

Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning and Public Spaces, the Independent Planning Commission of NSW (the Commission) approves the development application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

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

Commissioner
Member of the Commission

Commissioner
Member of the Commission

Sydney

Original signed 23 April 2021

SCHEDULE 1

Application Number: SSD 8445
Applicant: Tahmoor Coal Pty Ltd
Consent Authority: The Independent Planning Commission of NSW
Site: The land defined in Appendix 1
Development: Tahmoor South Project

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

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

CONSOLIDATED CONSENT

SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD 8445	23 April 2021	The Independent Planning Commission of NSW	Original approval
SSD 8445 MOD 1	19 July 2022	Director Resource Assessments	Extension of time to Commission Water Treatment Plant
SSD 8445 MOD 2	13 June 2023	Director Energy and Resource Assessments	Underground brine disposal and transfer of mine water

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FOR INFORMATION

DEFINITIONS

Aboriginal object	As defined under section 5 of the NP&W Act
Aboriginal place	As defined under section 5 of the NP&W Act
Adaptive Management	Adaptive management includes monitoring subsidence impacts and subsidence effects and, based on the results, modifying the mining plan as mining proceeds to ensure that the effects, impacts and/or associated environmental consequences remain within predicted and designated ranges and in compliance with the conditions of this consent
Annual Review	The review required by condition E13
Applicant	Tahmoor Coal Pty Ltd, or any person carrying out any development under this consent
Approved disturbance areas	The areas identified in Figures 2 and 3 of Appendix 2.
Approved mine plan	The plan in Figure 1 in Appendix 2 showing the area in which underground mining operations may be carried out
ARI	Average Recurrence Interval
BC Act	<i>Biodiversity Conservation Act 2016</i>
BCA	Building Code of Australia
BCD	Biodiversity and Conservation Division within the Department
BCT	NSW Biodiversity Conservation Trust
Built features	Includes any building or work erected or constructed on land, and includes dwellings and infrastructure such as any formed road, street, path, walk, or driveway; any pipeline, water, sewer, telephone, gas or other service main
Calendar year	A period of 12 months from 1 January to 31 December
CCC	Community consultative committee required by condition A25
CEEC	Critically endangered ecological community, as defined under the BC Act
CHPP	Coal Handling and Preparation Plant
Cliff	A continuous rock face, including overhangs, having a minimum length of 20 metres, a minimum height of 10 metres and a minimum slope of 2 to 1 (>63.4°)
Conditions of this consent	Conditions contained in Schedule 2
Construction	The carrying out of all physical works to enable mining operations to be carried out and decommissioning, including erection of buildings, infrastructure and other works and demolition, but not including pre-construction activities or first workings
Council	Wollondilly Shire Council
Date of commencement	The date notified to the Department by the Applicant under condition A19
Decommissioning	The permanent cessation of active use of the mine, including demolition of buildings, infrastructure and other works
Demolition	The deconstruction and removal of buildings, infrastructure and other works on the site
Department	NSW Department of Planning and Environment
Development	The Tahmoor South Project as described in condition A2(c) and modified by the conditions of this consent
Development Layout	The indicative development layout depicted in the figures in Appendix 2
DPE Crown Lands	Crown Lands Group within the Department
DPE Water	Water Group within the Department
EEC	Endangered ecological community, as defined under the BC Act
EIS	The Environmental Impact Statement titled:

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- *Tahmoor South Project Environmental Impact Statement, Volumes 1 and 7*, dated January 2019;
- *Tahmoor South Project Amendment Report, including Appendices A to R* and response to submissions, dated February 2020;
- *Tahmoor South Project Second Amendment Report, Appendices A to O* and response to submissions, dated August 2020;
- *Additional information responses dated 14 September 2020 (including Appendices A to L), 23 October 2020 and 4 November 2020;*
- **Modification Report (MOD 1); and**
- **SSD 8445 Modification Report - Mod 2, dated February 2023, Submissions Report, dated April 2023 and additional information responses dated 15 and 26 May 2023.**

EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
EPBC Act	Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPL	Environment Protection Licence under the POEO Act
Feasible	Means what is possible and practical in the circumstances
First workings	The extraction of coal from main headings, gateroads and cut-throughs and the like, provided that such workings are long-term stable and do not generate more than 20 mm of vertical subsidence at the surface
GDE	Groundwater Dependent Ecosystem
Heritage NSW	Heritage Branch within the Department of Premier and Cabinet
Heritage item	An Aboriginal object, an Aboriginal place, or a place, building, work, relic, moveable object, tree or precinct of heritage significance, that is listed under any of the following: <ul style="list-style-type: none">• the NP&W Act• the State Heritage Register under the <i>Heritage Act 1977</i>;• a state agency heritage and conservation register under section 170 of the <i>Heritage Act 1977</i>;• a Local Environmental Plan under the EP&A Act;• the World Heritage List;• the National Heritage List or Commonwealth Heritage List under the EPBC Act; or• anything identified as a heritage item under the conditions of this consent
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance
Laden trains	Trains transporting product coal from the site
Laden truck	Trucks transporting coal or loose bulk material to or from the site
Land	Has the same meaning as the definition of the term in section 1.4 the EP&A Act, except for where the term is used in the noise and air quality conditions in PART B of this consent where it is defined to mean the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this consent
LW	Longwall
Material harm	Is harm to the environment that: <ul style="list-style-type: none">• involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or• results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) <p>This definition excludes “harm” that is authorised under either this consent or any other statutory approval</p>
Mine Owned Land	Land owned by a mining, petroleum or extractive industry company (or its subsidiary or related party)

Mine water	Water that accumulates within, or drains from, active mining and infrastructure areas and any other areas where runoff may have come into contact with carbonaceous material (other than vegetation)
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the development
Mining operations	The carrying out of mining, including the extraction, processing, stockpiling and transportation of coal on the site, the operation of the vent shaft sites, and the associated removal, storage and/or emplacement of vegetation, topsoil, overburden, tailings and reject material; and includes underground development necessary for mining operations to be carried out (such as installation and use of electricity, water, communications and other services and infrastructure)
Minister	NSW Minister for Planning, or delegate
Minor	Not very large, important or serious
Minor cliff	A continuous rock face, including overhangs, having a: <ul style="list-style-type: none"> • minimum length of 20 metres and a height between 5 metres and 10 metres or maximum length of 20 metres and a minimum height of 20 metres; and • a minimum slope of 2 in 1 (>63.4°)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Modification 1	The modification to the development as described in Modification Report (MOD 1)
Modification Report (MOD 1)	The Modification Report prepared by Tahmoor Coking Coal Operations, dated 9 March 2022 and additional information prepared by Tahmoor Coking Coal Operations and dated 1 June 2022
Negligible	Small and unimportant, such as to be not worth considering
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
NP&W Act	<i>National Parks and Wildlife Act 1974</i>
NRAR	NSW Natural Resources Access Regulator
Over-dimensional	Over-mass, over-size or over-length vehicles
PA	Planning agreement within the meaning of the term in section 7.4 of the EP&A Act
PCT	Plant Community Type
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
PRP	Pollution Reduction Program required by an EPL under the POEO Act
Pre-construction activities	Pre-construction works and activities required for the development, including surveys, acquisitions, fencing, investigative or geotechnical drilling and/or excavation, minor adjustment and/or relocation of services/ utilities, and works to allow isolation of the site for construction access
Privately-owned land	Land that is not owned by a public agency or a mining company (or its subsidiary)
Public infrastructure	Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications, etc.
REA	Reject emplacement area as shown in Figure 2 in Appendix 2
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Reasonable costs	The costs agreed between the Department and the Applicant for obtaining independent experts to review the adequacy of any aspects of an Extraction Plan, or where such costs cannot be agreed, the costs determined by a dispute resolution process
Registered Aboriginal Parties	As described in the <i>National Parks and Wildlife Regulation 2009</i>

Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Remediation	Activities associated with partially or fully repairing or rehabilitating the impacts of the development or controlling the environmental consequences of this impact
Resources Regulator	NSW Resources Regulator within the Department of Regional NSW
RFS	NSW Rural Fire Service
Rock face feature	A rock face having a: <ul style="list-style-type: none">• minimum length of 20 metres and heights between 3 metres and 5 metres, or maximum length of 20 metres and a minimum height of 5 metres; and• a minimum slope of 2 to 1 (>63.4°)
ROM	Run-of-mine
SA NSW	Subsidence Advisory NSW
Safe, serviceable & repairable	Safe means no danger to users who are present; serviceable means available for its intended use; and repairable means damaged components can be repaired economically
Second Workings	Extraction of coal from longwall panels
Receiver	A location where people are likely to work or reside; this includes residential dwellings, schools, hospitals, offices, places of worship, or public recreational areas.
Sewage Treatment Plant	The sewage treatment plant on the site to be upgraded as per the commitments in the EIS
Site	The land defined in Appendix 1
Steep slope	An area of land having a gradient between 1 in 3 (33% or 18.3°) and 2 in 1 (200% or 63.4°)
Subsidence	The totality of subsidence effects, subsidence impacts and environmental consequences of subsidence impacts
Subsidence Area	The land area within the predicted extent of conventional subsidence, as shown in Figure 1 in Appendix 2
Subsidence effects	Deformation of the ground mass due to mining, including all mining-induced ground movements, such as vertical and horizontal displacement, tilt, strain and curvature
Subsidence impacts	Physical changes to the ground and its surface caused by subsidence effects, including tensile and shear cracking of the rock mass, localised buckling of strata caused by valley closure and upsidence and surface depressions or troughs
Surface Facilities Site	The area shown in Figure 3 of Appendix 2
TfNSW	Transport for New South Wales
Ventilation Shaft Sites	The areas shown in Figure 2 of Appendix 2
WTP	Water Treatment Plant required under Special Condition E1.1 of EPL 1389

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In addition to meeting the specific performance measures and criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.

TERMS OF CONSENT

- A2. The development may only be carried out:
- in compliance with the conditions of this consent;
 - in accordance with all written directions of the Planning Secretary;
 - generally in accordance with the EIS; and
 - generally in accordance with the Development Layout in Appendix 2.
- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - the implementation of any actions or measures contained in any such document referred to in condition A3(a).
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document/s listed in condition A2(c). In the event of an inconsistency, ambiguity or conflict between any of the document/s, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LIMITS OF CONSENT

Mining operations

- A5. First workings and second workings may only be carried out within the area covered by the approved mine plan, subject to condition A7 requiring shortening of Longwall 103B (LW103B) and Longwall 104B (LW104B).
- A6. Mining operations may only be carried out on the site until 31 December 2033, or until 10 years from the commencement of second workings, whichever is the sooner.

Notes:

- Under this consent, the Applicant is required to decommission and rehabilitate the site and carry out other requirements in relation to mining operations. Consequently, this consent will continue to apply in all respects other than to permit the carrying out of mining operations until the rehabilitation of the site and other requirements have been carried out to the required standard.*
- Mining operations and rehabilitation are also regulated under the Mining Act 1992.*

- A7. Unless the Planning Secretary agrees otherwise, the Applicant must set back the commencement location (ie south eastern end) of LW103B a minimum distance of 400 metres and LW104B a minimum distance of 700 metres to avoid mining directly under Dog Trap Creek.
- A8. If the Applicant decides to seek the Planning Secretary's approval to vary the commencement location of LW103B or LW104B set in condition A7 above, then it must include the following information in the relevant Extraction Plan:
- significance assessment of key stream and riparian features including pool volumes and water holding capacity, pool ecological attributes, groundwater dependent ecosystems and Aboriginal heritage sites;
 - updated subsidence effects, impact and consequence assessment, having considered any subsidence induced impacts to surface waters as a result of the development, comparing the shortened longwall commencement position and the commencement position originally proposed;
 - details of likely remediation required on the predictions for each of the commencement positions, and considering any damage to, and successful remediation of, any watercourse affected by subsidence of previously extracted longwalls; and
 - costs and benefits of the commencement positions, including consideration of costs of any predicted remediation.

demonstrating that there would be no unacceptable residual impacts, to the satisfaction of the Secretary.

- A9. The proposed downcast ventilation shaft TSC2 must be constructed on the same site as TSC1. Disturbance must not occur at the proposed TSC2 site. Construction of shafts TSC1 and TSC2 must not be commenced until a revised layout and design has been submitted to and approved by the Planning Secretary. This Condition does not remove

the need for the Applicant to pursue micro-siting of surface infrastructure to avoid biodiversity impacts as required under condition B38(e)(i).

Coal Extraction and Processing and Transport

- A10. Until the commencement of second workings under this consent, coal processing, transport and any other relevant mining activities are to be undertaken in accordance with existing development consents for the site, including:
- (a) processing a maximum of 3 million tonnes of ROM coal on the site in any calendar year;
 - (b) transporting by road a maximum of:
 - (i) 50,000 tonnes of product coal from the site to locations within the Wollondilly local government area; and
 - (ii) 50,000 tonnes of reject material from the site.
- A11. Following the commencement of second workings under this consent:
- (a) a maximum of 4 million tonnes of ROM coal may be extracted and processed on the site in any calendar year;
 - (b) a maximum of 33 million tonnes of ROM coal may be extracted and processed on site over the life of the development, under this consent;
 - (c) a maximum of 200,000 tonnes of material (including ROM coal, product coal and coal reject material) may be transported to and from the site by road in any calendar year, including a maximum of:
 - (i) 3,000 tonnes per day;
 - (ii) 16 truck movements in total per hour; and
 - (iii) 158 truck movements in total per day.
- A12. During construction activities at the ventilation shaft sites, truck movements at these sites must not exceed 16 movements per day.
- A13. A maximum of 4 laden trains may leave the site in any 24-hour period.

Hours of Operation

- A14. Underground mining operations may be undertaken 24 hours a day, 7 days a week.
- A15. Road transportation of coal and/or coal reject material to/from the site must only be undertaken between 7 am to 6 pm Monday to Saturday.
- A16. Except for drilling activities at the ventilation shaft sites, construction activities at the surface facilities site and ventilation shaft sites must only be undertaken between the hours of 7 am to 6 pm Monday to Friday, and 8 am to 1 pm Saturday, with no construction activities on Sundays or public holidays, unless the Planning Secretary agrees otherwise.
- A17. Drilling activities at the ventilation shaft sites may be undertaken 24 hours a day, 7 days a week.

Identification of Approved Disturbance Area

- A18. Within three months of commencement of development under this consent, or other timeframe agreed by the Planning Secretary, the Applicant must provide to the Department a survey plan (or spatial files in a format agreed by the Planning Secretary) of the boundaries of the approved disturbance areas.

NOTIFICATION OF COMMENCEMENT

- A19. The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least two weeks before that date:
- (a) physical commencement of the development;
 - (b) construction;
 - (c) first workings;
 - (d) second workings (including commencement of longwall extraction);
 - (e) any period of suspension of mining operations and/or processing (i.e. care and maintenance);
 - (f) cessation of mining operations (ie mine closure); and
 - (g) decommissioning.
- A20. If the phases of the development are to be further staged, the Department must be notified in writing at least two weeks before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

SURRENDER OF EXISTING CONSENTS OR APPROVALS

- A21. In accordance with the EP&A Regulation, the Applicant must:

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- (a) surrender the Bargo consent (162/76) dated 1975, prior to the commencement of second workings under this consent, or other timeframe agreed by the Planning Secretary; and
- (b) surrender the Tahmoor consent (7105/47) dated 1975; the Tahmoor consent (76/20188) dated 1979; the Tahmoor Gas Extraction consent (190/85) dated 1985; and the Tahmoor consent (57/93) dated 1994 following the completion of current mining activities and mine closure/rehabilitation activities required by those consents.

A22. Upon the commencement of development under this consent, and before the surrender of the consents listed under condition A21, the conditions of this consent prevail to the extent of any inconsistency with the conditions of consents listed under condition A21.

Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under the former Part 4A of the EP&A Act or Part 6 of the EP&A Act as applies from 1 September 2018. The surrender should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.

PLANNING AGREEMENT

A23. Within six months of the date of commencement of construction as notified under condition A19(b), or other timeframe agreed by the Planning Secretary, the Applicant must enter into a PA with Council in accordance with:

- (a) Division 7.1 of Part 7 of the EP&A Act; and
- (b) the terms of the Applicant's offer to Council in Appendix 7.

A24. If there is any dispute between the Applicant and Council in regard to condition A23 then either party may refer the matter to the Planning Secretary for resolution.

COMMUNITY CONSULTATIVE COMMITTEE

A25. Within three months of the commencement of the development, a Community Consultative Committee (CCC) must be established for the development in accordance with the Department's *Community Consultative Committee Guidelines: State Significant Projects* (2019). The CCC must meet at a minimum frequency of once every six months. The CCC must continue to operate during the life of the development, or other timeframe agreed by the Planning Secretary. The Committee must comprise an independent chair and appropriate representation from the Applicant, Council, affected stakeholder groups and the local community.

A26. The CCC may be combined with the CCC for the existing Tahmoor Mine.

Notes:

- *The CCC is an advisory committee only.*

EVIDENCE OF CONSULTATION

A27. Where conditions of this consent require consultation with an identified party, the Applicant must:

- (a) consult with the relevant party prior to submitting the subject document; and
- (b) provide details of the consultation undertaken to the Department, including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

APPLICATION OF EXISTING MANAGEMENT PLANS

A28. Prior to the approval of management plans under this consent, the Applicant must continue to implement any equivalent or similar management plan/s required under existing consents listed under condition A21, to the satisfaction of the Planning Secretary.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

A29. With the approval of the Planning Secretary, the Applicant may:

- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
- (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined);
- (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development); and
- (d) combine any strategy, plan or program required by this consent with any similar strategy, plan or program required by an adjoining mining consent or approval, in common ownership or management.

- A30. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A31. If the Planning Secretary agrees, a strategy, plan or program may be staged without addressing particular requirements of the relevant condition of this consent if those requirements are not applicable to the particular stage.

PROTECTION OF PUBLIC INFRASTRUCTURE AND FACILITIES

- A32. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- repair, or pay the full costs associated with repairing, any public infrastructure^a that is damaged by carrying out the development; and
 - relocate, or pay the full costs associated with relocating, any public infrastructure^a that needs to be relocated as a result of the development.
- ^a *This condition does not apply to any damage to roads caused as a result of general road usage, damage that has been compensated under the Mining Act 1992.*

DEMOLITION

- A33. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

STRUCTURAL ADEQUACY

- A34. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with:
- the relevant requirements of the BCA; and
 - any additional requirements of the SA NSW where the building or structure is located on land within a declared Mine Subsidence District.

Notes:

- Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- [Environmental Planning and Assessment \(Development Certification and Fire Safety\) Regulation 2021](#) sets out the requirements for the certification of the development.
- Under section 21 of the Coal Mine Subsidence Compensation Act 2017, the Applicant is required to obtain the Chief Executive of SA NSW's approval before carrying out certain development in a Mine Subsidence District.

OPERATION OF PLANT AND EQUIPMENT

- A35. All plant and equipment used on site, or to monitor the performance of the development must be:
- maintained in a proper and efficient condition; and
 - operated in a proper and efficient manner.

COMPLIANCE

- A36. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

APPLICABILITY OF GUIDELINES

- A37. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of inclusion (or later update) in the condition.
- A38. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, in respect of ongoing monitoring and management obligations, agree to or require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

CROWN LAND

- A39. The Applicant must consult with [DPE Crown Lands](#) prior to undertaking any development on Crown Land or Crown Roads.

Notes:

- Under section 265 of the Mining Act 1992, the Applicant is required to enter into a compensation agreement with [DPE Crown Lands](#) prior to undertaking any mining operations or related activities on Crown land or Crown roads within a mining lease.
- Under section 141 of the Mining Act 1992, the Applicant is required to enter into an access arrangement with [DPE Crown Lands](#) prior to undertaking any prospecting operations on Crown land or Crown roads within an exploration licence.

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

NOISE AND BLASTING

Noise Criteria

- B1. The Applicant must ensure that noise generated during construction activities at the ventilation shaft sites does not exceed the criteria in Table 1 at any receiver on privately-owned land^a.

Table 1: Ventilation Shaft construction noise criteria dB(A)

Noise Assessment Location	Day ^c	Evening ^d	Night ^e	
	Leq _(15 min) dB(A)	Leq _(15 min) dB(A)	Leq _(15 min) dB(A)	L _{Max} dB(A)
971, 1003, 1409, 1416, 981, 1013, 1413, 972, 980, 1009	40	36	36	52 (all locations)
546, 1419, 960	42	38	38	
993, 1412, 2735	40	37	37	
999, 1399	43	39	39	
1061, 2739	43	40	40	
970	42	36	36	
975 ^b	49	37	37	
1028 ^b	48	36	36	
1430 ^b	44	36	36	

^a The Noise Assessment Locations referred to in Table 1 are shown in Appendix 3

^b Identified receivers are eligible for noise mitigation under condition D2

^c The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays

^d The period from 6 pm to 10 pm

^e The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays

- B2. Within two years of the commencement of development, the Applicant must ensure that the noise generated by the development does not exceed the criteria in Table 2 at any receiver on privately-owned land^a. However, the noise criteria in Table 1 apply for any receiver identified in that table during construction activities at the ventilation shaft sites.

Table 2: Noise criteria dB(A)

Noise Assessment Location	Day ^c	Evening ^d	Night ^e	
	Leq _(15 min) dB(A)	Leq _(15 min) dB(A)	Leq _(15 min) dB(A)	L _{Max} dB(A)
975, 999, 1423 ^b , 1549, 1553, 1556, 1557, 1563, 1565, 1566, 1583 ^b , 1589, 1592 ^b , 1594 ^b , 1613, 1621, 2021 ^b , 2025 ^b , 2551, 2570	40	38	35	52 (all locations)
546, 960, 986, 990, 1022, 1028, 1545, 1559, 1575, 1577, 1578, 1579, 1580, 1581, 1584, 1586, 1591, 1602, 1603, 1610, 1616, 1624, 1632, 1717, 2037, 2046, 2585	40	37	35	
968, 970, 971, 972, 981, 993, 1409, 1009, 1412, 1413, 1430, 1570, 1576, 1582, 1595, 1596, 1598, 1600, 1601, 1605, 1606, 1607, 1609, 1614, 1615, 1617, 1618, 1625, 1626, 1628, 1634, 1729, 2042, 2043, 2579, 2599, 2539, 2540, 2544, 2546, 2557, 2565, 2566, 2580, 2735,	40	36	35	
966 ^b , 989 ^b , 1007 ^b , 1020 ^b , 1026 ^b , 1405 ^b , 1417 ^b	41	41	39	
988 ^b , 1419	40	38	36	
987 ^b , 992, 1008, 1058, 1060, 1404, 2736, 2739	40	39	37	
1024 ^b , 1339, 1411 ^b	40	39	36	
1543, 1555, 1560, 1572 ^b , 1587, 1588, 1622, 1623, 2022 ^b , 2047	40	39	35	
1547, 1593, 1996	43	43	37	
1554, 1558, 1562, 1573, 1994, 2002, 2003 ^b , 2549, 2746 ^b	41	41	35	
982 ^b , 984 ^b , 1061 ^b , 1408 ^b , 1538 ^b ,	40	40	38	
973 ^b , 991 ^b , 1025 ^b ,	42	42	40	
1023 ^b , 1062 ^b , 1406 ^b , 1424 ^b	40	40	37	
1992 ^b , 1997 ^b , 1998 ^b , 2000 ^b , 2014 ^b	44	44	36	
1542, 1544, 1546, 1550, 1561, 1620, 1993, 2017, 2550, 2586	40	40	35	
1999 ^b , 2015 ^b	45	45	38	
2005, 2011	44	44	40	
1004 ^b , 1017 ^b	43	43	41	

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Noise Assessment Location	Day ^c	Evening ^d	Night ^e	
	Leq _(15 min) dB(A)	Leq _(15 min) dB(A)	Leq _(15 min) dB(A)	L _{Max} dB(A)
979 ^b	42	42	39	
1421	47	47	45	
1425	47	49	45	
1427 ^b	48	50	47	
1429 ^b	47	49	46	
1420	40	39	39	
1428 ^b	44	46	44	
2006	46	46	43	
Wollondilly Anglican College Administration	68	-	-	-
Wollondilly Anglican College Sports Field	58	-	-	-
Wollondilly Anglican College Classroom (external)	53	-	-	-
Wollondilly Anglican Community Church (external)	53	53	-	-
All Other Receivers	40	35	35	52

^a The Noise Assessment Locations referred to in Table 2 are shown in Appendix 3

^b Identified receivers are eligible for noise mitigation under condition D2

^c Day is the period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays

^d Evening is the period from 6 pm to 10 pm

^e Night is the period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays

B3. Noise generated by the development must be monitored and measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the *NSW Noise Policy for Industry (EPA, 2017)*. The noise enhancing meteorological conditions determined by monitoring at the meteorological station required under condition B21 and as defined in Part D of the *Noise Policy for Industry (EPA, 2017)* apply to the noise criteria in Tables 1 and 2.

B4. The noise criteria in Table 2 do not apply if the Applicant has an agreement with the owner/s of the relevant receiver or land to exceed the noise criteria, and the Applicant has advised the Department in writing of the terms of this agreement.

Noise Operating Conditions

B5. The Applicant must:

- (a) take all reasonable steps to minimise noise from the construction and operational activities, including low frequency noise and other audible characteristics, as well as road and rail noise associated with the development;
- (b) operate a comprehensive noise management system using a combination of predictive meteorological forecasting and real-time noise monitoring data to guide the day to day planning of mining operations, and the implementation of both proactive and reactive noise mitigation measures to ensure compliance with the relevant conditions of this consent;
- (c) take all reasonable steps to minimise the noise impacts of the development during noise-enhancing meteorological conditions;
- (d) continue to investigate ways to reduce the noise generated by the development;
- (e) only use locomotives and rolling stock that are approved to operate on the NSW rail network in accordance with EPL's issued for railway activities – rolling stock operations and use reasonable endeavours to ensure that rolling stock is selected to minimise noise;
- (f) carry out regular attended noise monitoring (at least quarterly, unless otherwise agreed by the Planning Secretary) to determine whether the development is complying with the relevant conditions of this consent; and
- (g) regularly assess the noise monitoring data and modify or stop operations on the site to ensure compliance with the relevant conditions of this consent.

Reject Emplacement

B6. Prior to the implementation of noise mitigation measures, the Applicant must ensure that:

- (a) reject emplacement in the REA does not occur at heights above RL 300m, except in areas identified as Stages 1 and 5 (see Figure 2 in Appendix 2) where reject material may be emplaced up to a height of RL 310 m; and
- (b) the emplacement of rejects above RL 300 m in the areas specified in (a) above does not occur concurrently with ventilation shaft construction activities.

Noise Management Plan

- B7. The Applicant must prepare a Noise Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:
- (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
 - (b) be prepared in consultation with the EPA;
 - (c) describe the measures to be implemented to ensure:
 - (i) compliance with the noise criteria and operating conditions in this consent;
 - (ii) best practice noise management is being employed;
 - (iii) noise impacts of the development are minimised during noise-enhancing meteorological conditions;
 - (d) describe the noise management system in detail;
 - (e) include a noise monitoring program that:
 - (i) uses a combination of real-time and supplementary attended monitoring to evaluate the performance of the development;
 - (ii) monitors noise at the nearest and/or most affected receivers;
 - (iii) enables and facilitates reporting of perceived noise exceedances by potentially affected receivers;
 - (iv) includes a program to calibrate and validate the real-time noise monitoring results with the attended monitoring results over time;
 - (v) adequately supports the noise management system;
 - (vi) includes a protocol for identifying any noise-related exceedance, incident or non-compliance and for notifying the Department and relevant stakeholders of any such event.
- B8. The Applicant must not commence construction until the Noise Management Plan is approved by the Planning Secretary.
- B9. The Applicant must implement the Noise Management Plan as approved by the Planning Secretary.

AIR QUALITY AND GREENHOUSE GAS

Odour

- B10. The Applicant must ensure that no offensive odours, as defined under the POEO Act, are emitted from the site.

Air Quality Criteria

- B11. The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria listed in Table 3 at any receivers on privately-owned land.

Table 3: Air quality criteria

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

^a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources).

^b Incremental impact (i.e. incremental increase in concentrations due to the development on its own).

^c Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Planning Secretary.

- B12. The air quality criteria in Table 3 do not apply if the Applicant has an agreement with the owner/s of the relevant receiver or land to exceed the air quality criteria, and the Applicant has advised the Department in writing of the terms of this agreement.

Mine-owned Land

- B13. Particulate matter emissions generated by the development must not exceed the criteria listed in Table 3 at any occupied residence on mine-owned land (including land owned by another mining company) unless:

- (a) the tenant and landowner (if the residence is owned by another mining company) have been notified of any health risks associated with such exceedances in accordance with the notification requirements under PART D of this consent;
- (b) the tenant of any such land that is owned by the Applicant can terminate their tenancy agreement without penalty at any time, subject to giving 14 days' notice;
- (c) air quality monitoring is regularly undertaken to inform the tenant and landowner (if the residence is owned by another mining company) of the likely particulate matter emissions at the residence; and
- (d) data from this monitoring is presented to the tenant and landowner in an appropriate format for a medical practitioner to assist the tenant and landowner in making informed decisions on the health risks associated with occupying the property.

Air Quality Operating Conditions

B14. The Applicant must:

- (a) take all reasonable and feasible steps to:
 - (i) minimise odour, fume, and particulate matter (including PM₁₀ and PM_{2.5}) emissions of the development, paying particular attention to minimising odour from ventilation shafts, wheel-generated haul road emissions, and emissions from the REA and stockpiles;
 - (ii) eliminate or minimise the risk of spontaneous combustion;
 - (iii) improve energy efficiency and reduce fugitive greenhouse gas emissions of the development;
 - (iv) implement greenhouse gas abatement measures (including beneficial reuse and/or flaring) with respect to methane produced by underground coal mining;
 - (v) minimise visible off-site air pollution generated by the development; and
 - (vi) minimise to the greatest extent practicable, the extent of potential dust generating surfaces exposed on the site at any given point in time;
- (b) operate a comprehensive air quality management system that uses a combination of predictive meteorological forecasting and real-time air quality monitoring data to guide the day to day planning of mining operations and the implementation of both proactive and reactive air quality mitigation measures to ensure compliance with the relevant conditions of this consent and to respond to any air quality readings that exceed the 24 hour criteria specified in Table 3, irrespective of whether those exceedances are on a total or incremental basis;
- (c) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see Note c to Table 3 above);
- (d) carry out regular air quality monitoring to determine whether the development is complying with the relevant conditions of this consent; and
- (e) regularly assess the air quality monitoring data and modify operations on the site to ensure compliance with the relevant conditions of this consent.

Spontaneous Combustion Management Plan

B15. The Applicant must prepare a Spontaneous Combustion Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:

- (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
- (b) be prepared in consultation with the Resources Regulator; and
- (c) describe the measures to be implemented to minimise the risk of spontaneous combustion on the site.

B16. The Applicant must not commence second workings under this consent until the Spontaneous Combustion Management Plan is approved by the Planning Secretary.

B17. The Applicant must implement the Spontaneous Combustion Management Plan as approved by the Planning Secretary.

Air Quality and Greenhouse Gas Management Plan

B18. The Applicant must prepare an Air Quality and Greenhouse Gas Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:

- (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
- (b) be prepared in consultation with the EPA, NSW Health, Clean Energy Regulator and the CCC;
- (c) describe the measures to be implemented to ensure:
 - (i) compliance with the air quality criteria and operating conditions in this consent;

- (ii) best practice management is being employed (including in respect to energy efficiency and the minimisation of greenhouse gas emissions from the site); and
 - (iii) the air quality impacts of the development are minimised during adverse meteorological conditions and extraordinary events;
 - (d) describe the air quality management system in detail;
 - (e) describes the measures to be implemented to:
 - (i) minimise the carbon dioxide equivalent of greenhouse gases released from the site, consistent with Condition B19; and
 - (ii) ensure that air quality impacts on nearby receivers associated with the flaring or venting of gases are minimised to the greatest extent practicable; and
 - (f) include an air quality monitoring program, undertaken in accordance with the *Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales* (EPA, 2016) or its latest version, that:
 - (i) uses monitors to evaluate the performance of the development against the air quality criteria in this consent and to guide day to day planning of operations, including two continuous particulate monitors located near the closest receivers:
 - west of the main surface facilities; and
 - north-east of the REA;
 - (ii) adequately supports the air quality management system;
 - (iii) includes a protocol for identifying an air quality incident and notifying the Department and relevant stakeholders of any such incident; and
 - (iv) provides for annual public reporting of Scope 1 and 2 GHG emissions, including the 3 year rolling average specified in Condition B19
- B19. The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that greenhouse gas emissions generated by the development are minimised, and must:
- (a) within two years of the development consent being granted (and each third year after that), commission and prepare a study, prepared to the satisfaction of the Planning Secretary, to determine whether there are any reasonable and feasible measures that can be implemented to further reduce the abated Scope 1 and 2 GHG emissions;
 - (b) if the study required by Condition B19 (a) finds there are reasonable and feasible measures, implement these measures in a timeframe determined in consultation, and to the satisfaction of, the Planning Secretary;
 - (c) ensure that the development does not exceed the Scope 1 and 2 GHG emissions in Appendix 9, based on a 3 year rolling average;
 - (d) monitor and report actual GHG emissions, (including both annual figures and 3 year rolling average), on an annual basis to the Planning Secretary and publicly in accordance with the Air Quality and Greenhouse Gas Management Plan required by Condition B18;
 - (e) ensure that any exceedances of the forecast Scope 1 and 2 GHG emissions (based on a 3 year rolling average) are offset by a mechanism to address the exceedances to the satisfaction of the Planning Secretary (this mechanism may take into account any exceedances already offset under other applicable Commonwealth or State requirements);
 - (f) ensure that appropriate annual returns are made under the National Greenhouse and Energy Reporting legislation.
- B20. The Applicant must not commence construction until the Air Quality and Greenhouse Gas Management Plan is approved by the Planning Secretary.
- B21. The Applicant must implement the Air Quality and Greenhouse Gas Management Plan as approved by the Planning Secretary.

METEOROLOGICAL MONITORING

- B22. Prior to the commencement of construction and for the life of the development, the Applicant must ensure that there is a suitable meteorological station operating in the vicinity of the site that:
- (a) complies with the requirements in the *Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales* (EPA, 2016); and
 - (b) is capable of measuring meteorological conditions in accordance with the *NSW Noise Policy for Industry* (EPA, 2017), unless a suitable alternative is approved by the Planning Secretary following consultation with the EPA.

WATER

Water Supply

- B23. The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply.
- B24. The Applicant must report on water captured, intercepted or extracted from the site each year (direct and indirect) in the Annual Review. This is to include water take where a water licence is required and where an exemption applies. Where a water licence is required the water take needs to be reviewed against existing water licences.

Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain all necessary water licences for the development, including during rehabilitation and following mine closure.

Compensatory Water Supply

- B25. Prior to the commencement of second workings under this consent, the Applicant must complete a bore census for all licensed privately-owned groundwater bores that are predicted to have a drawdown of greater than 2 metres as a result of the development providing:
- notification of bore owners, including an indication of the level of risk of impact to their water supply;
 - ongoing engagement and consultation with bore owners in accordance with the Make Good Strategy contained in the EIS;
 - detailed baseline data regarding groundwater levels, yield and quality for privately-owned groundwater bores; and
 - a condition assessment of existing groundwater bores and monitoring equipment;
- to the satisfaction of the Planning Secretary.
- B26. The Applicant must provide a compensatory water supply to any landowner of privately-owned land whose rightful water supply is adversely and directly impacted (other than an impact that is minor or negligible) as a result of the development, in consultation with NRAR and [DPE Water](#), and to the satisfaction of the Planning Secretary.
- B27. The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent, in quality and volume, to the loss attributable to the development. Equivalent water supply should be provided (at least on an interim basis) as soon as practicable after the loss is identified, unless otherwise agreed with the landowner. The burden of proof that any loss of water supply is not due to mining impacts rests with the Applicant.
- B28. If the Applicant and the landowner cannot agree on whether the loss of water is to be attributed to the development or the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Planning Secretary for resolution.
- B29. If the Applicant is unable to provide an alternative long-term supply of water, then the Applicant must provide compensation to the affected land owner, to the satisfaction of the Planning Secretary.

Note:

- The Water Management Plan (see condition B34) is required to include trigger levels for investigating potentially adverse impacts on water supplies.

Water Treatment

- B30. Prior to [31 December 2023](#), the Applicant must commission the WTP required under Special Condition E1.1 of EPL 1389.
- B30A. [Within six months of the approval of Modification 1, and at six monthly intervals until the WTP is commissioned, the Applicant must submit a Progress Report to the Department and the EPA. The Progress Report must include:](#)
- [an update on the shipping and delivery schedule of the WTP components;](#)
 - [a description of the WTP construction to date;](#)
 - [a revised WTP project timeline; and](#)
 - [forecasted completion date of the WTP commissioning.](#)

B30B. [The Applicant must provide an update on the progress of the WTP construction and commissioning and Tea Tree Hollow water quality monitoring results at the CCC meeting until the WTP is commissioned.](#)

Off-site Water Discharges and Transfers

- B31. The Applicant must ensure that all surface discharges from the site comply with all relevant provisions of the POEO Act, including any discharge limits (both volume and quality) set for the development in any EPL.

Off-site Mine Water Transfer

- B32. ~~Deleted.~~

Water Management Performance Measures

B33. The Applicant must comply with the performance measures in [Table 4](#).

Table 4: Water management performance measures

Feature	Performance Measure
Water management – General	<ul style="list-style-type: none"> • Maintain separation between clean and dirty (including both sediment-laden water and mine water) water management systems • Minimise the use of clean and potable water on the site • Maximise water recycling, reuse and sharing opportunities to the extent that is reasonable and feasible • Maximise the capture and reuse of mine water and dirty water to meet operational demands for water to the extent that is reasonable and feasible • Minimise the use of make-up water from external sources • Design, install, operate and maintain water management systems in a proper and efficient manner • Minimise risks to the receiving environment and downstream water users
Aquatic and riparian ecosystems	<ul style="list-style-type: none"> • Maintain or improve baseline channel stability • Develop site-specific in-stream water quality objectives in accordance with the <i>Australian and New Zealand Guidelines for Fresh and Marine Water Quality</i> (ANZECC & ARMCANZ, 2000) and <i>Using the ANZECC Guidelines and Water Quality Objectives in NSW</i> (DEC, 2006)
Erosion and sediment control works	<ul style="list-style-type: none"> • Design, install and maintain erosion and sediment controls in accordance with the guidance series <i>Managing Urban Stormwater: Soils and Construction</i> including <i>Volume 1: Blue Book</i> (Landcom, 2004), <i>Volume 2A: Installation of Services</i> (DECC, 2008), <i>Volume 2C: Unsealed Roads</i> (DECC, 2008), <i>Volume 2D: Main Road Construction</i> (DECC, 2008) and <i>Volume 2E: Mines and Quarries</i> (DECC, 2008) • Design, install and maintain any new infrastructure within 40 metres of watercourses in accordance with the guidance series for <i>Controlled Activities on Waterfront Land</i> (DPI Water, 2012) • Design, install and maintain any new creek crossings generally in accordance with the <i>Fisheries NSW Policy and Guidelines for Fish Habitat Conservation and Management</i> (DPI, 2013) and <i>Why Do Fish Need To Cross The Road? Fish Passage Requirements for Waterway Crossings</i> (NSW Fisheries 2003). • Ensure all works on waterfront land are consistent with the guidance series for <i>Controlled Activities on Waterfront Land</i> (DPI Water, 2012)
Clean water diversions and storage infrastructure	<ul style="list-style-type: none"> • Design, install and maintain any new components of the clean water system to capture and convey the 100 year ARI flood • Maximise as far as reasonable and feasible the diversion of clean water around disturbed areas on the site, except where clean water is captured for use on the site
Sediment dams	<ul style="list-style-type: none"> • Design, install and/or maintain sediment dams to prevent off-site discharges to surface waters, except as may be permitted under condition B31 • Design, install and maintain sediment dams in accordance with the guidance series <i>Managing Urban Stormwater: Soils and Construction – Volume 1</i> (Landcom, 2004) and <i>2E Mines and Quarries</i> (DECC, 2008) and the requirements under the POEO Act
Above ground mine water storages	<ul style="list-style-type: none"> • Design, install and maintain mine water storage infrastructure to avoid unlicensed or uncontrolled discharge of mine water • Ensure adequate freeboards within all mine water storage dams at all times to minimise the risk of discharge to surface waters • New on-site storages (including mine infrastructure dams, groundwater storage and treatment dams) are suitably designed, installed and maintained, including being lined to comply with a permeability standard of $< 1 \times 10^{-9}$ m/s
Reject management	<ul style="list-style-type: none"> • Restrict emplacement of any reject material to the REA in a manner that is consistent with the EIS • Design and maintain tailings storage areas to prevent the movement of tailings seepage/leachate outside the REA
Chemical and hydrocarbon storage	<ul style="list-style-type: none"> • Chemical and hydrocarbon products to be stored in bunded areas in accordance with the relevant Australian Standard

Water Management Plan

- B34. Prior to the commencement of construction activities, the Applicant must prepare a Water Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:
- (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
 - (b) be prepared in consultation with [DPE Water](#) and EPA;
 - (c) describe the measures to be implemented to ensure that the Applicant complies with the water management performance measures (see Table 4);
 - (d) utilise existing data from nearby mines and build on existing monitoring programs, where practicable;
 - (e) include a:
 - (i) **Site Water Balance** that includes details of:
 - predicted annual inflows to and outflows from the site;
 - sources and security of water supply for the life of the development (including authorised entitlements and licences);
 - water storage capacity;
 - water use and management on the site, including any water stored underground in goaf areas of Tahmoor North Mine;
 - licensed discharge points and limits; and
 - reporting procedures, including the annual preparation of a site water balance;
 - (ii) **Salt Balance** that includes details of:
 - sources of saline material on the site;
 - saline material and saline water management on the site;
 - measures to minimise discharge of saline water from the site; and
 - reporting procedures, including the annual preparation of an updated salt balance;
 - (iii) **Erosion and Sediment Control Plan** that:
 - is consistent with the requirements of *Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book* (Landcom, 2004) and *Volume 2E: Mines and Quarries* (DECC, 2008);
 - identifies activities that could cause soil erosion or generate sediment;
 - describes measures to minimise soil erosion and the potential for the transport of sediment to downstream waters;
 - describes the location, function and capacity of erosion and sediment control structures; and
 - describes what measures would be implemented to maintain (and if necessary, decommission) the structures over time;
 - (iv) **Surface Water Management Plan** that includes:
 - detailed baseline data on channel stability, water flows and water quality in the sections or parts of watercourses and/or water bodies potentially impacted by the development (including Tea Tree Hollow, Dog Trap Creek, Bargo River and all associated tributaries);
 - a detailed description of the surface water management system;
 - detailed plans, design objectives and performance criteria for water management infrastructure including:
 - any approved creek restoration works associated with the development;
 - water run-off diversions and catch drains;
 - erosion and sediment controls, including sediment dams;
 - any water storages, including mine water management systems;
 - water treatment plant required under the EPL;
 - compliance with the objectives for aquatic and riparian river systems set out in Table 4;
 - the sewage treatment plant; and
 - reinstated drainage networks on rehabilitated areas of the site;
 - surface water performance criteria, including trigger levels for identifying and investigating any potentially adverse impacts (or trends) associated with the development for:
 - water supply for other water users;
 - downstream surface water flows and quality;
 - stream and riparian vegetation health; and

- post-mining water pollution from rehabilitated areas of the site;
 - a program to monitor and evaluate:
 - compliance with the relevant performance measures listed in Table 4 and the performance criteria in this plan;
 - controlled and uncontrolled discharges and seepage/leachate from the site;
 - impacts on water supply for other water users;
 - surface water inflows, outflows and storage volumes, to inform the Site Water Balance;
 - the effectiveness of the surface water management system, and the measures in the Erosion and Sediment Control Plan;
 - reporting procedures for the results of the monitoring program, including notifying other water users of any elevated results;
 - a trigger action response plan to respond to any exceedances of the performance measures in Table 4, and to repair, mitigate and/or offset any adverse surface water impacts of the development, including measures to provide compensatory water supply to affected water users under condition B26; and
 - a program to periodically update and validate the stream flow water balance model; and
- (v) **Groundwater Management Plan** that includes:
- detailed baseline data regarding groundwater levels, yield and quality for privately-owned groundwater bores (as required under condition B25(a)) and the condition of GDEs (including Thirlmere Lakes) potentially impacted by the development;
 - a program to periodically review and update data regarding groundwater levels, yield and quality at privately-owned groundwater bores in the vicinity of the development, including any bores potentially impacted by cumulative groundwater drawdown;
 - a detailed description of the groundwater management system, including commitments to:
 - install an additional monitoring bore in the footprint of Tahmoor North to monitor post-mining groundwater level and quality;
 - install additional monitoring bores (minimum of four) at or near the Thirlmere Lakes;
 - install bores above the initial longwalls to define profile fracturing and depressurisation in the Hawkesbury Sandstone and Bulgo Sandstone;
 - monitor shallow groundwater within the Hawkesbury Sandstone;
 - monitor volumetric take (mine inflow), including inflows to the underground mine; and
 - regularly review the monitoring program to ensure robust and reliable monitoring is undertaken, including reviewing the performance of vibrating wire piezometers;
 - groundwater performance criteria, including trigger levels for identifying and investigating any potentially adverse groundwater impacts (or trends) associated with the development, on:
 - regional and local aquifers (alluvial and hard rock); and
 - groundwater supply for other users such as licensed privately-owned groundwater bores;
 - uncertainty analysis of the potential impacts of mining the proposed longwalls on the water levels in Thirlmere Lakes, based upon results from the current Thirlmere Lakes Research Program and other ongoing monitoring and investigations;
 - a program to monitor and evaluate:
 - compliance with the relevant performance measures listed in Table 4 and the performance criteria of this plan;
 - water loss/seepage from water storages into the groundwater system;
 - groundwater inflows, outflows and storage volumes, to inform the Site Water Balance;
 - impacts on water supply for other water users;
 - impacts on GDEs (including Thirlmere Lakes);
 - the hydrogeological setting of any nearby alluvial aquifers and the likelihood of any indirect impacts from the development; and
 - the effectiveness of the groundwater management system;
 - reporting procedures for the results of the monitoring program, including notifying other water users, the NSW Office of Environment and Heritage and Thirlmere Lakes Research Program of any elevated results;

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- a trigger action response plan to respond to any exceedances of the relevant performance measures and groundwater performance criteria, and repair, mitigate and/or offset any adverse groundwater impacts of the development, including impacts on Thirlmere Lakes;
 - a Groundwater Modelling Plan that:
 - provides details for the future groundwater model re-build and recalibration which must be completed within 2 years of the commencement of development under this consent;
 - is independently third-party reviewed;
 - provides for the incorporation of the outcomes of the findings of the Thirlmere Lakes Research Program and other relevant research on the Thirlmere Lakes;
 - considers field data and the outcomes of subsidence monitoring;
 - provides for periodic validation and where necessary recalibration, of the groundwater model for the development, including an independent review of the model every 3 years, and comparison of monitoring results with modelled predictions; and
 - a plan to respond to any exceedances of the performance measures in Table 4.
- (vi) **Long-term Water Management Strategy** for the whole Tahmoor mining complex that:
- Includes detailed modelling of the potential water impacts of the mining complex as water levels recover following the cessation of mining operations within the complex and rehabilitation of these operations;
 - identifies the measures that would be implemented at each of these mining operations to minimise any adverse water impacts;
 - includes a water licencing strategy for the ongoing take of any water over time; and
 - includes a program to monitor and review the water impacts of the mining complex over time

B35. The Applicant must not commence construction until the Water Management Plan is approved by the Planning Secretary.

B36. The Applicant must implement the Water Management Plan as approved by the Planning Secretary.

Note: Some components of the Water Management Plan, such as the Long-term Water Management Strategy can be staged in accordance with Conditions A29 to A31.

BIODIVERSITY

Biodiversity Credit Requirements

B37. Within 2 years of the date of commencement of development under this consent, unless otherwise agreed by the Planning Secretary, the Applicant must retire the biodiversity credits specified in Table 5 below or as recalculated to the satisfaction of the BCT. The retirement of credits must be carried out in consultation with BCD and in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT.

Table 5: Biodiversity credit requirements

Credit Type	Total Credits Required
Ecosystem Credits	
PCT1395 Narrow-leaved Ironbark - Broad-leaved Ironbark - Grey Gum open forest	455
PCT1081 Red Bloodwood - Grey Gum woodland on the edges of the Cumberland Plain, Sydney Basin	399
Species Credits	
Small-flower grevillea (<i>Grevillea parviflora</i> subsp. <i>parviflora</i>)	770
Bargo geebung (<i>Persoonia Bargoensis</i>)	77
Koala (<i>Phascolarctos cinereus</i>)	107
Large-eared pied bat (<i>Chalinolobus dwyeri</i>)	54
Large-footed myotis (<i>Myotis Macropus</i>)	91
Eastern cave bat (<i>Vespadelus troughtoni</i>)	54
Eastern pygmy-possum (<i>Cercartetus nanus</i>)	82

Notes:

- The credits in Table 5 were calculated in accordance with Framework for Biodiversity Assessment of the NSW Biodiversity Offset Policy for Major Projects (OEH, 2014) and need to be converted to reasonably equivalent 'biodiversity credits', within the meaning of the BC Act.
- The available credit retirement options for the development include purchase and retirement of open market available biodiversity credits, payment into the Biodiversity Conservation Fund or establishment of a Biodiversity Stewardship Site.

Biodiversity Management Plan

B38. The Applicant must prepare a Biodiversity Management Plan for all areas of the development, to the satisfaction of the Planning Secretary. This plan must:

- (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
- (b) be prepared in consultation with BCD;
- (c) describe the short, medium, and long term measures to be undertaken to retain and manage the remnant vegetation and fauna habitat on the site;
- (d) describe how biodiversity management would be integrated with similar measures within other management plans, including the Rehabilitation Management Plan referred to in condition B60;
- (e) describe the measures to be implemented within the approved disturbance areas to:
 - (i) minimise the amount of vegetation clearing, in particular, by micro-siting surface infrastructure to avoid impacts to minimise clearing of CEECs;
 - (ii) minimise impacts on fauna, including undertaking pre-clearance surveys;
 - (iii) provide for the salvage, transplanting and/or propagation of threatened flora found during pre-clearance surveys, in accordance with the *Guidelines for the Translocation of Threatened Plants in Australia* (Commander et al., 2018), where feasible; and
 - (iv) maximise the salvage of resources, including tree hollows, vegetation and soil resources, for beneficial reuse, including fauna habitat enhancement;
 - (v) re-establish habitat for the Koala, as well as other threatened fauna;
- (f) describe the measures to be implemented on the site to:
 - (i) minimise impacts to threatened ecological communities listed under the BC Act and EPBC Act, and contribute to conservation strategies for these communities;
 - (ii) minimise impacts on fauna habitat resources such as hunting and foraging areas, habitat trees, fallen timber and hollow-bearing trees;
 - (iii) enhance the quality of vegetation, vegetation connectivity and wildlife corridors including through the assisted regeneration and/or targeted revegetation of appropriate canopy, sub-canopy, understorey and ground strata;
 - (iv) introduce naturally scarce fauna habitat features such as nest boxes and salvaged tree hollows, and promote the use of these introduced habitat features by threatened fauna species;
 - (v) manage any potential conflicts with Aboriginal heritage values;
 - (vi) protect vegetation and fauna habitat outside of the approved disturbance areas;
 - (vii) manage the collection and propagation of seed from the local area;
 - (viii) control weeds, including measures to avoid and mitigate the spread of weeds;
 - (ix) control feral pests with consideration of actions identified in relevant threat abatement plans;
 - (x) control erosion;
 - (xi) control access to vegetated or revegetated areas; and
 - (xii) manage bushfire hazards;
- (g) include a seasonally-based program to monitor and report on the effectiveness of the above measures, progress against the detailed performance indicators and completion criteria, and identify improvements that could be implemented to improve biodiversity outcomes;
- (h) identify the potential risks to the successful implementation of the Biodiversity Management Plan, and include a description of the contingency measures to be implemented to mitigate against these risks; and
- (i) include details of who would be responsible for monitoring, reviewing, and implementing the plan.

B39. The Applicant must not commence construction until the Biodiversity Management Plan is approved by the Planning Secretary.

B40. The Applicant must implement the Biodiversity Management Plan as approved by the Planning Secretary.

Note: The Biodiversity Management Plan and Rehabilitation Management Plan need to be substantially integrated to ensure biodiversity objectives are achieved through rehabilitation of the site.

HERITAGE

B41. The Applicant must ensure that the development does not cause any direct or indirect impact on any identified heritage item, beyond those predicted in the EIS.

Note: Identified heritage items are listed in Appendix 4.

Protection of Aboriginal Heritage

B42. If any previously unknown Aboriginal object is discovered on the site, or suspected to be on the site:

- (a) all work in the immediate vicinity of the object or place must cease immediately;
- (b) a 10m buffer area around the object or place must be cordoned off; and
- (c) Heritage NSW must be contacted immediately.

B43. Work in the immediate vicinity may only recommence if:

- (a) the potential Aboriginal object is confirmed by Heritage NSW, in consultation with the Registered Aboriginal Parties, not to be an Aboriginal object or Aboriginal place; or
- (b) the Planning Secretary is satisfied with the measures to be implemented in respect of the Aboriginal object and makes a written direction in that regard.

B44. If suspected human remains are discovered on the site, then all work surrounding the area must cease, and the area must be secured. The Applicant must immediately notify NSW Police Force and Heritage NSW, and work must not recommence in the area until authorised by NSW Police Force and Heritage NSW.

B45. The Applicant must ensure that all known Aboriginal objects or Aboriginal places on the site and within any offset areas are properly recorded, and those records are kept up to date, in the Aboriginal Heritage Information Management System (AHIMS) Register.

Protection of Historic Cultural Heritage

B46. The Applicant must not commence second workings until the Historic Heritage Plan required under condition C8 is approved by the Planning Secretary. The Applicant must implement the Historic Heritage Plan as approved by the Planning Secretary.

VISUAL

Visual Amenity and Lighting

B47. The Applicant must:

- (a) take all reasonable steps to minimise the visual and off-site lighting impacts of the development;
- (b) take all reasonable steps to shield views of mining operations and associated equipment from users of public roads and privately-owned residences;
- (c) ensure no fixed outdoor lights shine directly above the horizontal or above the building line or any illuminated structure;
- (d) ensure mobile lighting rigs do not shine directly above the horizontal (except where required for emergency safety purposes);
- (e) ensure that all external lighting associated with the development complies with relevant Australian Standards including the latest version of *Australian Standard AS4282 (INT) 2019 – Control of Obtrusive Effects of Outdoor Lighting*; and
- (f) ensure that the visual appearance of any new buildings, structures, facilities or works (including paint colours and specifications) is aimed at blending as far as possible with the surrounding landscape.

WASTE

B48. The Applicant must:

- (a) take all reasonable steps to minimise the waste (including coal rejects and tailings) generated by the development;
- (b) classify all waste in accordance with the *Waste Classification Guidelines* (EPA, 2014);
- (c) dispose of all waste at appropriately licensed waste facilities or as permitted in an applicable EPL;
- (d) manage on-site sewage treatment and disposal in accordance with the requirements of EPA and Council; and
- (e) monitor and report on the effectiveness of the waste minimisation and management measures in the Annual Review referred to in condition E13.

B49. Except as expressly permitted in an applicable EPL, specific resource recovery order or exemption under the *Protection of the Environment Operations (Waste) Regulation 2014*, the Applicant must not receive waste at the site for storage, treatment, processing, reprocessing or disposal.

Sewage Treatment

B50. Prior to the commencement of second workings under this consent, the Applicant must commission the Sewage Treatment Plant.

DANGEROUS GOODS

- B51. The Applicant must ensure that the storage, handling and transport of:
- (a) dangerous goods is carried out in accordance with the relevant Australian Standards, particularly *AS1940* and *AS1596*, and the *Dangerous Goods Code*; and
 - (b) explosives are managed in accordance with the requirements of the Resources Regulator.

BUSHFIRE MANAGEMENT

- B52. The Applicant must:
- (a) ensure that the development:
 - (i) provides for asset protection in accordance with the relevant requirements in the *Planning for Bushfire Protection* (RFS, 2019) guideline; and
 - (ii) ensure that there is suitable equipment to respond to any fires on the site; and
 - (b) assist the RFS and emergency services to the extent practicable if there is a fire in the vicinity of the site.
- B53. Prior to commencing construction under this consent, the Applicant must prepare a Bushfire Management Plan for the development in consultation with RFS. This plan must include a:
- (a) contact person and 24 hour contact phone number;
 - (b) schedule and description of proposed bushfire mitigation works, including:
 - (i) location of managed and unmanaged vegetation within the site;
 - (ii) location of water supply; and
 - (iii) internal access roads;
 - (c) plan identifying the location and storage of bulk flammable liquids and materials;
 - (d) 'hot works' management plan, including:
 - (i) circumstances when 'hot works' are limited or prohibited; and
 - (ii) safety measures to be implemented when 'hot works' are being conducted; and
 - (e) emergency/evacuation plan in accordance with the *Guidelines for the Preparation of Emergency/Evacuation Plans* (RFS) and Australian Standard *AS3745 Planning for Emergencies in Facilities*.

B54. The Applicant must implement the Bushfire Management Plan in consultation with RFS.

MINOR SURFACE INFRASTRUCTURE

Gas Drainage

B55. The Applicant must ensure that all gas drainage pipelines (other than connection points, monitoring points, dewatering facilities, regulation or isolation points) between gas drainage plants are buried, unless otherwise agreed with the relevant landowner or unless burial is inappropriate for safety or other reasons, to the satisfaction of the Planning Secretary.

REHABILITATION

Rehabilitation Objectives

B56. The Applicant must rehabilitate the site in accordance with the conditions imposed on the mining lease(s) associated with the development under the *Mining Act 1992*. This rehabilitation must be generally consistent with the proposed rehabilitation activities described in the EIS (and shown conceptually in the Rehabilitation Plan in Appendix 5), and must comply with the objectives in Table 6.

Table 6: Rehabilitation objectives

Feature	Objective ^a
All areas of the site affected by the development	<ul style="list-style-type: none"> • Safe, stable and non-polluting • Fit for the intended post-mining land use/s • Achieve the final landform and post-mining land use/s as soon as practicable after cessation of mining operations • Minimise post-mining environmental impacts

Feature	Objective ^a
Areas proposed for native ecosystem re-establishment	<ul style="list-style-type: none"> • Establish/restore self-sustaining native woodland ecosystems, with a focus on establishing local plant community types, as described in the EIS and in Table 5 • Establish: <ul style="list-style-type: none"> – habitat, feed and foraging resources for threatened fauna species; – local vegetation connectivity and wildlife corridors, as far as is reasonable and feasible
Final Landform	<ul style="list-style-type: none"> • Stable and sustainable for the intended post-mining land use/s • Consistent with surrounding topography to minimise visual impacts • Incorporate relief patterns and design principles consistent with natural drainage that mimic natural topography and mitigate erosion to the greatest extent practicable
Surface infrastructure of the development	<ul style="list-style-type: none"> • To be decommissioned and removed, unless the Resource Regulator agrees otherwise • All surface infrastructure sites are to be revegetated with suitable local native plant species to a landform consistent with the surrounding environment
Portals and vent shafts of the development	<ul style="list-style-type: none"> • To be decommissioned and made safe and stable
Watercourses subject to mine water discharges	<ul style="list-style-type: none"> • Hydraulically and geomorphologically stable • Aquatic ecology and riparian vegetation that is the same or better than prior to grant of this consent
Watercourses damaged by subsidence impacts	<ul style="list-style-type: none"> • Restore pre-mining surface flow and pool holding capacity as soon as reasonably practicable • Hydraulically and geomorphologically stable, with riparian vegetation and aquatic ecology that is the same or better than prior to secondary extraction
Water quality	<ul style="list-style-type: none"> • Water retained on the site is fit for the intended post-mining land use/s • Water discharges are consistent with the regional catchment management water quality objectives
Built features damaged by mining operations	<ul style="list-style-type: none"> • Repair to pre-mining condition or equivalent unless the: <ul style="list-style-type: none"> – owner agrees otherwise; or – damage is fully restored, repaired or compensated for under the <i>Coal Mine Subsidence Compensation Act 2017</i>
Cliffs, minor cliffs, rock face features and steep slopes	<ul style="list-style-type: none"> • No additional risk to public safety compared to prior to mining
Community	<ul style="list-style-type: none"> • Ensure public safety • Minimise adverse socio-economic effects associated with mine closure

Note: These rehabilitation objectives apply to all subsidence impacts and environmental consequences caused by all underground mining of the development and to all surface infrastructure components of the development.

Progressive Rehabilitation

B57. The Applicant must rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable steps must be taken to minimise the total area exposed at any time. Interim stabilisation and temporary vegetation strategies must be employed when areas prone to dust generation, soil erosion and weed incursion cannot be permanently rehabilitated.

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

Rehabilitation Strategy

B58. The Applicant must prepare a Rehabilitation Strategy for the site to the satisfaction of the Planning Secretary. This strategy must:

- (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
- (b) be prepared in consultation with the Resources Regulator, DPE Water, BCD and Council;
- (c) be submitted to the Planning Secretary for approval within six months of the date of commencement of development under this consent;

- (d) build upon the Rehabilitation Objectives in Table 6, describe the overall rehabilitation outcomes for the site, and address all aspects of rehabilitation including mine closure, final landform, post-mining land use/s and water management;
- (e) align with strategic rehabilitation and mine closure objectives and address the principles of the *Strategic Framework for Mine Closure* (ANZMEC and MCA, 2000);
- (f) describe how the rehabilitation measures would be integrated with the measures in the Biodiversity Management Plan referred to in condition B38;
- (g) describe how rehabilitation will be integrated with the mine planning process, including a plan to address premature or temporary mine closure;
- (h) include details of:
 - (i) target vegetation communities and species to be established within the proposed revegetation areas, including habitat for threatened fauna eg. Koala;
 - (ii) the design of the surface water drainage network on the final landform; and
 - (iii) the capping design of the REA as well as the quantity and source of capping material;
- (i) investigate opportunities to refine and improve the final landform over time, including the configuration of the REA;
- (j) include a post-mining land use strategy to investigate and facilitate post-mining beneficial land uses for the site, that:
 - (i) align with regional and local strategic land use planning objectives and outcomes;
 - (ii) support a sustainable future for the local community;
 - (iii) utilise existing mining infrastructure, where practicable; and
 - (iv) avoid disturbing self-sustaining native ecosystems, where practicable;
- (k) include a stakeholder engagement plan to guide rehabilitation and mine closure planning processes and outcomes;
- (l) investigate ways to minimise adverse socio-economic effects associated with rehabilitation and mine closure; and
- (m) include a program to report on the outcomes of the investigations required under this condition and review and update this strategy at least every five years.

B59. The Applicant must implement the Rehabilitation Strategy approved by the Planning Secretary.

Rehabilitation Management Plan

- B60. The Applicant must prepare a Rehabilitation Management Plan for the development, in accordance with the conditions imposed on the mining lease(s) associated with the development under the *Mining Act 1992*. This plan must:
- (a) include a life of mine rehabilitation and mining schedule which outlines the key progressive rehabilitation milestones from the commencement of operations through to decommissioning and mine closure;
 - (b) include Rehabilitation Objectives, Rehabilitation Completion Criteria and a Final Landform and Rehabilitation Plan;
 - (c) include detailed performance indicators and completion criteria for each rehabilitation domain, and triggers for remedial actions, including actions to be undertaken in the event that vegetation establishment is impacted by spontaneous combustion;
 - (d) include an overview of the identified risks to achieving successful rehabilitation;
 - (e) describe the measures to be implemented on the site to achieve the Rehabilitation Objectives in Table 6 and to address the identified risks;
 - (f) include a program to monitor, independently audit and report on progress against the criteria in paragraph (c) (a) and the effectiveness of the measures in paragraph (e);
 - (g) describe any further studies, work, research or consultation that will be undertaken to expand the site-specific rehabilitation knowledge base, reduce uncertainty and improve rehabilitation outcomes; and
 - (h) outline intervention and adaptive management techniques to ensure rehabilitation remains on a trajectory of achieving the Rehabilitation Objectives, Rehabilitation Completion Criteria and the Final Landform and Rehabilitation Plan as soon as reasonably practical.

Notes:

- The Rehabilitation Management Plan should address all land impacted by the development.
- The Rehabilitation Management Plan may be combined with a Mining Operations Plan, or similar plan, required under mining lease/s granted for the development.

- *The Biodiversity Management Plan and Rehabilitation Management Plan require substantial integration to achieve the biodiversity objectives for the rehabilitated site.*

TRANSPORT

Monitoring of Coal and Reject Transport

B61. The Applicant must:

- (a) keep accurate records of the:
 - (i) amount of coal and rejects transported to and from the site (on a daily basis);
 - (ii) date and time of each truck movement to and from the site;
 - (iii) date and time of each train movement generated by the development; and
- (b) publish these results in the Annual Review.

Transport Operating Conditions

B62. The Applicant must:

- (a) ensure that all laden trucks entering or exiting the site have their loads covered;
- (b) only transport product coal by road to end users without rail access; and
- (c) take all reasonable steps to minimise traffic safety issues and disruption to local road users.

Notes:

- *Truck movements to and from the site are also controlled by the conditions specified in A7, A11 and A15.*

Road Maintenance

B63. The Applicant must:

- (a) prepare a pre-dilapidation survey of the transport route/s prior to the commencement of any construction, road haulage or decommissioning works, or other timeframe agreed by the appropriate roads authority;
- (b) prepare a post-dilapidation survey of the transport route/s within 1 month of the completion of construction, road haulage or decommissioning works, or other timeframe agreed by the applicable roads authority; and
- (c) rehabilitate and/or make good any development-related damage identified in the post-dilapidation survey prepared under paragraph (b) within 2 months of completing the post-dilapidation survey, or other timing as may be agreed by the applicable roads authority,

to the satisfaction of the applicable roads authority.

B64. If the construction, road haulage and/or decommissioning of the development is to be staged, the obligations in condition B63 apply to each stage.

B65. If there is a dispute about the scope of any remedial works or the implementation of the works, then either party may refer the matter to the Planning Secretary for resolution.

Road Upgrades

B66. Prior to the commencement of second workings, the Applicant must upgrade the intersections of Remembrance Driveway and the Mine Access Road and Remembrance Driveway and Olive Lane, to the satisfaction of the relevant roads authority.

Notes:

- The road upgrade works identified above include all road furniture and safety requirements required to meet relevant road standards, to the satisfaction of the appropriate roads authorities.
- If there is a dispute between the relevant parties about the implementation of this condition, then any party may refer the matter to the Planning Secretary for resolution.

Traffic Management Plan

B67. The Applicant must prepare a Traffic Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:

- (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
- (b) be prepared in consultation with TfNSW and Council;
- (c) include details of:
 - (i) key transport routes and traffic types to be used for development-related traffic; and
 - (ii) the processes in place for the control of truck movements entering and exiting the site;
- (d) include a protocol for undertaking pre and post-dilapidation surveys and repairing any roads identified in the dilapidation surveys to have been damaged during construction, road haulage and/or decommissioning works;

- (e) include details of the measures to:
 - (i) ensure compliance with the traffic operating conditions and transport-related conditions of consent;
 - (ii) minimise traffic safety issues and disruption to local road users during the construction and operational phases of the development, including:
 - avoiding or minimising construction and mining-related traffic during school drop off / pick-up and peak traffic periods;
 - periodically assess the performance of the Avon Dam Road and Remembrance Driveway intersection and minimise the development-related traffic impacts on the operating capacity of this intersection;
 - notifying the local community about development-related traffic impacts;
 - implementing temporary traffic controls, including detours and signage (where required);
 - responding to any emergency repair requirements or maintenance during construction and/or decommissioning;
 - managing any over-dimensional vehicles; and
 - minimising potential for conflict with school buses;
- (f) include a Drivers' Code of Conduct that includes procedures to ensure that drivers:
 - (i) adhere to posted speed limits or other required travelling speeds;
 - (ii) adhere to the designated transport routes and travel times; and
 - (iii) implement safe driving practices.
- (g) describe the measures to be put in place to ensure compliance with the Drivers' Code of Conduct.

B68. The Applicant must not commence construction until the Traffic Management Plan is approved by the Planning Secretary.

B69. The Applicant must implement the Traffic Management Plan as approved by the Planning Secretary.

Social Impact Management Plan

- B70. The Applicant must prepare a Social Impact Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:
- (a) be prepared by a suitably qualified and experienced person/s, whose appointment has been endorsed by the Planning Secretary;
 - (b) be prepared in consultation with Council, the CCC, local affected communities and other interested stakeholders;
 - (c) be submitted to the Planning Secretary for approval within six months of commencing development under this consent;
 - (d) identify both positive and negative social impacts resulting from the development and following mine closure, both locally and regionally;
 - (e) identify and build upon adaptive management and mitigation measures outlined in the EIS to avoid, minimise, and/or mitigate negative social impacts, including specific measures to minimise stress-related impacts on residents that may be affected by subsidence;
 - (f) identify opportunities to secure and enhance positive social impacts from the development, including opportunities to assist in maintaining community services and facilities;
 - (g) include a Community Engagement Strategy to ensure that residents affected by subsidence are given proactive advice and to inform them on how to engage with the Community Consultative Committee;
 - (h) include a stakeholder engagement plan to guide the evaluation and implementation of social impact management and mitigation measures, and
 - (i) include a program to monitor, review and report on the effectiveness of these measures, including updating the plan 3 years prior to mine closure.

B71. The Applicant must not commence second workings until the Social Impact Management Plan is approved by the Planning Secretary.

B72. The Applicant must implement the Social Impact Management Plan as approved by the Planning Secretary.

PART C SPECIFIC ENVIRONMENTAL CONDITIONS – UNDERGROUND MINING

SUBSIDENCE

Performance Measures – Natural and Heritage Features etc.

- C1. The Applicant must ensure that the development does not cause any exceedances of the performance measures in Table 7.

Table 7: Subsidence impact performance measures – natural and heritage features etc

Feature	Performance Measures
Water Resources	
All watercourses within the Subsidence Area	<ul style="list-style-type: none"> No greater subsidence impact or environmental consequences to water quality, water flows (including baseflow) or stream health (including riparian vegetation), than predicted in the EIS
Other watercourses	<ul style="list-style-type: none"> Negligible environmental consequences including beyond those predicted in the EIS, including: <ul style="list-style-type: none"> negligible diversion of flows or changes in the natural drainage behaviour of pools; negligible decline in baseline channel stability; negligible gas releases and iron staining; and negligible increase in water turbidity
GDEs including Thirlmere Lakes	<ul style="list-style-type: none"> Negligible impacts including: <ul style="list-style-type: none"> negligible change in groundwater levels; and negligible change in groundwater quality
Land	
Any cliff located directly above longwalls	<ul style="list-style-type: none"> <i>Minor environmental consequences</i> (that is occasional rockfalls, displacement or dislodgement of boulders or slabs, or fracturing, that in total do not impact more than 5% of the total face area of the cliff within any longwall mining domain)
Any cliff within Subsidence Area beyond the extent of longwalls	<ul style="list-style-type: none"> <i>Negligible environmental consequences</i> (that is occasional rockfalls, displacement or dislodgement of boulders or slabs, or fracturing, that in total do not impact more than 0.5% of the total face area of such cliffs within Subsidence Area)
All land within the Subsidence Area	<ul style="list-style-type: none"> No greater subsidence impacts or environmental consequences than predicted in the EIS
All land outside the Subsidence Area	<ul style="list-style-type: none"> Negligible subsidence impacts or environmental consequences
Biodiversity	
Threatened species, threatened populations, or endangered ecological communities	<ul style="list-style-type: none"> No greater subsidence impacts or environmental consequences than predicted in the EIS Negligible impacts on threatened species, populations or communities due to remediation of subsidence cracking
Aquatic habitat	<ul style="list-style-type: none"> Negligible environmental consequences to aquatic and riparian ecosystems beyond those predicted in the EIS
Heritage sites	
Aboriginal cultural heritage sites listed in Appendix 4	<ul style="list-style-type: none"> No greater subsidence impacts or loss of heritage values than predicted in the EIS
Historic heritage sites listed in Appendix 4	<ul style="list-style-type: none"> No greater subsidence impacts or loss of heritage values than predicted in the EIS
Mine workings	
First workings	<ul style="list-style-type: none"> To remain long term stable and non-subsiding
Second workings	<ul style="list-style-type: none"> To be carried out only within the approved mine plan, in accordance with an approved Extraction Plan

Notes:

- These performance measures apply to all mining taking place after the date of this consent.
- The Applicant is required to define more detailed performance indicators (including impact assessment criteria) for each of these performance measures in the various management plans that are required under this consent (see condition C8).

- C2. Measurement and monitoring of compliance with performance measures and performance indicators in this consent is to be undertaken using generally accepted methods that are appropriate to the environment and circumstances in which the feature or characteristic is located. These methods are to be fully described in the relevant management plans and monitoring programs. In the event of a dispute over the appropriateness of proposed methods, the Planning Secretary will be the final arbiter.

Additional Offsets

- C3. If the Applicant exceeds the performance measures in Table 7 and the Planning Secretary determines that:
- (a) it is not reasonable or feasible to remediate the subsidence impact or environmental consequence; or
 - (b) remediation measures implemented by the Applicant have failed to satisfactorily remediate the subsidence impact or environmental consequence,

then the Applicant must provide an offset to compensate for the subsidence impact or environmental consequence, that is proportionate to the significance of the subsidence impact or environmental consequence, following consultation with BCD and/or Heritage NSW and to the satisfaction of the Planning Secretary.

- C4. The offset required under condition C3 must give priority to like-for-like physical environmental offsets, but may also consider other offsets under the Biodiversity Offsets Scheme of the BC Act, such as the Biodiversity Conservation Fund established by BCT, or funding or implementing supplementary measures, such as:

- (a) actions outlined in threatened species recovery programs;
- (b) actions that contribute to threat abatement programs;
- (c) biodiversity research and survey programs; and/or
- (d) rehabilitating degraded habitat.

Performance Measures – Built Features

- C5. The Applicant must ensure that the development meets the performance measures in Table 8.

Table 8: Subsidence impact performance measures – built features.

Feature	Performance Measures
Public Infrastructure	
Key public infrastructure: <ul style="list-style-type: none"> • Main Southern Railway • Remembrance Drive • M31 Motorway • Moomba to Sydney Gas Pipeline • Gorodok Ethane Pipeline • Bargo Waste Management Centre 	<ul style="list-style-type: none"> • Always safe and serviceable • Damage that does not affect safety or serviceability must be fully repairable, and must be fully investigated and repaired at the cost of the Applicant
<ul style="list-style-type: none"> • All other public infrastructure including roads, culverts, bridges, viaducts, water supply pipelines, sewerage mains, gas pipelines, electrical and telecommunication infrastructure and survey control marks 	<ul style="list-style-type: none"> • Always safe • Serviceability should be maintained wherever practicable • Loss of serviceability must be fully compensated • Damage must be fully repairable, and must be fully investigated and repaired or else replaced or fully compensated at the cost of the Applicant
Other Built Features	
<ul style="list-style-type: none"> • Public amenities including schools, churches and community centres • Industrial, commercial and business premises • Bargo Cemetery • Warrimbirra Sanctuary • Privately-owned residences • Other privately-owned built features and improvements, including petrol stations, sheds, garages, farm dams, tanks, swimming pools, tennis courts, roads, tracks and fences 	<ul style="list-style-type: none"> • Always safe • Serviceability should be maintained wherever practicable • Loss of serviceability must be fully compensated • Damage must be fully repairable, and must be fully investigated and repaired or else replaced or fully compensated at the cost of the Applicant
Public safety	
<ul style="list-style-type: none"> • Public Safety 	<ul style="list-style-type: none"> • Negligible additional risk.

Notes:

- These performance measures apply to all mining taking place after the date of this consent.
- The Applicant is required to define more detailed performance measures in the Built Features Management Plans or Public Safety Management Plan (see condition C8).
- Requirements regarding safety or serviceability do not prevent preventative or mitigatory actions being taken prior to or during mining.
- Requirements under this condition may be met by measures undertaken in accordance with the Coal Mine Subsidence Compensation Act 2017.

- C6. Any dispute between the Applicant and the owner of any built feature over the interpretation, application or implementation of the performance measures in Table 8 is to be settled by the Planning Secretary, following consultation with the Resources Regulator. Any decision by the Planning Secretary shall be final.

First Workings

- C7. The Applicant may carry out first workings within the area of the approved mine plan, other than in accordance with an approved Extraction Plan, provided that the Resources Regulator is satisfied that the first workings are designed to remain stable and non-subsiding in the long term, and do not generate more than 20 mm of vertical subsidence, except insofar as they may be impacted by approved second workings.

Note: *The intent of this condition is to ensure that first workings are built to geotechnical and engineering standards sufficient to ensure long term stability, with negligible direct subsidence impacts.*

Extraction Plan

- C8. The Applicant must prepare an Extraction Plan for all second workings on the site of the development to the satisfaction of the Planning Secretary. Each Extraction Plan must:
- be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
 - be prepared in consultation with the Resources Regulator, [DPE Water](#) and SANSW;
 - include detailed plans of existing and proposed first and second workings and overlying surface features, including any applicable adaptive management measures;
 - include adequate consideration of mine roof and floor conditions which has been undertaken in consultation with the Resources Regulator;
 - provide revised predictions of the potential subsidence effects, subsidence impacts and environmental consequences of the proposed mining covered by the Extraction Plan, incorporating any relevant information obtained since this consent;
 - describe in detail the performance indicators to be implemented to ensure compliance with the performance measures in Table 7 and Table 8, and manage or remediate any impacts and/or environmental consequences to meet the rehabilitation objectives in condition B56;
 - include a:
 - Subsidence Monitoring Plan** which has been prepared in consultation with the Resources Regulator to:
 - describe the ongoing conventional and non-conventional subsidence monitoring program;
 - provide data to assist with the management of risks associated with conventional and non-conventional subsidence;
 - validate the conventional and non-conventional subsidence predictions;
 - analyse the relationship between the predicted and resulting conventional and non-conventional subsidence effects and predicted and resulting impacts under the plan and any ensuing environmental consequences; and
 - inform the adaptive management process;
 - Built Features Management Plan** which has been prepared in consultation with the Resources Regulator, to manage the potential subsidence impacts of the proposed underground workings on built features, and which:
 - has also been prepared in consultation with:
 - the owners of potentially affected features;
 - the Technical Committee required under condition C14;
 - the EPA in relation to the Bargo Waste Management Centre; and
 - the NSW Department regulating the *Pipelines Act 1967* in relation to the licensed gas pipelines;
 - addresses in appropriate detail all items of key public infrastructure (with particular consideration of public roads and rail lines, including any associated bridges and culverts, gas pipelines and waste facilities), other public infrastructure and all classes of other built features;

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- recommends appropriate pre-mining mitigation measures to reduce subsidence impacts;
 - recommends appropriate remedial measures and includes commitments to mitigate, repair, replace or compensate predicted impacts on potentially affected built features in a timely manner; and
 - in the case of all key public infrastructure, and other public infrastructure except roads, trails and associated structures, reports external auditing for compliance with ISO 31000 (or an alternative standard agreed with the infrastructure owner), and provides for annual auditing of compliance and effectiveness during extraction which may impact the infrastructure;
- (iii) **Water Management Plan** which has been prepared in consultation with **DPE Water** and **BCD** and is consistent with the Water Management Plan required under condition B34, which provides for the management of potential impacts and environmental consequences of the proposed underground workings on watercourses and aquifers, including:
- detailed baseline data on:
 - surface water flows, quality and geomorphic conditions of watercourses and/or water bodies that could be affected by subsidence; and
 - groundwater levels, yield and quality in the region, including for privately-owned licensed bores;
 - detailed surface and groundwater impact assessment criteria, including specific trigger levels for:
 - investigating any potentially adverse impacts on water resources or water quality;
 - active remediation of geomorphic and erosional impacts (including supporting justification for the selected triggers); and
 - providing compensatory water supply to affected water users under condition B26 of this Schedule;
 - a surface water monitoring program to monitor and report on:
 - stream flows and quality;
 - stream and riparian vegetation;
 - channel and bank stability; and
 - the effectiveness of remediation measures in controlling geomorphic and erosional impacts;
 - a groundwater monitoring program to monitor and report on:
 - groundwater inflows to the underground mining operations;
 - the height of groundwater depressurisation;
 - height of fracturing above indicative longwall panels following mining;
 - background changes in groundwater yield/quality against mine-induced changes, in particular, on privately-owned groundwater bores in the vicinity of the site;
 - permeability, hydraulic gradient, flow direction and connectivity of the deep and shallow groundwater aquifers; and
 - impacts of the development on GDEs (including Thirlmere Lakes);
 - a description of any adaptive management practices implemented to guide future mining activities in the event of greater than predicted impacts on aquatic habitat;
 - a program to validate the surface water and groundwater models for the development, and compare monitoring results with modelled predictions; and
 - a plan to respond to any exceedances of the surface water and groundwater assessment criteria, including a Watercourse Corrective Action Management Plan as detailed in Condition C12.
- (iv) **Biodiversity Management Plan** which is consistent with the Biodiversity Management Plan required under condition B38:
- has been prepared in consultation with **BCD**;
 - establishes baseline data for existing habitat within the subsidence area, including water table depth, vegetation condition, stream morphology, key fish habitat and threatened species habitat; and
 - provides for the adaptive management of potential impacts and environmental consequences of the proposed second workings on aquatic and terrestrial flora and fauna, with a specific focus on threatened species, populations and their habitats, EECs/CEECs and water dependent ecosystems;
- (v) **Land Management Plan** which:
- has been prepared in consultation with any affected public authorities;

- provides for the management of potential impacts and/or environmental consequences of the proposed underground workings on land in general, with a specific focus on steep slopes; and
 - is informed by a detailed slope stability assessment prepared by a suitably qualified and experienced person/s;
- (vi) **Heritage Management Plan** which is consistent with the requirements of conditions B42 to B47:
- has been prepared in consultation with Heritage NSW, Council and relevant stakeholders for both Aboriginal heritage and non-Aboriginal heritage items;
 - includes a pre-mining assessment of the condition and structure of local and State significant heritage items within the subsidence area;
 - describes the measures to be implemented to:
 - protect, monitor and manage potential environmental consequences of the proposed second workings on identified Aboriginal objects and Aboriginal places and local and State significant heritage items, in accordance with the commitments made in the EIS;
 - manage the discovery of suspected human remains and any new Aboriginal objects or Aboriginal places, including provisions for burials, over the life of the development;
 - ensure compliance with the requirements under conditions B41 to B46 inclusive and the subsidence impact performance measures in Table 7; and
 - facilitate ongoing consultation and involvement of Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage sites within the subsidence area;
- (vii) **Public Safety Management Plan** which has been prepared in consultation with the Resources Regulator, which ensures public safety and manages access on the site;
- (viii) **Trigger Action Response Plan/s** addressing all features in Table 7 and Table 8, which contain:
- appropriate triggers to warn of increased risk of exceedance of any performance measure;
 - specific actions to respond to high risk of exceedance of any performance measure to ensure that the measure is not exceeded;
 - an assessment of remediation measures that may be required if exceedances occur and the capacity to implement the measures; and
 - adaptive management where monitoring indicates that there has been an exceedance of any performance measures in Table 7 and/or Table 8, or where any such exceedance appears likely; and
- (ix) **Contingency Plan** that expressly provides for:
- adaptive management where monitoring indicates that there has been an exceedance of any performance measure in Table 7 and/or Table 8, or where any such exceedance appears likely;
 - an assessment of remediation measures that may be required if exceedances occur and the capacity to implement those measures;
- (h) propose appropriate revisions to the Rehabilitation Management Plan required under condition B60; and
- (i) include a program to collect sufficient baseline data for future Extraction Plans.
- C9. The Applicant must not undertake second workings until the relevant Extraction Plan is approved by the Planning Secretary.
- C10. The Applicant must implement the Extraction Plan as approved by the Planning Secretary.

Payment of Reasonable Costs

- C11. The Applicant must pay all reasonable costs incurred by the Department to engage a suitably qualified, experienced and independent person/s to review the adequacy of any aspect of an Extraction Plan.

Watercourse Corrective Action Management Plan(s)

- C12. The Applicant must prepare a Watercourse Corrective Action Management Plan(s) for watercourses damaged by subsidence impacts associated by the development, to the satisfaction of the Planning Secretary. This plan(s) must:
- (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Planning Secretary;
 - (b) be prepared in consultation with the Resources Regulator, [DPE Water](#), [BCD](#) and Council;
 - (c) be submitted to the Planning Secretary for approval prior to undertaking any watercourse remediation works;
 - (d) describe the:
 - nature of the watercourse impact to be remediated;

- outcomes of investigations, including watercourse and pool mapping, hydrology and geomorphology assessment and ground/strata characterisation;
- remediation options analysis;
- proposed remediation strategy, including rehabilitation objectives and completion criteria, required to meet the rehabilitation objectives in Table 8;
- remediation methods, site access, materials, equipment and environmental controls;
- timeframes for watercourse remediation;

C13. The Applicant must implement any Watercourse Corrective Action Management Plan(s) approved by the Planning Secretary.

Technical Committee for the Bargo Waste Management Centre

C14. Prior to commencing second workings, the Applicant must establish a Technical Committee for the Bargo Waste Management Centre, comprising engineering and geotechnical specialists and a representative of Council, whose appointment has been endorsed by the Planning Secretary; the Applicant and Council. The Technical Committee must continue to operate during the life of the development, or other timeframe agreed by the Planning Secretary. The role of the Technical Committee is to:

- (a) provide input into the preparation and implementation of the Built Features Management Plan;
- (b) consult with relevant statutory agencies, including the EPA and SA NSW;
- (c) identify all potential mechanisms for impacts of the development on the Bargo Waste Management Centre, including from non-conventional subsidence;
- (d) undertake a risk assessment to identify the level of subsidence induced risks;
- (e) recommend appropriate pre-mining mitigation measures required to reduce subsidence impacts;
- (f) recommend appropriate remedial measures and measures to investigate, mitigate, repair, replace or compensate predicted impacts and associated cost sharing responsibilities; and
- (g) recommend monitoring programs, trigger action response plan(s) and communication plans,

to ensure the development meets the performance measures in Table 8.

Note:

- *Technical Committees may also be established for other public infrastructure assets listed in Table 8.*

Subsidence Acquisition Rights

C15. The Applicant must offer acquisition rights to any landowner on privately owned land where a residence is subject to:

- (a) subsidence damage category R4 or R5; and/or
 - (b) continuous cracking in bricks >5 mm in width on one or more locations in the total external façade; and/or
 - (c) slippage along the damp proof course of >5mm anywhere in the total external façade; and/or
 - (d) tilt of greater than 10 mm/m; and/or
 - (e) subsidence damage category R3 or more and has/will be impacted by more than one longwall,
- as a result of the development.

Notes:

- *Subsidence damage categories referred to in this condition are defined in Appendix 6.*

C16. Property acquisition required under this condition is to occur under the compensation provisions of the *Coal Mine Subsidence Compensation Act 2017*.

PART D ADDITIONAL PROCEDURES

ACQUISITION UPON REQUEST

- D1. Upon receiving a written request for acquisition from the owner of the privately-owned land listed in Table 9, the Applicant must acquire the land in accordance with the procedures in conditions D11 to D18, inclusive.

Table 9: Land subject to acquisition upon request

<i>Acquisition Basis</i>	<i>Land</i>
Noise	1426

^a The locations of the land referred to in Table 9 are shown in Figure 1 in Appendix 3.

MITIGATION UPON REQUEST

- D2. Upon receiving a written request for mitigation from:
- (a) the owner of any residence on the privately-owned land^a listed in Table 10 (unless the landowner has requested acquisition); or
 - (b) a landowner listed in Table 10; or
 - (c) the owner of any residence where subsequent noise monitoring shows the noise generated by the development is equal to or greater than the relevant mitigation criteria (except where a negotiated noise agreement is in place);

the Applicant must implement additional mitigation measures at or in the vicinity of the residence in consultation with the landowner. These measures must be consistent with the measures outlined in the *Voluntary Land Acquisition and Mitigation Policy for State Significant Mining, Petroleum and Extractive Industry Development* (NSW Government, 2018). They must also be reasonable and feasible, proportionate to the level of predicted impact and directed towards reducing the noise impacts of the development. The Applicant must also be responsible for the reasonable costs of ongoing maintenance of these additional mitigation measures until the cessation of mining operations.

Table 10: Land subject to additional mitigation upon request

<i>Mitigation Basis</i>	<i>Land</i>
Noise	966, 973, 975, 979, 982, 984, 987, 988, 989, 991, 1004, 1007, 1017, 1020, 1023, 1024, 1025, 1026, 1028, 1061, 1062, 1405, 1406, 1408, 1411, 1417, 1423, 1424, 1426, 1427, 1428, 1429, 1430, 1538, 1572, 1583, 1592, 1594, 1992, 1997, 1998, 1999, 2000, 2003, 2014, 2015, 2021, 2022, 2025, 2746

^a The locations of the land referred to in Table 10 are shown in Figure 1 in Appendix 3.

- D3. If within 3 months of receiving this request from the owner, the Applicant and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Planning Secretary for resolution.

NOTIFICATION OF LANDOWNERS/TENANTS

- D4. Within one month of the date of this consent, the Applicant must:
- (a) notify in writing the owner of:
 - (i) the residences on the land listed in Table 10 that they are entitled to ask the Applicant to install additional mitigation measures at the residence; and
 - (b) notify the tenants of any mine-owned land of their rights under this consent.
- D5. Prior to entering into any tenancy agreement for any land owned by the Applicant that is predicted to experience exceedances of the recommended noise criteria, the Applicant must advise the prospective tenants of the rights they would have under this consent, to the satisfaction of the Planning Secretary.

NOTIFICATION OF EXCEEDANCES

- D6. As soon as practicable and no longer than 7 days after obtaining monitoring results showing an exceedance of any noise or air quality criterion in PART B of this consent, the Applicant must provide the details of the exceedance to any affected landowners, tenants and the CCC.

- D7. For any exceedance of any air quality criterion in PART B of this consent, the Applicant must also provide to any affected land owners and tenants a copy of the fact sheet entitled "*Mine Dust and You*" (NSW Health, 2017).

INDEPENDENT REVIEW

- D8. If a landowner considers the development to be exceeding any relevant air quality or noise criterion in Part B of this consent, they may ask the Planning Secretary in writing for an independent review of the impacts of the development on their residence or land.
- D9. If the Planning Secretary is not satisfied that an independent review is warranted, the Planning Secretary will notify the landowner in writing of that decision, and the reasons for that decision, within 21 days of the request for a review.
- D10. If the Planning Secretary is satisfied that an independent review is warranted, within 3 months, or other timeframe agreed by the Planning Secretary and the landowner, of the Planning Secretary's decision, the Applicant must:
- (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Planning Secretary, to:
 - (i) consult with the landowner to determine their concerns;
 - (ii) conduct monitoring to determine whether the development is complying with the relevant criteria in PART B or PART C; and
 - (iii) if the development is not complying with the relevant criterion, identify measures that could be implemented to ensure compliance with the relevant criterion; and
 - (b) give the Planning Secretary and landowner a copy of the independent review; and
 - (c) comply with any written requests made by the Planning Secretary to implement any findings of the review.

LAND ACQUISITION

- D11. Within 3 months of receiving a written request for acquisition from a landowner with acquisition rights, the Applicant must make a binding written offer to the landowner based on:
- (a) the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the development, having regard to the:
 - (i) existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and
 - (ii) presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date, but excluding any improvements that have resulted from the implementation of the additional noise mitigation measures in condition D2;
 - (b) the reasonable costs associated with:
 - (i) relocating within the Wollondilly local government area, or to any other local government area determined by the Planning Secretary; and
 - (ii) obtaining independent 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.
- D12. If, within two months of the binding written offer being made under condition D11, the Applicant and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Planning Secretary for resolution.
- D13. Upon receiving such a request, the Planning Secretary will 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 condition D11;
 - (c) prepare a detailed report setting out the reasons for any determination; and
 - (d) provide a copy of the report to both parties.
- D14. Within 14 days of receiving the independent valuer's report, the Applicant must make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination.
- D15. However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, either party may refer the matter to the Planning Secretary for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the Planning Secretary will determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in condition

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D11, the independent valuer's report, the detailed report of the party that disputes the independent valuer's determination and any other relevant submissions.

- D16. Within 14 days of this determination, the Applicant must make a binding written offer to the landowner to purchase the land at a price not less than the Planning Secretary's determination.
- D17. If the landowner refuses to accept the Applicant's binding written offer under this condition within 6 months of the offer being made, then the Applicant's obligations to acquire the land shall cease, unless the Planning Secretary determines otherwise.
- D18. The Applicant must pay all reasonable costs associated with the land acquisition process described in conditions D11 to D17 inclusive, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of this plan at the Office of the Registrar-General.

FOR INFORMATION

PART E ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

- E1. The Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Planning Secretary. This strategy must:
- (a) provide the strategic framework for environmental management of the development;
 - (b) identify the statutory approvals that apply to the development;
 - (c) set out the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (d) set out the procedures to be implemented to:
 - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - (ii) receive record, handle and respond to complaints;
 - (iii) resolve any disputes that may arise during the course of the development;
 - (iv) respond to any non-compliance and any incident;
 - (v) respond to emergencies; and
 - (e) be consistent with and incorporate:
 - (i) references to all relevant strategies, plans and programs approved under the conditions of this consent; and
 - (ii) a clear plan depicting all the monitoring to be carried out under the conditions of this consent.
- E2. The Applicant must not commence construction until the Environmental Management Strategy is approved by the Planning Secretary.
- E3. The Applicant must implement the Environmental Management Strategy as approved by the Planning Secretary.

Adaptive Management

- E4. The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and performance measures in this consent. Any exceedance of these criteria or performance measures constitutes a breach of this consent and may be subject to offset or other provisions as specified in this consent and/or penalty or offence provisions under the EP&A Act or EP&A Regulation.

Where any exceedance of these criteria or performance measures has occurred, the Applicant must, at the earliest opportunity:

- (a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur;
- (b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action;
- (c) within 14 days of the exceedance occurring (or other timeframe agreed by the Planning Secretary), submit a report to the Planning Secretary describing these remediation options and any preferred remediation measures or other course of action; and
- (d) implement reasonable remediation measures as directed by the Planning Secretary.

Management Plan Requirements

- E5. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) a summary of relevant background or baseline data;
 - (b) details of:
 - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - (ii) any relevant limits or performance measures and criteria; and
 - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (c) any relevant commitments or recommendations identified in the document/s listed in condition A2(c);
 - (d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (e) a program to monitor and report on the:
 - (i) impacts and environmental performance of the development; and
 - (ii) effectiveness of the management measures set out pursuant to condition E5(d);

- (f) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
- (g) a program to investigate and implement ways to improve the environmental performance of the development over time;
- (h) a protocol for managing and reporting any:
 - (i) incident, non-compliance or exceedance of any impact assessment criterion or performance criterion;
 - (ii) complaint; or
 - (iii) failure to comply with other statutory requirements;
- (i) public sources of information and data to assist stakeholders in understanding environmental impacts of the development; and
- (j) a protocol for periodic review of the plan.

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

- E6. The Applicant must ensure that management plans prepared for the development are consistent with the conditions of this consent and any EPL issued for the site.

REVISION OF STRATEGIES, PLANS AND PROGRAMS

- E7. Within three months of:

- (a) the submission of an incident report under condition E9;
- (b) the submission of an Annual Review under condition E13;
- (c) the submission of an Independent Environmental Audit under condition E15;
- (d) the approval of any modification of the conditions of this consent (unless the conditions require otherwise); or
- (e) notification of a change in development phase under condition A19;

The suitability of existing strategies, plans and programs required under this consent must be reviewed by the Applicant.

- E8. If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.

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

REPORTING AND AUDITING

Incident Notification

- E9. The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 8.

Non-Compliance Notification

- E10. The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.
- E11. A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
- E12. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Annual Review

- E13. By the end of March in each year after the commencement of the development, or other timeframe agreed by the Planning Secretary, a report must be submitted to the Department reviewing the environmental performance of the development, to the satisfaction of the Planning Secretary. This review must:
- (a) describe the development (including any rehabilitation) that was carried out in the previous calendar year, and the development that is proposed to be carried out over the current calendar year;
 - (b) include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, including a comparison of these results against the:

- (i) relevant statutory requirements, limits or performance measures/criteria;
 - (ii) requirements of any plan or program required under this consent;
 - (iii) monitoring results of previous years; and
 - (iv) relevant predictions in the EIS.
- (c) identify any non-compliance or incident which occurred in the previous calendar year, and describe what actions were (or are being) taken to rectify the non-compliance and avoid reoccurrence;
- (d) evaluate and report on:
- (i) the effectiveness of the noise and air quality management systems; and
 - (ii) compliance with the performance measures, criteria and operating conditions of this consent;
- (e) identify any trends in the monitoring data over the life of the development and provide any raw monitoring data as requested by the Planning Secretary;
- (f) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
- (g) describe what measures will be implemented over the next calendar year to improve the environmental performance of the development.
- E14. Copies of the Annual Review must be submitted to Council and relevant agencies, and made available to the CCC and any interested person upon request.

Independent Environmental Audit

- E15. Independent Audits of the development must be conducted and carried out in accordance with the *Independent Audit Post Approval Requirements (2020)*.
- E16. Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.
- E17. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in the *Compliance Reporting Post Approval Requirements (2020)*, upon giving at least 4 weeks' notice (or timing) to the Applicant of the date upon which the audit must be commenced.
- E18. In accordance with the specific requirements in the *Independent Audit Post Approval Requirements (2020)*, the Applicant must:
- (a) review and respond to each Independent Audit Report prepared under Condition C5 of this consent, or Condition C6 where notice is given by the Planning Secretary;
 - (b) submit the response to the Planning Secretary; and
 - (c) make each Independent Audit Report, and response to it, publicly available within 60 days of submission to the Planning Secretary, unless otherwise agreed by the Planning Secretary.
- E19. Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the *Independent Audit Post Approvals Requirements (2020)* unless otherwise agreed by the Planning Secretary.
- E20. Notwithstanding the requirements of the *Independent Audit Post Approvals Requirements (2020)*, the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.

Monitoring and Environmental Audits

- E21. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance report and independent audit.
- For the purposes of the condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.
- E22. Noise and/or air quality monitoring under this consent may be undertaken at suitable representative monitoring locations instead of at privately-owned residences or other locations listed in Part B, providing that these representative monitoring locations are set out in the respective management plan/s.

ACCESS TO INFORMATION

- E23. Before the commencement of construction until the completion of all rehabilitation required under this consent, the Applicant must:

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- (a) make the following information and documents (as they are obtained, approved or as otherwise stipulated within the conditions of this consent) publicly available on its website:
- (i) the EIS;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent;
 - (iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
 - (v) minutes of CCC meetings;
 - (vi) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
 - (vii) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - (viii) a summary of the current phase and progress of the development;
 - (ix) contact details to enquire about the development or to make a complaint;
 - (x) a complaints register, updated monthly;
 - (xi) a register of incident and non-compliance notifications made to the Planning Secretary, updated monthly;
 - (xii) the Annual Reviews of the development;
 - (xiii) audit reports prepared as part of any Independent Environmental Audit of the development and the Applicant's response to the recommendations in any audit report;
 - (xiv) annual returns made under the National Greenhouse and Energy Reporting legislation
 - (xv) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.

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APPENDIX 1 SCHEDULE OF LAND

Lot	Plan	Lot	Plan	Lot	Plan	Lot	Plan	Lot	Plan	Lot	Plan
1	DP736476	29	DP253459	115	DP1236902	1	DP608204	432	DP9278	60	DP2444
234	DP751250	27	DP253459	116	DP1236902	1	DP792546	433	DP9278	2	DP625491
26	DP777104	28	DP253459	117	DP1236902	4	DP634020	430	DP9278	2	DP567155
11	DP775465	101	DP595343	118	DP1236902	163	DP7567	42	DP709731	21	DP2444
233	DP751250	104	DP703678	119	DP1236902	78	DP7567	571	DP9278	1	DP567155
25	DP777104	7	DP9636	120	DP1236902	2	DP608204	598	DP829722	20	DP2444
1	DP244794	103	DP703678	121	DP1236902	164	DP7567	570	DP9278	65	DP2444
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22	DP881044	3	DP24972	128	DP1236902	49	DP7567	11	DP818651	2	DP618917
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22	DP12084	37	DP255955	160	DP1236902	118	DP7567	56	DP1236125	10	DP583245
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2	DP313185	4	DP736212	101	DP1236880	110	DP7567	137	DP1245299	153	DP10669
5	DP251908	5	DP736212	102	DP1236880	93	DP7567	138	DP1245299	154	DP10669

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7	DP243112	47	DP10669	98	DP131116	12	DP570570	36	DP1236125	39	DP10669
8	DP243112	53	DP255955	1	DP1219704	132	DP7567	37	DP1236125	54	DP251857
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6	DP243112	7	DP736212	3	DP1219704	134	DP7567	39	DP1236125	29	DP656714
5	DP243112	47	DP255955	1	DP1245433	128	DP7567	40	DP1236125	28	DP656715
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4	DP264153	2	DP262074	103	DP13127	109	DP1029577	1	DP1225860	3	DP2339
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17	DP656824	13	DP736212	106	DP13127	120	DP7567	2	DP402821	3	DP2339
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57	DP10336	4	DP237571	2	DP262149	2311	DP804569	35	DP8982	3	DP606962
58	DP10336	2	DP237571	6	DP236671	1	DP559617	83	DP8982	32	DP793108
59	DP10336	3	DP237571	9	DP236671	A	DP917579	74	DP8982	42	DP786808
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168	DP10336	1591	DP801610	3	DP776774	7	DP11845	23	DP1230557	1	DP599811
160	DP10336	161	DP10669	1	DP579477	6	DP11845	24	DP1230557	21	DP806833
159	DP10336	162	DP10669	4	DP240115	5	DP11845	25	DP1230557	20	DP806833
158	DP10336	163	DP10669	3	DP240115	4	DP11845	3	DP1230557	2	DP599811
157	DP10336	91	DP10669	52	DP1121566	3	DP11845	27	DP1230557	41	DP255955
156	DP10336	112	DP10669	51	DP1121566	2	DP11845	28	DP1230557	42	DP255955
155	DP10336	120	DP10669	101	DP1163939	1	DP11845	29	DP1230557	9	DP10669
154	DP10336	121	DP10669	102	DP1163939	7	DP12096	30	DP1230557	1	DP827789
153	DP10336	122	DP10669	41	DP1218545	6	DP12096	4	DP1230557	503	DP616060
152	DP10336	123	DP10669	21	DP1211933	5	DP12096	5	DP1230557	10	DP10669
111	DP10336	124	DP10669	22	DP1211933	4	DP12096	6	DP1230557	11	DP10669
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2	DP590177	125	DP10669	3	DP562297	2	DP12096	8	DP1230557	3931	DP1217241
109	DP10336	107	DP10669	2	DP562297	1	DP12096	9	DP1230557	190	DP950890
108	DP10336	19	DP262360	1	DP122883	51	DP866493	5	DP245153	1	DP1210340
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165	DP10336	12	DP262360	421	DP1008258	3502	DP1097543	1	DP1236126	100	DP1177413
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163	DP10336	11	DP262360		SP74256	2323	DP1121659	11	DP1236126	181	DP1201436
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27	DP10336	23	DP262360	59	DP9024	100	DP1007374	29	DP1236126	1	DP1205400
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143	DP10336	4	DP789108	39	DP12975	7	DP758297	417	DP9278	6	DP1222731
144	DP10336	14	DP801886	38	DP12975	6	DP758297	416	DP9278	542	DP1207850
145	DP10336	16	DP801886	37	DP12975	8	DP758297	415	DP9278	201	DP1160084
146	DP10336	56	DP800876	36	DP12975	2	DP758297	13	DP11938	2031	DP1203890
147	DP10336	7	DP789108	35	DP12975	1	DP758297	2	DP9636	2032	DP1203890
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114	DP10336	2472	DP833249	2	DP70884	16	DP449614	3	DP259113	426	DP1014221
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99	DP10336	20	DP834318	27	DP9024	92	DP834715	A	DP362615	140	DP1207447
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78	DP9024	21	DP845410	1	DP270325	5	DP258503	21	DP1236126	2	DP261821
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64	DP10336	105	DP751270	16	DP979250	6	DP758297	149	DP8982	74	DP2444
65	DP10336	10	DP860520	141	DP997490	8	DP758297	148	DP8982	73	DP2444

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68	DP10336	7	DP860520	211	DP1094898	2	DP758297	345	DP8982	24	DP2444
69	DP10336	11	DP860520	212	DP1094898	10	DP758297	535	DP9278	23	DP2444
70	DP10336	164	DP751250	15	DP1105675	3	DP758297	457	DP9278	22	DP2444
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72	DP10336	2	DP863157	56	DP13127	1	DP758297	456	DP9278	72	DP2444
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74	DP10336	144	DP864238	54	DP13127	10	DP758297	595	DP9278	1	DP628965
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76	DP10336	3822	DP701691	52	DP13127	7	DP758297	573	DP9278	1	DP621262
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21	DP13127	5	DP872422	557	DP9278	702	DP1055635	28	DP1224631	7	DP1225563
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3	DP13116	23	DP875776	6	DP1145576	2	DP570912	59	DP1224631	109	DP1271011
4	DP13116	22	DP875776	5	DP1145576	201	DP1259999	6	DP1224631	110	DP1271011

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8	DP13116	12	DP875776	5402	DP1213288	36	DP715265	8	DP1224631	114	DP1271011
9	DP13116	15	DP875776	5401	DP1213288	37	DP715265	9	DP1224631	115	DP1271011
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12	DP13116	24	DP875776	2	DP564940	33	DP715265	4	DP808176	118	DP1271011
13	DP13116	21	DP875776	3	DP564940	40	DP773735	3	DP808176	119	DP1271011
4	DP262188	20	DP875776	4	DP564940	32	DP715265	68	DP22680	120	DP1271011
3	DP262188	18	DP875776	1	DP585230	41	DP773735	69	DP22680	121	DP1271011
2	DP262188	17	DP875776	16	DP261821	1	DP838238	205	DP1239575	122	DP1271011
463	DP582614	16	DP875776	612	DP9278	31	DP715265	207	DP1239575	123	DP1271011
461	DP582614	14	DP875776	65	DP832624	1	DP771824	206	DP1239575	124	DP1271011
2	DP577244	10	DP875776	66	DP832624	2	DP838238	22	DP1239574	125	DP1271011
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3	DP250441	8	DP875776	10	DP261821	3	DP771824	21	DP1224631	11	DP1243182
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2	DP620054	134	DP879762	2	DP262150	20	DP589338	121	DP800037	195	DP1239575
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27	DP10196	405	DP883641	13	DP258037	64	DP2444	1	DP349360	30	DP2444
2	DP255425	402	DP883641	142	DP1009397	65	DP2444	4072	DP811116	29	DP2444
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2	DP10196	7211	DP805980	1	DP1012780	67	DP2444	4062	DP1022391	200	DP618696
2	DP740726	1225	DP873359	15	DP258037	68	DP2444	1	DP1032620	66	DP2444
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216	DP838546	110	DP130878	2	DP1035492	1	DP785569	3934	DP1217517	82	DP2444
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46	DP10196	11	DP1005929	378	DP9278	3	DP791759	4081	DP817023	67	DP2444
44	DP10196	123	DP1005227	377	DP9278	4	DP791759	4091	DP830835	66	DP2444
43	DP10196	124	DP1005227	376	DP9278	5	DP791759	4080	DP817023	2	DP604558
42	DP10196	122	DP1005227	373	DP9278	6	DP791759	A	DP24453	54	DP2444
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16	DP12975	296	DP8982	6034	DP1223897	1	DP843092	7	DP7567	8	DP2339
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8	DP12084	334	DP8982	4	DP590853	33	DP2444	5	DP7567	9	DP21549
7	DP12084	333	DP8982	8	DP244941	26	DP2444	34	DP7567	10	DP21549
9	DP12084	4	DP791071	12	DP251711	10	DP749766	25	DP7567	11	DP21549
44	DP629344	3	DP791071	13	DP251711	34	DP2444	35	DP7567	12	DP21549

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32	DP10196	63	DP871400	10	DP251711	24	DP2444	37	DP7567	81	DP22680
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116	DP9024	33	DP1012252	17	DP251711	43	DP2444	80	DP7567	9	DP2339
107	DP9024	32	DP1012252	28	DP251711	31	DP2444	166	DP7567	2	DP247831
106	DP9024	35	DP1012252	27	DP251711	30	DP2444	81	DP7567	10	DP247831
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43	DP9024	38	DP1012252	25	DP251711	33	DP2444	82	DP7567	8	DP247831
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3	DP13127	5	DP264150	182	DP832974	37	DP2444	64	DP7567	11	DP2339
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11	DP12084	103	DP1013395	23	DP251711	39	DP2444	65	DP7567	2	DP821349
13	DP12084	102	DP1013395	22	DP251711	40	DP2444	53	DP7567	1	DP2339
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10	DP12084	4811	DP1014861	33	DP261754	1	DP343463	262	DP8982	11	DP245323
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16	DP13116	2063	DP1014538	37	DP261754	3	DP746989	227	DP8982	1	DP2339
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71	DP13127	132	DP1001217	13	DP244846	101	DP865270	282	DP8982	11	DP2339
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6	DP808176	5022	DP1017437	30	DP787244	75	DP2444	3	DP553517	71	DP1188933
7	DP808176	49	DP13116	31	DP787244	78	DP2444	2	DP553517	70	DP1188933
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116	DP13127	3	DP263330	54	DP792010	70	DP2444	113	DP8982	873	DP1191842
141	DP13127	530	DP746569	53	DP792010	76	DP2444	114	DP8982	872	DP1191842
137	DP13127	33	DP1022462		SP41367	77	DP2444	115	DP8982	180	DP751250
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7	DP250590	11	DP1023073	48	DP792010	67	DP2444	117	DP8982	2	DP1178015
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139	DP13127	8	DP1024499	35	DP787244	59	DP2444	121	DP8982	304	DP1169488
138	DP13127	9	DP1024499	341	DP838592	60	DP2444	226	DP8982	303	DP1169488
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6	DP787777	3	DP1024499	40	DP787244	2	DP2444	272	DP8982	3051	DP1193924
7	DP787777	381	DP1027366	41	DP787244	5	DP2444	287	DP8982	3052	DP1193924
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132	DP13127	206	DP1035203	13	DP1215452	1	DP589252	32	DP1224631	12	DP1242373
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3	DP787855	32	DP21549	110	DP1229771	9	DP2444	92	DP2444	2	DP837001
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5	DP787855	1	DP1045601	301	DP1228027	10	DP1040344	78	DP2444	1	DP837001
6	DP787855	34	DP21549	302	DP1228027	21	DP851352	154	DP1040488	31	DP13127

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8	DP249947	57	DP8982	1	DP249821	21	DP1021886	101	DP618760	121	DP1019364
23	DP787855	58	DP8982	2	DP249821	20	DP1021886	151	DP1066157	11	DP713804
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35	DP787855	60	DP8982	306	DP751270	3	DP1046202	12	DP1267360	7	DP249821
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1	DP372407	109	DP8982	4	DP249821	1	DP1046202	19	DP1267360	11	DP261564
191	DP751250	591	DP1045807	5	DP249821	22	DP1021886	2	DP1267360	12	DP261564
92	DP13116	61	DP8982	6	DP249821	46	DP793915	20	DP1267360	13	DP261564
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94	DP13116	22	DP803704	10	DP261564	97	DP1113044	22	DP1267360	17	DP793070
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37	DP10336	1012	DP1055360	2	DP243644	300	DP751270	22	DP244846	491	DP9278
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6	DP28039	39	DP285800	25	DP730919	292	DP751270	217	DP8982	310	DP8982
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217	DP751250	33	DP285800	28	DP246831	5	DP1212867	150	DP1245299	199	DP1239575
10	DP605241	22	DP1034077	17	DP246831	6	DP1212867	149	DP1245299	200	DP1239575
51	DP611434	21	DP1034077	18	DP246831	1	DP1253127	148	DP1245299	191	DP832091

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Lot	Plan	Lot	Plan	Lot	Plan	Lot	Plan	Lot	Plan	Lot	Plan
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2231	DP787222	31	DP1060534	29	DP246831	1102	DP1261104	146	DP1245299	6	DP751287
2232	DP787222	2	DP583355	19	DP246831	47	DP1263675	145	DP1245299	1	DP995172
3	DP553566	5	DP1061655	20	DP246831	25	DP1263675	144	DP1245299	16	DP262672
2	DP784022	6	DP1061655	1	DP599365	26	DP1263675	143	DP1245299	15	DP262672
A	DP386189	2	DP374559	62	DP246831	27	DP1263675	142	DP1245299	18	DP262672
61	DP157493	100	DP8982	51	DP246831	28	DP1263675	141	DP1245299	17	DP262672
252	DP257510	100	DP1062577	50	DP246831	29	DP1263675	140	DP1245299	14	DP620557
1	DP996286	5	DP262075	52	DP246831	30	DP1263675	129	DP1245299	12	DP569799
242	DP751250	781	DP1062722	61	DP246831	31	DP1263675	130	DP1245299		SP38876
131	DP751250	136	DP13127	53	DP246831	32	DP1263675	132	DP1245299		SP36233
1	DP571589	134	DP13127	60	DP246831	33	DP1263675	127	DP1245299	1	DP253496
2	DP596515	1351	DP1062879	59	DP246831	35	DP1263675	126	DP1245299	3	DP577723
14	DP656709	1352	DP1062879	63	DP246831	34	DP1263675	125	DP1245299	23	DP802814
245	DP751250	253	DP8982	21	DP246831	36	DP1263675	124	DP1245299	2	DP209166
251	DP257510	2522	DP1053081	6	DP539940	37	DP1263675	123	DP1245299	3	DP620558
2	DP208944	1	DP1063075	7	DP539940	38	DP1263675	122	DP1245299	1	DP995936
91	DP751250	264	DP1064335	8	DP539940	39	DP1263675	120	DP1245299	24	DP802814
253	DP40109	265	DP1064335	39	DP246831	40	DP1263675	119	DP1245299	24	DP777104
1	DP553566	62	DP834014	45	DP246831	41	DP1263675	7	DP1239573	18	DP262075
2	DP553566	82	DP22680	40	DP246831	48	DP1263675	10	DP1239573	17	DP262075
55	DP13116	102	DP1065952	44	DP246831	45	DP1263675	23	DP1239573	16	DP262075
54	DP13116	101	DP1065952	56	DP246831	46	DP1263675	16	DP1239573	13	DP558751
5	DP792165	104	DP1013395	43	DP246831	43	DP1263675	15	DP1239573	11	DP547648
15	DP807880	2	DP1066439	41	DP246831	42	DP1263675	11	DP1239573	19	DP262075
3	DP259522	1	DP1066439	42	DP246831	44	DP1263675	13	DP1239573	20	DP262075
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124	DP751250	3	DP1067565	9	DP550436	3931	DP1217418	4	DP1239573	10	DP263318
203	DP751250	147	DP13127	57	DP246831	210	DP716676	5	DP1239573	21	DP262075
7	DP808210	145	DP13127	11	DP550436	192	DP618071	8	DP1239573	22	DP262075
11	DP130181	4	DP1067565	22	DP246831	101	DP613474	9	DP1239573	23	DP262075
8	DP808210	2	DP1067565	23	DP246831	1	DP1266832	12	DP1239573	11	DP262075
11	DP808210	6	DP249947	24	DP246831	10	DP1266832	1	DP1239573	24	DP262075
16	DP807880	1192	DP1070152	25	DP246831	11	DP1266832	6	DP1239573	10	DP262075
20	DP807880	122	DP9024	27	DP246831	12	DP1266832	1	DP566595	9	DP262075
21	DP807880	1191	DP1070152	331	DP865538	13	DP1266832	1152	DP1034036	61	DP818132
22	DP807880	34	DP654711	332	DP865538	14	DP1266832	3	DP1225861	62	DP818132
13	DP808210	110	DP751250	311	DP868086	15	DP1266832	2	DP1225861	1	DP21549
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9	DP808210	126	DP751250	1	DP870593	17	DP1266832	1	DP1225861	2	DP21549
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5	DP808210	170	DP751250	361	DP880159	19	DP1266832	21	DP1239574	28	DP262075
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14	DP794264	35	DP751250	342	DP882470	20	DP1266832	20	DP1239574	12	DP263318
1	DP792165	41	DP751250	341	DP882470	21	DP1266832	1	DP1239574	13	DP263318
17	DP785866	1	DP270359	38	DP730919	22	DP1266832	7	DP1239574	27	DP262075
18	DP785866	3	DP270359	352	DP882472	3	DP1266832	13	DP1239574	26	DP262075
14	DP785866	4	DP270359	351	DP882472	4	DP1266832	12	DP1239574	1	DP263318
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12	DP785866	6	DP270359	372	DP1003312	6	DP1266832	10	DP1239574	3	DP263318
13	DP785866	132	DP130897	38	DP246831	7	DP1266832	9	DP1239574	4	DP263318
7	DP785866	32	DP1022462	371	DP1003312	8	DP1266832	8	DP1239574	4	DP262075
8	DP785866	2491	DP877422		SP68982	9	DP1266832	6	DP1239574	3	DP262075
9	DP785866	2492	DP877422	472	DP1046844	502	DP616060	1	DP604558	25	DP262075
3	DP785866	1	DP285800	48	DP246831	40	DP10669	52	DP2444	1	DP262075
2	DP785866	1	DP789005	471	DP1046844	80	DP10669	25	DP2444	2	DP262075
10	DP785866	100	DP1069449	46	DP246831	51	DP1239830	71	DP2444	35	DP21549
12	DP787855	101	DP1069449	49	DP246831	52	DP1239830	1	DP714351	24	DP21549
11	DP787855	4121	DP1071238	54	DP246831	164	DP13127	50	DP2444	23	DP21549
13	DP787855	4122	DP1071238	1	DP1093775	1	DP1265111	51	DP2444	25	DP21549
14	DP787855	2	DP1071298	280	DP1167476	2	DP1265111	201	DP842725	26	DP21549
10	DP787855	1	DP1071298	281	DP1167476		SP98771	202	DP842725	221	DP838362
32	DP787855	161	DP1054184	1	DP262132	154	DP751270	44	DP2444	222	DP838362

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Lot	Plan	Lot	Plan	Lot	Plan	Lot	Plan	Lot	Plan	Lot	Plan
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3	DP792165	20	DP1071291	C	DP388166	1531	DP1247555	24	DP2444	3	DP21549
2	DP792165	1002	DP1073722	53	DP839999	110	DP751270	52	DP2444	20	DP21549
3	DP776059	1001	DP1073722	52	DP832292	91	DP751270	51	DP2444	4	DP21549
2	DP776059	13	DP1077735	54	DP839999	140	DP751270	32	DP2444	206	DP1150272
6	DP808210	11	DP1077735		SP40957	7	DP263318	31	DP2444	208	DP1150272
17	DP807880	12	DP1077735	11	DP263038	8	DP263318	54	DP2444	209	DP1150272
19	DP807880	3	DP1071131	10	DP263038	1	DP1255716	53	DP2444	210	DP1150272
6	DP792165	4	DP1071131	9	DP263038	13	DP1255716	30	DP2444	6	DP1150351
16	DP785866	2	DP1071131	4062	DP819914	14	DP1255716	29	DP2444	5	DP1150351
13	DP29287	1	DP1071131	4010	DP819742	15	DP1255716	56	DP2444	4	DP1150351
C	DP443467	1	DP1070416	217	DP800619	16	DP1255716	55	DP2444	3	DP1150351
D	DP443467	2	DP1070416	216	DP800619	17	DP1255716	28	DP2444	7336	DP1151534
4	DP747237	1	DP1079031	218	DP800619	18	DP1255716	35	DP2444	3	DP1152613
23	DP791621	1	DP1073167	1061	DP833368	19	DP1255716	34	DP2444	201	DP1150517
28	DP791621		SP33903		SP39283	2	DP1255716	46	DP2444	202	DP1150517
9	DP733166	10	DP1079008	1062	DP833368	20	DP1255716	33	DP2444	211	DP1156361
10	DP733166	11	DP1079008	2060	DP818898	21	DP1255716	32	DP2444	212	DP1156361
11	DP733166	891	DP1078807	2061	DP818898	22	DP1255716	31	DP2444	213	DP1156361
12	DP733166	892	DP1078807	2081	DP829822	23	DP1255716	48	DP2444	214	DP1156361
13	DP733166	894	DP1078807	209	DP800619	24	DP1255716	47	DP2444	215	DP1156361
2	DP747237	893	DP1078807		SP40834	25	DP1255716	30	DP2444	32	DP1156493
3	DP747237	130	DP1078247	2152	DP840099	26	DP1255716	29	DP2444	31	DP1156493
22	DP791621	131	DP1078247	2151	DP840099	27	DP1255716	50	DP2444	7340	DP1157186
24	DP785866	242	DP1076074	5	DP253180	28	DP1255716	49	DP2444	7338	DP1157130
23	DP785866	243	DP1076074	2082	DP829822	29	DP1255716	28	DP2444	7337	DP1157130
7	DP733166	244	DP1076074	210	DP800619	3	DP1255716	51	DP2444	7339	DP1157184
6	DP733166	241	DP1076074	211	DP800619	30	DP1255716	3	DP591962	1	DP1158037
5	DP733166	4901	DP1077925	212	DP800619	31	DP1255716	1	DP623925	2	DP1158037
4	DP733166	4902	DP1077925	1	DP253180	32	DP1255716	27	DP2444	3	DP1158037
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8	DP733166	2	DP1079669		SP33195	34	DP1255716	57	DP2444	5	DP1158037
4	DP785866	1	DP1081560	3	DP253180	35	DP1255716	26	DP2444	6	DP1158037
15	DP785866	2	DP1081560	3	DP262132	36	DP1255716	2	DP591962	7	DP1158037
1	DP708194		SP74680		SP40656	37	DP1255716	1	DP591962	211	DP1153043
2	DP606784	2	DP1083118		SP41130	38	DP1255716	59	DP2444	212	DP1153043
1	DP9803	3	DP1083118		SP40658	39	DP1255716	33	DP2444	7348	DP1158871
2	DP9803	142	DP1083623	110	DP803010	4	DP1255716	32	DP2444	7347	DP1158871
19	DP751250	143	DP1083623	1110	DP827618	40	DP1255716	31	DP2444	82	DP1159570
7013	DP93010	1331	DP1084301	1111	DP827618	41	DP1255716	30	DP2444	81	DP1159570
A	DP156857	1332	DP1084301	2	DP529974	42	DP1255716	2	DP623925	102	DP1155628
B	DP156857	62	DP1084841	6	DP253180	5	DP1255716	64	DP2444	101	DP1155628
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247	DP751250	12	DP1084772	2	DP237843	7	DP1255716	28	DP2444	101	DP1160878
33	DP751250	11	DP1084772	1	DP237843	8	DP1255716	38	DP2444	102	DP1160878
21	DP25735	2	DP1085695	3	DP237843	9	DP1255716	37	DP2444	70	DP1159584
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23	DP25735	13	DP1085040	3	DP611621	12	DP1255716	50	DP2444	7349	DP1162452
24	DP25735	5	DP263318	3	DP529974	1	DP1265846	36	DP2444	7351	DP1162473
25	DP25735	100	DP1088768	4	DP529974	1	DP562297	37	DP2444	111	DP1163428
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27	DP25735	5	DP1088969	100	DP844671	8	DP271249	28	DP734568	652	DP1163319
28	DP25735	7	DP1088969	112	DP838881	9	DP271249	27	DP979250	623	DP1153066
29	DP25735	6	DP1088969	109	DP834713	7	DP271249	37	DP658256	622	DP1153066
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7	DP9803	192	DP1092805	103	DP842848	111	DP1269867	2	DP1042285	3701	DP1166624
8	DP9803	191	DP1092805	102	DP842848	112	DP1269867	911	DP1121899	2052	DP1155936
B	DP373554	1352	DP1094862	108	DP834713	7311	DP1141025	2	DP1180702	2051	DP1155936
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2	DP240715	14	DP1091377	111	DP864171	6	DP1239466	1	DP1274265	141	DP1166241
8	DP787855	200	DP1096576	110	DP864171	3	DP831283	2	DP1274265	622	DP1168047
9	DP787855	203	DP1096576	1082	DP1007294	7310	DP1141234	100	DP714886	623	DP1168047
9	DP747237	202	DP1096576	1081	DP1007294	1	DP245495	24	DP12096	621	DP1168047
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58	DP13116	2	DP1101649	104	DP855346	3	DP1229166	1013	DP867593	7821	DP1172747
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15	DP791621	2572	DP1104808	12	DP1016686	4	DP244682	2	DP1273504	102	DP1172815
4	DP808210	2571	DP1104808	4132	DP1036524	52	DP1244564	3	DP1273504	101	DP1172815
20	DP880753	40	DP1098581	4011	DP819742	53	DP1244564	4	DP1273504	22	DP1168095
15	DP29287	42	DP1098581	4041	DP817814	54	DP1244564	7	DP1231839	21	DP1168095
14	DP29287	41	DP1098581	43	DP1042708	621	DP1153066	101	DP1255051		SP85722
21	DP130183	4351	DP1111506	44	DP1042708	6201	DP1252219	102	DP1255051	51	DP1246296
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2	DP29287	1411	DP1112548	4040	DP817814	3	DP25776	5001	DP1214266	218	DP751250
6	DP29287	106	DP1114585	2072	DP1046725	1	DP571172	8	DP391587	219	DP751250
30	DP800368	104	DP1114585	2071	DP1046725	2	DP571172	1	DP1255761	221	DP751250
4	DP29287	105	DP1114585	219	DP800619	2101	DP740236	4	DP1255761	192	DP793109
131	DP130186	103	DP1114585	52	DP1047550	2102	DP740236	3	DP1255761	1911	DP1242287
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7	DP23602	3321	DP1131801	102	DP1181158	15	DP262287	12	DP1262991	90	DP1247884
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20	DP785866	161	DP1132894	10	DP2339	5	DP246389	4	DP263330	11	DP1217860
33	DP787855	162	DP1132894	11	DP2339	4	DP246389	5	DP263330	12	DP1217860
34	DP787855	22	DP1137862	12	DP2339	3	DP246389	25	DP658455	13	DP1217860
7	DP801222	4	DP1137978	13	DP2339	2	DP246389	1	DP710569	14	DP1217860
12	DP794264	3	DP1137978		SP39636	1	DP246389	2	DP710569	15	DP1217860
13	DP794264	2	DP1137978	21	DP2339	2	DP568282	100	DP10669	16	DP1217860
18	DP807880	1	DP1137978	22	DP2339	1	DP568282	991	DP732012	17	DP1217860
10	DP801222	7308	DP1141189	151	DP873266	6	DP262287	19	DP834318	18	DP1217860
9	DP801222	11	DP1138287	161	DP1044821	5	DP262287	23	DP654779	19	DP1217860
1	DP240715	12	DP1138287	22	DP572245	9	DP262287	1	DP1020614	2	DP1217860
11	DP794264	202	DP1144640	152	DP873266	8	DP262287	40	DP255955	20	DP1217860
8	DP801222	203	DP1144640	211	DP1066748	7	DP262287	50	DP255955	21	DP1217860
6	DP747237	204	DP1144640	162	DP1044821	18	DP262287	49	DP255955	22	DP1217860
3	DP9803	205	DP1144640	210	DP1066748	19	DP262287	81	DP10669	23	DP1217860
2	DP789005	4	DP1145534	3	DP1214085	17	DP262287	22	DP76716	24	DP1217860
207	DP751250	3	DP1145534	4	DP1214085	6	DP800053	1	DP800462	25	DP1217860
18	DP751250	641	DP1145796	142	DP1219012	16	DP262287	2	DP800462	26	DP1217860
14	DP791621	642	DP1145796	141	DP1219012	25	DP837305	21	DP776716	27	DP1217860

CONSOLIDATED CONSENT

Lot	Plan	Lot	Plan	Lot	Plan	Lot	Plan	Lot	Plan	Lot	Plan
12	DP747237	101	DP1150349	2	DP1253127	27	DP837305	437	DP751270	28	DP1217860
13	DP747237	104	DP1150349	2	DP1214085	20	DP837305	398	DP751270	29	DP1217860
5	DP747237	103	DP1150349	102	DP1243265	29	DP837305	397	DP751270	3	DP1217860
32	DP832105	100	DP1150349	101	DP1243265	28	DP837305	A	DP24991	4	DP1217860
31	DP832105	207	DP1150272	1	DP524867	11	DP829610	B	DP24991	5	DP1217860
11	DP1040393	183	DP862003	761	DP1051020	261	DP853448	21	DP262287	6	DP1217860
5	DP1040393	26	DP262287	23	DP837305	262	DP853448	227	DP623178	7	DP1217860
12	DP1040393	228	DP623178	22	DP837305	311	DP862587	20	DP262287	8	DP1217860
2	DP1040393	22	DP262287	2	DP262650	211	DP875390	13	DP1040393	9	DP1217860
6	DP1040393	24	DP262287	6	DP262650	212	DP875390	102	DP1042287		SP97923
8	DP1040393	14	DP1040393	4	DP262650	1	DP262287	101	DP1042287	3	DP1154724
10	DP1040393	181	DP865601	5	DP262650	16	DP845647	312	DP862587	201	DP1144640
2	DP800053	4	DP1040393	106	DP1044163	5	DP800053	764	DP1051020	1	DP271249
3	DP800053	3	DP1040393	107	DP1059812	24	DP837305	101	DP1232068	46	DP751271
1	DP800053	182	DP865601	108	DP1059812	1	DP1040393	103	DP1232068	12	DP829610
2	DP702454	9	DP1040393	185	DP13127	17	DP845647	103	DP1037244	13	DP829610
104	DP1037244	7	DP1040393	104	DP1165753	23	DP262287	100	DP1029247	19	DP845647
105	DP1044163	25	DP262287	2	DP1172837	18	DP845647	14	DP845647	15	DP845647
4	DP800053	184	DP862003	1	DP1172837						

APPENDIX 2 DEVELOPMENT LAYOUT PLANS



Source: EMM (2023); Glencore (2020); SIMEC (2020); ESR (2020); DFSI (2017)

KEY

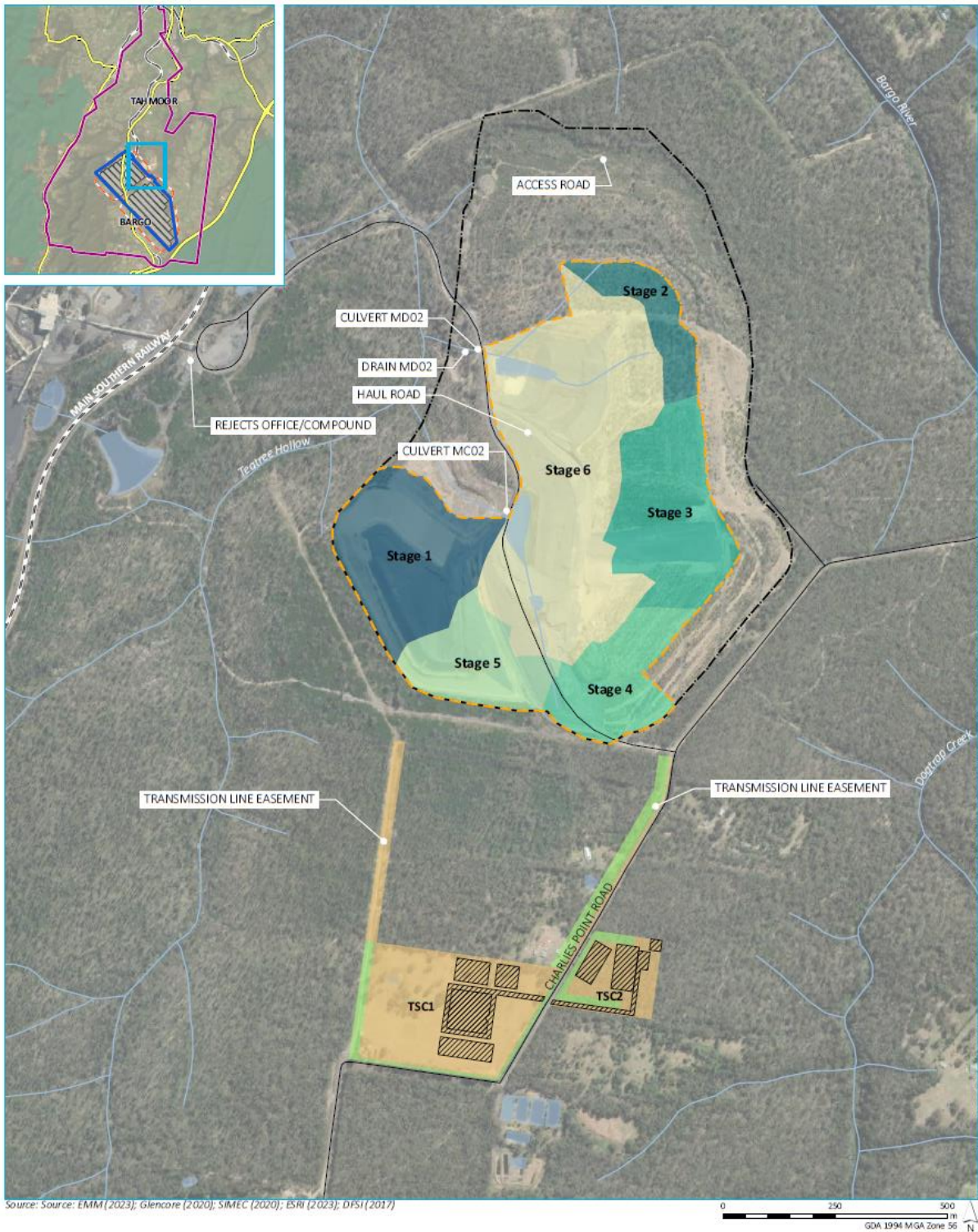
- Project area
- Extent of longwalls
- Longwall panel
- Subsidence study area
- Predicted 20 mm subsidence contour
- Vent shaft
- Approved reject emplacement area footprint
- Approved Tahmoor North underground working
- Rail line
- Major road
- NPWS reserve
- State forest

0 1 2 km
GDA 1994 MGA Zone 56

Amended mine plan



Figure 1 - Indicative Development Layout



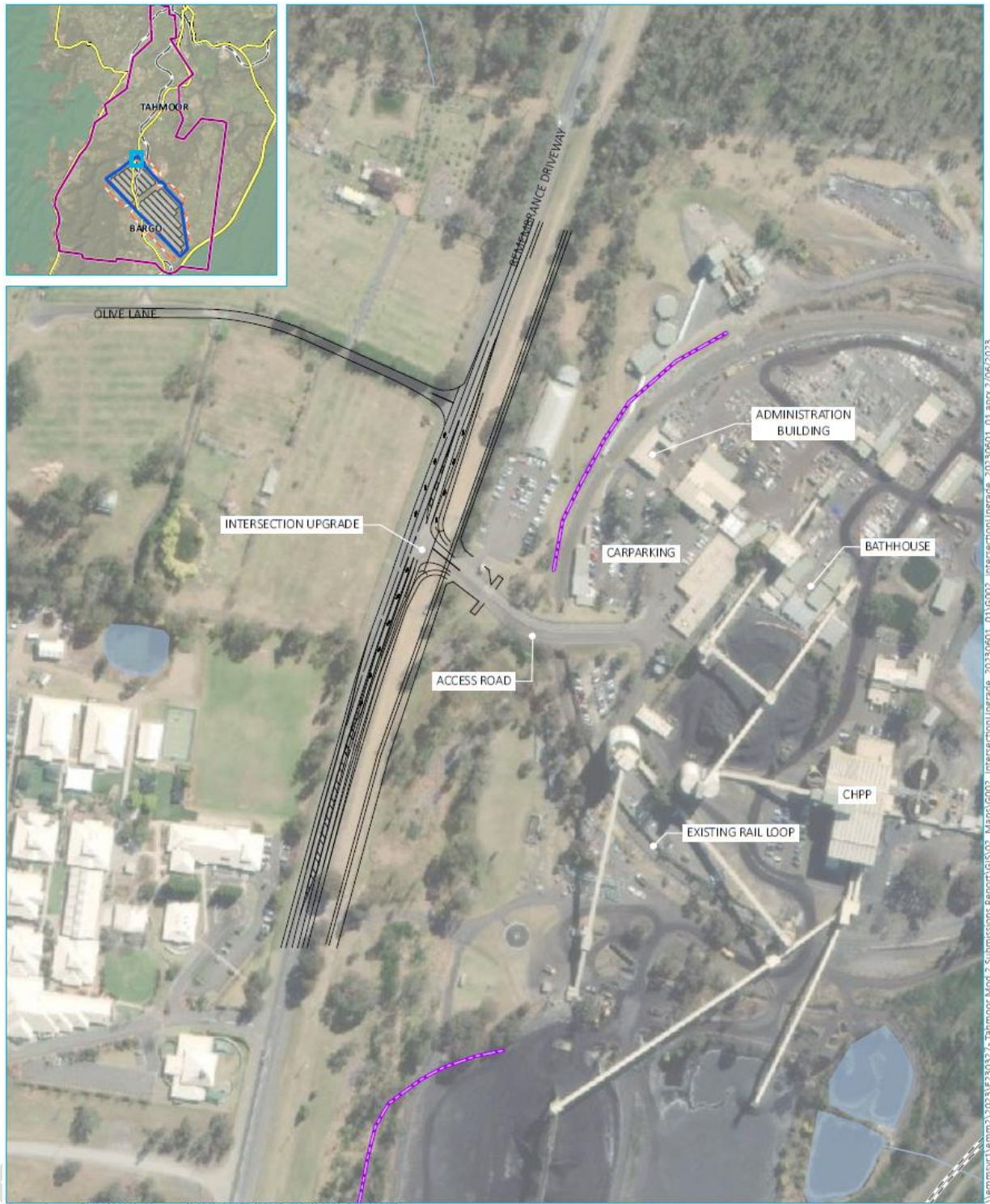
Source: EMM (2023); Glencore (2020); SIMEC (2020); ESRI (2023); DFSI (2017)

- | | | |
|---|---|----------------------------------|
| KEY | Vent shaft layout | Existing environment - Rail line |
| Project area (refer to inset) | Vegetation to be cleared | Major road |
| Approved reject emplacement area footprint | Vegetation to be retained | Minor road |
| Amended reject emplacement extension area | Amended reject emplacement staging area | Watercourse / drainage line |
| Extent of longwalls (refer to inset) | Stage 1 | Waterbody |
| Predicted 20 mm subsidence contour (refer to inset) | Stage 2 | INSET KEY |
| Longwall panel (refer to inset) | Stage 3 | NPWS reserve |
| | Stage 4 | |
| | Stage 5 | |
| | Stage 6 | |

Reject emplacement area and ventilation shaft sites



Figure 2 – Reject Emplacement Area and Ventilation Shaft Sites



Source: EMM (2023); Glencore (2020); SIMEC (2020); ESRI (2023); DRSI (2017)

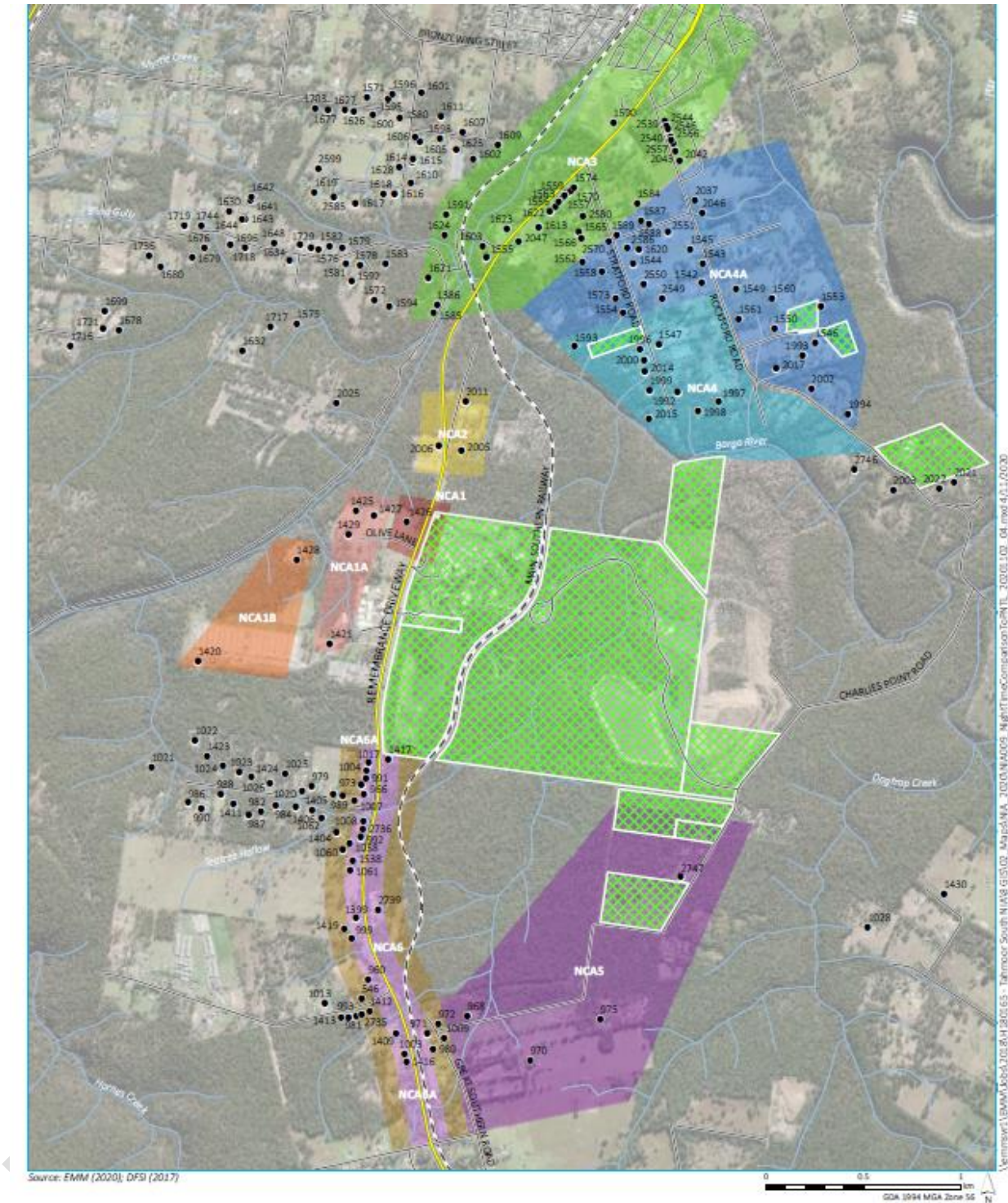
- | | |
|---|-----------------------------|
| KEY | Existing environment |
| — Intersection upgrade | - - Rail line |
| — Acoustic wall | — Watercourse/drainage line |
| Project area (refer to inset) | Waterbody |
| Approved reject emplacement area footprint (refer to inset) | INSET KEY |
| Predicted 20 mm subsidence contour (refer to inset) | NPWS reserve |
| Extent of longwalls (refer to inset) | |
| Longwall panel (refer to inset) | |

0 50 100
GDA 1994 MGA Zone 56
N
Surface facility upgrades



Figure 3 – Surface Facilities Site

APPENDIX 3 RECEIVER LOCATIONS



- KEY**
- Assessment location
 - Rail line
 - Main road
 - Local road
 - Watercourse/drainage line
 - ✦ Tahmoor-owned land
 - Noise catchment area
 - NCA1
 - NCA1a
 - NCA1b
 - NCA2
 - NCA3
 - NCA4
 - NCA4a
 - NCA5
 - NCA6
 - NCA6a

Assessment locations where existing mine noise is above PNTL

Tahmoor South Project
Noise and vibration impact assessment
Figure 7



Figure 1 - Receiver Locations

APPENDIX 4 HERITAGE SITES

Aboriginal Heritage Sites within Subsidence Study Area

Site Number	Site Feature
52-2-1520	Shelter with Art
52-2-1521	Shelter with Art
52-2-1522	Shelter with Art
52-2-1523	Shelter with Art, Axe grinding groove and artefacts
52-2-1524	Shelter with Art and axe grinding groove
52-2-1525	Shelter with Art
52-2-1526	Shelter with Art
52-2-1527	Shelter with Art
52-2-1528	Shelter with Art
52-2-1529	Shelter with deposit and axe grinding groove
52-2-1530	Scarred Tree
52-2-1533	Shelter with Art
52-2-1534	Shelter with Art
52-2-1538	Shelter with Art and Deposit
52-2-1539	Shelter with Art and axe grinding groove
52-2-1540	Shelter with Art
52-2-3921	Axe Grinding Groove
52-2-3960	Shelter with Art and Deposit
52-2-3971	Shelter with Art
52-2-3968	Open Camp Site
52-2-4194	Axe grinding grooves
52-2-4195	Open Camp Site
52-2-4395	Axe grinding groove
52-2-4471	Shelter with Art and Deposit
52-2-4461	Potential Archaeological Deposit
52-2-4462	Potential Archaeological Deposit
52-2-4463	Isolated Artefact
52-2-4464	Isolated Artefact
52-2-4487	Open Camp Site
42-2-0275	Isolated Artefact

Historic Heritage Sites within Subsidence Study Area

Name	Structure Reference Number <i>(refer to Subsidence Assessment Report dated July 2020)</i>
Bargo Cemetery	N/A
Kalinya Gardens and landscape	BGR_235
Old Coomeroo Homestead, Silo and Shed	BGR_147
Homestead	BGR_281
Bargo Post Office	BGR_061
Bargo Hotel	BGR_041
Bargo Rural Trading Building	BGR_033
Commercial Building	BGR_027
Bargo Public School	BGR_015
Cottage	BHW_327
House	BHW_117
Bargo Public School Residence	BHW_121
Railway Cottages	BHW_297 BHW_299 BHW_301
Hawthorne	BHW_141
Bargo Railway Station and Toilet Block	BRL_160
House	BNN_047
Bargo Surgery	BRL_082
Cottage	BRL_150
Wirrimbirra Sanctuary	BRE_580
Avon Dam Road Railway Overbridge	N/A
Wellers Road Railway Overbridge	N/A
Tahmoor Mine	N/A
Anderson's Inn	N/A
Great Southern Road	N/A

APPENDIX 5 REHABILITATION PLAN



Figure 1 - Conceptual Final Landform

APPENDIX 6 SUBSIDENCE DAMAGE CATEGORIES

REPAIR CATEGORY	EXTENT OF REPAIRS
Nil/No claim	No repairs required
R0 - Adjustment	<p>One or more of the following, where the damage does not require the removal or replacement of any external or internal claddings or linings:</p> <ul style="list-style-type: none"> • door or window jams or swings; or • movement of cornices; or • movement at external or internal expansion joints.
R1 - Very minor repair	<p>One or more of the following, where the damage can be repaired by filling, patching or painting without the removal or replacement of any external or internal brickwork, claddings or linings:</p> <ul style="list-style-type: none"> • cracks in brick mortar only, or isolated cracked, broken, or loose bricks in the external façade; or • cracks or movement <5 mm in width in any external or internal wall claddings, lining or finish; or • isolated, cracked, loose, or drummy floor or wall tiles; or • minor repairs to any services or gutters.
R2 - Minor repair	<p>One or more of the following, where the damage affects a small proportion of external or internal claddings or linings, but does not affect the integrity of external brickwork or structural elements:</p> <ul style="list-style-type: none"> • continuous cracking in bricks <5 mm in width in one or more locations in the total external façade; or • slippage along the damp proof course of 2 to 5 mm anywhere in the total external façade; or • cracks or movement >5 mm in width in any external or internal wall claddings, linings, finish; or • several cracked, loose or drummy floor or wall tiles; or • replacement of any services.
R3- Substantial repair	<p>One or more of the following, where the damage requires the removal or replacement of a large proportion of external brickwork, or affects the stability of isolated structural elements:</p> <ul style="list-style-type: none"> • continuous cracking in bricks of 5 to 15 mm in width on one or more locations in the total external façade; or • slippage along the damp proof course of 5 to 15 mm anywhere in the total external façade; or • loss of bearing in isolated walls, piers, columns or other load-bearing elements; or • loss of stability of isolated structural elements.
R4 - Extensive repair	<p>One or more of the following, where the damage requires the removal or replacement of a large proportion of external brickwork, or the replacement or repair of several structural elements:</p> <ul style="list-style-type: none"> • continuous cracking in bricks >15 mm in width in one or more locations in the total external façade; or • slippage along the damp proof course of 15 mm or greater anywhere in the total external façade; or • re-levelling of building; or • loss of stability of several structural elements.
R5 - Re-build	Extensive damage to house where Tahmoor Coal and the owner have agreed to rebuild as the cost of repair is greater than the cost of replacement.

APPENDIX 7 GENERAL TERMS OF APPLICANT'S PA OFFER

Applicant's Contribution	Intended Use	Indicative Payment Schedule*
\$3.4 Million	Bargo Sportsground Upgrades	<ul style="list-style-type: none"> • \$40,000 for development of the Bargo Sportsground Masterplan to be paid within 60 days of entering into the formal VPA • \$45,000 for Bargo Sportsground Playground to be paid within 60 days of entering into the formal VPA • \$115,000 for Bargo Sportsground Wet-pour to be paid within 60 days of entering into the formal VPA • \$250,000 – 3 years after the commencement of the Tahmoor South Project • \$975,000 – 5 years after the commencement of the Tahmoor South Project • \$975,000 – 8 years after the commencement of the Tahmoor South Project • \$975,000 or any residual amount – 11 years after the commencement of the Tahmoor South Project

*Specific projects and timing of payments to be finalised in the executed agreement.

FOR INFORMATION

APPENDIX 8 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition E9 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - a. identify the development and application number;
 - b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - c. identify how the incident was detected;
 - d. identify when the applicant became aware of the incident;
 - e. identify any actual or potential non-compliance with conditions of consent;
 - f. describe what immediate steps were taken in relation to the incident;
 - g. identify further action(s) that will be taken in relation to the incident; and
 - h. identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
 - a. a summary of the incident;
 - b. outcomes of an incident investigation, including identification of the cause of the incident;
 - c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - d. details of any communication with other stakeholders regarding the incident.

APPENDIX 9 PREDICTED SCOPE 1 AND 2 GHG EMISSIONS

Project Year	Scope 1 GHGE (t CO₂-e) (flaring and power generation occurring)	Scope 2 GHGE (t CO₂-e)	Total Scope 1 + Scope 2 GHGE (t CO₂-e)
1	230,041	14,764	244,805
2	1,003,246	64,389	1,067,635
3	1,636,849	105,054	1,741,903
4	2,054,557	131,863	2,186,420
5	1,843,089	118,291	1,961,380
6	2,065,327	132,555	2,197,882
7	2,070,977	132,917	2,203,894
8	2,301,721	147,727	2,449,448
9	1,859,357	119,335	1,978,692
10	2,016,949	129,450	2,146,399
11	1,761,824	113,076	1,874,900
12	466,314	29,928	496,242
Total	19,310,249	1,239,350	20,549,599
Annual average	1,609,187	103,279	1,712,466