

Project Approval

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

I, approve the project referred to in Schedule 1, subject to the conditions in Schedule 2 to 4.

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.



Sam Haddad
Director-General
(as delegate for the Minister for Planning)

Sydney 17th August

2009

File No: 9041467

SCHEDULE 1

Application No:	08_0243
Proponent:	BHP Billiton Illawarra Coal Holdings Pty Ltd.
Approval Authority:	Minister for Planning.
Land:	Land within Mining Purposes Lease 1414, (see Appendix 1).
Project:	West Cliff Colliery CPP Project.

SCHEDULE 2

DEFINITIONS

CPP	Coal Preparation Plant
DECCW	Department of Environment, Climate Change and Water
Department	Department of Planning
DII	Department of Industry and Investment
Director-General	Director-General of Department of Planning, or delegate
EA	Environmental Assessment titled <i>West Cliff Coal Preparation Plant Raw Coal Circuit and Reliability Improvement Project</i> , dated May 2009, and associated response to issues raised in submissions, titled <i>Response to Submissions: West Cliff Coal Preparation Plant Reliability Project</i> .
EPL	Environment Protection Licence 2504 issued under the <i>Protection of the Environment Operations Act 1997</i>
Incident	A set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits/criteria in this approval.
Project	The project described in the EA
Proponent	BHP Billiton Illawarra Coal Holdings Pty Ltd, or its successors
West Cliff Surface Facilities Site	Land within Mining Purposes Lease 1414 (see Schedule 1 and Appendix 1).

ADMINISTRATIVE CONDITIONS

Obligation to minimise harm to the environment

1. The Proponent shall implement all practicable 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) statement of commitments (see Appendix 2); and
 - (c) conditions of this approval.
3. If there is any inconsistency between the above documents, the more 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 Director-General arising from the Department's assessment of:
 - (a) any reports, plans or correspondence that are submitted in accordance with this approval; and
 - (b) the implementation of any actions or measures contained in these reports, assessments, plans, programs, strategies or correspondence.

Hours of Operation

5. The Proponent is permitted to carry out construction and operation of the project 24 hours a day, 7 days a week.

Structural Adequacy

6. 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

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

Operation of Plant and Equipment

8. The Proponent shall ensure all plant and equipment used at the West Cliff Surface Facilities Site is:
 - (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

SCHEDULE 3

SPECIFIC ENVIRONMENTAL CONDITIONS

SOIL AND WATER

Discharges

1. The Proponent shall ensure that all surface water discharges from the site comply with the discharge limits (both volume and water quality) set for the project in any EPL.

ENERGY USE

2. The Proponent shall implement all reasonable and feasible measures to minimise energy use at the West Cliff Surface Facilities Site, to the satisfaction of the Director-General.

VISUAL

Visual Amenity

3. The Proponent shall minimise the visual impacts of the project to the satisfaction of the Director-General.

Lighting Emissions

4. The Proponent shall:
 - (a) ensure that all external lighting for the project complies with *Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting*;
 - (b) take all practicable measures to mitigate off-site lighting impacts from the project; and
 - (c) report on the effectiveness of lighting emission controls in the colliery's Annual Environmental Management Report,to the satisfaction of the Director-General.

WASTE MINIMISATION

5. The Proponent shall:
 - (a) monitor the amount of waste generated by the project;
 - (b) implement reasonable and feasible measures to minimise waste generated by the project;
 - (c) ensure disposal of wastes occurs at appropriately approved waste disposal facilities; and
 - (d) report on waste management and minimisation in the colliery's Annual Environmental Management Report,to the satisfaction of the Director-General.

REHABILITATION AND LANDSCAPE MANAGEMENT

Rehabilitation

6. The Proponent shall decommission and rehabilitate the site following the completion of mining related activities at West Cliff Surface Facilities Site to the satisfaction of DII.

SCHEDULE 4

ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING AND REPORTING

ENVIRONMENTAL MANAGEMENT STRATEGY

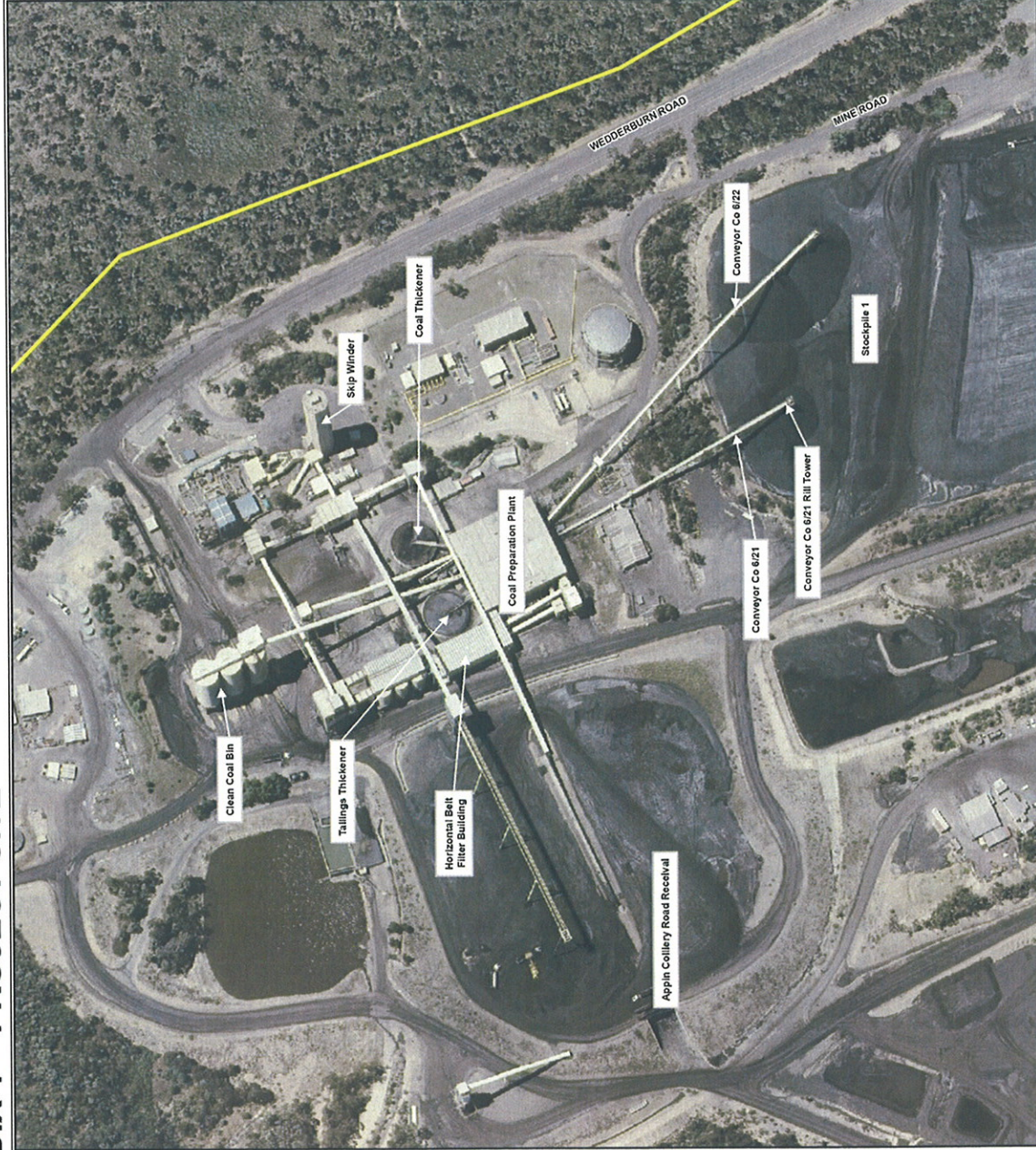
1. The Proponent shall prepare and implement an Environmental Management Strategy for the West Cliff Surface Facilities Site to the satisfaction of the Director-General. This strategy must:
 - (a) be submitted to the Director-General for approval by the end of September 2009;
 - (b) provide the strategic framework for environmental management for the West Cliff Surface Facilities Site;
 - (c) identify the statutory approvals that apply to the West Cliff Surface Facilities Site;
 - (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the West Cliff Surface Facilities Site;
 - (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 West Cliff Surface Facilities Site;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise during the course of the project
 - respond to any non-compliance;
 - respond to emergencies.

REPORTING

Incident

2. The Proponent shall notify the Director-General 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 Director-General and any relevant agencies with a detailed report on the incident.

APPENDIX 1 – PROJECT SITE



bhpbilliton
ILLAWARRA COAL

Site Plan

BHPB WEST CLIFF COLLIERY
COAL PREPARATION PLANT

Legend

- West Cliff Surface Lease - Mining Purposes Lease 1414
- WCC CPP Reliability Project Area
- Cadastre (LPI)



FIGURE 4

Scale 1:2,000 (at A3)



Cardno
Forbes Rigby

Map Produced by Cardno Forbes Rigby Pty Ltd
Data: 28 July 2008
Coordinate System: Zone 55 MGA GDA 84
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APPENDIX 2 – STATEMENT OF COMMITMENTS

The Statement of Commitments contains all measures Illawarra Coal has made and will undertake to minimise impacts on the environment, and has been sourced from the Environmental Assessment.

Objective	Commitment
Soil & Water Quality	
<ul style="list-style-type: none"> Minimise pollution of natural watercourses. Minimise erosion. 	<ul style="list-style-type: none"> All surface water run-off, erosion and sedimentation that occurs during the demolition, construction and operation of the Project shall be managed in accordance with the West Cliff CPP Water Management Plan. All surface water run-off from the CPP and new maintenance building shall comply with requirements of West Cliff Colliery Environmental Protection Licence No. 2504.
Air Quality	
<ul style="list-style-type: none"> Minimise impacts from dust generation. 	<ul style="list-style-type: none"> Suppression of dust using water carts during demolition, construction and operation.
Waste	
<ul style="list-style-type: none"> Capture and transfer of waste to suitable disposal location. Recycling of waste where appropriate. 	<ul style="list-style-type: none"> Waste from demolition and construction of the CPP reliability project will be sorted and recycled where it is reasonable and feasible to do so. Non-recyclable wastes will be disposed of at an appropriately licensed waste facility.
Greenhouse Gas & Energy Use	
<ul style="list-style-type: none"> BHPBIC will minimise GHG emissions related to the CPP. 	<ul style="list-style-type: none"> BHPBIC will ensure the new equipment operates efficiently to minimise electricity usage.
Demolition & Construction Management	
<ul style="list-style-type: none"> Ensure employee safety during construction. 	<ul style="list-style-type: none"> The successful construction contractor will prepare a safe work method statement for approval by BHPBIC prior to work commencing. The Contractor will maintain equipment to a safe standard.
Public Consultation	
<ul style="list-style-type: none"> Provide the public opportunity to comment on ongoing operations at West Cliff Colliery. 	<ul style="list-style-type: none"> BHPBIC will continue to operate the 24-hour telephone line to provide an alternative method for public information. BHPBIC will continue to support the Appin Area Community Working Group and associated liaison activities to ensure the local community have an opportunity to raise any questions regarding the Project.