

Project Approval

Section 75J of the *Environmental Planning & Assessment Act 1979*

I approve the project application referred to in schedule 1, subject to the conditions in schedules 2 to 5.

These conditions are required to:

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

The Hon Tony Kelly MLC
Minister for Planning

Sydney

6 January 2010

SCHEDULE 1

Application No.:	06_0295
Proponent:	Cadia Holdings Pty Limited
Approval Authority:	Minister for Planning
Land:	See Appendix 1
Project:	Cadia East Project, including the: <ul style="list-style-type: none">• Cadia East underground mine;• Cadia Hill open cut mine;• Ridgeway underground mine;• Blayney and CVO Dewatering Facilities; and• ancillary infrastructure, together known as the Cadia Valley Operations.

Blue type represents September 2010 modification

Red type represents October 2010 modification

Green type represents August 2011 modification

Light blue type represents May 2014 modification

Orange represents August 2014 modification

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DEFINITIONS

AHD	Australian Height Datum
Ancillary Infrastructure	Infrastructure that is ancillary to the operation of the project, including: <ul style="list-style-type: none"> • items listed in Table 2-3 of the EA, plus project-related items within new mining lease application areas described in the EA; • the concentrate and water pipelines to the Blayney and CVO dewatering facilities; and • the pipeline, pumps, powerlines and access tracks associated with the Belubula River pumping station and Flyers Creek weir
Annual Review	The review required by condition 2 of schedule 5
BCA	Building Code of Australia
CCC	Community Consultative Committee
Councils	Orange City Council, Blayney Shire Council and Cabonne Shire Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning and Environment
DRE	Division of Resources and Energy
EA	Environmental Assessment titled <i>Environmental Assessment Cadia East Project</i> (2 volumes), dated June 2009, including the Response to Submissions
EA (Mod 1)	Environmental Assessment titled <i>Cadia Holdings Pty Ltd Cadia Hill Decline Environmental Assessment</i> , dated July 2010
EA (Mod 2)	Environmental Assessment titled <i>Cadia Holdings Pty Ltd Blayney Dewatering Facility Environmental Assessment</i> , dated August 2010
EA (Mod 3)	Environmental Assessment titled <i>Cadia Holdings Pty Ltd Concentrate and Return Water Pipeline Modification Environmental Assessment</i> , dated June 2011
EA (Mod 4)	Environmental Assessment titled <i>Cadia East Surface Preconditioning Program Environmental Assessment</i> , dated February 2014
EA (Mod 5)	Environmental Assessment titled <i>Cadia East Surface Blasthole Preconditioning Program Environmental Assessment</i> , dated July 2014
EPA	Environment Protection Authority
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPL	Environment Protection Licence issued by EPA under the <i>Protection of the Environment Operations Act 1997</i>
Evening	The period from 6pm to 10pm
Feasible	Feasible relates to engineering considerations and what is practical to build
Heritage Branch	Heritage Branch of the Department
Incident	A set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in this approval
Land	Land means 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
Mining Operations	Includes all ore extraction, processing and transportation activities carried out on site
Minister	Minister for Planning, or delegate
Negligible	Small and unimportant, such as to be not worth considering
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
NOW	NSW Office of Water
OEH	Office of Environment and Heritage
Offset Strategy	The conservation and enhancement program described in the EA
Previous EAs	The previous environmental impact assessments for the project, as listed in Appendix 3
Privately-owned land	Land that is not owned by a public agency or a mining company (or its subsidiary)
Project	The development as described in the EA (and previous EAs)
Proponent	Cadia Holdings Pty Limited, or its successors in title
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 treatment or management of land disturbed by the project for the purpose of establishing a safe, stable and non-polluting environment
Response to Submissions	The Proponent's responses to issues raised in submissions, including those titled <i>Cadia East Project – Responses Submissions</i> , dated 17 November 2009, and <i>Cadia East Project – Biodiversity Offset</i> , dated 28 September 2009
Site	The land referred to in schedule 1, and listed in Appendix 1
Secretary	Secretary of the Department, or nominee

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

1. The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the project.

TERMS OF APPROVAL

2. The Proponent shall carry out the project generally in accordance with the:
 - (a) EA;
 - (b) EA (Mod 1);
 - (c) EA (Mod 2);
 - (d) EA (Mod 3);
 - (e) EA (Mod 4);
 - (f) EA (Mod 5); and
 - (g) conditions of this approval

Note: The general layout of the project is shown in Appendix 2.

3. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.
4. The Proponent shall comply with any reasonable requirement/s of the [Secretary](#) arising from the Department's assessment of:
 - (a) any reports, strategies, plans, programs, reviews, audits or correspondence that are submitted in accordance with this approval; and
 - (b) the implementation of any actions or measures contained in these documents.

LIMITS ON APPROVAL

5. Mining operations may take place until 30 June 2031.

Note: Under this approval, the Proponent is required to rehabilitate the site and perform additional undertakings to the satisfaction of the [Secretary](#) and [DRE](#). Consequently this approval will continue to apply in all other respects other than the right to conduct mining operations until the site has been properly rehabilitated.

6. The Proponent shall not process more than 27 million tonnes of ore from the project in a calendar year.
7. The Proponent shall not use any cyanide or mercury to process or extract gold/copper from the project.

SURRENDER OF CONSENTS

8. Within 12 months of the date of this approval, or as otherwise agreed by the [Secretary](#), the Proponent shall surrender all existing development consents for the project in accordance with sections 75YA and 104A of the EP&A Act, to the satisfaction of the [Secretary](#).

Note: This approval will apply to all components of the Cadia Valley Operations from the date of approval. The existing management and monitoring plans/strategies/programs/protocols for the project will continue to apply until the approval of the comparable plan/strategy/program under this approval.

STRUCTURAL ADEQUACY

9. The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.

Notes:

- Under Part 4A of the EP&A Act, the Proponent 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 project.

DEMOLITION

10. The Proponent shall ensure that all demolition work is carried out in accordance with AS 2601-2001: *The Demolition of Structures*, or its latest version.

PROTECTION OF PUBLIC INFRASTRUCTURE

11. The Proponent shall:
 - (a) repair, or pay the full costs associated with repairing, any publicly-owned infrastructure that is damaged by the project; and

- (b) relocate, or pay the full costs associated with relocating, any publicly-owned infrastructure that needs to be relocated as a result of the project, except where such works have been compensated through the planning agreement referred to in condition 13 below.

OPERATION OF PLANT AND EQUIPMENT

12. The Proponent shall ensure that all plant and equipment used at the site is:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

PLANNING AGREEMENT

13. Within 12 months of the date of this approval, unless otherwise agreed by the [Secretary](#), the Proponent shall enter into a planning agreement with the Councils in accordance with Division 6 of Part 4 of the EP&A Act, that provide for contributions to the Councils for:
- upgrade of Council's road infrastructure affected by the project; and
 - general community enhancement to address social amenity and community infrastructure requirements arising from the project.

The contributions shall be generally consistent with the terms of the offer made in the Proponent's letter dated 17 December 2009, and summarised in Appendix 7.

If there is any dispute between the Proponent and any of the Councils during the formal drafting of the planning agreement, then any of the parties involved may refer the matter to the [Secretary](#) for resolution.

STAGED SUBMISSION OF STRATEGIES, PLANS OR PROGRAMS

14. With the approval of the [Secretary](#), the Proponent may submit any management plan, strategy or monitoring program required by this approval on a progressive basis, or for a discrete component of the project.

SCHEDULE 3 ENVIRONMENTAL PERFORMANCE CONDITIONS

ACQUISITION OF AFFECTED PROPERTIES

Acquisition Upon Request

1. Upon receiving a written request for acquisition from the owner of the land listed in Table 1, the Proponent shall acquire the land in accordance with the procedures in conditions 5-7 of schedule 4.

Table 1: Land subject to acquisition upon request

MC & PA Ewens

Note: To interpret the location referred to in Table 1, see the applicable figure in Appendix 2.

NOISE

Impact Assessment Criteria

2. The Proponent shall ensure that the noise generated by the project does not exceed the noise impact assessment criteria in Table 2 at any residence on privately-owned land or on more than 25 per cent of any privately-owned land.

Table 2: Noise Impact Assessment Criteria dB(A) L_{Aeq} (15min)

Location	Day	Evening	Night	Night (L_{A1} (1 min))
Mining Operations				
41-CW Knox ('Meribah'), 43-CJ Healey ('Triangle Park'), 138-AC & A Bailey ('Mayburies'), 45-CC Colman ('Mirrabooka'), 246-CK Channell and KP & DV Donlan ('Eastburn'), 209-JI McLennan ('Northwest'), 171-GA Knox ('South Log')	43	38	38	45
1-GT & JA Christou ('Coorabin'), 137-MP & LA Ellis ('Argyle'), 169-RL & SL Chamberlain ('Weemalla')	43	38	37	45
44-AR Colman ('Triangle Flat'), 105-KA Hughes ('Barton Park'), 133-LC & LR Baker ('Bonnie Glen')	43	38	36	45
Other privately owned land	43	38	35	45
Blayney Dewatering Facility				
Location 1	50	50	39	49
Location 2	50	50	36	46
Location 3	46	46	37	47
Location 4	46	46	36	46
Location 5	58	58	45	55
CVO Dewatering Facility				
MC & PA Ewens	50	42	42	45
GP Nixon & Sons	43	35	35	45
D Palmer	40	39	35	45
H Tetlaw	40	36	35	45
ML Gardner	40	35	35	45
GJ Keen	39	35	35	45
D Somervaille	38	38	35	45

Notes:

- To interpret the locations referred to Tables 2-5, see the applicable figures in Appendices 2 and 4.
- Noise generated by the project is to be measured in accordance with the relevant requirements, and exemptions (including certain meteorological conditions), of the NSW Industrial Noise Policy.
- The noise limits do not apply if the Proponent has an agreement with the relevant owner/s of these residences/land to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.
- Noise associated with the mining operations may exceed the night time limits in Table 2 at Property 22 – JL Gill by 1 decibel during construction of the Cadia East mine.
- Noise associated with the construction of the upgrade to the Blayney Dewatering Facility may exceed the noise impact assessment criteria in Table 2 by up to 3 decibels at all locations except Location 4, and is to be measured in accordance with the relevant procedures in the EPA's Interim Construction Noise Guideline.

Land Acquisition Criteria

- If the noise generated by the project exceeds the criteria in Table 3 at any residence on privately-owned land or on more than 25 per cent of any privately-owned land, the Proponent shall, upon receiving a written request for acquisition from the landowner, acquire the land in accordance with the procedures in conditions 5-7 of schedule 4.

Table 3: Land acquisition criteria dB(A) L_{Aeq} (15min)

Location	Day	Evening	Night
Mining Operations			
All privately-owned land	43	43	40
CVO Dewatering Facility			
D Palmer	45	44	40
H Tetlaw	45	41	40
GP Nixon & Sons, ML Gardner, GJ Keen	44	40	40
D Somervaille	43	43	40

Note: Noise generated by the project is to be measured and evaluated in accordance with the relevant requirements, and exemptions (including certain meteorological conditions), of the NSW Industrial Noise Policy.

Cumulative Noise Criteria

- The Proponent shall implement all reasonable and feasible measures to ensure that the noise generated by the project combined with the noise generated by other mines and industries does not exceed the amenity criteria in Table 4 at any residence on privately-owned land or on more than 25 per cent of any privately-owned land, to the satisfaction of the Secretary.

Table 4: Cumulative noise criteria dB(A) L_{Aeq} (period)

Location	Day	Evening	Night
Mining Operations			
All privately-owned land	50	45	40
CVO Dewatering Facility			
D Palmer	55	45	40
H Tetlaw, GP Nixon & Sons, ML Gardner, GJ Keen, D Somervaille	50	45	40

Note: Cumulative noise is to be measured in accordance with the relevant requirements, and exemptions (including certain meteorological conditions), of the NSW Industrial Noise Policy.

Traffic Noise Impact Assessment Criteria

- The Proponent shall take all reasonable and feasible measures to ensure that the traffic noise generated by the project does not exceed the traffic noise impact assessment criteria in Table 5.

Table 5: Traffic noise impact assessment criteria dB(A)

Road	Day/Evening	Night
Forest Road, Orange Road	60 L_{Aeq} (15 hours)	55 L_{Aeq} (9 hours)
Cadia Road, Orchard Road, Four Mile Creek Road, Woodville Road, Panuara Road	55 L_{Aeq} (1 hour)	50 L_{Aeq} (1 hour)

Note: Traffic noise generated by the project is to be measured in accordance with the relevant procedures in the EPA's Environmental Criteria for Road Traffic Noise.

Operating Hours

6. The Proponent shall comply with the operating hours in Table 6.

Table 6: Operating Hours

Activity	Day	Time
Construction		
Rodds Creek water holding dam raise; tailings storage facilities raises; new pipelines	Any day	Day
Cadia East underground mine development; upgrade of ore processing facilities	Any day	Any time
Dewatering facilities	Monday – Friday	7.00am to 6.00pm
	Saturday	8.00am to 1.00pm
	Sunday and Public Holidays	None
Operation		
Mine complex operations; Dewatering facilities	Any day	Any time
Blayney Dewatering Facility – train loading	Any day	7.00am to 7.00pm
CVO Dewatering Facility – train loading	Any day	Day

Note: Construction and maintenance activities may be conducted outside the hours in Table 6 provided that the activities are not audible at any residence beyond the boundary of the site.

Additional Noise Mitigation Measures

7. Upon receiving a written request from:
- the landowner of the properties identified as:
 - MC & PA Ewens (unless the landowner has requested acquisition); or
 - GP Nixon & Sons; or
 - the landowner of privately-owned land where subsequent operational noise monitoring shows the noise generated by the project exceeds the noise limits in Table 2 by more than:
 - 1 dB(A), in the case of daytime noise levels at the location identified as ML Gardner; or
 - 2 dB(A), in the case of all other locations; or
 - the landowner of the residences on Forest Road, Orchard Road, Woodville Road or other road listed in Table 5 where subsequent noise monitoring shows traffic noise levels generated by the project exceed the traffic noise criteria in Table 5,
- the Proponent shall implement additional noise mitigation measures such as double glazing, insulation, and/or air conditioning at any residence on the land in consultation with the landowner.

These additional mitigation measures must be reasonable and feasible.

If within 3 months of receiving this request from the landowner, the Proponent and the landowner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the [Secretary](#) for resolution.

Within 3 months of this approval, the Proponent shall notify all applicable landowners that they are entitled to receive additional noise mitigation measures, to the satisfaction of the [Secretary](#).

Continuous Improvement

8. The Proponent shall:
- implement all reasonable and feasible best practice noise mitigation measures;

- (b) investigate ways to reduce the noise generated by the project, including off-site road (particularly on Forest Road, Orchard Road and Woodville Road during the night and early morning periods) and rail noise and maximum noise levels which may result in sleep disturbance; and
- (c) report on these investigations and the implementation and effectiveness of these measures in the Annual Review,
to the satisfaction of the [Secretary](#).

Noise Monitoring

9. The Proponent shall prepare and implement a detailed Noise Monitoring Program for the project to the satisfaction of the [Secretary](#). This program must:
 - (a) be prepared in consultation with EPA, and be submitted to the [Secretary](#) for approval within 3 months of the date of this approval; and
 - (b) include:
 - a combination of unattended and attended monitoring measures; and
 - a noise monitoring protocol for evaluating compliance with the relevant noise impact assessment and land acquisition criteria in this approval.

BLASTING AND VIBRATION

Blasting Impact Assessment Criteria

10. The Proponent shall ensure that blasting at the project does not exceed the criteria in Table 7.

Table 7: Blasting impact assessment criteria

Location	Time of Blasting	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance
Residence on privately owned land	Any time	120	10	0%
	Day	115	5	5% of the total number of blasts over a period of 12 months
	Evening	105	2	
	Night, and all day on Sundays and Public holidays	95	1	
Heritage sites, including Cadia Engine House and Surrounds (but excluding Little Cadia Copper Mine)	Any time	-	15	0%

Note: The impact assessment criteria for Cadia Engine House and Surrounds apply in the absence of any anti-vibration strengthening. Alternative criteria may be approved under the Historical Heritage Management Plan (see condition 43) if anti-vibration strengthening works are implemented.

Operating Conditions

11. During mining operations on site, the Proponent shall implement best blasting practice to:
 - (a) protect the safety of people, property, public infrastructure, and livestock;
 - (b) protect items of Aboriginal and non-indigenous cultural heritage significance; and
 - (c) minimise the dust and fume emissions from blasting at the project,
to the satisfaction of the [Secretary](#).

Public Notice

12. During mining operations on site, the Proponent shall:
 - (a) notify the landowner/occupier of any residence within 2 kilometres of blasting operations who registers an interest in being notified about the blasting schedule at the mine, or any other landowner nominated by the [Secretary](#);
 - (b) operate a Blasting Hotline, or alternate system agreed to by the [Secretary](#), to enable the public to get up-to-date information on the blasting schedule at the project;
 - (c) publish an up-to-date blasting schedule on its website (for open pit and major underground blasting operations); and
 - (d) advertise the blasting hotline number and website information in a local newspaper at least 2 times each year,
to the satisfaction of the [Secretary](#).

Property Inspections

13. The Proponent shall advise the owners of privately-owned land that they are entitled to a structural property inspection to establish the baseline condition of buildings and other structures on the property:
 - (a) within 2 months of the date of this approval, for properties within 2 kilometres of blasting operations occurring at the date of this approval; and
 - (b) at least 2 months prior to blasting within 2 kilometres of additional properties.
14. If the Proponent receives a written request for a structural property inspection from any such landowner, the Proponent shall:
 - (a) within 2 months of receiving this request commission a suitably qualified, experienced and independent person, whose appointment has been approved by the [Secretary](#), to inspect the condition of any building or structure on the land (prior to blasting taking place within 2 kilometres of the property, if possible), and recommend measures to mitigate any potential blasting impacts; and
 - (b) give the landowner a copy of the property inspection report.

Property Investigations

15. If any landowner of privately-owned land within 2 kilometres of blasting operations, or any other landowner nominated by the [Secretary](#), claims that buildings and/or structures on his/her land have been damaged as a result of blasting at the project, the Proponent shall within 3 months of receiving this request:
 - (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the [Secretary](#), to investigate the claim; and
 - (b) give the landowner a copy of the property investigation report.

If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Proponent shall repair the damages to the satisfaction of the [Secretary](#).

If the Proponent or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the [Secretary](#) for resolution.

If the matter cannot be resolved within 21 days, the [Secretary](#) shall refer the matter to an Independent Dispute Resolution Process (see Appendix 8).

Blast Monitoring Program

16. The Proponent shall prepare and implement a Blast Monitoring Program for the project to the satisfaction of the [Secretary](#). This program must:
 - (a) be prepared in consultation with EPA, and be submitted to the [Secretary](#) for approval within 3 months of the date of this approval; and
 - (b) include a protocol for evaluating blast-related impacts (including blast-induced seismic activity) on, and demonstrating compliance with the blasting criteria in this approval for:
 - privately-owned residences and structures;
 - items of Aboriginal and non-indigenous cultural heritage significance (including the Cadia Engine House and Surrounds); and
 - publicly-owned infrastructure.

AIR QUALITY

Impact Assessment Criteria

17. The Proponent shall ensure that the dust emissions generated by the project do not cause additional exceedances of the air quality impact assessment criteria listed in Tables 8, 9 and 10 at any residence on privately owned land, or on more than 25 percent of any privately owned land.

Table 8: Long term impact assessment criteria for particulate matter

Pollutant	Averaging period	Criterion
Total suspended particulate (TSP) matter	Annual	90 µg/m ³
Particulate matter < 10 µm (PM ₁₀)	Annual	30 µg/m ³

Table 9: Short term impact assessment criterion for particulate matter

Pollutant	Averaging period	Criterion
Particulate matter < 10 µm (PM ₁₀)	24 hour	50 µg/m ³

Table 10: Long term impact assessment criteria for deposited dust

Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level
Deposited dust	Annual	2 g/m ² /month	4 g/m ² /month

Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.

Land Acquisition Criteria

18. If the dust emissions generated by the project exceed the criteria in Tables 11, 12, and 13 at any residence on privately owned land, or on more than 25 percent of any privately owned land, the Proponent shall, upon receiving a written request for acquisition from the landowner, acquire the land in accordance with the procedures in conditions 5-7 of schedule 4.

Table 11: Long term land acquisition criteria for particulate matter

Pollutant	Averaging period	Criterion
Total suspended particulate (TSP) matter	Annual	90 µg/m ³
Particulate matter < 10 µm (PM ₁₀)	Annual	30 µg/m ³

Table 12: Short term land acquisition criteria for particulate matter

Pollutant	Averaging period	Criterion	Percentile¹	Basis
Particulate matter < 10 µm (PM ₁₀)	24 hour	150 µg/m ³	99 ²	Total ³
Particulate matter < 10 µm (PM ₁₀)	24 hour	50 µg/m ³	98.6	Increment ⁴

¹Based on the number of block 24 hour averages in an annual period.

²Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity agreed by the [Secretary](#) in consultation with EPA.

³Background PM₁₀ concentrations due to all other sources plus the incremental increase in PM₁₀ concentrations due to the mine alone.

⁴Incremental increase in PM₁₀ concentrations due to the mine alone.

Table 13: Long term land acquisition criteria for deposited dust

Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level
Deposited dust	Annual	2 g/m ² /month	4 g/m ² /month

Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.

Operating Conditions

19. The Proponent shall:
- ensure any visible air pollution generated by the project is assessed regularly, and that operations are relocated, modified, and/or stopped as far as is reasonable and feasible to minimise air quality impacts on privately-owned land;
 - ensure that the real-time air quality monitoring and meteorological monitoring data are assessed regularly, and that operations are relocated, modified and/or stopped as required to ensure compliance with the relevant air quality criteria; and
 - implement all reasonable and feasible measures to minimise off-site odour and fume emissions generated by the project, to the satisfaction of the [Secretary](#).

Air Quality Monitoring

20. The Proponent shall prepare and implement a detailed Air Quality Monitoring Program for the project to the satisfaction of the [Secretary](#). This program must:
- be prepared in consultation with EPA, and be submitted to the [Secretary](#) for approval within 3 months of the date of this approval; and
 - include:
 - a combination of real-time monitors, high volume samplers and dust deposition gauges to monitor the dust emissions of the project; and

- an air quality monitoring protocol for evaluating compliance with the relevant air quality impact assessment and land acquisition criteria in this approval.

METEOROLOGICAL MONITORING

21. During the life of the project, the Proponent shall ensure that there is a suitable meteorological station in the vicinity of the site that complies with the requirements in the *Approved Methods for Sampling of Air Pollutants in New South Wales* guideline.

SOIL AND WATER

Water Supply

22. The Proponent shall ensure that it has sufficient water for all stages of the project, and if necessary, adjust the scale of mining operations to match its licensed water entitlements, to the satisfaction of the [Secretary](#).

Note: The Proponent is required to obtain all necessary water licences and approvals for the project under the Water Act 1912 and/or Water Management Act 2000.

Discharge Limits

23. The Proponent shall not discharge any water from the site except as may be expressly provided by an EPL, or in accordance with section 120 of the *Protection of the Environment Operations Act 1997*.

Compensatory Water Supplies

24. The Proponent shall provide compensatory water supplies to any landowner of privately-owned land whose water entitlements are impacted (other than an impact that is negligible) as a result of the project, in consultation with NOW and to the satisfaction of the [Secretary](#).

The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent to the loss attributed to the project. Equivalent water supply must be provided (at least on an interim basis) within 24 hours of the loss being identified.

If the Proponent and the landowner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the [Secretary](#) for resolution.

If the Proponent is not able to provide an alternative long-term supply of water, the Proponent shall provide alternative compensation to the satisfaction of the [Secretary](#), which may involve acquisition in accordance with the procedures in conditions 5-7 of schedule 4.

Notes:

- For the purposes of this condition:
 - privately-owned land means any privately-owned land with direct water dependency on Swallow Creek, Cadiangullong Creek, Rodds Creek, Flyers Creek or Diggers Creek/Panuara Rivulet, and any land within the maximum predicted 1 metre groundwater drawdown contour as indicated on the plans in Appendix 5, or any other privately-owned land as notified by the [Secretary](#);
 - a water entitlement includes an accessible riparian water right or licensable quantity;
 - a water entitlement is considered to be impacted if the project results in a loss in pumping yield in bores or pumps, or impacts the quality of the water such that its use is materially affected. (These impact assessment criteria are required to be further quantified in the Site Water Management Plan – see conditions 30-35 below).
- Compensatory water supplies may be achieved through provision of baseflow offsets within the applicable catchment (see condition 25 below), or through measures on privately-owned land such as lowering or duplicating pumps, deepening or replacing bores, and/or provision of interim water supplies.
- The Proponent is not required to provide additional compensatory water supplies where such long-term compensation has already been provided under previous consents for the project.
- In resolving any dispute under this condition, the [Secretary](#) will consult closely with NOW.

Baseflow Offsets

25. The Proponent shall offset the loss of baseflow to the Belubula River and associated creeks caused by the project, in consultation with NOW, and to the satisfaction of the [Secretary](#). The offsets shall be provided either incrementally or on one occasion:
- prior to the baseflow loss being realised, or within 12 months of the date of this approval for any existing realised baseflow losses that have not previously been offset; and
 - within the catchments where the baseflow loss is realised, as far as is reasonable and feasible, unless otherwise approved by the [Secretary](#).

Notes:

- The offsets should be provided via the retirement of adequate water entitlements to account for the loss attributable to the project.

- Relevant compensatory water supplies implemented under condition 24 may be subtracted from the offsets required under this condition.
 - The Proponent is not required to provide additional baseflow offsets where such offsets have already been provided under previous consents for the project. These existing offsets are to be described and evaluated in the Surface and Ground Water Contingency Plan (see condition 35 below).
26. At least 6 months prior to the cessation of mining operations, the Proponent shall demonstrate that it has made adequate provision to provide long-term offsets to account for the permanent baseflow loss caused by the project, in consultation with NOW, and to the satisfaction of the [Secretary](#).
- Note: The long-term offsets may be provided via the retiring of adequate water entitlements to account for the permanent loss attributable to the project.*

Cadiangullong Creek Flows

27. The Proponent shall manage water releases from Cadiangullong Dam to provide:
- (a) flows of at least:
 - 3.4 ML/day, for periods when inflows into the dam are more than 3.4 ML/day and the water level in the dam is at or above the lowest valve level on the multi-level offtake (ie. 773.0 metres AHD);
 - the volume equal to the inflow into the dam, for periods when inflows into the dam are between 0.4 and 3.4 ML/day and the water level in the dam is at or above the lowest valve level on the multi-level offtake;
 - 0.4 ML/day, for periods when inflows into the dam are less than 0.4 ML/day and the water level in the dam is at or above the lowest valve level on the multi-level offtake;
 - the volume equal to the inflow into the dam, up to 0.4ML/day, for periods when the water level in the dam is below the lowest valve level on the multi-level offtake and above the level of the scour valve (ie. 762.8 metres AHD); and
 - zero, when the water level in the dam is below the level of the scour valve; and
 - (b) releases of up to 4 medium flows (of the order of 12 to 15 ML/day) per year, each for a duration of 1 to 3 days, with timing and frequency of such flows determined by hydrographs of typical medium flows, to the satisfaction of, and unless otherwise approved by, NOW.
28. The Proponent shall not extract any water from Cadiangullong Dam when the volume in the dam drops to 10 percent or less of its total capacity (ie. 778.8 metres AHD), unless otherwise approved by NOW. Flow releases (see condition 27 above) shall be continued during any such period, except when the level of water in the dam drops below the level of the dam's scour valve (ie. 762.8 metres AHD).

Flyers Creek Flows

29. The Proponent shall ensure that natural environmental flows of up to 3.5 ML/day into Flyers Creek weir are allowed to pass uninterrupted downstream, and any approved water extraction is limited to medium and high flows, to the satisfaction of NOW.

Site Water Management Plan

30. The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the [Secretary](#). This plan must:
- (a) be prepared in consultation with NOW and [EPA](#), and be submitted to the [Secretary](#) for approval within 6 months of the date of this approval; and
 - (b) include a:
 - Site Water Balance;
 - Erosion and Sediment Control Plan;
 - Surface Water Monitoring Program;
 - Groundwater Monitoring Program; and
 - Surface and Ground Water Contingency Plan.
31. The Site Water Balance must:
- (a) include details of:
 - sources and security of water supply;
 - water use on site;
 - water management on site;
 - any off-site water transfers;
 - reporting procedures; and
 - (b) investigate and implement all reasonable and feasible measures to minimise water use by the project.
32. The Erosion and Sediment Control Plan must:
- (a) be consistent with the requirements of *Managing Urban Stormwater: Soils and Construction, Volume 1, 4th Edition, 2004* (Landcom);
 - (b) identify activities that could cause soil erosion and generate sediment;

- (c) describe measures to minimise soil erosion and the potential for the transport of sediment to downstream waters;
 - (d) describe the location, function, and capacity of erosion and sediment control structures; and
 - (e) describe what measures would be implemented to maintain the structures over time.
33. The Surface Water Monitoring Program must include:
- (a) detailed baseline data, based on sound statistical analysis, to benchmark the pre-mining natural variation in surface water flows and quality in creeks and other waterbodies that could potentially be affected by the project;
 - (b) surface water and stream health impact assessment criteria;
 - (c) a program to monitor and assess:
 - impacts on surface water flows and quality;
 - impacts on water users;
 - stream health conditions in Swallow Creek, Cadiangullong Creek, Rodds Creek, Flyers Creek and Diggers Creek, including riparian vegetation;
 - potential acid rock drainage;
 - potential leakage or spillage from tailings, mineral concentrate and effluent pipelines;
 - (d) a program for the ongoing verification and refinement of the surface water model; and
 - (e) reporting procedures for the results of the monitoring program and model verification.
34. The Groundwater Monitoring Program must include:
- (a) detailed baseline data, based on sound statistical analysis, to benchmark the pre-mining natural variation in groundwater levels, yield and quality (including privately-owned bores within the maximum predicted 1 metre groundwater drawdown contour, as indicated on the plans in Appendix 5);
 - (b) groundwater impact assessment criteria (including for monitoring bores and privately-owned bores);
 - (c) a program to monitor:
 - impacts on the groundwater supply of potentially affected landowners;
 - impacts on springs and groundwater dependent ecosystems;
 - the volume of groundwater seeping into open pit and underground mine workings;
 - regional groundwater levels and quality in all potentially affected aquifers;
 - potential acid rock drainage;
 - (d) a program for the ongoing verification and refinement of the groundwater model; and
 - (e) reporting procedures for the results of the monitoring program and model verification.
35. The Surface and Ground Water Contingency Plan must include:
- (a) a protocol for the investigation, notification and mitigation of any exceedances of the surface water, stream health and groundwater impact assessment criteria;
 - (b) measures to mitigate and/or compensate potentially affected landowners in accordance with the compensatory water supply requirements in condition 24 above;
 - (c) a protocol for providing advance warning and water supply measures for landowners of privately-owned land that are predicted to exceed the surface or ground water impact assessment criteria at some stage during the project life;
 - (d) a protocol for investigating, evaluating and providing the baseflow offsets required under condition 25 above, including a detailed evaluation (in the initial plan) of offsets provided under previous consents for the project; and
 - (e) the procedures that would be followed if any significant unforeseen impacts on surface or ground water are detected during the project.

REHABILITATION AND BIODIVERSITY OFFSETS

Rehabilitation

36. By the end of 2010, the Proponent shall prepare a Rehabilitation Strategy for the project to the satisfaction of the [Secretary](#). This strategy must:
- (a) be prepared by a team of suitably qualified and experienced experts whose appointment has been endorsed by the [Secretary](#);
 - (b) be prepared in consultation with relevant stakeholders, including the Councils and the CCC;
 - (c) investigate options for the future use of disturbed areas including voids upon the completion of mining;
 - (d) describe and justify the proposed rehabilitation strategy for the site, including the post-mining landform and use; and
 - (e) define the rehabilitation objectives for the site, as well as the proposed completion criteria for this rehabilitation.

Note: The strategy should build on the concept strategy depicted in Appendix 6.

37. The Proponent shall:
- (a) carry out rehabilitation progressively, that is, as soon as reasonably practicable following disturbance; and

- (b) achieve the rehabilitation objectives in the Rehabilitation Strategy (see condition 36), to the satisfaction of the [Minister for Mineral Resources](#).

Biodiversity Offsets

38. The Proponent shall:
- implement the biodiversity offset strategy as described in the EA, and summarised in Table 14 (and shown conceptually in Appendix 6); and
 - investigate ways to salvage and beneficially use resources (including timber, fauna habitat, seed and soil resources) in areas subject to subsidence as far as is reasonable and feasible, to the satisfaction of the [Secretary](#).

Table 14: Biodiversity Offset Strategy

Area	Minimum Size
Black Rock Range Offset Area – Enhancement Area	653 ha
Black Rock Range Offset Area – Revegetation Area	173 ha
Flyers Creek and Belubula River Offset Area	112 ha
Total	938 ha

39. Within 2 years of the date of this approval, the Proponent shall make suitable arrangements to provide appropriate long term security for the offset areas to the satisfaction of the [Secretary](#).
40. Within 6 months of the approval of the Landscape Management Plan (see condition 41 below), the Proponent shall lodge a conservation and biodiversity bond with the Department to ensure that the offset strategy is implemented in accordance with the performance and completion criteria of the Landscape Management Plan. The sum of the bond shall be determined by:
- calculating the full cost of implementing the offset strategy; and
 - employing a suitably qualified quantity surveyor to verify the calculated costs, to the satisfaction of the [Secretary](#).

Notes:

- If the offset strategy is completed to the satisfaction of the [Secretary](#), the [Secretary](#) will release the conservation bond.
- If the offset strategy is not completed to the satisfaction of the [Secretary](#), the [Secretary](#) will call in all or part of the conservation bond, and arrange for the satisfactory completion of the relevant works.
- If amendments to the Mining Act 1992 allow the Minister for Mineral Resources to require rehabilitation securities under a Mining Lease which apply to the implementation of rehabilitation works outside the boundary of a Mining Lease, the Proponent may transfer the conservation bond required under this approval to the Minister of Mineral Resources provided the [Secretary](#) and [DRE](#) agree to the transfer.

Landscape Management Plan

41. The Proponent shall prepare and implement a Landscape Management Plan for the project to the satisfaction of the [Minister for Mineral Resources](#) and the [Secretary](#). This plan must:
- be prepared in consultation with [OEH](#), [NOW](#) and the Councils, and be submitted to the [Secretary](#) within 18 months of the date of this approval;
 - include:
 - the rehabilitation objectives for the site and offset areas;
 - a description of the short, medium, and long term measures that would be implemented to:
 - rehabilitate the site in accordance with the Rehabilitation Strategy (see condition 36);
 - implement the offset strategy; and
 - manage the remnant vegetation and habitat on the site and in the offset areas;
 - detailed performance and completion criteria for the site rehabilitation and implementation of the offset strategy;
 - a detailed description of the measures that would be implemented over the next 3 years, including the procedures to be implemented for:
 - progressively rehabilitating disturbed areas;
 - implementing revegetation and regeneration within the disturbance areas and offset areas, including establishment of canopy, sub-canopy (if relevant), understorey and ground strata;
 - investigating ways to salvage and beneficially use resources in areas subject to subsidence (including timber, fauna habitat, seed and soil resources);
 - protecting vegetation and soil outside the disturbance areas;
 - rehabilitating creeks and drainage lines on the site (both inside and outside the disturbance areas);
 - managing potential acid forming material (including ensuring effective isolation of potential acid forming material in rock dumps);
 - managing salinity;
 - conserving and reusing topsoil;

- undertaking pre-clearance surveys;
 - managing impacts on terrestrial and aquatic fauna (including a Squirrel Glider conservation strategy);
 - landscaping the site to minimise visual impacts;
 - collecting and propagating seed for rehabilitation works;
 - salvaging and reusing material from the site for habitat enhancement;
 - controlling weeds and feral pests, including terrestrial and aquatic species;
 - managing grazing and agriculture on site;
 - controlling access;
 - bushfire management;
 - managing and minimising any potential adverse impacts associated with the final voids; and
 - managing and minimising any adverse socio-economic effects associated with mine closure;
- (v) a program to monitor the effectiveness of these measures, and progress against the performance and completion criteria;
- (vi) a description of the potential risks to successful rehabilitation and/or revegetation, and a description of the contingency measures that would be implemented to mitigate these risks; and
- (vii) details of who would be responsible for monitoring, reviewing, and implementing the plan.

ABORIGINAL HERITAGE

Aboriginal Cultural Heritage Management Plan

42. The Proponent shall prepare and implement an Aboriginal Cultural Heritage Management Plan for the project to the satisfaction of the [Secretary](#). This plan must:
- (a) be prepared in consultation with [OEH](#) and the Aboriginal community, and be submitted to the [Secretary](#) for approval within 6 months of the date of this approval;
- (b) include a:
- detailed salvage program and management plan for Aboriginal sites and potential archaeological deposits within the project disturbance area;
 - detailed description of the measures that would be implemented to protect and monitor Aboriginal sites outside the project disturbance area;
 - description of the measures that would be implemented if any new Aboriginal objects or skeletal remains are discovered during the project; and
 - protocol for the ongoing consultation and involvement of the Aboriginal communities in the conservation and management of Aboriginal cultural heritage on the site.

HISTORICAL HERITAGE

Historical Heritage Management Plan

43. The Proponent shall prepare and implement a Historical Heritage Management Plan for the project to the satisfaction of the [Secretary](#). This plan must:
- (a) be prepared in consultation with the Heritage Branch and be submitted to the [Secretary](#) for approval within 6 months of the date of this approval;
- (b) include:
- compilation of archival recording, excavation and/or salvage of heritage items within the project disturbance area, including the Wire Gully Gold Workings and the Little Cadia Copper Mine;
 - a detailed conservation management strategy for heritage items outside the project disturbance area but within the vicinity of the site, including a:
 - description of the measures that would be implemented to protect heritage items from disturbance, including disturbance from blasting activities;
 - program to monitor the effects of blasting on relevant heritage items; and
 - an Interpretation Plan for the Cadia Village.

Note: The Little Cadia Copper Mine is outside the zone of subsidence for the Cadia East mine but within its zone of influence, and therefore may potentially be subject to impact. It is proposed to conserve the site in-situ, if possible.

TRANSPORT

Road Construction

44. The Proponent shall:
- (a) realign the affected sections of Cadia Road, and reconstruct the Cadia Road / Woodville Road intersection, at least 6 months before causing any subsidence of the affected roads; and
- (b) construct the CVO Dewatering Facility site intersection on Newbridge Road, prior to the commencement of construction of the facility,
- to the satisfaction of the applicable Council.

Road Haulage

45. The Proponent shall transport all concentrate:
- to the Blayney Dewatering Facility and CVO Dewatering Facility by pipeline; and
 - from the Blayney Dewatering Facility and CVO Dewatering Facility by rail.

If during the life of the project pipeline or rail services are not available to transport the concentrate the Proponent may apply to the [Secretary](#) for permission to temporarily use truck facilities until such time as pipeline or rail services are returned to normal service.

46. The Proponent shall ensure that all traffic accessing the Blayney Dewatering Facility does so via Marshalls Lane and Gerty Street. Hill Street shall not be used except with the written permission of Blayney Shire Council.

VISUAL

CVO Dewatering Facility

47. Prior to the commencement of construction of the CVO Dewatering Facility, the Proponent shall prepare:
- architectural plans for the facility in a manner that achieves a suitable standard of design; and
 - a Landscape Plan for the facility, including provision for vegetative screening to minimise the visual impacts on adjacent receivers,
- in consultation with Blayney Shire Council, and to the satisfaction of the [Secretary](#).

Following approval, these plans must be implemented to the satisfaction of the [Secretary](#).

Mining Operations Additional Visual Impact Mitigation

48. Upon receiving a written request from an owner of privately-owned land with significant direct views from a residence to the mining operations, the Proponent shall implement additional visual impact mitigation measures (such as landscaping treatments or vegetation screens) in consultation with the landowner, and to the satisfaction of the [Secretary](#).

These mitigation measures must be reasonable and feasible, and must be implemented within a reasonable timeframe.

If within 3 months of receiving this request from the owner, the Proponent and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the [Secretary](#) for resolution.

Notes:

- The additional visual impact mitigation measures must be aimed at reducing the visibility of the mine from significantly affected residences and do not necessarily require measures to reduce visibility of the mine from other locations on the affected properties. The additional visual impact mitigation measures do not necessarily have to include measures on the affected property itself (i.e. the additional measures may consist of measures outside the affected property boundary that provide an effective reduction in visual impacts).*
- Except in exceptional circumstances, the [Secretary](#) will not require additional visual impact mitigation to be undertaken for residences that are more than 5 kilometres from the mining operations.*

Visual Amenity and Lighting

49. The Proponent shall:
- implement all reasonable and feasible measures to mitigate visual and off-site lighting impacts of the project;
 - ensure no outdoor lights shine above the horizontal; and
 - ensure that all external lighting associated with the project complies with *Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting*, to the satisfaction of the [Secretary](#).

WASTE

Waste Minimisation

50. The Proponent shall:
- minimise the waste generated by the project;
 - ensure that the waste generated by the project is appropriately stored, handled and disposed of;
 - manage on-site sewage treatment and disposal in accordance with the requirements of the applicable Council; and
 - report on waste management and minimisation in the Annual Review, to the satisfaction of the [Secretary](#).

SCHEDULE 4 ADDITIONAL PROCEDURES

Notification of Landowners

1. Within 1 month of the date of this approval, the Proponent shall notify the owners of the land listed in Table 1 of schedule 3 in writing that they have the right to require the Proponent to acquire their land at any stage during the project.
2. If the results of monitoring required in schedule 3 identify that impacts generated by the project are greater than the relevant impact assessment criteria, except where a negotiated agreement has been entered into in relation to that impact, then the Proponent shall, within 2 weeks of obtaining the monitoring results, notify the [Secretary](#), the affected landowners and tenants (including tenants of mine-owned properties) accordingly, and provide quarterly monitoring results to each of these parties until the results show that the project is complying with the criteria in schedule 3.

Independent Review

3. If a landowner of privately-owned land considers the project to be exceeding the impact assessment criteria in schedule 3, then he/she may ask the [Secretary](#) in writing for an independent review of the impacts of the project on his/her land.

If the [Secretary](#) is satisfied that an independent review is warranted, the Proponent shall within 3 months of the [Secretary's](#) decision:

- (a) consult with the landowner to determine his/her concerns;
 - (b) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the [Secretary](#), to conduct monitoring on the land, to:
 - determine whether the project is complying with the relevant impact assessment criteria in schedule 3; and
 - identify the source(s) and scale of any impact on the land, and the project's contribution to this impact; and
 - (c) give the [Secretary](#) and landowner a copy of the independent review.
4. If the independent review determines that the project is complying with the relevant impact assessment criteria in schedule 3, then the Proponent may discontinue the independent review with the approval of the [Secretary](#).

If the independent review determines that the project is not complying with the relevant impact assessment criteria in schedule 3, then the Proponent shall:

- (a) implement all reasonable and feasible measures, in consultation with the landowner, to ensure that the project complies with the relevant criteria, and conduct further monitoring to determine whether these measures ensure compliance; or
 - (b) secure a written agreement with the landowner to allow exceedances of the relevant impact assessment criteria,
- to the satisfaction of the [Secretary](#).

If the further monitoring referred to under paragraph (a) above determines that the project is complying with the relevant impact assessment criteria, then the Proponent may discontinue the independent review with the approval of the [Secretary](#).

Land Acquisition

5. Within 3 months of receiving a written request from a landowner with acquisition rights, the Proponent shall make a binding written offer to the landowner based on:
 - (a) the current market value of the landowner's interest in the property at the date of this written request, as if the property was unaffected by the project, having regard to the:
 - existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and
 - presence of improvements on the property and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date, but excluding any improvements that have resulted from the implementation of the 'additional noise mitigation measures' in condition 7 of schedule 3 or 'compensatory water supplies' in condition 24 of schedule 3;
 - (b) the reasonable costs associated with:
 - relocating within the same local government area, or to any other local government area determined by the [Secretary](#); and
 - obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired; and
 - (c) reasonable compensation for any disturbance caused by the land acquisition process.

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

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

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

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

However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to the [Secretary](#) for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the [Secretary](#) shall determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in paragraphs (a)-(c) above and the independent valuer's report. Within 14 days of this determination, the Proponent shall make a binding written offer to the landowner to purchase the land at a price not less than the [Secretary's](#) determination.

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

- 6. The Proponent shall pay all reasonable costs associated with the land acquisition process described in condition 5 above.
 - 7. If the Proponent and landowner agree that only part of the land shall be acquired, then the Proponent shall also pay all reasonable costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of the plan at the Office of the Registrar-General.
-

SCHEDULE 5 ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the [Secretary](#). The strategy must:
 - (a) be submitted to the [Secretary](#) for approval within 6 months of the date of this approval;
 - (b) provide the strategic framework for environmental management of the project;
 - (c) identify the statutory approvals that apply to the project;
 - (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;
 - (e) describe the procedures that would be implemented to:
 - keep the local community and relevant agencies informed about the operation and environmental performance of the project;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise during the course of the project;
 - respond to any non-compliance; and
 - respond to emergencies;
 - (f) include:
 - copies of the various strategies, plans and programs that are required under the conditions of this approval once they have been approved; and
 - a clear plan depicting all the monitoring to be carried out in relation to the project.

Annual Review

2. By the end of 2010, and annually thereafter, the Proponent shall review the environmental performance of the project to the satisfaction of the [Secretary](#). This review must:
 - (a) describe the works that were carried out in the past year, and the works that are proposed to be carried out over the next year;
 - (b) include a comprehensive review of the monitoring results and complaints records of the project over the past year, which includes a comparison of these results against the
 - the relevant statutory requirements, limits or performance measures/criteria;
 - the monitoring results of previous years; and
 - the relevant predictions in the EA and previous EAs;
 - (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 project;
 - (e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and
 - (f) describe what measures will be implemented over the next year to improve the environmental performance of the project.

Revision of Strategies, Plans and Programs

3. [Within 3 months of:](#)
 - (a) [an annual review under condition 2 above;](#)
 - (b) [an incident report under condition 5 below;](#)
 - (c) [an audit under condition 7 below; or](#)
 - (d) [any modification of this approval,](#)[the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the \[Secretary\]\(#\).](#)

Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.

Community Consultative Committee

4. Within 6 months of the date of this approval, the Proponent shall establish Community Consultative Committee (CCC) for the project to the satisfaction of the [Secretary](#). This CCC must be established and operated in general accordance with the *Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects* (Department of Planning, 2007, or its latest version).

Notes:

- *The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Proponent complies with this approval. In accordance with the Guideline, the Committee should comprise an independent chair and appropriate representation from the Proponent, affected councils and the general community.*

- *In establishing the CCC, the Department will accept the continued representation from existing CCC members, however the Proponent should ensure that adequate representation is achieved for landowners within the area surrounding the Cadia East underground mine.*

REPORTING

Incident Reporting

5. The Proponent shall notify the [Secretary](#) and any other relevant agencies of any incident associated with the project as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent shall provide the [Secretary](#) and any relevant agencies with a detailed report on the incident.

Regular Reporting

6. The Proponent shall provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval, and to the satisfaction of the [Secretary](#).

INDEPENDENT ENVIRONMENTAL AUDIT

7. By the end of December 2011, and every 3 years thereafter, unless the [Secretary](#) directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:
 - (a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the [Secretary](#);
 - (b) include consultation with the relevant agencies;
 - (c) assess the environmental performance of the project and assess whether it is complying with the requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals);
 - (d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and
 - (e) recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under the abovementioned approvals.

Note: This audit team must be led by a suitably qualified auditor and include experts in surface water, groundwater and any other fields specified by the [Secretary](#).

8. Within 6 weeks of the completion of this audit, or as otherwise agreed by the [Secretary](#), the Proponent shall submit a copy of the audit report to the [Secretary](#), together with its response to any recommendations contained in the audit report.

ACCESS TO INFORMATION

9. From the end of June 2010, the Proponent shall make the following information publicly available on its website:
 - (a) a copy of all current statutory approvals for the project;
 - (b) a copy of the current environmental management strategy and associated plans and programs;
 - (c) a summary of the monitoring results of the project, which have been reported in accordance with the various plans and programs approved under the conditions of this approval;
 - (d) a complaints register, which is to be updated on a monthly basis;
 - (e) a copy of the minutes of CCC meetings;
 - (f) a copy of any Annual Reviews (over the last 5 years);
 - (g) a copy of any Independent Environmental Audit, and the Proponent's response to the recommendations in any audit; and
 - (h) any other matter required by the [Secretary](#).

**APPENDIX 1
SCHEDULE OF LAND**

EXISTING MINING LEASES		
Lot Number	Deposited Plan Number	Parish
2	1093785	Clarendon
9	113692	Clarendon
10	113692	Clarendon
128	750371	Clarendon
127	750371	Clarendon
126	750371	Clarendon
125	750371	Clarendon
124	750371	Clarendon
96	750371	Clarendon
95	750371	Clarendon
97	750371	Clarendon
212	865598	Clarendon
211	865598	Clarendon
93	750371	Clarendon
100	576778	Clarendon/Waldegrave
8	209035	Waldegrave
40	705768	Waldegrave
1	47553	Waldegrave
158	750371	Clarendon
134	750371	Clarendon
153	750371	Clarendon
6	511485	Clarendon
100	750371	Clarendon
87	750371	Clarendon
5	865599	Clarendon
99	750371	Clarendon
A	437767	Clarendon
166	750371	Clarendon
6	865599	Clarendon
103	750371	Clarendon
C	437767	Clarendon
101	576778	Waldegrave
2	47553	Waldegrave
3	47553	Waldegrave
15	234195	Waldegrave
18	234195	Waldegrave
4	209035	Waldegrave
3	209035	Waldegrave
17	234195	Waldegrave
6	209035	Waldegrave
7	655732	Waldegrave
19	234195	Waldegrave
20	234195	Waldegrave
21	750415	Waldegrave
41	705768	Waldegrave
8	47553	Waldegrave
22	750415	Waldegrave
7	47553	Waldegrave
23 part	1078095	Waldegrave
49	750371	Clarendon
3	113692	Clarendon
10	252284	Waldegrave
6	47553	Waldegrave

EXISTING MINING LEASES		
Lot Number	Deposited Plan Number	Parish
240	750415	Waldegrave
193	750415	Waldegrave
192	750415	Waldegrave
241	750415	Waldegrave
2	47552	Waldegrave
151	750415	Waldegrave
155	750415	Waldegrave
152	750362	Blake
64	750362	Blake
5	47552	Blake
1	816924	Blake
275	750415	Waldegrave
242	750415	Waldegrave
252	750415	Waldegrave
5	47553	Waldegrave
254	750415	Waldegrave
3	47552	Waldegrave
1	47552	Waldegrave
2	816924	Blake/Waldegrave
20	750415	Waldegrave
7001	1020360	Waldegrave
253	750415	Waldegrave
255	750415	Waldegrave
287	750415	Waldegrave
295	823457	Waldegrave
16	234195	Waldegrave
247	750415	Waldegrave
272	750415	Waldegrave
248	750415	Waldegrave
251	750415	Waldegrave
1	750362	Blake
2	750362	Blake
5	750362	Blake
21	825426	Blake
3	731180	Blake
3	750362	Blake
4	750362	Blake
1	731180	Blake
22	825426	Blake
6	47552	Blake/Waldegrave
24 part	750362	Blake
25	750362	Blake
201 part	1037198	Carlton
21 part	1038104	Blake
38	750362	Blake
39	750362	Blake
102 part	1040753	Blake/Waldegrave
3 part	871086	Blake
Crown roads and public roads located within and between the above titles		
Crown land located within and between the above titles		

MINING LEASE APPLICATION AREA		
Lot Number	Deposited Plan Number	Parish
23 part	1078095	Waldegrave
102 part	1040753	Blake/Waldegrave
22 part	1078095	Waldegrave
Cadia Road part	Between Lot 23 DP1078095 and Lot 22 DP1078095	Waldegrave
3 part	871086	Blake
21 part	1038104	Blake

BLAYNEY DEWATERING FACILITY		
Lot Number	Deposited Plan Number	Parish
299	1004555	Lindsay
1	1006860	Lindsay

CVO DEWATERING FACILITY		
Lot Number	Deposited Plan Number	Parish
2	1073048	Napier
3	1073048	Napier

CONCENTRATE PIPELINE (from Cadia Valley to Blayney Dewatering Facility)		
Lot Number	Deposited Plan Number	Parish
255	750415	Waldegrave
16	234195	Waldegrave
248	750415	Waldegrave
272	750415	Waldegrave
22	750415	Waldegrave
8	47553	Waldegrave
23	1078095	Waldegrave
	Location Description	Parish
CADIA ROAD	North of Lot 23 DP1078095 to intersection with Woodville Road	Waldegrave
WOODVILLE ROAD	North of Lot 23 DP1078095 generally in a east and north east direction to the intersection with Long Swamp Road	Waldegrave
LONG SWAMP ROAD	North of Lot 10 DP1009643 generally in a east and south east direction to the intersection with Carbine Road	Beneree
CARBINE ROAD	East of Lot B DP961816 generally in a south direction to the intersection with Ovington Lane	Beneree
OVINGTON LANE	North of Lot 340 DP1049610 generally in a south east and east direction to the intersection with Waterson Lane	Calvert
WATERSON LANE	West and North of Lot 1 DP750367 generally in a North and North East direction to the intersection with Tallwood Road	Calvert
TALLWOOD ROAD	West of Lot 4 DP1061305 generally in a South, South East and East direction to Lot 7001 DP1020284	Calvert
Lot Number	Deposited Plan Number	Parish
7001	1020284	Calvert
	Location Description	Parish
TALLWOOD ROAD	South West and West of Lot 335 DP750367 generally in a South, South East and East direction to intersection with Matthews Road	Calvert
MATTHEWS ROAD	North of Lot 1 DP1093688 generally in a East South East and South direction to the intersection with Browns Creek Road	Lindsay
BROWNS CREEK ROAD	South of Lot 130 DP874276 East direction to the intersection with Millthorpe Road	Lindsay
MILLTHORPE ROAD	West and South West of Lot 1 DP827318 to Lot 1 DP829674	Lindsay
Lot Number	Deposited Plan Number	Parish
1	829674	Lindsay

CONCENTRATE PIPELINE (from Cadia Valley to Blayney Dewatering Facility)		
Lot Number	Deposited Plan Number	Parish
2	829674	Lindsay
1	241681	Lindsay
Location Description		Parish
PALMER STREET, BLAYNEY	East of Lot 1 DP241681 to Lot 28 DP1061031	Lindsay
Lot Number	Deposited Plan Number	Parish
28	1061031	Lindsay
48	1063125	Lindsay
20	1082402	Lindsay
Location Description		Parish
DOUST STREET, BLAYNEY	Generally East and South East to a point near Lot 9 DP1097231	Lindsay
Lot Number	Deposited Plan Number	Parish
9	1097231	Lindsay
10	1097231	Lindsay
Location Description		Parish
MAIN WESTERN RAILWAY CORRIDOR	Generally in a North direction	Lindsay
Lot Number	Deposited Plan Number	Parish
1	DP1006860	Lindsay

NEW CONCENTRATE PIPELINE (from Cadia Valley to Blayney Dewatering Facility then to CVO Dewatering Facility)		
Lot Number	Deposited Plan Number	Parish
255	750415	Waldegrave
16	234195	Waldegrave
248	750415	Waldegrave
272	750415	Waldegrave
22	750415	Waldegrave
8	47553	Waldegrave
23	1078095	Waldegrave
Location Description		Parish
CADIA ROAD	North of Lot 23 DP1078095 to intersection with Woodville Road	Waldegrave
WOODVILLE ROAD	North of Lot 23 DP1078095 generally in a east and north east direction to the intersection with Long Swamp Road	Waldegrave
LONG SWAMP ROAD	North of Lot 10 DP1009643 generally in a east and south east direction to the intersection with Carbine Road	Beneree
CARBINE ROAD	East of Lot B DP961816 generally in a south direction to the intersection with Ovington Lane	Beneree
OVINGTON LANE	North of Lot 340 DP1049610 generally in a south east and east direction to the intersection with Waterson Lane	Calvert
WATERSON LANE	West and North of Lot 1 DP750367 generally in a North and North East direction to the intersection with Tallwood Road	Calvert
TALLWOOD ROAD	West of Lot 4 DP1061305 generally in a South, South East and East direction to Lot 7001 DP1020284	Calvert
Lot Number	Deposited Plan Number	Parish
7001	1020284	Calvert
Location Description		Parish
TALLWOOD ROAD	South West and West of Lot 335 DP750367 generally in a South, South East and East direction to intersection with Matthews Road	Calvert
MATTHEWS ROAD	North of Lot 1 DP1093688 generally in a East South East and South direction to the intersection with Browns Creek Road	Lindsay
BROWNS CREEK ROAD	South of Lot 130 DP874276 East direction to the intersection with Millthorpe Road	Lindsay
MILLTHORPE ROAD	West and South West of Lot 1 DP827318 to	Lindsay

NEW CONCENTRATE PIPELINE (from Cadia Valley to Blayney Dewatering Facility then to CVO Dewatering Facility)		
	Lot 1 DP829674	
Lot Number	Deposited Plan Number	Parish
1	829674	Lindsay
2	829674	Lindsay
1	241681	Lindsay
	Location Description	Parish
PALMER STREET, BLAYNEY	East of Lot 1 DP241681 to Lot 28 DP1061031	Lindsay
Lot Number	Deposited Plan Number	Parish
28	1061031	Lindsay
48	1063125	Lindsay
20	1082402	Lindsay
	Location Description	Parish
DOUST STREET, BLAYNEY	Generally East and South East to a point near Lot 9 DP1097231	Lindsay
Lot Number	Deposited Plan Number	Parish
9	1097231	Lindsay
10	1097231	Lindsay
	Location Description	Parish
MAIN WESTERN RAILWAY CORRIDOR	Generally in a North direction	Lindsay
Lot Number	Deposited Plan Number	Parish
1	DP1006860	Lindsay

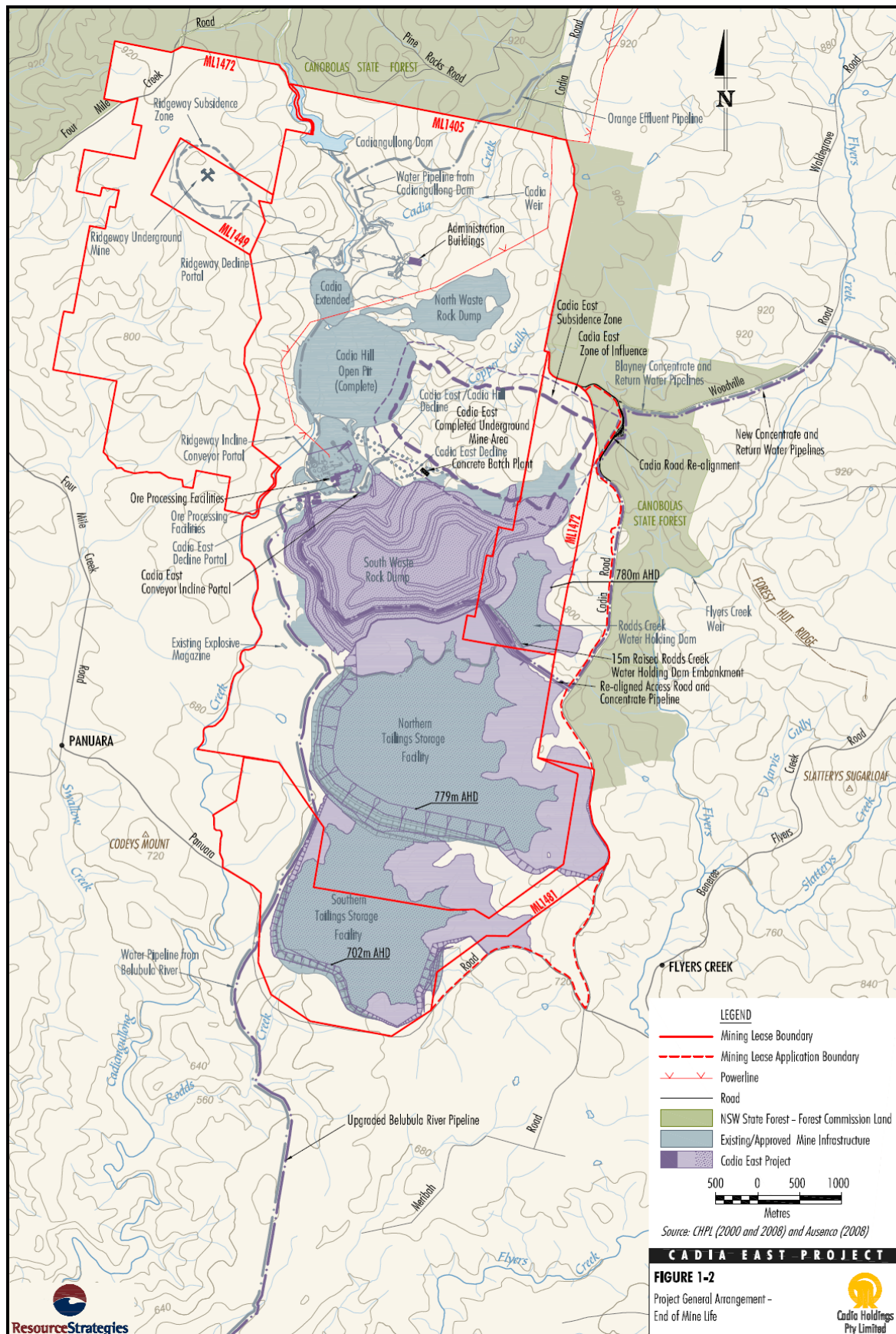
NEW CONCENTRATE PIPELINE (from Blayney Dewatering Facility to CVO Dewatering Facility)		
	Location Description	Parish
MAIN WESTERN RAILWAY CORRIDOR	Generally in a East direction to Lot 1 DP1098682	Lindsay
Lot Number	Deposited Plan Number	Parish
1	1098682	Napier
2	1073048	Napier
3	1073048	Napier

BELUBULA RIVER PIPELINE		
Lot Number	Deposited Plan Number	Parish
21	825426	Blake
1	731180	Blake
24	750362	Blake
25	750362	Blake
201	1037198	Carlton
21	1038104	Blake

PANUARA ROAD		Blake
Lot Number	Deposited Plan Number	Parish
22	1038104	Blake
141	1082789	Blake/Carlton
	Location Description	Parish
Crown land	Between Lot 141 DP1082789 and Lot 180 DP750386	Blake/Carlton

FLYERS CREEK WEIR		
Lot Number	Deposited Plan Number	Parish
Crown land	Between Lot 22 DP1078095 and Lot 32 DP750367	Waldegrave
22	1078095	Waldegrave
2	776655	Waldegrave
Cadia Road part	Between Lot 23 DP1078095 and Lot 22 DP1078095	Waldegrave

APPENDIX 2 PROJECT LAYOUT PLANS





APPENDIX 3 PREVIOUS EAS

Cadia Hill Mine

Development Application 44/95 and Environmental Impact Statement titled Cadia Gold Mine, dated October 1995, and prepared by AGC Woodward-Clyde Pty Limited, as amended by the following:

- Submissions to the Commission of Inquiry;
- Modification Application MOD-92-11-2002-i;
- Statement of Environmental Effects titled Cadia Hill Gold Mine, dated October 2002, and prepared by Resource Strategies Pty. Ltd.;
- Modification application MOD 98-9-2003 I, and accompanying Statement of Environmental Effects titled Cadia Hill Gold Mine – Cadia North Waste Rock Modification, dated September 2003 and prepared by Cadia Holdings Pty Limited;
- Statement of Environmental Effects titled Cadia Valley Operations – Concentrate Road Transport;
- Modification, dated March 2004, and prepared by Cadia Holdings Pty Limited and Resource Strategies;
- Statement of Environmental Effects titled Cadia Valley Operations South Dump Modification dated May 2004, and prepared by Cadia Holdings Pty Limited; and
- Cadia Hill Gold Mine – Development Consent Modification Application, dated 11 May 2007;
- Cadia Hill Gold Mine – Development Consent Modification Application and supporting documentation, dated 30 November 2007;
- Modification application 44/95 MOD 7, and accompanying Statement of Environmental Effects titled Cadia Valley Operations – South Waste Rock Dump Modification, dated February 2008;
- Modification application DA 44/95 MOD 8, and accompanying supporting documentation titled Cadia Valley Operations Water Efficiency Modification – Environmental Review, dated September 2008;
- Modification application 44/95 MOD 9, and accompanying supporting documentation titled Cadia Valley Operations Processing Rate Modification – Environmental Review, dated October 2008;
- Modification application MOD 10 and supporting documentation dated 25 August 2009.

Ridgeway Mine

Development Application 134-04-00, and Environmental Impact Statement titled Ridgeway Gold Project, dated April 2000, and prepared by Resource Strategies Pty Limited, as amended by the following:

- Submission to the Commission of Inquiry
- application to modify a development consent numbered 134-04-00/ M1, submitted to the Department of Urban Affairs and Planning on 7 April 2001, in accordance with Section 96(1A) of the Act, and supporting documentation produced by Resource Strategies Pty Limited, dated April 2001;
- the modification application MOD-Cadia-2004, and accompanying Statement of Environmental Effects titled Cadia Valley Operations – Concentrate Road Transport Modification, dated March 2004, and prepared by Cadia Holdings Pty Limited and Resource Strategies;
- Statement of Environmental Effects titled Cadia Valley Operations South Dump Modification, dated May 2004, and prepared by Cadia Holdings Pty Limited;
- Ridgeway Project – Development Consent Modification Application, dated 10 May 2007;
- Modification application 134-04-00 MOD 6, and accompanying Statement of Environmental Effects titled Cadia Valley Operations – South Waste Rock Dump Modification, dated February 2008;
- Modification application 134-04-00 MOD 7, and accompanying supporting documentation titled Ridgeway Project Modification – Environmental Review, dated March 2008,
- Modification application 134-04-00 MOD 8, and accompanying supporting documentation titled Cadia Valley Operations Water Efficiency Modification – Environmental Review, dated September 2008,
- Modification application 134-04-00 MOD 9, and accompanying supporting documentation titled Cadia Valley Operations Processing Rate Modification Environmental Review, dated October 2008,
- Modification application 134-04-00 MOD 10, and accompanying supporting documentation titled Cadia Valley Operations High Grade Circuit Modification – Environmental Review, dated October 2009.

Ridgeway Deeps Mine Extension

DA 257-10-2004 and Statement of Environmental Effects, dated October 2004, and prepared by Resource Strategies Pty Ltd, as amended by:

- Modification application DA 257-10-2004 MOD 1, and accompanying supporting documentation titled Ridgeway Project Modification – Environmental Review, dated March 2008;
- Modification application DA 257-10-2004 MOD 2, and accompanying supporting documentation titled Cadia Valley Operations Water Efficiency Modification – Environmental Review, dated September 2008;
- Modification application DA 257-10-2004 MOD 3, and accompanying supporting documentation titled Cadia Valley Operations Processing Rate Modification Environmental Review, dated October 2008;
- Modification application 257-10-2004 MOD 4, and accompanying supporting documentation titled Cadia Valley Operations High Grade Circuit Modification – Environmental Review, dated October 2009.

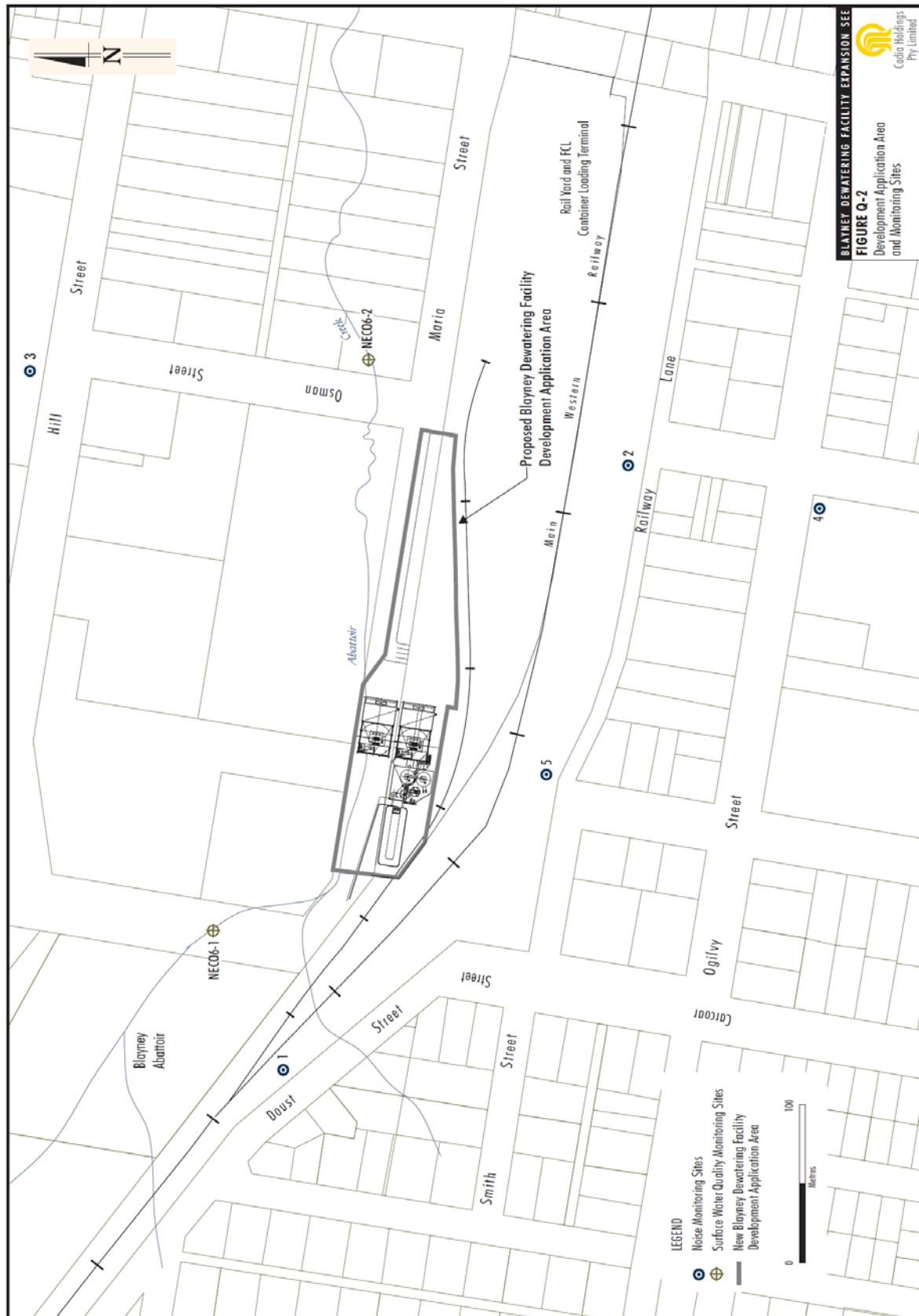
Blayney Dewatering Facility

Development Application No. 133-04-00 and Statement of Environmental Effects dated April, 2000, and prepared by Resource Strategies Pty Ltd, as amended by:

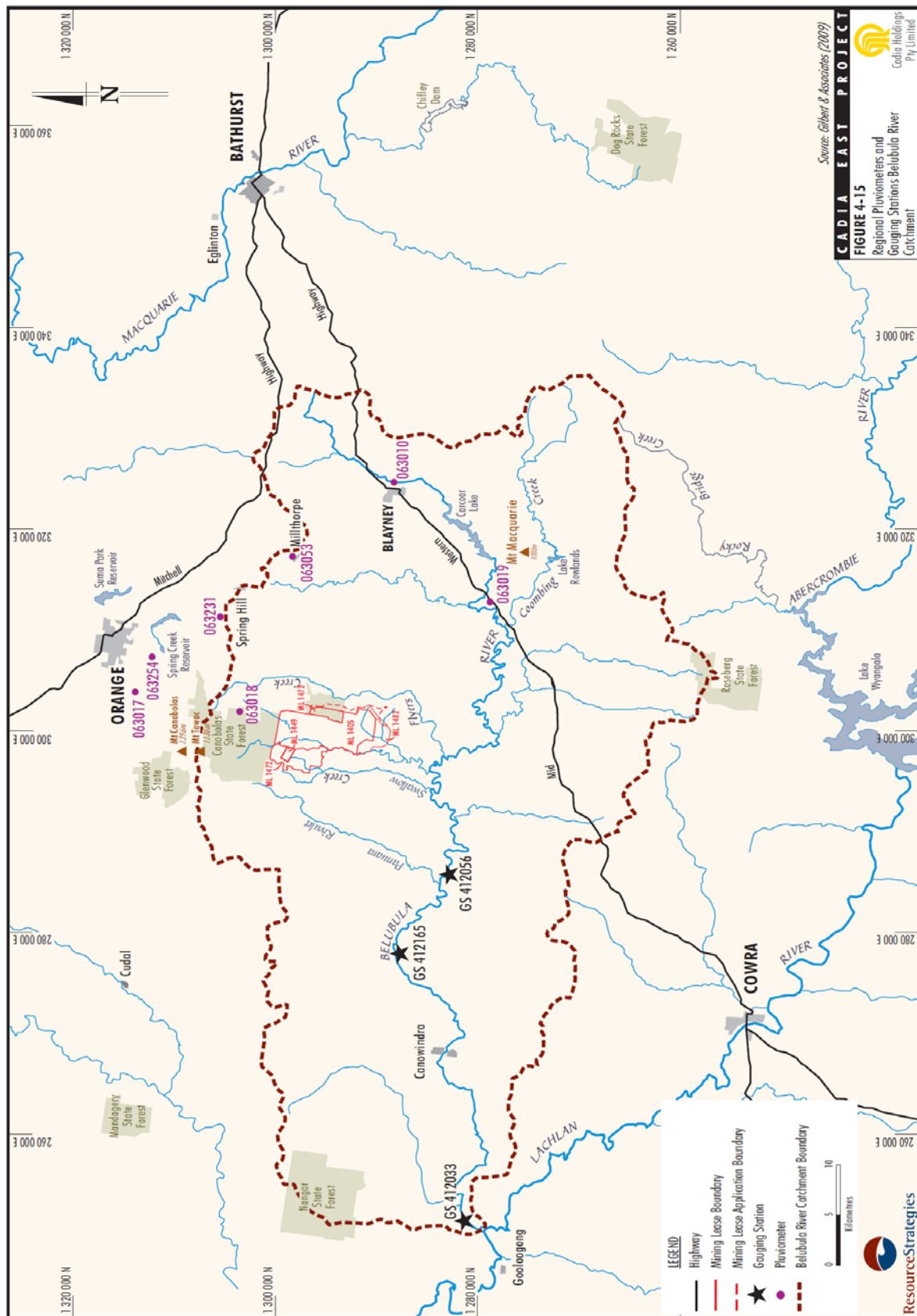
- All other relevant documentation including additional information provided to DUAP and the Commission of Inquiry including the Primary Submission and responses to questions;
- Application to modify a development consent numbered 133-04-00/m1, submitted to the Department of Urban Affairs and Planning on 1 May 2001, in accordance with Section 96(1A) of the Act, and supporting documentation produced by Resource Strategies Pty Limited, dated April 2001;
- Modification application MOD-Cadia-2004 and the accompanying Statement of Environmental Effects titled "Cadia Valley Operations – Concentrate Road Transport Modification SEE", prepared by Cadia Holdings Pty Limited and Resource Strategies, dated March 2004;
- Modification application MOD-2-1-2005 and the accompanying Statement of Environmental Effects titled "Blayney Concentrate Dewatering and Loading Facility, Section 96(1A) Loading Modification, Supporting Information", prepared by Cadia Holdings Pty Limited and Resource Strategies Pty Ltd, dated December 2004.

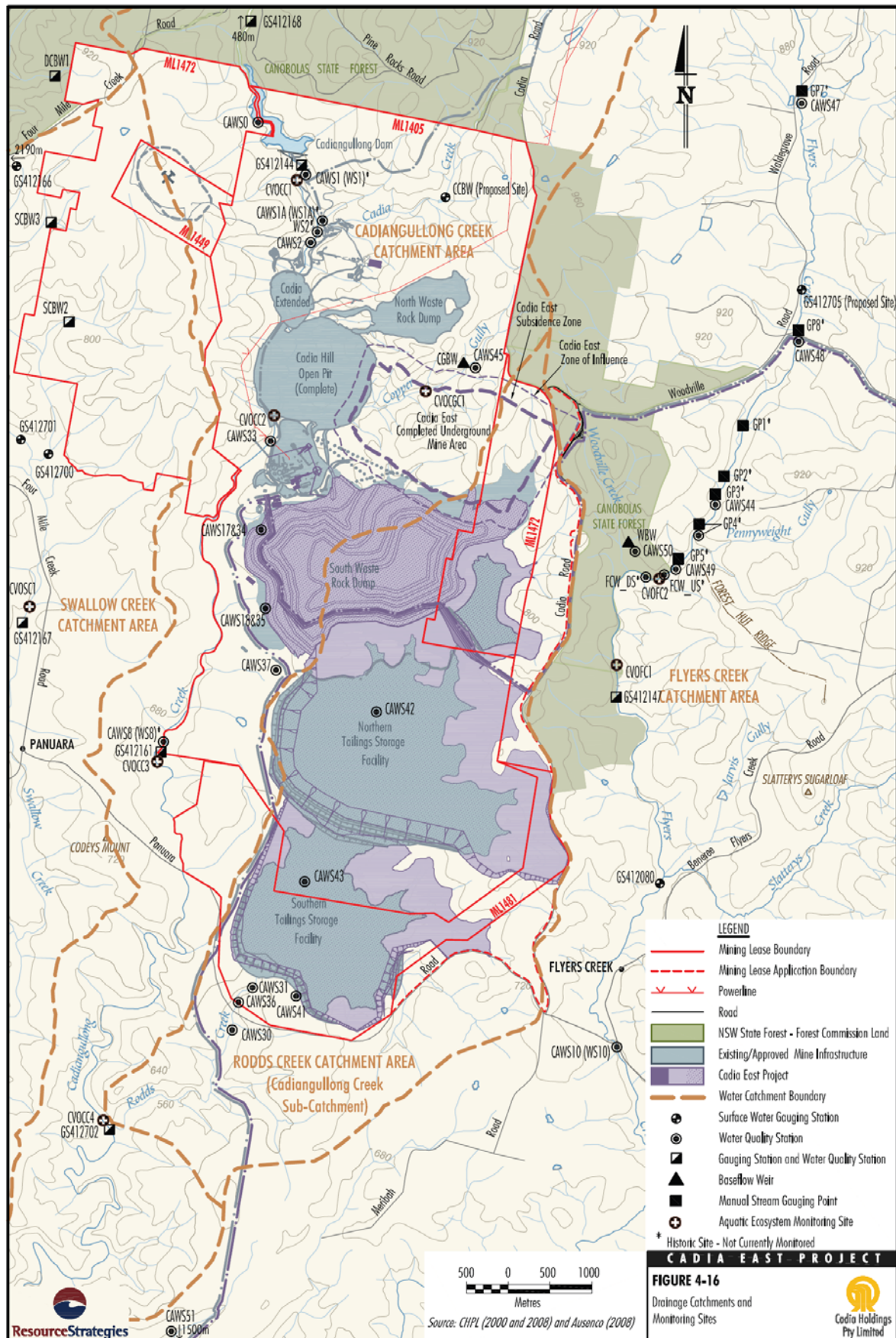
(Note: The receiver locations for the CVO Dewatering Facility are shown on the relevant plan in Appendix 2).

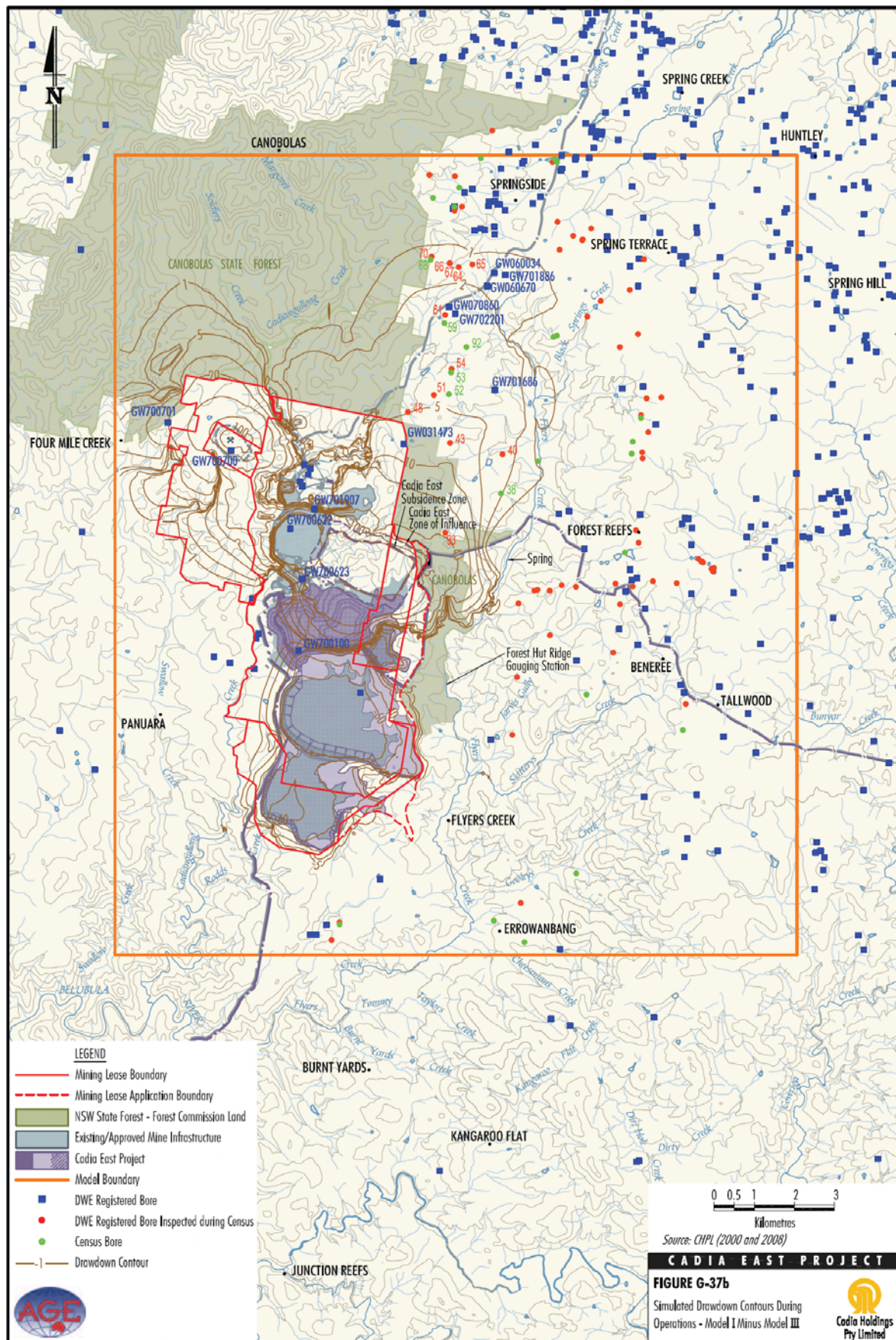




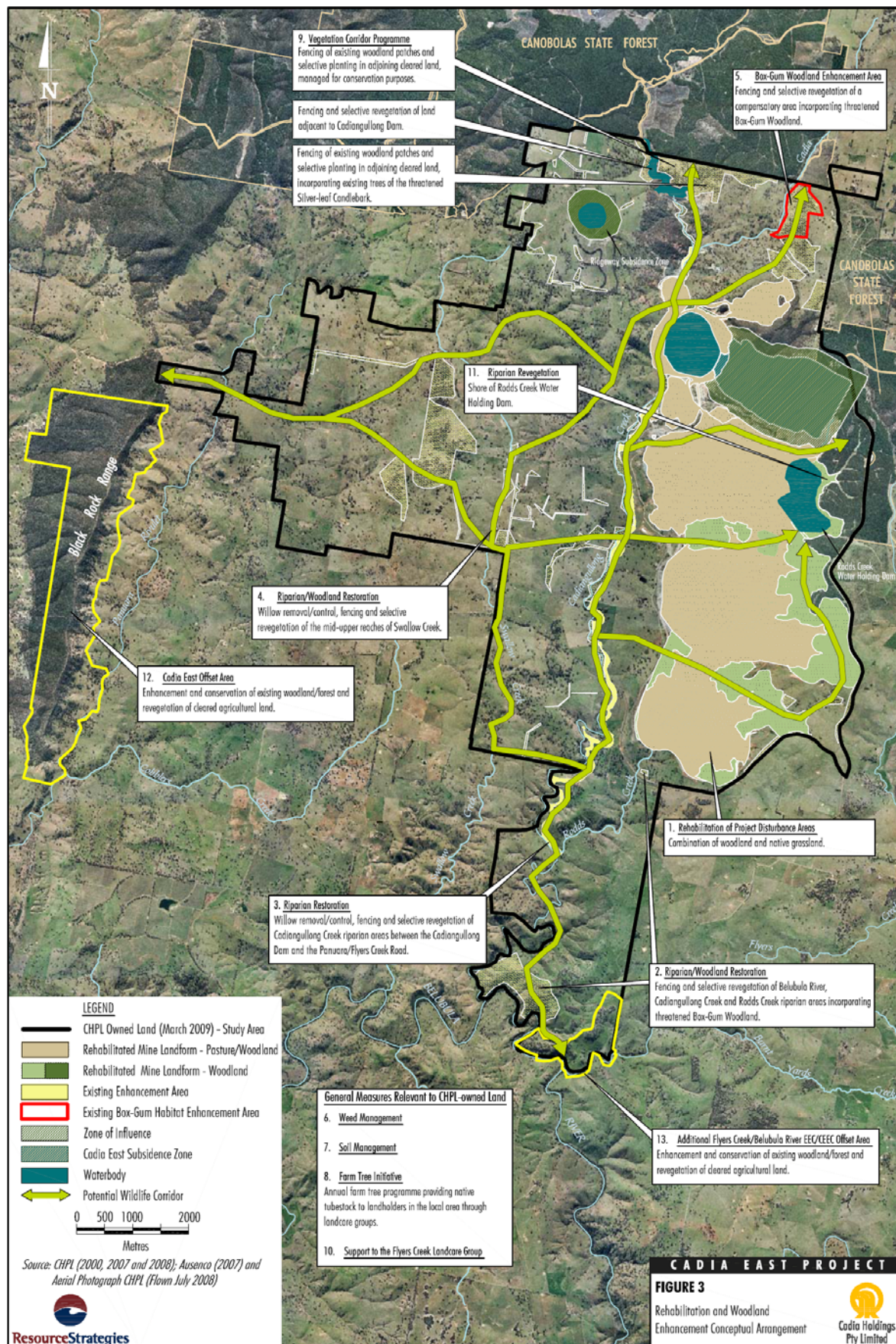
APPENDIX 5 WATER CATCHMENTS AND GROUNDWATER DRAWDOWN PLANS

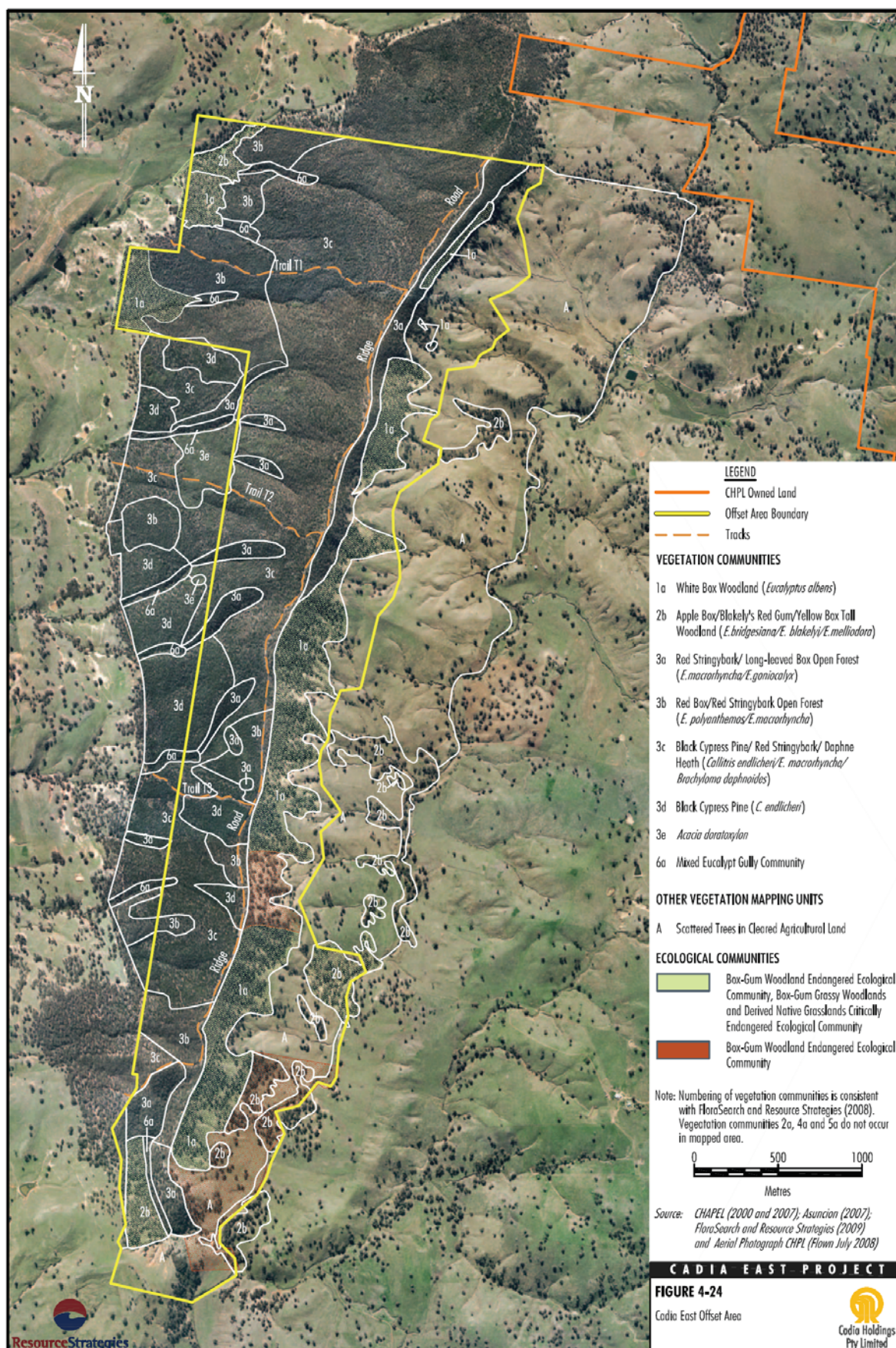


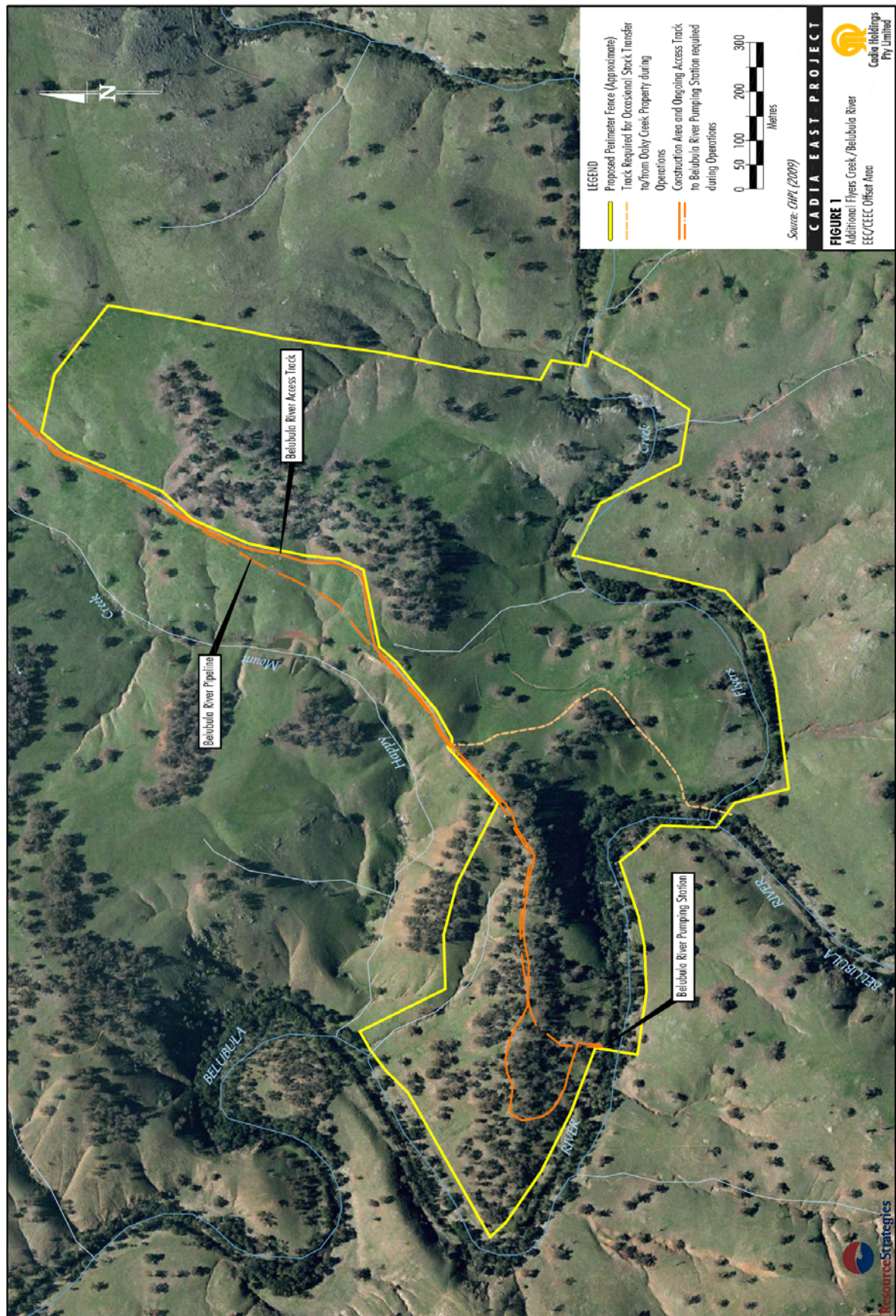




APPENDIX 6 REHABILITATION PLAN AND OFFSET STRATEGY







APPENDIX 7

GENERAL TERMS FOR THE PLANNING AGREEMENT

Contributions to the Councils up to a total of \$8 million (\$3 million upfront [within the first 3 years] and \$238,000 each year for 21 years) for:

- upgrade of the Councils' road infrastructure affected by the project; and
- general community enhancement to address social amenity and community infrastructure requirements arising from the project.

Note: The road maintenance agreements will be determined upon completion of a road condition survey and assessment of future maintenance requirements, which will be facilitated by Orange City Council on behalf of the three Councils and the Proponent.

**APPENDIX 8
INDEPENDENT DISPUTE RESOLUTION PROCESS**

