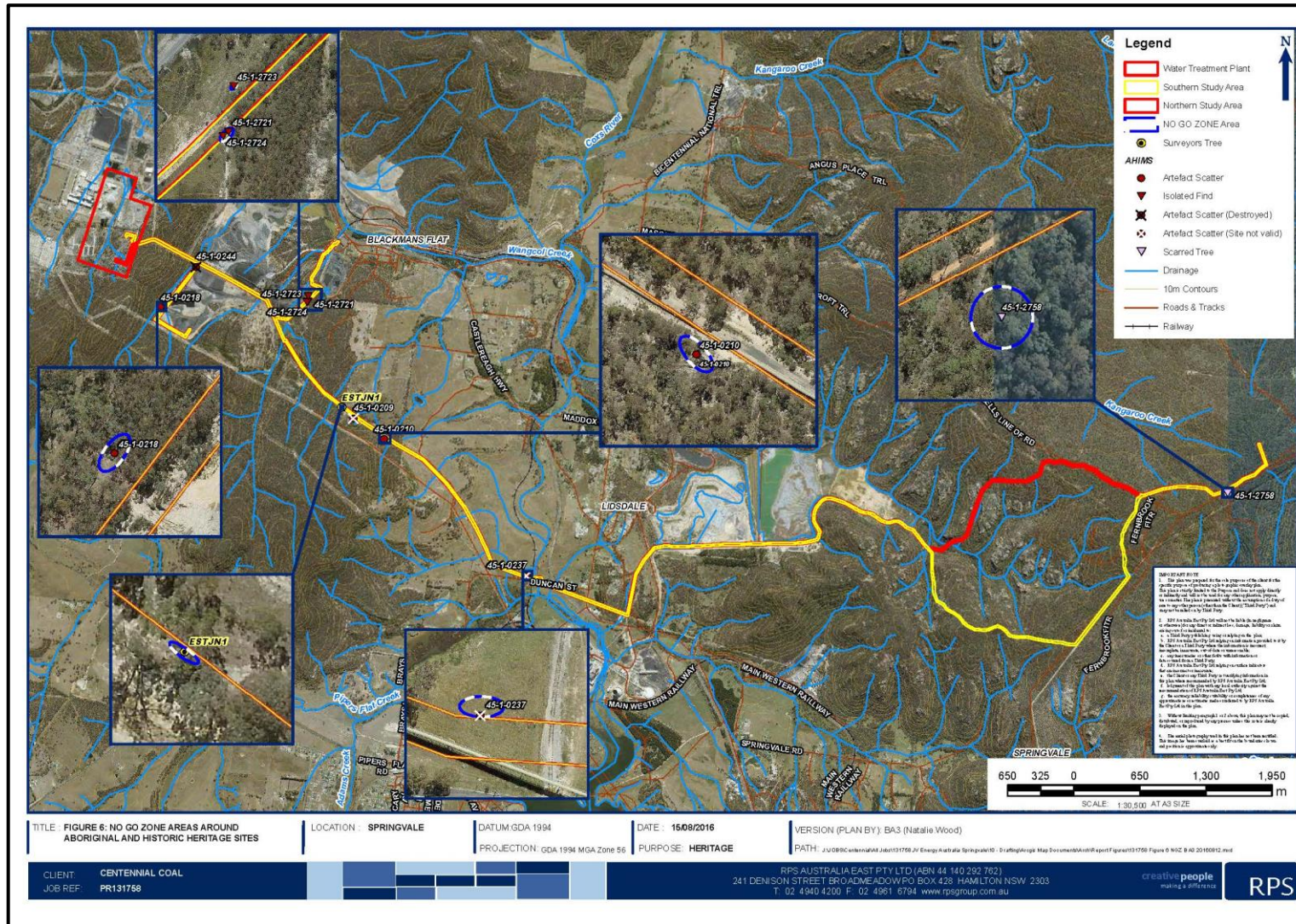


Figure 2: Western Coal Services Project

APPENDIX 4: ABORIGINAL HERITAGE SITES



AHIMS Site Number		Zone 56 MGA Easting	Zone 56 MGA Northing	Site Type	Site Type	Survey Area
45-1-0209	S4; Wallerawang	226405	6302740	Artefact Scatter	Not Valid	Overland Conveyor
45-1-0210	S3; Wallerawang	226705	6302540	Artefact Scatter	Valid	Overland Conveyor
45-1-0218	57 Blackmans Flat	224505	6303840	Artefact Scatter	Valid	Residuals Transfer Pipeline
45-1-0237	Springvale Colliery	228105	6301190	Artefact Scatter	Valid – Partially Salvaged	Overland Conveyor
45-1-0243	S13; Springvale Colliery	224970	6303900	Artefact Scatter	Not Valid	Overland Conveyor
45-1-0244	S13; Springvale Colliery	224855	6304230	Artefact Scatter	Not Valid	Overland Conveyor
45-1-2721	CS SU4 – A4	225953	6303887	Isolated Find	Valid	New Treated Water Pipeline
45-1-2723	CS SU4 – A2	225959	6303943	Isolated Find	Valid	New Treated Water Pipeline
45-1-2724	CS SU4 – A1	225946	6303882	Isolated Find	Valid	New Treated Water Pipeline
45-1-2758	RPS SV ST1	235004	6302002	Scar Tree	Valid	Newnes Plateau
45-6-2354	Lamberts Creek 6	225530	6303350	Artefact Scatter	Not Valid	Overland Conveyor