

Notice of Modification

Section 75W of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, the Planning Assessment Commission modifies the project approval referred to in Schedule 1, as set out in Schedule 2.

Member of the Commission

Sydney

Member of the Commission

2018

SCHEDULE 1

The project approval (06_0261) for the Hunter Valley Operations South Coal Project, granted by the Minister for Planning on 24 March 2009.

SCHEDULE 2

1. In the list of definitions in Schedule 2, delete the definitions for "Department", "Director-General", "DRE", "EA", "Independent Dispute Resolution Process", "Land", "LCP 'Short Loop' rail line", "NOW", "Project", "Project Area", "Response to Submissions", "RTA", "Site", "Statement of Commitments" and "Warkworth Extension EA" and insert the following definitions in alphabetical order:

Approved Disturbance Area	The area identified as such within Figure 1 of Appendix 2
Ashton Open Cut Mine	Ashton Open Cut Mine as approved under project approval MP 08_0182 for the Ashton South East Open Cut Project, as modified
Conditions of this approval	Conditions contained in Schedules 2 to 5 (inclusive) of this document
CLWD	Division of Crown Lands and Water within the Department of Industry
Department	Department of Planning and Environment
DRG	Division of Resources and Geoscience within the Department
EA	Environmental assessment titled <i>Hunter Valley Operations South Coal Project Environmental Assessment Report, Volumes 1, 2 and 3</i> , dated January 2008, including the response to submissions, titled <i>HVO South Coal Project Response to Submissions Report</i> dated 10 July 2008 and 15 September 2008
EA (Mod 5)	Environmental Assessment titled <i>Hunter Valley Operations South – Modification 5 – Environmental Assessment</i> dated February 2017, the <i>Response to submissions</i> dated June 2017
Incident	An occurrence or set of circumstances that: <ul style="list-style-type: none">• causes, or threatens to cause material harm to the environment, or• results in non-compliance with this approval
Land	Has the same meaning as the definition of the term in section 4 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 approval where it is defined to mean the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this approval
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the project
Mitigation	Activities associated with reducing the impacts of the project prior to or during those impacts occurring
Negligible	Small and unimportant, such as to be not worth considering
NPWS	National Parks and Wildlife Service
OEH	Office of Environment and Heritage
Project	The development described within the documents listed in condition 2 of Schedule 2

Project Layout Rehabilitation	The general layout of the project, as shown in Figure 1 of Appendix 2 The restoration of land disturbed by the project to a good condition, to ensure it is safe, stable and non-polluting
Riverview South East Extension Area	As described in the EA and as identified as Area 3 in Figure 5.1 of the EA (previously referred to as the Glider Pit)
RMS	Roads and Maritime Services
SA NSW	Subsidence Advisory NSW (formerly the Mine Subsidence Board)
Secretary	Secretary of the Department, or nominee
Site	The land listed in Appendix 1 and outlined in pink in Figure 1 of Appendix 1
Statement of Commitments Wambo Mine	The Proponent's commitments in Chapter 16 of EA (Mod 5) Wambo Mine approved under development consent DA 305-7-2003, as modified, and its associated rail facilities as approved under development consent DA 177-8-2004, as modified
Warkworth Mine	Warkworth Mine as approved under development consent SSD-6464 for the Warkworth Continuation Project, as modified
Warkworth Mine EIS	The Environmental Impact Statement titled <i>Warkworth Continuation Project 2014 Environmental Impact Statement (6 volumes)</i> dated June 2014, and associated response to submissions titled <i>Warkworth Continuation 2014 Response to Submissions (2 volumes)</i> dated 10 November 2014, and associated response titled <i>Warkworth Continuation 2014 Response to Planning Assessment review report</i> dated 20 March 2015

2. Delete all references to "Director-General" and replace with "Secretary".
3. Delete all references to "the Executive Director, Mineral Resources in DRE" or "the DRE" and replace with "DRG".
4. Delete all references to "NOW" and replace with "CLWD".
5. Delete all references to "RTA" and replace with "RMS".
6. Delete all references to "shall" and replace with "must", except in conditions 3 and 14 of Schedule 2, the 'Note' in 47 of Schedule 3, the last paragraph of condition 49 of Schedule 3 and conditions 6 and 7 of Schedule 4.
7. In condition 2 of Schedule 2:
 - a) at the end of sub-paragraph (f), delete the word "and";
 - b) delete sub-paragraph (g) and replace with the following:
 - (g) EA (MOD 5); and
 - (h) project layout.
 - c) delete the 'Notes'; and
 - d) after the 'Notes', insert the following:

2A. The Proponent must carry out the project in accordance with the conditions of this approval.
8. In condition 3 of Schedule 2, delete the words "above documents" and replace with the words "documents listed in condition 2".
9. In condition 6 of Schedule 2, delete the number "16" and replace with the number "20".
10. Delete conditions 7 and 9A of Schedule 2.
11. In condition 10 of Schedule 2:
 - a) at the end of the paragraph, before the full stop, insert the words "and any additional requirements of SA NSW"; and
 - b) at the end of the 'Notes', insert the following:
 - Under section 15 of the Mine Subsidence Compensation Act 1961, the Proponent is required to obtain SA NSW's approval before subdividing or constructing any improvements in a Mine Subsidence District.
12. At the end of Schedule 2, insert the following:

Evidence of Consultation

15. Where conditions of this approval require a document to be prepared in consultation with an identified party, the Proponent must:

- (a) consult with the relevant party prior to submitting the subject document to the Secretary for approval; and
- (b) provide details of the consultation undertaken including:
 - a description of how matters raised by those consulted have been resolved to the satisfaction of both the Proponent and the party consulted; and
 - details of any disagreement remaining between the party consulted and the Proponent, and how the Proponent has addressed the matters not resolved.

Compliance

16. The Proponent must ensure that all employees, contractors and sub-contractors are made aware of, and instructed to comply with, the conditions of this approval relevant to their respective activities.
13. In condition 1 of Schedule 3, delete numbers “10-12” and replace with numbers “7-9”.
14. In Table 1 in condition 1 of Schedule 3:

- a) in the second column, below the row “38-Henderson”, insert the following:

45 – Kelly

- b) delete the ‘Note’ and replace with the following:

Notes:

- The land numbers are as described in the EA, except the one with an asterisk which is as described in EA (Mod 5), and as shown in Appendix 4.
- Land numbers 16, 32, 38 and Keys are now mine-owned.
- Keys vacant lots are now consolidated as a single lot, Lot 84 DP 1124139.
- Land number 45 is referenced as 77 in EA (Mod 5). The Proponent is only required to acquire land number 45 if the owner of this land no longer has voluntary land acquisition rights under the planning approvals for Wambo Mine or Warkworth Mine.

15. In Table 2 in condition 2 of Schedule 3:
- a) delete the eighth and ninth rows of the noise criteria and replace with the following:

24 – Clifton and Edwards and residences located within 250 metres of this residence, not otherwise listed in this table	40	40	40	45
Maison Dieu residences within 1 kilometre of Shearers Lane, not otherwise listed in this table	39	39	39	45
127* – Riley	37	37	37	45

- b) below the heading “Jerrys Plains Road residences”, delete the eleventh, twelfth and thirteenth rows of the noise criteria and replace with the following:

36 – Smith (ex Garland)	40	40	40	45
4 – Muller				
31 – Cooper (Kilburnie)				
310* – Northcote	39	39	39	45
312* – Carmody				
463* – Carter				
3 – Elisnore				
317* – Gee	38	38	38	45
434* – Murphy				
436* – Skinner	37	37	37	45
321* – Hayes	36	36	36	45
All Jerrys Plains Road residences, not otherwise listed in this table	35	35	35	45

- c) in the ‘Notes’ delete the second to fifth dot points, and replace with the following:

- The receiver references are as described in the EA, except those with an asterisk which are as described in EA (Mod 5), and as shown in Appendix 4.
- Noise generated by the project must be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy (2000, or its latest version).
- The noise limits in Table 2 are to be applied in accordance with the limitations and requirements set out in Appendix 4A.
- Receivers 7, 10, 16, 32, 38, 23 are now mine-owned.

16. Delete condition 3 of Schedule 3, including the heading and the table.
17. In condition 4 of Schedule 3:
 - a) at the end of the second dot point, delete the word “or”;
 - b) delete the third dot point; and
 - c) at the end of the first paragraph, insert the following:

These measures must be consistent with the measures outlined in the *Voluntary Land Acquisition and Mitigation Policy for State Significant Mining, Petroleum and Extractive Industry Development* (NSW Government, 2014) and proportionate to the level of predicted impact.

18. Delete Tables 4 and 5, including the caption to Table 5 and the underlying ‘Note’, and replace with the following:

7– Stapleton (Cheshunt East)
Maison Dieu residences
17 – Algie
5 – Bowman, 47 – Moxey, 61 – Shearer and all other land on Shearer’s Lane
34 – Ernst
50 – Nelson
24 – Clifton and Edwards and residences located within 250 metres of this residence, not otherwise listed in this table
Maison Dieu residences within 1 kilometre of Shearers Lane
Jerrys Plains Road residences
36 – Smith (ex Garland)
3 – Elsnore, 4 – Muller, 31 – Cooper (Kilburnie)
310* – Northcote, 312* – Carmody, 317* – Gee and 463* – Carter
Warkworth residences
All privately-owned Warkworth residences

Notes:

- The land numbers and receiver references are as described in the EA, except those with an asterisk which are as described in EA (Mod 5), and as shown in Appendix 4.
- Land numbers 7 and 17 are now mine-owned and the remaining privately-owned Warkworth residence (45) is now listed in Table 1.

19. Delete conditions 5 and 6 of Schedule 3, including the headings, and replace with the following:

Operating Conditions

5. The Proponent must:
 - (a) take all reasonable steps to minimise construction, operational, low frequency, road and on-site rail noise of the project;
 - (b) take all reasonable steps to minimise the noise impacts of the project during meteorological conditions when the noise criteria in this approval do not apply (see Appendix 4);
 - (c) operate a comprehensive noise management system that uses a combination of predictive meteorological forecasting and real-time noise monitoring data to guide the day to day planning of mining operations, and the implementation of both proactive and reactive noise mitigation measures to ensure compliance with the relevant conditions of this approval;
 - (d) carry out regular noise monitoring to determine whether the project is complying with the relevant conditions of this approval; and
 - (e) regularly assess the noise monitoring data, and modify or stop operations on the site to comply with the relevant conditions of this approval,
 to the satisfaction of the Secretary.

Noise Management Plan

6. The Proponent must prepare a Noise Management Plan for the project to the satisfaction of the Secretary. This plan must:
 - (a) be submitted to the Secretary for approval within 3 months of the determination of Modification 5, unless otherwise agreed by the Secretary;
 - (b) be prepared in consultation with the EPA by a suitably qualified and experienced person/s;
 - (c) describe the measures to be implemented to ensure:
 - compliance with the noise criteria and operating conditions in this approval;
 - best practice management is being employed; and

- the noise impacts of the project are minimised during meteorological conditions under which the noise criteria in this approval do not apply;
- (d) describe the noise management system in detail; and
- (e) include a monitoring program that:
 - uses a combination of real-time and supplementary attended monitoring to evaluate the performance of the project;
 - includes a program to calibrate and validate the real-time noise monitoring results with the attended monitoring results over time;
 - adequately supports the noise management system; and
 - includes a protocol for identifying noise incidents and notifying the Department and relevant stakeholders of any such incident; and
- (f) include a protocol that has been prepared in consultation with the owners of nearby mines to minimise cumulative noise impacts.

The Proponent must implement the Noise Management Plan as approved by the Secretary.

20. In condition 7 of Schedule 3, after Table 6, insert the following:

However, if the Proponent has a written negotiated blast agreement with the owner of the relevant residence on privately-owned land, and a copy of this agreement has been forwarded to the Department and EPA, then the Proponent may exceed the airblast overpressure level in Table 6 in accordance with the negotiated agreement.

21. In condition 8 of Schedule 3, after Table 7, insert the following:

However, if the Proponent has a written negotiated blast agreement with the owner of the relevant residence on privately-owned land, and a copy of this agreement has been forwarded to the Department and EPA, then the Proponent may exceed the ground vibration level in Table 7 in accordance with the negotiated agreement.

22. In condition 10 of Schedule 3, delete the word “EPA” and replace with the word “Secretary”.

23. In condition 11 of Schedule 3, at the end of sub-paragraph (b) insert the following:

- ;
- (c) minimise the frequency and duration of any road closures for blasting, and use all reasonable efforts to avoid road closures during peak traffic periods;
- (d) use all reasonable efforts to co-ordinate the timing of blasting at the site with any nearby mines to minimise cumulative blasting impacts; and
- (e) carry out regular blast monitoring to determine whether the project is complying with the relevant conditions of this approval,

24. At the end of condition 12 of Schedule 3, insert the following:

This condition does not apply to blasts that generate ground vibration of 0.5 mm/s or less at any residence on privately-owned land, or to 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.*

25. Delete conditions 13 and 14 of Schedule 3, including the heading, and replace with the following:

13. The Proponent must not undertake blasting on the site within 500 metres of any public road or any land outside the site not owned by the Proponent, unless the Proponent has:
- (a) a written agreement with the owner/s of the relevant public road or land to allow blasting to be carried out closer to the public road or land, and the Proponent has advised the Department in writing of the terms of this agreement; or
 - (b) demonstrated, to the satisfaction of the Secretary, that the blasting can be carried out closer to the public road or land without compromising the safety of people or livestock or damaging the road or other buildings and structures, and updated the Blast Management Plan to include specific mitigation measures to be implemented while blasting is being carried out within 500 metres of the road or land.

26. In condition 17 of Schedule 3, delete the last paragraph and replace with the following:

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

27. Delete condition 18 of Schedule 3, including the heading, and replace with the following:

Blast Management Plan

18. The Proponent must prepare a Blast Management Plan for the project to the satisfaction of the Secretary. This plan must:
- be submitted to the Secretary for approval within 3 months of the determination of Modification 5, unless otherwise agreed by the Secretary;
 - be prepared in consultation with the EPA by a suitably qualified and experienced person/s;
 - describe the measures to be implemented to ensure compliance with the blasting criteria and conditions of this approval;
 - include a Road Closure Management Plan for any blasting within 500 metres of a public road, that has been prepared in consultation with relevant roads authorities and includes provisions for:
 - minimising the duration of closures, both on a per event basis and weekly basis;
 - avoiding peak traffic periods as far as reasonable; and
 - co-ordinating with nearby mines to minimise the cumulative effect of road closures;
 - propose and justify any agreed alternative ground vibration limits for public or private infrastructure in the vicinity of the site (if relevant); and
 - include a monitoring program for evaluating and reporting on compliance with the relevant conditions of this approval.

The Proponent must implement the Blast Management Plan as approved by the Secretary.

28. Delete conditions 19 and 20 of Schedule 3, including the headings and tables, and replace with the following:

Air Quality Impact Assessment Criteria

19. The Proponent must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the project do not exceed the air quality impact assessment criteria listed in Table 8 at any residence on privately-owned land, the Hunter Valley Gliding Club (when in use) or on more than 25 percent of any privately-owned land.

Table 8: Air quality impact assessment criteria

Pollutant	Averaging period	Criterion
Particulate matter < 10 µm (PM ₁₀)	Annual	a, c 25 µg/m ³
	24 hour	b 50 µg/m ³
Particulate matter < 2.5 µm (PM _{2.5})	Annual	a, c 8 µg/m ³
	24 hour	b 25 µg/m ³
Total suspended particulate (TSP) matter	Annual	a, c 90 µg/m ³

Notes:

- Air quality impacts at HVGC are to be assessed in the immediate vicinity of its residential facilities and/or clubhouse. Air quality limits are only applicable during times of use that have been notified by HVGC to the Proponent.*
- a Total impact (i.e. incremental increase in concentrations due to the project plus background concentrations due to all other sources).*
- b Incremental impact (i.e. incremental increase in concentrations due to the project on its own).*
- c Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Secretary.*

However, if the Proponent has a written negotiated air quality agreement with any landowner or HVGC to exceed the air quality limits in Table 8 and a copy of this agreement has been forwarded to the Department and EPA, then the Proponent may exceed the air quality limits in Table 8 in accordance with the negotiated air quality agreement.

19. In condition 21 of Schedule 3:
- at the end of the first sentence, insert the following:

These measures must be consistent with the measures outlined in the *Voluntary Land Acquisition and Mitigation Policy for State Significant Mining, Petroleum and Extractive Industry Development* (NSW Government, 2014) and proportionate to the level of predicted impact.

- b) in Table 14, in the first column, below the row starting with “24 – Clifton and Edwards”, insert the following:

471* – Bowman

- c) below Table 14, insert the following:

Notes:

- *The land numbers are as described in the EA, except the one with an asterisk which is as described in EA (Mod 5), and as shown in Appendix 4., and as shown in Appendix 4.*
- *Land number 7 is now mine-owned.*

20. Delete conditions 22 and 23 of Schedule 3, including the headings, and replace with the following:

Mine-owned Land

- 21A. Particulate matter emissions generated by the project must not exceed the criteria listed in Table 8 at any occupied residence on mine-owned land (including land owned by another mining company) unless:
- (a) the tenant and landowner (if the residence is owned by another mining company) have been notified of any health risks associated with such exceedances in accordance with the notification requirements under Schedule 4 of this approval;
 - (b) the tenant of any land owned by the Proponent can terminate their tenancy agreement without penalty at any time, subject to giving reasonable notice;
 - (c) air quality monitoring is regularly undertaken to inform the tenant and landowner (if the residence is owned by another mining company) of the likely 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

22. The Proponent must:
- (a) take all reasonable steps to minimise odour, fume, spontaneous combustion, greenhouse gas and dust (including PM₁₀ and PM_{2.5}) emissions of the project;
 - (b) minimise any visible off-site air pollution generated by the project;
 - (c) minimise to the greatest extent practicable, the extent of potential dust generating surfaces exposed on the site at any given point in time;
 - (d) 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 approval;
 - (e) carry out regular air quality monitoring to determine whether the project is complying with the relevant conditions of this approval;
 - (f) regularly assess the air quality monitoring data, and modify or stop operations on the site to ensure compliance with the relevant conditions of this approval;
 - (g) minimise the air quality impacts of the project during adverse meteorological conditions and extraordinary events (see Note c to Table 8 above); and
 - (h) use all reasonable efforts to co-ordinate air quality management on the site with the air quality management at nearby mines to minimise cumulative air quality impacts,
- to the satisfaction of the Secretary.

Air Quality Management Plan

23. The Proponent must prepare an Air Quality Management Plan for the project to the satisfaction of the Secretary. This plan must:
- (a) be submitted to the Secretary for approval within 3 months of the determination of Modification 5, unless otherwise agreed by the Secretary;
 - (b) be prepared in consultation with the EPA by a suitably qualified and experienced person/s;
 - (c) describe the measures to be implemented to ensure:
 - compliance with the air quality criteria and operating conditions in this approval;
 - best practice management is being employed; and
 - the air quality impacts of the project are minimised during adverse meteorological conditions and extraordinary events;
 - (d) describe the air quality management system in detail; and

- (e) include an air quality monitoring program that:
 - uses monitors to evaluate the performance of the project against the air quality criteria in this approval and to guide day to day planning of operations;
 - adequately supports the air quality management system; and
 - a protocol for identifying and notifying the Department and relevant stakeholders of any air quality incidents;
- (f) include a protocol that has been prepared in consultation with the owners of nearby mines to minimise cumulative air quality impacts.

The Proponent must implement the Air Quality Management Plan as approved by the Secretary.

- 21. In condition 24 of Schedule 3, after the words “Approved Methods for Sampling”, insert the words “and Analysis”.
- 22. In condition 26 of Schedule 3:
 - a) at the start of sub-paragraph (b), insert the words “to the south of the Hunter River”; and
 - b) delete the ‘Note’.
- 23. After condition 26 of Schedule 3, insert the following:

Water Supply

- 26A. The Proponent must ensure that it has sufficient water for all stages of the project, and if necessary, adjust the scale of the project to match its available water supply.

The Proponent must report on water extracted from the site each year (direct and indirect) in the Annual Review, including water taken under each water licence.

Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Proponent is required to obtain all necessary water licences for the project. The Proponent must surrender sufficient water entitlements upon cessation of rehabilitation activities to ensure that post closure water take impacts are sufficiently accounted for.

Compensatory Water Supply

- 26B. The Proponent must provide compensatory water supply to any landowner of privately-owned land whose rightful water supply is adversely and directly impacted (other than an impact that is negligible) as a result of the project, in consultation with CLWD, and to the satisfaction of the Secretary.

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

If the Proponent and the landowner cannot agree on whether the loss of water is/ is not attributable to the project or the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.

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

Notes:

- *The Water Management Plan (see condition 27 below) is required to include trigger levels for investigating potentially adverse impacts on water supplies.*
- *The burden of proof that any loss of surface water or groundwater access is not due to the project rests with the Proponent.*

Water Transfers

- 26C. The Proponent may receive water from, and transfer water to, neighbouring mines including HVO North, Warkworth/ Mt Thorley and Wambo mines.
- 24. In condition 27 of Schedule 3:
 - a) after the first arrow point of sub-paragraph (c), insert the following:
 - a detailed description of the surface water management system;
 - details of water licensing requirements for all water storages;
 - details of licensed discharge points and limits;

- detailed design objectives and performance measures for erosion and sediment control works, water storages, water diversions, sediment dams, emplacement areas, backfilled voids and the final void;
 - surface water impact assessment criteria, including trigger levels for investigating potentially adverse surface water impacts of the project;
 - a program to monitor potentially adverse impacts of the project on surface water flows and quality, flooding, stream and riparian vegetation health, including monitoring controlled and uncontrolled discharges and seepage/leachate from the site; and
 - a plan to respond to any exceedances of the performance criteria or surface water impact assessment criteria, and repair, mitigate and/or offset any adverse surface water impacts of the project;
- b) delete all words after the second open dot point in sub-paragraph (c), including the 'Note', and replace with the following:
- impacts of the project on groundwater dependent ecosystems, riparian vegetation and River Red Gum populations; and
 - a plan to respond to any exceedances of the groundwater impact assessment criteria, and repair, mitigate and/or offset any adverse groundwater impacts of the project; and
 - a program to periodically update and validate the water balance and groundwater model for the project and compare monitoring results with modelled predictions, unless otherwise agreed by the Secretary.

The Proponent must implement the Water Management Plan as approved by the Secretary.

25. In condition 29 of Schedule 3:
 - a) delete the words "Warkworth Extension EA", and replace with the words "Warkworth Mine EIS"; and
 - b) in the 'Note', delete the number "1,299.3" and replace with the number "1,063".
26. In conditions 29, 29B and 39 of Schedule 3, delete the words "under the project approval for the Warkworth Extension Project (09_0202)", "for the Warkworth Extension Project", "for Warkworth Extension Project", or "for the Warkworth Extension Project (MP 09_0202)", and replace with the words "for Warkworth Mine".
27. Delete condition 29A of Schedule 3 and replace with the following:

29A. By the end of June 2018, unless the Secretary agrees otherwise, the Proponent must secure the offset area identified in condition 29 under an in perpetuity conservation mechanism to the satisfaction of the Secretary, such as a Conservation Agreement under the *National Parks and Wildlife Act 1974*, BioBanking Agreement under the *Threatened Species Conservation Act 1995*, Biobanking Stewardship Agreement or Conservation Agreement under the *Biodiversity Conservation Act 2016* or by incorporating the land into the Goulburn River National Park (if agreed by NPWS). This conservation mechanism may be combined with any similar mechanism required for Warkworth Mine.
28. In condition 29B of Schedule 3, delete the words "Rehabilitation and Biodiversity Management Plan under either this approval or MP 09_0202" and replace with the words "Biodiversity Management Plan under either this approval or similar plan required for Warkworth Mine".
29. In conditions 30 and 33 of Schedule, delete the word "EPA" and replace with the word "OEH".
30. Delete conditions 34 to 38 of Schedule 3, including the headings, and replace with the following:

Biodiversity Management Plan

- 33A. The Proponent must prepare a Biodiversity Management Plan to the satisfaction of the Secretary. This plan must:
 - (a) be submitted to the Secretary for approval within 3 months of the determination of Modification 5, unless otherwise agreed by the Secretary;
 - (b) be prepared in consultation with the OEH by a suitably qualified and experienced person/s;
 - (c) describe the short, medium, and long term measures to be undertaken to manage the remnant vegetation and fauna habitat on the site and implement the Biodiversity Offset Strategy (see condition 29);
 - (d) describe the measures to be undertaken to avoid the Southern Biodiversity Area or Northern Biodiversity Area located within the site (see condition 29B);
 - (e) incorporate the River Red Gum Strategy (see condition 30);
 - (f) describe the measures to be undertaken to protect the Hunter Lowland Red Gum Forest endangered ecological community (see condition 31);

- (g) include detailed performance and completion criteria for evaluating the performance of the Biodiversity Offset Strategy and include triggers for remedial action, where these performance or completion criteria are not met;
- (h) include a detailed description of the measures to be implemented on the site and in the biodiversity area/s for:
 - protecting vegetation and fauna habitat outside the approved disturbance area on the site;
 - enhancing the quality of existing vegetation, vegetation connectivity and fauna habitat on the site and in the offset areas;
 - minimising clearing and avoid unnecessary disturbance;
 - maximising the salvage of resources within the approved disturbance area for beneficial reuse;
 - collecting and propagate seed;
 - utilising vegetation for visual screening of the site;
 - minimising the impacts on fauna on site, including undertaking pre-clearance surveys;
 - managing salinity;
 - controlling weeds and feral pests;
 - controlling erosion;
 - managing grazing and agriculture on the site;
 - controlling access; and
 - manage bushfire hazards;
- (i) be integrated with rehabilitation for the site;
- (j) include a seasonally-based program to monitor and report on the effectiveness of the above measures, progress against the detailed performance and completion criteria, and any progressive improvements that could be implemented to improve biodiversity outcomes;
- (k) monitor and report on the impacts of the project on groundwater dependent ecosystems and riparian vegetation consistent with the Groundwater Monitoring Program, and identify trigger levels for the remediation of any material impacts to these ecosystems;
- (l) identify the potential risks to the successful implementation of the Biodiversity Offset Strategy, and include a description of the contingency measures to be implemented to mitigate against these risks; and
- (m) include details of who would be responsible for monitoring, reviewing, and implementing the plan.

The Proponent must implement the Biodiversity Management Plan as approved by the Secretary.

Note: Management measures relating to the Biodiversity Offset Strategy may be addressed via equivalent measures as part of the long term security arrangement under condition 29A.

Progressive Rehabilitation

- 34. The Proponent must rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable steps must be taken to minimise the total area exposed at any time. Interim stabilisation and temporary vegetation strategies must be employed when areas prone to dust generation, soil erosion and weed incursion cannot be permanently rehabilitated.

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

Rehabilitation Objectives

- 35. The Proponent must rehabilitate the site to the satisfaction of DRG. This rehabilitation must be generally consistent with the proposed rehabilitation activities described in the documents listed in condition 2 of Schedule 2 (and shown conceptually in the figure in Appendix 6), and comply with the objectives in Table 16.

Table 16: Rehabilitation Objectives

Feature	Objective
All areas of the site affected by the project	<ul style="list-style-type: none"> • Safe, stable and non-polluting • Fit for the intended post-mining land use/s
Areas proposed for native ecosystem re-establishment	<ul style="list-style-type: none"> • Establish self-sustaining native woodland ecosystems characteristic of vegetation communities found in the local area
Areas proposed for agricultural land	<ul style="list-style-type: none"> • Establish/restore grassland areas to support sustainable agricultural activities • Achieve the nominated land capability classification
Final Landform	<ul style="list-style-type: none"> • Stable and sustainable for the intended post-mining land use/s • Integrated with surrounding natural landforms

	<ul style="list-style-type: none"> • Incorporate micro-relief and drainage lines that are consistent with surrounding topography, to the greatest extent practicable • Maximise surface water drainage to the natural environment (excluding final void catchment)
Final void	<ul style="list-style-type: none"> • Designed as long term groundwater sink to maximise ground water flows across backfilled pits to the final void • Minimise to the greatest extent practicable: <ul style="list-style-type: none"> – the size and depth of final voids; – the drainage catchment of final voids; – any high wall instability risk; and – the risk of flood interaction
Surface infrastructure of the project	<ul style="list-style-type: none"> • Decommissioned and removed, unless DRG agrees otherwise
Rehabilitation materials	<ul style="list-style-type: none"> • Materials from areas disturbed under this approval (including topsoils, substrates and seeds) are to be recovered, managed and used as rehabilitation resources, to the greatest extent practicable
Water quality	<ul style="list-style-type: none"> • Water retained on the site is fit for the intended post-mining land use/s • Water discharged from the site is suitable for receiving waters and fit for aquatic ecology and riparian vegetation
Community	<ul style="list-style-type: none"> • Ensure public safety • Minimise adverse socio-economic effects associated with mine closure

Note: The rehabilitation objectives detailed in Table 16 apply to the entire site; however, they do not require any additional earthmoving works to be undertaken to landforms that have been constructed under previous approvals or prior to the approval of Modification 5.

Rehabilitation Management Plan

36. The Proponent must prepare a Rehabilitation Management Plan for the project to the satisfaction of the DRG. This plan must:
- be prepared by suitably qualified expert/s;
 - be prepared in consultation with the Department, CLWD and Council by a suitably qualified and experienced person/s;
 - be submitted for approval within 3 months of the determination of Modification 5, unless otherwise agreed by the Secretary;
 - be prepared in accordance with any relevant DRG Guideline;
 - describe how the rehabilitation of the site would achieve the objectives identified in Table 16 and be integrated with the measures in the Biodiversity Management Plan;
 - include detailed performance and completion criteria for evaluating the performance of progressive and final rehabilitation and include triggers for remedial action, where these performance or completion criteria are not met;
 - describe the measures to be implemented to meet the performance and completion criteria, to ensure compliance with the relevant conditions of this approval and to address all aspects of rehabilitation including mine closure, final landform (including the final void), final land use/s, and water management in the final landform;
 - include procedures for the use of interim stabilisation and temporary vegetation strategies, where reasonable to minimise exposed areas;
 - include a program to monitor, independently audit and report on the effectiveness of the rehabilitation measures, and progress against the performance and completion criteria;
 - identify the potential risks to the successful implementation of rehabilitation, and include a description of the contingency measures to be implemented to mitigate against these risks; and
 - include details of who would be responsible for monitoring, reviewing, and implementing the plan.

The Proponent must implement the Rehabilitation Management Plan as approved by the Secretary.

31. In condition 39 of Schedule 3:
- delete the words “Rehabilitation and Biodiversity Management Plan” and replace with the words “Biodiversity Management Plan”; and
 - after sub-paragraph (b), insert the following:

The calculation of the conservation bond must be submitted to the Department for approval at least 1 month prior to the lodgement of the bond.

The conservation bond must be reviewed and if required, an updated bond must be lodged with the Department within 3 months following:

- (a) any update or revision to the Biodiversity Management Plan;
- (b) the completion of an Independent Environmental Audit in which recommendations relating to the implementation of the Biodiversity Offset Strategy have been made; or
- (c) in response to a request by the Secretary.

32. In condition 40 of Schedule 3:
- a) delete the words “and implement”; and
 - b) after the last sub-paragraph, insert the words “The Proponent must implement the Aboriginal Heritage Management Plan as approved by the Secretary.”.
33. Delete condition 46 of Schedule 3, including the heading.
34. In condition 47 of Schedule 3, delete the words “Department of Aviation” and replace with the words “Civil Aviation Safety Authority”.
35. In condition 49 of Schedule 3:
- a) in sub-paragraphs (a) and (f) and the last paragraph, delete the words “the Hunter Valley Gliding Club” and replace with the word “HVGC”;
 - b) at the end of sub-paragraph (d), delete the words “exclude land owned by the Hunter Valley Gliding Club” and replace with the words “mitigate the potential impacts identified in the risk assessment required under paragraph (c)”;
 - c) delete sub-paragraph (e) and replace with the following:
 - (e) identify and implement management measures for mining activities to ensure that air safety impacts are minimised and the OLS limits in condition 48 are adhered to;
 - d) at the end of sub-paragraph (f), insert the following:
 - (g) include a program to monitor and report on the effectiveness of the mine plan modifications required under paragraph (d) and the management measures required under paragraphs (e) and (f); and
 - (h) include notification procedures for prior notification of potentially disruptive activities at either HVO South or the HVGC site and procedures for notifying HVGC of any exceedances of the relevant impact assessment criteria and/or OLS limits at HVO South,
 - e) after the last paragraph, insert the following:

The Amenity Management Plan, must be reviewed in consultation with HVGC and if necessary updated, prior to the commencement of mining in South Lemington Pit 2.
36. Delete condition 54 of Schedule 3.
37. In condition 4 of Schedule 4:
- a) delete the words “except where this is predicted in the EA,”; and
 - b) delete the number 2 and replace with the number 3.
38. Before condition 1 of Schedule 5, insert the heading “Environmental Management Strategy”.
39. In condition 1 of Schedule 5, delete sub-paragraph (e) and replace with the following:
- (e) include:
 - references to any strategies, plans and programs approved under this approval; and
 - a description of and clear plan depicting all environmental monitoring to be carried out under this approval;

40. After condition 1 of Schedule 5, insert the following:

Management Plan Requirements

- 1A. The Proponent must ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:
- (a) a summary of relevant background or baseline data 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; and

- the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures;
- (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
- (d) a program to monitor and report on the:
 - impacts and environmental performance of the project; and
 - effectiveness of any management measures (see paragraph (c) above);
- (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
- (f) a program to investigate and implement ways to improve the environmental performance of the project over time;
- (g) a protocol for managing and reporting any:
 - incidents;
 - complaints;
 - non-compliances with statutory requirements; and
 - exceedances of the impact assessment criteria and/or performance criteria;
- (h) a protocol for periodic review of the plan; and
- (i) a document control table that includes version numbers, dates when the management plan was prepared and reviewed, names and positions of person/s who prepared and reviewed the management plan, a description of any revisions made and the date of the Secretary's approval.

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

Combining Strategies, Plans or Programs

- 1B. With the agreement of the Secretary, the Proponent may combine any strategy, plan, program or Annual Review required by this approval with any similar strategy, plan, program or Annual Review required for HVO North and Warkworth/Mt Thorley mines or any other adjoining operation in common ownership or under common management.

Updating & Staging Strategies, Plans or Programs

- 1C. To ensure that strategies, plans or programs required under this approval and which have been approved by the Secretary are updated on a regular basis, and that they incorporate any appropriate additional measures or amendments to improve the environmental performance of the project, the Proponent may at any time submit revised strategies, plans or programs for the approval of the Secretary. With the agreement of the Secretary, the Proponent may also submit any strategy, plan or program required by this approval on a staged basis.

The Secretary may approve a revised strategy, plan or program required under this approval, or the staged submission of any of these documents, at any time. With the agreement of the Secretary, the Proponent may prepare the revised or staged strategy, plan or program without undertaking consultation with all parties nominated under the applicable condition in this approval, including waiving the requirements in condition 15 of Schedule 2.

While any strategy, plan or program may be submitted on a staged basis, the Proponent will need to ensure that the operations associated with the project are covered by suitable strategies, plans or programs at all times.

If the submission of any strategy, plan or program is to be staged; then the relevant strategy, plan or program must clearly describe the specific stage/s of the project to which the strategy, plan or program applies; the relationship of this stage/s to any future stages; and the trigger for updating the strategy, plan or program.

Application of Existing Strategies, Plans or Programs

- 1D. The Proponent must continue to apply existing management strategies, plans or monitoring programs approved prior to the approval of Modification 5, until the approval of a similar plan, strategy or program following the approval of Modification 5.

41. In condition 4 of Schedule 5:

- a) after the first dot point of sub-paragraph (b), insert the following:

- the requirements of any plan or program required under this approval;

- b) delete the word “EA” and replace with the words “documents listed in condition 2 of Schedule 2”;
- c) at the end of sub-paragraph (e), delete the word “and”; and
- d) at the end of sub-paragraph (f), delete the full stop and replace with the following

; and

- (g) evaluate and report on the effectiveness of environmental management of the project.

42. In condition 4A of Schedule 5, after the last sub-paragraph, insert the following:

Within 6 weeks of conducting any such review, the Proponent must advise the Secretary of the outcomes of the review, and provide any documents that have been revised to the Secretary for review and approval.

43. In condition 5 of Schedule 5:

- a) at the end of sub-paragraph (c), delete the word “and”;
- b) at the end of sub-paragraph (d), delete the words “and, if appropriate”;
- c) in sub-paragraph (e), after the word “recommend”, insert the word “appropriate”; and
- d) at the end of sub-paragraph (e), delete the full stop and replace with the following:

; and

- (f) be conducted and reported to the satisfaction of the Secretary.

44. In condition 6 of Schedule 5:

- a) delete the words “6 weeks of completing this” and replace with the words “12 weeks of commencing each”; and
- b) at the end of the paragraph, delete the full stop and replace with the words “, and a timetable for the implementation of the recommendations. The Proponent must implement these recommendations.”.

45. Delete condition 7 of Schedule 5.

46. In condition 8 of Schedule 5, delete the words “*Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects* (Department of Planning, 2007” and replace with the words “Department’s *Community Consultative Committee Guidelines* (2016”.

47. In condition 9 of Schedule 5:

- a) after the words “The Proponent must” insert the words “, for the life of the project”;
- b) in the first dot point, delete the word “EA” and replace with the words “documents listed in condition 2 of Schedule 2”; and
- c) after the fourth dot point, insert the following:
 - a summary of the current stage and progress of the project;
 - contact details to enquire about the project or to make a complaint;

48. In Appendix 1, delete the figure and table, including the table heading, and replace with the following:

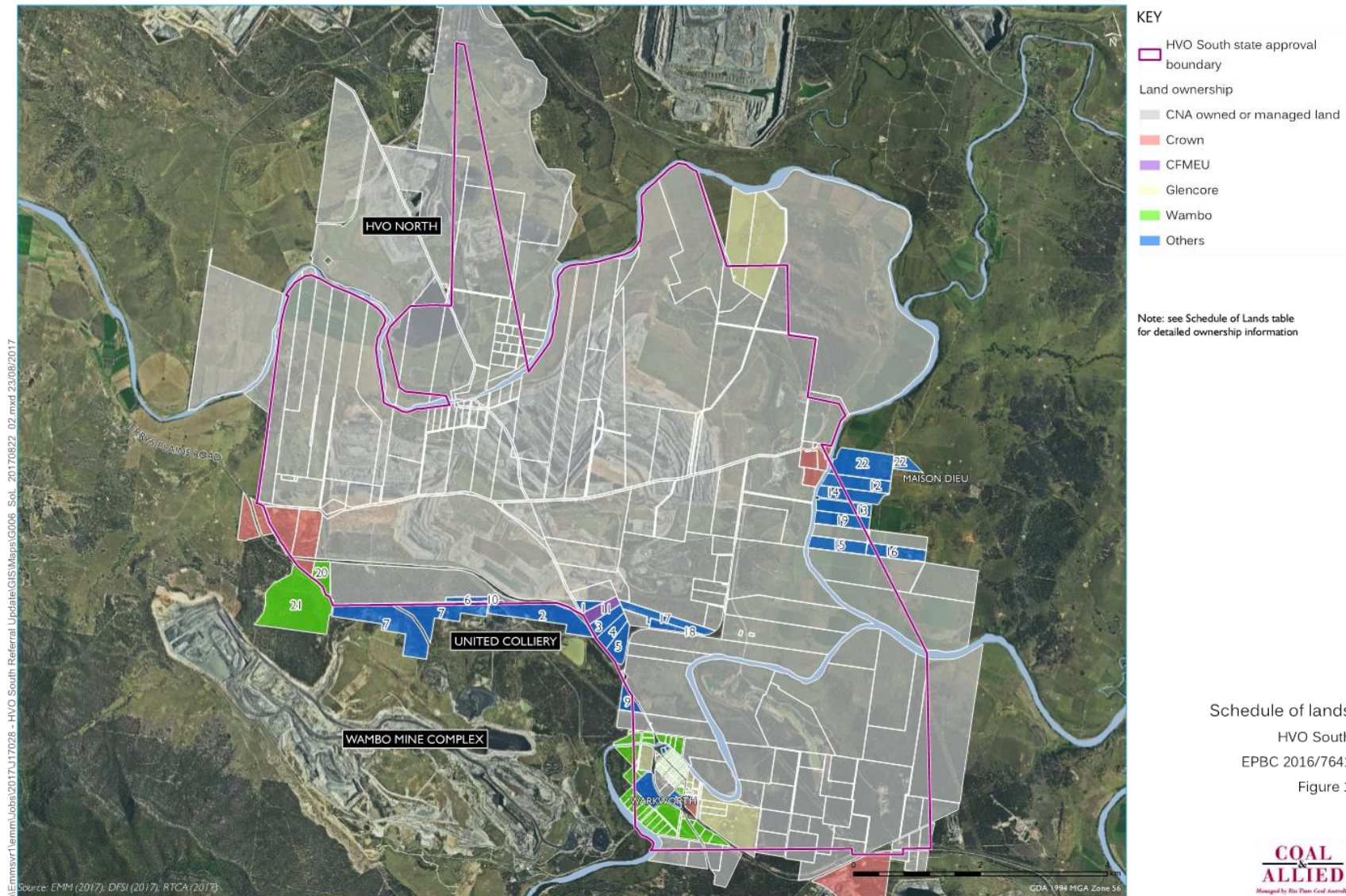


Figure 1: Land subject to this project approval

<i>Map No</i>	<i>Lot</i>	<i>Section</i>	<i>DP</i>	<i>Property Owner</i>	<i>Wholly or Partly Affected by CNA Surface Mining Lease</i>	<i>Wholly or Partly Affected by CNA Sub Surface Mining Lease</i>	<i>Location</i>
	1		48394	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	1		48591	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth Near Comleroi Road
	1		48592	COAL & ALLIED OPERATIONS PTY LIMITED	Y	N	Warkworth South of Wollombi Brook
	1		48646	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	1		90727	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	1		105943	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth Near Comleroi Road
	1		114966	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	1		123374	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	Y	Warkworth Village
	1		129808	COAL & ALLIED OPERATIONS PTY LIMITED	Y	Y	Warkworth South of Wollombi Brook
	1		182139	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth Near Comleroi Road
	1		191982	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	1		195523	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	Y	Warkworth South of Wollombi Brook
	1		249327	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North East
	1		251877	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	1		592598	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth South of Wollombi Brook
	1		619309	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	1		633717	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	1		657394	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth Near Comleroi Road
	1		719879	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North West
	1		723248	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	1		723249	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	1		729048	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Lemington
	1		729984	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North West

<i>Map No</i>	<i>Lot</i>	<i>Section</i>	<i>DP</i>	<i>Property Owner</i>	<i>Wholly or Partly Affected by CNA Surface Mining Lease</i>	<i>Wholly or Partly Affected by CNA Sub Surface Mining Lease</i>	<i>Location</i>
	1		729985	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North East
	1		737796	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Lemington
	1		737880	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	N	Warkworth North West
	1		741544	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North West
	1	5	759053	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	Y	Warkworth Village
	1		783484	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth Near Comleroi Road
	1		797721	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	1		821123	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North West
	1		821127	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	1		822177	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	1		823767	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	1		857021	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North West
	1		876447	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	1		947886	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	N	Warkworth North West
	1		963714	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North West
	1		997228	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth South of Wollombi Brook
	1		998117	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	N	Warkworth North West
	1		1041635	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	Y	Warkworth North East
	1		1103396	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth Near Comleroi Road
	2		300150	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	N	Warkworth North West
	2		306421	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	2		48646	COAL & ALLIED OPERATIONS PTY LIMITED	Y	Y	Warkworth North East
	2		619309	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	2		633717	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West

<i>Map No</i>	<i>Lot</i>	<i>Section</i>	<i>DP</i>	<i>Property Owner</i>	<i>Wholly or Partly Affected by CNA Surface Mining Lease</i>	<i>Wholly or Partly Affected by CNA Sub Surface Mining Lease</i>	<i>Location</i>
				LTD			
	2		710088	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	2		719879	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth Near Comleroi Road
	2		723248	COAL & ALLIED OPERATIONS PTY LIMITED	Y	Y	Warkworth North East
	2		737880	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North West
	2		755267	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	Y	Warkworth South of Wollombi Brook
	2		783484	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth Near Comleroi Road
	2		808301	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Lemington
	2		876447	COAL & ALLIED OPERATIONS PTY LIMITED	Y	Y	Warkworth North East
	2		998117	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North West
	3		48646	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	Y	Warkworth North East
	3		113342	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	Y	Warkworth South of Wollombi Brook
	3		635392	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	3		783484	COAL & ALLIED OPERATIONS PTY LIMITED	Y	Y	Warkworth South of Wollombi Brook
	4		113342	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth South of Wollombi Brook
	4		783484	COAL & ALLIED OPERATIONS PTY LIMITED	Y	Y	Warkworth South of Wollombi Brook
	5		720643	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth Near Comleroi Road
	5		783484	COAL & ALLIED OPERATIONS PTY LIMITED	Y	Y	Warkworth South of Wollombi Brook
	5		1085145	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North West
	10		740183	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Lemington
	11		586639	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	11		843432	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth Near Comleroi Road
	12		247239	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth Near Comleroi Road
	12		586639	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East

<i>Map No</i>	<i>Lot</i>	<i>Section</i>	<i>DP</i>	<i>Property Owner</i>	<i>Wholly or Partly Affected by CNA Surface Mining Lease</i>	<i>Wholly or Partly Affected by CNA Sub Surface Mining Lease</i>	<i>Location</i>
	13		247239	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth Near Comleroi Road
	14		247239	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth Near Comleroi Road
	14		755267	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	Y	Warkworth South of Wollombi Brook
	15		247239	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth Near Comleroi Road
	16		247239	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth Near Comleroi Road
	20		1085391	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Lemington
	31		610878	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	Y	Warkworth Village
	32		610878	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	Y	Warkworth Village
	43		755267	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth South of Wollombi Brook
	91		733895	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth Near Comleroi Road
	102		588247	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	108		755267	COAL & ALLIED OPERATIONS PTY LIMITED	Y	N	Warkworth South of Wollombi Brook
	112		755267	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth South of Wollombi Brook
	115		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North East
	118		755267	COAL & ALLIED OPERATIONS PTY LIMITED	Y	N	Warkworth South of Wollombi Brook
	119		755267	COAL & ALLIED OPERATIONS PTY LIMITED	Y	N	Warkworth South of Wollombi Brook
	121		755267	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth South of Wollombi Brook
	122		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	122		755267	COAL & ALLIED OPERATIONS PTY LIMITED	Y	N	Warkworth South of Wollombi Brook
	128		755267	COAL & ALLIED OPERATIONS PTY LIMITED	Y	N	Warkworth South of Wollombi Brook
	135		755267	COAL & ALLIED OPERATIONS PTY LIMITED	Y	Y	Warkworth South of Wollombi Brook
	140		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	141		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East

<i>Map No</i>	<i>Lot</i>	<i>Section</i>	<i>DP</i>	<i>Property Owner</i>	<i>Wholly or Partly Affected by CNA Surface Mining Lease</i>	<i>Wholly or Partly Affected by CNA Sub Surface Mining Lease</i>	<i>Location</i>
	142		755267	COAL & ALLIED OPERATIONS PTY LIMITED	Y	Y	Warkworth South of Wollombi Brook
	143		755267	COAL & ALLIED OPERATIONS PTY LIMITED	Y	Y	Warkworth South of Wollombi Brook
	145		755267	COAL & ALLIED OPERATIONS PTY LIMITED	Y	N	Warkworth South of Wollombi Brook
	146		970755	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth South of Wollombi Brook
	151		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	152		704486	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	153		704486	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	Y	Warkworth North East
	155		705446	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North East
	164		729960	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	165		729961	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	166		729962	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	167		729963	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North East
	170		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	179		823775	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	182		823775	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	N	Warkworth North West
	194		755267	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth South of Wollombi Brook
	195		755267	COAL & ALLIED OPERATIONS PTY LIMITED	Y	N	Warkworth South of Wollombi Brook
	204		821040	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	Y	Warkworth Village
	300		597726	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	N	Warkworth North West
	745		597317	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	N	Warkworth North West
	854		1000822	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth Village
	1001		785197	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	1002		785197	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East

<i>Map No</i>	<i>Lot</i>	<i>Section</i>	<i>DP</i>	<i>Property Owner</i>	<i>Wholly or Partly Affected by CNA Surface Mining Lease</i>	<i>Wholly or Partly Affected by CNA Sub Surface Mining Lease</i>	<i>Location</i>
	1420		586339	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	1421		586339	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North East
	A		386100	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth Near Comleroi Road
	B		386100	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth Near Comleroi Road
	1		111381	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	1		532623	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	1		659810	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	1		901179	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North West
	1		1102213	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	2		111381	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	2		114966	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	3		111381	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	12		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	13		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	14		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	15		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	16		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	17		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	18		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	19		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	20		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	21		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	21		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West

Map No	Lot	Section	DP	Property Owner	Wholly or Partly Affected by CNA Surface Mining Lease	Wholly or Partly Affected by CNA Sub Surface Mining Lease	Location
	22		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	22		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	23		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	24		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	25		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	26		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	27		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	28		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	29		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	30		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	31		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	89		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	98		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	117		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	118		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	119		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	120		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	120		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Warkworth North West
	121		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	121		753792	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	122		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	123		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	124		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington

<i>Map No</i>	<i>Lot</i>	<i>Section</i>	<i>DP</i>	<i>Property Owner</i>	<i>Wholly or Partly Affected by CNA Surface Mining Lease</i>	<i>Wholly or Partly Affected by CNA Sub Surface Mining Lease</i>	<i>Location</i>
	125		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	126		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	127		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	164		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Lemington
	171		752481	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Lemington
	1		129811	WARKWORTH MINING LIMITED	Y	Y	Warkworth South of Wollombi Brook
	1		246201	WARKWORTH MINING LIMITED	Y	Y	Warkworth Village
	2		129811	WARKWORTH MINING LIMITED	Y	Y	Warkworth South of Wollombi Brook
	3		129811	WARKWORTH MINING LIMITED	Y	Y	Warkworth South of Wollombi Brook
	7001		93632	THE STATE OF NEW SOUTH WALES	N	Y	Warkworth Village
	1		90052	COMMONWEALTH OF AUSTRALIA	N	Y	Warkworth Village
	1	25	759053	WANARUAH LOCAL ABORIGINAL LAND COUNCIL	N	Y	Warkworth Village
	2	5	759053	THE STATE OF NEW SOUTH WALES	N	Y	Warkworth Village
	2	25	759053	WANARUAH LOCAL ABORIGINAL LAND COUNCIL	N	Y	Warkworth Village
	3	4	759053	THE STATE OF NEW SOUTH WALES	N	Y	Warkworth Village
	3	5	759053	THE STATE OF NEW SOUTH WALES	N	Y	Warkworth Village
	4	4	759053	THE STATE OF NEW SOUTH WALES	N	Y	Warkworth Village
	5	4	759053	THE STATE OF NEW SOUTH WALES	N	Y	Warkworth Village
	6	4	759053	THE STATE OF NEW SOUTH WALES	N	Y	Warkworth Village
	130		753792	THE STATE OF NEW SOUTH WALES	Y	Y	Warkworth North East
	175		823775	THE STATE OF NEW SOUTH WALES	N	N	Warkworth North West
			Crown License 175936	COAL & ALLIED OPERATIONS PTY LIMITED	N	N	Warkworth North West
			Crown License 341401	COAL & ALLIED OPERATIONS PTY LIMITED	N	Y	Warkworth North East
	1		710088	THE STATE OF NEW SOUTH WALES	N	Y	Warkworth North East
	154		704486	THE STATE OF NEW SOUTH WALES	N	Y	Warkworth North East
	170		823775	THE STATE OF NEW SOUTH WALES	N	N	Warkworth North West
	172		823775	THE STATE OF NEW SOUTH WALES	N	N	Warkworth North West
	173		823775	The State of NSW	N	N	Warkworth North West
	21		1109631	BRIAN EDWARD KENNEDY, JOHN GRIFFITHS	N	Y	Warkworth Village
11	5		247239	CONSTRUCTION, FORESTRY,	Y	Y	Warkworth Near

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				MINING & ENERGY UNION			Comleroi Road
	6		770904	EDWARD JOHN BURLEY & CAROL LESLEY ANNE BURLEY	N	Y	Warkworth Village
12	3		3005	ELIZABETH STUART BOWMAN	N	Y	Maison Dieu
14	4		3005	ELIZABETH STUART BOWMAN	N	Y	Maison Dieu
13	5		3005	ELIZABETH STUART BOWMAN	N	Y	Maison Dieu
	1		113343	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	1	2	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	1		794506	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	2	2	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	2		794506	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	3	2	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	3		794506	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	4	2	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	4	3	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	5	2	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	5	3	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	6	2	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	6	3	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	7	2	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	7	3	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	8	2	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	8	3	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	9	3	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	10	3	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	11	3	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	12	3	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	13	3	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	14	3	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	15	3	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	16	3	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	17	3	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	18	3	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	19	3	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	20	3	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
18	10		247239	HUNTER VALLEY GLIDING CLUB CO-OPERATIVE LIMITED	Y	Y	Warkworth Near Comleroi Road

<i>Map No</i>	<i>Lot</i>	<i>Section</i>	<i>DP</i>	<i>Property Owner</i>	<i>Wholly or Partly Affected by CNA Surface Mining Lease</i>	<i>Wholly or Partly Affected by CNA Sub Surface Mining Lease</i>	<i>Location</i>
17	92		733895	HUNTER VALLEY GLIDING CLUB CO-OPERATIVE LIMITED	Y	Y	Warkworth Near Comleroi Road
	5		251617	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD & GREGORY JOHN ERNST	N	Y	Maison Dieu
7	2		617852	ANTHONY JOHN MAHER, ANDREW WILLIAM VICKERS	N	N	Warkworth North West
6	2		835812	ANTHONY JOHN MAHER, ANDREW WILLIAM VICKERS	Y	N	Warkworth North West
8	3		835812	ANTHONY JOHN MAHER, ANDREW WILLIAM VICKERS	Y	N	Warkworth North West
1	4		635392	ANTHONY JOHN MAHER, ANDREW WILLIAM VICKERS	N	N	Warkworth Near Comleroi Road
10	4		835812	ANTHONY JOHN MAHER, ANDREW WILLIAM VICKERS	Y	N	Warkworth North West
3	6		247239	ANTHONY JOHN MAHER, ANDREW WILLIAM VICKERS	N	N	Warkworth Near Comleroi Road
4	7		247239	ANTHONY JOHN MAHER, ANDREW WILLIAM VICKERS	N	N	Warkworth Near Comleroi Road
5	8		247239	ANTHONY JOHN MAHER, ANDREW WILLIAM VICKERS	N	N	Warkworth Near Comleroi Road
2	9		835812	ANTHONY JOHN MAHER, ANDREW WILLIAM VICKERS	N	N	Warkworth North West
9	134		566275	ANTHONY JOHN MAHER, ANDREW WILLIAM VICKERS	Y	Y	Warkworth Near Comleroi Road
	147		753792	JOHNSON WOODS & CO PTY LIMITED	N	N	Warkworth Near Comleroi Road
15	8		3005	GREGORY JOHN ERNST	N	Y	Maison Dieu
16	9		3005	GREGORY JOHN ERNST	N	Y	Maison Dieu
	50		848334	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	9	2	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	10	2	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	11	2	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	12	2	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	13	2	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	75		753792	M F Holdings	N	N	Warkworth North West
	1		770904	GLENCORE COAL (NSW) PTY LIMITED	N	Y	Warkworth Village
	1		770905	GLENCORE COAL (NSW) PTY LIMITED	N	Y	Warkworth Village
	1		1043120	GLENCORE COAL (NSW) PTY LIMITED	Y	Y	Warkworth Village
	2		770904	GLENCORE COAL (NSW) PTY LIMITED	N	Y	Warkworth Village
	3		770904	GLENCORE COAL (NSW) PTY LIMITED	N	Y	Warkworth Village
	4		770904	GLENCORE COAL (NSW) PTY LIMITED	N	Y	Warkworth Village
	5		770904	GLENCORE COAL (NSW) PTY LIMITED	N	Y	Warkworth Village
	7		770904	GLENCORE COAL (NSW) PTY LIMITED	N	Y	Warkworth Village
	40		755267	GLENCORE COAL (NSW) PTY LIMITED	N	Y	Warkworth Village
	41		755267	GLENCORE COAL (NSW) PTY LIMITED	N	Y	Warkworth Village
	186		755267	GLENCORE COAL (NSW) PTY LIMITED	N	Y	Warkworth Village
	1		70857	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	Y	Maison Dieu

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19	6		3005	RUSSELL JOHN WENHAM, JANELLE SUSAN WENHAM	N	Y	Maison Dieu
	1		66331	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	Y	Maison Dieu
	7		3005	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	Y	Maison Dieu
	10		3005	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	Y	Maison Dieu
	1	6	759053	SINGLETON SHIRE COUNCIL	N	Y	Warkworth Village
	2	6	759053	SINGLETON SHIRE COUNCIL	N	Y	Warkworth Village
	2		90052	TELSTRA CORPORATION LIMITED	N	Y	Warkworth Village
	12		843432	TELSTRA CORPORATION LIMITED	N	Y	Warkworth Near Comleroi Road
	1		738657	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	1		1090601	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	2		583524	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	2		738657	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
21	3		1085145	WAMBO COAL PTY LIMITED	Y	Y	Warkworth North West
20	4		1085145	WAMBO COAL PTY LIMITED	N	N	Warkworth North West
	1		1088908	WAMBO COAL TERMINAL PTY LTD	N	Y	Warkworth Village
	2		1088908	WAMBO COAL TERMINAL PTY LTD	N	Y	Warkworth Village
	86		755267	WAMBO COAL TERMINAL PTY LTD	N	Y	Warkworth Village
	88		755267	WAMBO COAL TERMINAL PTY LTD	N	Y	Warkworth Village
	171		755267	WAMBO COAL TERMINAL PTY LTD	N	Y	Warkworth Village
	174		755267	WAMBO COAL TERMINAL PTY LTD	N	Y	Warkworth Village
	1	17	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	2		113343	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	2	17	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	3		113343	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	4		113343	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	5		113343	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	1	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	2	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	7	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	8	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	9	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	10	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	11	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village

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	12	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	13	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	14	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	15	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	16	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	17	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	18	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	19	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	20	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	21	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	22	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	23	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	24	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	25	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	26	4	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	199		755267	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	1	16	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	1	21	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	2	16	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	2	21	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	3	16	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	3	21	759053	WAMBO MINING CORPORATION PTY. LIMITED	N	Y	Warkworth Village
	4	21	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	5	21	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	10		113343	WAMBO MINING CORPORATION PTY LIMITED	N	Y	Warkworth Village
	202		257063	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	1	1	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	2	1	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	3	1	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	4	1	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	5	1	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	6	1	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	7	1	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	8	1	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	9	1	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth

<i>Map No</i>	<i>Lot</i>	<i>Section</i>	<i>DP</i>	<i>Property Owner</i>	<i>Wholly or Partly Affected by CNA Surface Mining Lease</i>	<i>Wholly or Partly Affected by CNA Sub Surface Mining Lease</i>	<i>Location</i>
							Village
	10	1	759053	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	86		753792	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	87		753792	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	88		753792	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	89		753792	WAMBO COAL PTY LIMITED	N	Y	Warkworth Village
	2		113342	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	Y	Warkworth South of Wollombi Brook
	114		755267	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	Y	Warkworth South of Wollombi Brook
	123		755267	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	N	Y	Warkworth South of Wollombi Brook
	33		610878	WILLIAM JOSEPH KELLY, MARIE JOYCE KELLY, LAWRENCE KELLY	N	Y	Warkworth Village
	1		782299	XSTRATA COAL PTY LIMITED	N	Y	Warkworth Village
			Crown Encl Permit 51250	COAL & ALLIED OPERATIONS PTY LIMITED	Y	Y	Warkworth South of Wollombi Brook
	174		823775	SINGLETON SHIRE COUNCIL (ROAD)	N	N	Warkworth North West
	176		823775	SINGLETON COUNCIL (ROAD)	N	N	Warkworth North West
	193		755267	SINGLETON SHIRE COUNCIL (ROAD)	N	Y	Warkworth Village
	180		823775	SINGLETON SHIRE COUNCIL (ROAD)	Y	N	Warkworth North West
	84		1124139	WARKWORTH MINING LIMITED	Y	Y	Warkworth Village
	1		633717	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
22	1		1217808	WYOMING HOLSTEINS PTY LIMITED	N	Y	Maison Dieu
	33		1125285	AZSA PASTORAL HOLDINGS PTY LIMITED	N	Y	Warkworth North East
	34		1125285	AZSA PASTORAL HOLDINGS PTY LIMITED	N	Y	Warkworth North East
	1		1126528	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	73		1137954	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	N	Warkworth North West
	1000		1153575	COAL & ALLIED OPERATIONS PTY LTD and HVO RESOURCES PTY LTD	Y	Y	Lemington
			Title Residue in Bk 3601 N815, Bk 3746 N 81	CSR LIMITED AND ESSO EXPLORATION AND PRODUCTION AUSTRALIA INC.	Y	N	Warkworth Village
	1		1171764	JAMES NEAL	N	Y	Warkworth Village
	1		1156393	SINGLETON COUNCIL	N	Y	Warkworth Village
	2011		1137289	THE STATE OF NEW SOUTH WALES	N	Y	Warkworth Village

<i>Map No</i>	<i>Lot</i>	<i>Section</i>	<i>DP</i>	<i>Property Owner</i>	<i>Wholly or Partly Affected by CNA Surface Mining Lease</i>	<i>Wholly or Partly Affected by CNA Sub Surface Mining Lease</i>	<i>Location</i>
	2		1171764	TRUSTEES OF CHURCH PROPERTY FOR THE DIOCESE OF NEWCASTLE	N	Y	Warkworth Village
	2		1153480	WAMBO COAL TERMINAL PTY LTD	N	Y	Warkworth Village
	350		1135536	WARKWORTH MINING LIMITED	N	Y	Warkworth Village
	360		1135647	WARKWORTH MINING LIMITED	N	Y	Warkworth Village
	3		1171764	WILLIAM SINGLETON	N	Y	Warkworth Village

CROWN LAND (RIVER BANK)

VARIOUS CROWN AND COUNCIL ROADS

WOLLOMBI BROOK

HUNTER RIVER

49. In Appendix 2, delete the figures and their captions and replace with the following:



Figure 1: General Project Layout

50. Delete Appendix 3.

51. In Appendix 4, delete the figure and table in Appendix 4, including the headings, and replace with the following:

LAND/ RECEIVER LOCATIONS



Figure 1: Land/ Receiver Locations

LAND/ RECEIVER KEY (only landowners specifically referenced in this approval)

Original EA		Updated Land Numbers and Receiver References in EA (Mod 5)								
No.	Name	No.	Name	Location	Mine-owned	Acq. rights in Table 1	Noise identifier in Table 2	Noise Mit. rights in Table 4	Easting	Northing
3	Elisnore	311	Gee	Jerrys Plains			Jerrys Plains Road	Y	305739	6400603
4	Muller	307	Muller	Jerrys Plains			Jerrys Plains Road	Y	305926	6400011
5	Bowman	160	Bowman	Maison Dieu			5 - Bowman	Y	318010	6399448
7	Stapleton (Cheshunt)	-	-	Isolated Location - North East	Y		-		-	-
8	Holz (Oaklands)	-	-	Isolated Location - North	Y		-		-	-
10	Moses (Wandewoi)	-	-	Isolated Location - North West	Y		-		-	-
13	Jerrys Plains Centre	379	Moore	Jerrys Plains			Jerrys Plains village		303466	6402611
16	Algje	-	-	Maison Dieu	Y	Y but no longer applicable	-		-	-
17	Algje	-	-	Maison Dieu	Y		-	Y but no longer applicable	-	-
19	Birralee Feeds Pty Ltd	-	-	Jerrys Plains	Y		-		-	-
23	Hawkes (Springwood)	-	-	Warkworth	Y		-		-	-
24	Clifton and Edwards	124	Edwards/ Howard/ Clifton	Maison Dieu			24 - Clifton	Y	320764	6393699
31	Cooper (Kilburnie)	308	Cooper	Jerrys Plains			Jerrys Plains Road	Y	306139	6399895
32	Algje (Curlewis)	-	-	Maison Dieu	Y	Y but no longer applicable	-		-	-
33	Edward and Haynes	-	-	Warkworth	Y		-		-	-
34	Ernst	121	Ernst	Maison Dieu			34 - Ernst	Y	318608	6398554
36	Garland and Smith (ex Garland)	309	Elbourn	Jerrys Plains			36 – Smith (ex Garland)	Y	305791	6399780
38	Henderson	-	-	Warkworth	Y	Y but no longer applicable	-		-	-
43	Kannar	-	-	Warkworth	Y		-		-	-
45	Kelly	77	Kelly	Warkworth		Y	45 - Kelly		314103	6394482
47	Moxey	256	Moxey	Maison Dieu			47 - Moxey	Y	318104	6399611
50	Nelson	123	Nelson	Maison Dieu			50 - Nelson	Y	318655	6398582
56	Edwards	122	Edwards/ Howard/ Clifton	Maison Dieu			Within 250 metre of 24	Y	318658	6398205
61	Shearer	161	Wyoming Holsteins Pty Limited	Maison Dieu			61 - Shearer	Y	318011	6399407
-	-	162	Wyoming Holsteins Pty Limited	Maison Dieu			Other land on Shearers Lane		318114	6399572

-	-	163	Wyoming Holsteins Pty Limited	Maison Dieu			Other land on Shearers Lane		321959	6396271
-	-	258	Wyoming Holsteins Pty Limited	Maison Dieu			Other land on Shearers Lane		318180	6399198
-	-	260	Wyoming Holsteins Pty Limited	Maison Dieu			Other land on Shearers Lane		318030	6399106
-	-	261	Wyoming Holsteins Pty Limited	Maison Dieu			Shearers Lane		320794	6393794
-	-	310	Northcote	Jerrys Plains			Jerrys Plains Road	Y	305416	6401053
-	-	312	Carmody	Jerrys Plains			Jerrys Plains Road	Y	305370	6401180
-	-	317	Gee	Jerrys Plains			Jerrys Plains Road	Y	305404	6400864
-	-	463	Carter	Jerrys Plains			Jerrys Plains Road	Y	304734	6399132
-	-	471	Bowman	Camberwell			Other		319025	6403131
-	-	120	Edwards/ Howard/ Clifton	Maison Dieu			Within 250 metre of 24/124	Y	318504	6398457
-	-	244	Mills	Maison Dieu			Within 1 km of Shearers Lane	Y	318679	6399194
-	-	245	Maskey	Maison Dieu			Within 1 km of Shearers Lane	Y	318795	6399314
-	-	246	Burley	Maison Dieu			Within 1 km of Shearers Lane	Y	318879	6399292
-	-	247	Zanardi	Maison Dieu			Within 1 km of Shearers Lane	Y	317979	6399821
-	-	127	Riley	Maison Dieu			127 - Riley		320916	6394511
-	-	321	Hayes	Jerrys Plains			321 - Hayes		304021	6402284
-	-	434	Murphy	Jerrys Plains			434 - Murphy		305191	6401488
-	-	436	Skinner	Jerrys Plains			436 - Skinner		302021	6404598

52. After Appendix 4, insert the following:

APPENDIX 4A NOISE COMPLIANCE ASSESSMENT

Applicable Meteorological Conditions

1. The noise criteria in Table 2 are to apply under all meteorological conditions except the following:
 - (a) where 3°C/100 metres (m) lapse rates have been assessed, then:
 - wind speeds greater than 3 metres/second (m/s) measured at 10 m above ground level;
 - temperature inversion conditions between 1.5°C and 3°C/100 m and wind speeds greater than 2 m/s measured at 10 m above ground level; or
 - temperature inversion conditions greater than 3°C/100 m.
 - (b) where Pasquill Stability Classes have been assessed, then:
 - wind speeds greater than 3 m/s at 10 m above ground level;
 - stability category F temperature inversion conditions and wind speeds greater than 2 m/s at 10 m above ground level; or
 - 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 required under condition 24 of schedule 3.

Compliance Monitoring

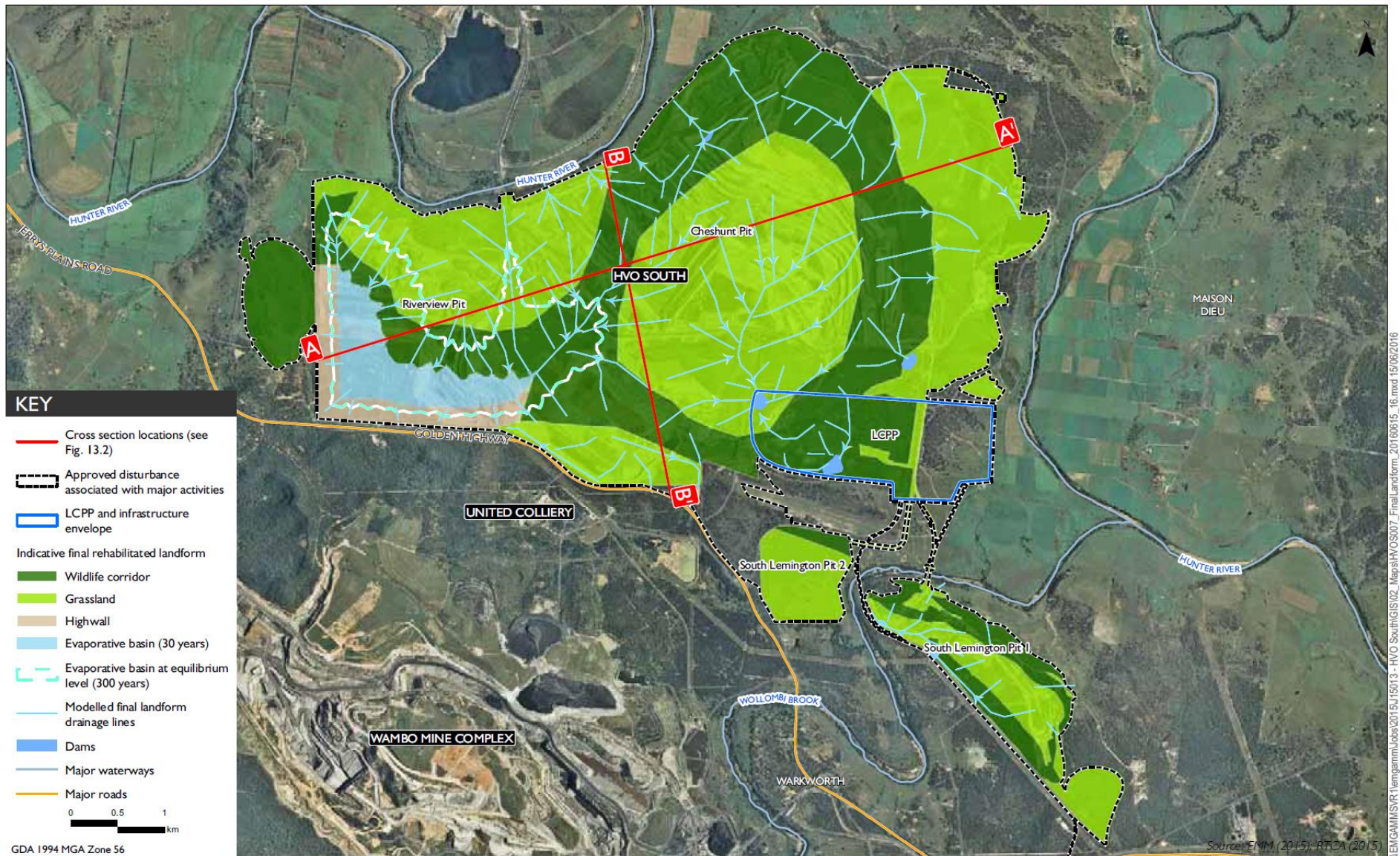
3. Attended monitoring is to be used to evaluate compliance with the relevant conditions of this approval.

Note: The Secretary may direct that the frequency of attended monitoring increase or decrease at any time during the life of the project.

4. Unless otherwise agreed by the Secretary, this monitoring must be carried out in accordance with the relevant requirements for reviewing performance set out in the *NSW Industrial Noise Policy* (2000, or its latest version) in particular the requirements relating to:
 - (a) monitoring locations for the collection of representative noise data;
 - (b) meteorological conditions during which collection of noise data is not appropriate;
 - (c) equipment used to collect noise data, and conformity with Australian Standards relevant to such equipment;
 - (d) modifications to noise data collected, including for the exclusion of extraneous noise and/or penalties for modifying factors apart from adjustments for duration; and
 - (e) the use of an appropriate modifying factor for low frequency noise to be applied during compliance testing at any individual residence if low frequency noise is present (in accordance with the *NSW Noise Policy for Industry* (2017, or its latest version) Fact Sheet C) and before comparison with the specified noise levels in this approval.

53. In Appendix 5, in the 'Note':
- a) delete the number "1,299.3" and replace with the number "1,063"; and
 - b) delete the words "Warkworth Extension Project (09_0202)" and replace with the words "Warkworth Mine".

54. In Appendix 6, delete the figure and replace with the following:



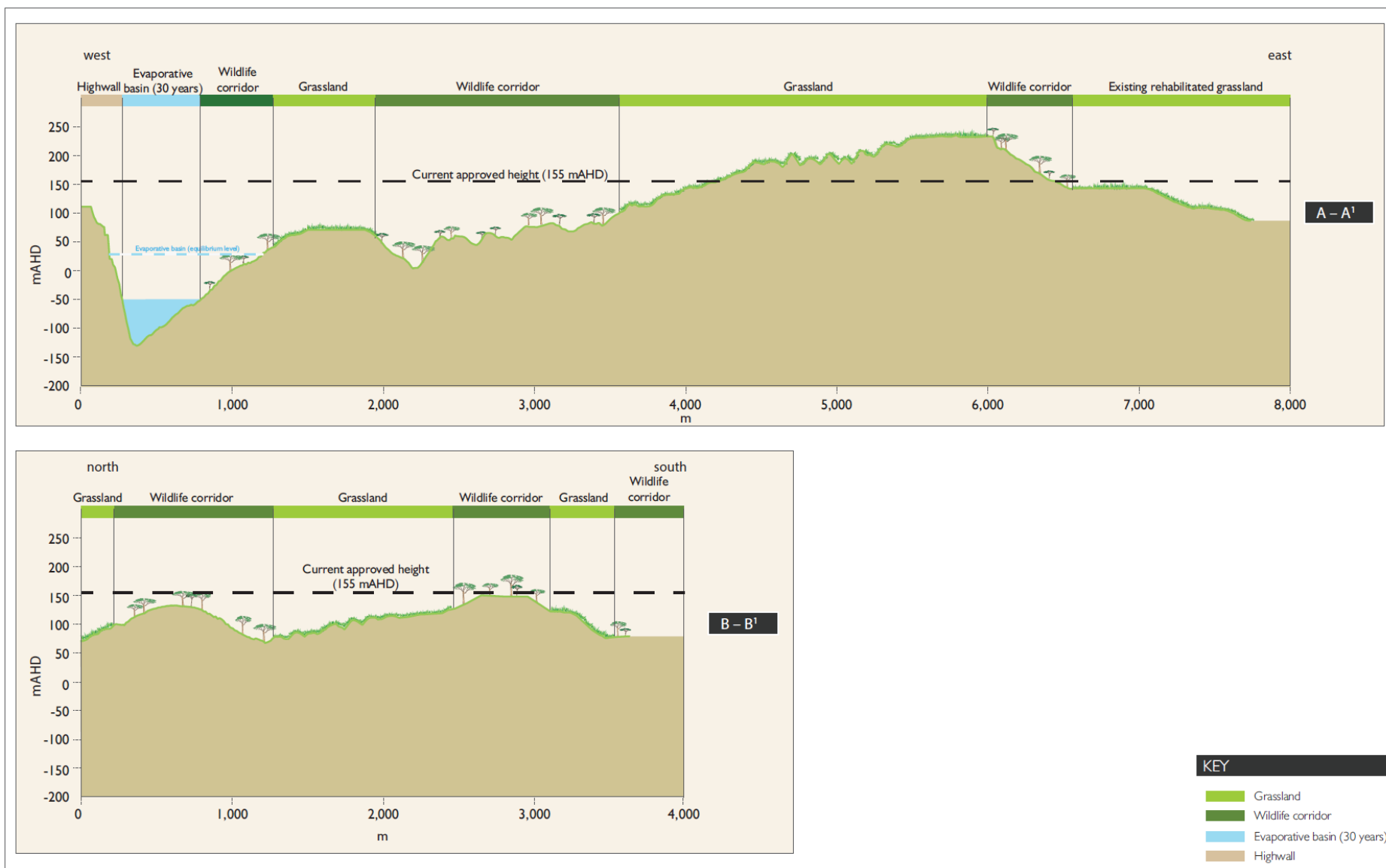


Figure 2: Indicative Final Rehabilitated Landform Cross-Sections

55. Delete Appendix 9.
56. Update the Table of Contents in Schedule 2, as required, to reflect the above changes.