

Development Consent

Section 80 of the *Environmental Planning and Assessment Act 1979*

I, the Minister for Planning, approve the Development Application referred to in Schedule 1, subject to the conditions in Schedules 2 to 5.

These conditions are required to:

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

Frank Sartor, MP
Minister for Planning

Sydney, 2005

SCHEDULE 1

Development Application:	DA 504-00.
Applicant:	Centennial Coal Company Limited.
Consent Authority:	Minister for Planning.
Land:	See Appendix 1.
Proposed Development:	Extension of the Clarence Underground Coal Mine.
State Significant Development:	The proposal is classified as State significant development, under section 76A(7) of the <i>Environmental Planning and Assessment Act 1979</i> , because it involves coal-mining related development that requires a new mining lease under section 63 of the <i>Mining Act 1992</i> .
Integrated Development:	The proposal is classified as integrated development, under section 91 of the <i>Environmental Planning and Assessment Act 1979</i> , because it requires additional approvals under the: <ul style="list-style-type: none">• <i>Protection of the Environment Operations Act 1997</i>; and• <i>Water Act 1912</i>.
Designated Development:	The proposal is classified as designated development, under section 77A of the <i>Environmental Planning and Assessment Act 1979</i> , because it is for an underground coal mine, and consequently meets the criteria for designated development in schedule 3 of the <i>Environmental Planning and Assessment Regulation 2000</i> .

Notes:

- To find out when this consent becomes effective, see section 83 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*;
 - To find out when this consent is liable to lapse, see section 95 of the *EP&A Act*; and
 - To find out about appeal rights, see section 97 of the *EP&A Act*.
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DEFINITIONS

AEMR	Annual Environmental Management Report
Applicant	Centennial Coal Company Limited
BCA	Building Code of Australia
Bore	Any bore or well or excavation or other work connected or proposed to be connected with sources of sub-surface water, and used or proposed to be used or capable of being used to obtain supplies of such water whether the water flows naturally at all times or has to be raised whether wholly or at times by pumping or other artificial means
CCC	Community Consultative Committee
Council	Lithgow City Council
DA	Development Application
Day	Day is defined as the period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
DEC	Department of Environment and Conservation
Department	Department of Planning
Director-General	Director-General of the Department of Planning, or delegate
DNR	Department of Natural Resources
DPI	Department of Primary Industries
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Evening	Evening is defined as the period from 6pm to 10pm
GTA	General Term of Approval
Land	Land means the whole of a lot in a current plan registered at the Land Titles Office at the date of this consent
Minister	Minister for Planning, or delegate
MSB	Mine Subsidence Board
Night	Night is defined as the period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Privately-owned land	Land excluding land owned by a mining company, where a private agreement does not exist between the Applicant and the land owner
ROM Coal	Run-of-mine coal
RTA	Roads and Traffic Authority
SCA	Sydney Catchment Authority
Site	Land to which the DA applies
Supplementary Report	Report titled <i>Variation to Development Application No.504-00 and Supplementary Information</i> , dated May 2005, prepared by Centennial Coal Company Limited

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

1. The Applicant shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the development.

Terms of Approval

2. The Applicant shall carry out the development generally in accordance with the:
 - (a) DA 504/00;
 - (b) EIS titled *Clarence Colliery – Lease Extension Environmental Impact Statement*, dated October 2000;
 - (c) Supplementary Report titled *Variation to Development Application No.504-00 and Supplementary Information*, dated May 2005; and
 - (d) conditions of this consent.
3. If there is any inconsistency between the above, the most recent document or the conditions of this consent shall prevail to the extent of the inconsistency.
4. The Applicant shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:
 - (a) any reports, plans or correspondence that are submitted in accordance with this consent; and
 - (b) the implementation of any actions or measures contained in these reports, plans or correspondence.

Limits on Approval

5. This consent shall lapse on 31 December 2026.

Note: Conditions of this consent may require activities to be carried out by the Applicant beyond the period of approval.
6. The Applicant shall not extract more than 3 million tonnes of ROM coal per year from the mine.
7. The Applicant may transport up to 200,000 tonnes of coal per year by road. The Applicant shall not cause any truck movements through the City of Lithgow without the prior approval of the Council, to the satisfaction of the Director-General.

Structural Adequacy

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

Notes:

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

Demolition

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

Protection of Public Infrastructure

10. The Applicant shall:
 - (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
 - (b) relocate, or pay the full costs associated with relocating any public infrastructure that needs to be relocated as a result of the development.

Operation of Plant and Equipment

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

SCHEDULE 3 SPECIFIC ENVIRONMENTAL CONDITIONS

SUBSIDENCE

Note: The development will generally be regulated under the approval process for managing the impacts of coal mining subsidence under the Mining Act 1992.

Subsidence Impact Assessment Criteria

1. The Applicant shall ensure that surface subsidence generated by the development does not exceed the criteria listed in Table 1.

Table 1: Subsidence Impact Assessment Criteria

Level of Extraction	Subsidence	Tilt	Horizontal Strain (compressive and tensile)
First Workings	20 mm	1.0 mm/m	1.0 mm/m
Partial Extraction	100 mm	3.0 mm/m	2.0 mm/m

Note: The first workings and partial extraction areas refer to those areas shown conceptually on Figure 5.6 (revised) of the Supplementary Report, as reproduced in Appendix 2.

Subsidence Management Plan

2. Before carrying out any underground mining operations that will potentially lead to subsidence of the land surface, the Applicant shall prepare a Subsidence Management Plan for those operations in accordance with the following DPI documents (or the most current and updated versions of these documents):
 - (a) *New Approval Process for Management of Coal Mining Subsidence - Policy*, and
 - (b) *Guideline for Applications for Subsidence Management Approvals*,
to the satisfaction of the Director-General of DPI.

In addition to the above each Subsidence Management Plan shall:

- (a) describe how the subsidence impact assessment criteria will be monitored over time;
- (b) provide for the notification of relevant authorities, including DPI, SCA and the Director-General in the event of any exceedance of the impact assessment criteria; and
- (c) detail measures to reduce, mitigate and remediate any impacts.

During the preparation of each Subsidence Management Plan the Applicant shall consult with the Department, Council, SCA, DEC, DNR and the CCC, and have regard for any comments provided by these agencies/committees.

SURFACE & GROUND WATER

Note: The Applicant is required to obtain licences for the development under the Water Act 1912 and the Protection of the Environment Operations Act 1997.

Pollution of Waters

3. Except as may be expressly provided by an Environment Protection Licence, the Applicant shall comply with section 120 of the *Protection of the Environment Operations Act 1997* during the carrying out of the development.

Water Discharge Pollution Limits

4. Except as may be expressly provided by an Environment Protection Licence, the Applicant shall ensure that the discharges from any licensed discharge points comply with the limits in Table 2:

Table 2: Water Discharge Pollution Limits

Pollutant	Units of Measure	100 percentile concentration limit
pH	pH	6.5 ≤ pH ≤ 9.0
Non-filterable residue	mg/litre	NFR ≤ 120

Note: This condition does not authorise the pollution of waters by any other pollutants.

Water Resources Impact Assessment Criteria

5. The Applicant shall ensure that the development does not result in any:
- significant inflows to mine workings;
 - reduction in pumping yield in privately-owned groundwater bores;
 - reduction in surface flows and groundwater baseflow to upland swamps (Newnes Plateau Shrub Swamps) and wetlands; and
 - reduction in surface flows and groundwater baseflow to waterbodies including Marrangaroo Creek, Farmers Creek, Dargans Creek, Wolgan River, Dumbano Creek, Bungleboori Creek, and Wollangambe River (excluding reduction in flows associated with the proposed water transfer scheme),
- to the satisfaction of the Director-General.

Note: Each of these impact assessment criteria must be quantified in the respective sub-plans of the Water Management Plan (see condition 6 below), to the satisfaction of the Director-General

Water Management Plan

6. Within 12 months of the date of this consent, the Applicant shall prepare and subsequently implement a Water Management Plan for the mine in consultation with Council, SCA, DEC, DPI, and to the satisfaction of the Director-General. This plan must be prepared by a qualified hydrogeologist/hydrologist and include:
- a Water Balance;
 - an Erosion and Sediment Control Plan;
 - a Surface Water Monitoring Program;
 - a Ground Water Monitoring Program; and
 - a Surface and Ground Water Response Plan, to address any potential adverse impacts associated with the development.

Note: The Water Management Plan may be prepared in a staged manner in accordance with the staging of the development.

7. The Water Balance shall:
- include details of all water extracted, dewatered, transferred, used and/or discharged by the mine; and
 - provide for the annual re-calculation of the water balance and reporting of the review in the AEMR.
8. The Erosion and Sediment Control Plan shall:
- be consistent with the requirements of the Department of Housing's *Managing Urban Stormwater: Soils and Construction* manual;
 - identify activities that could cause soil erosion and generate sediment;
 - describe measures to minimise soil erosion and the potential for the transport of sediment to downstream waters;
 - describe the location, function, and capacity of erosion and sediment control structures; and
 - describe what measures would be implemented to maintain the structures over time.
9. The Surface Water Monitoring Program shall include:
- detailed baseline data on surface water flows (including ground water baseflows) and quality in waterbodies and wetlands above the mine;
 - surface water impact assessment criteria;
 - a program to monitor surface water flows (including ground water baseflows) and quality; and
 - a protocol for the investigation, notification and mitigation of identified exceedances of the surface water impact assessment criteria; and
 - a program to monitor the effectiveness of the Erosion and Sediment Control Plan.
10. The Ground Water Monitoring Program shall include:
- detailed baseline data on ground water levels and quality, based on statistical analysis, to benchmark the pre-mining natural variation in ground water levels and quality;
 - ground water impact assessment criteria;

- (c) a program to monitor the volume and quality of ground water seeping into the underground mine workings; and
 - (d) a program to monitor regional ground water levels and quality in the following geologic formations:
 - (i) Banks Wall Sandstone;
 - (ii) Burra-Moko Head Sandstone;
 - (iii) Caley Formation; and
 - (iv) Katoomba Coal Seam.
 - (e) a protocol for the investigation, notification and mitigation of identified exceedances of the ground water impact assessment criteria.
11. The Surface and Ground Water Response Plan shall include:
- (a) the procedures that would be followed in the event of any exceedance of the surface or ground water impact assessment criteria, or other identified impact on surface or ground water; and
 - (b) measures to mitigate, remediate and/or compensate any identified impacts.

Reporting

12. Each year, the Applicant shall:
- (a) review the Water Management Plan;
 - (b) update each sub-plan; and
 - (c) report the results of this review in the AEMR, including;
 - (d) the results of monitoring;
 - (e) details of the review for each sub-plan;
 - (f) amendments to the sub-plans; and
 - (g) details of the measures undertaken/proposed to address any identified issues.

AIR QUALITY

Impact Assessment Criteria

13. The Applicant shall ensure that the air pollution generated by the development does not exceed the criteria listed in Tables 3, 4, and 5 at any privately-owned land.

Table 3: Long term impact assessment criteria for particulate matter

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

Table 4: Short term impact assessment criterion for particulate matter

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

Table 5: Long term impact assessment criteria for deposited dust

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

Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 1991, AS 3580.10.1-1991: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.

Air Quality Monitoring Program

14. Within 6 months of the date of this consent, the Applicant shall prepare and subsequently implement an Air Quality Monitoring Program for the development, in consultation with DEC, and to the satisfaction of the Director-General. This program must include an air monitoring protocol for evaluating compliance with the air quality criteria in this consent.

NOISE

Noise Impact Assessment Criteria

15. The Applicant shall ensure that the noise generated by the development, excluding train-loading and rail operations, does not exceed the noise impact assessment criteria presented in Table 6 at any residence on privately owned land.

Table 6: Noise impact assessment criteria dB(A) $L_{Aeq(15 min)}$

Location	Day	Evening	Night
Residences on privately owned land	38	36	35

Notes:

- (a) For the purpose of these noise criteria, 5dB(A) must be added to the measured level if the noise is substantially tonal or impulsive in character.
- (b) The noise criteria do not apply where the Applicant and the affected landowner have reached a negotiated agreement in regard to noise, and a copy of the agreement has been forwarded to the Director-General and DEC.
- (c) Noise from the development is to be measured at the most affected point or within the residential boundary, or at the most affected point within 30 metres of a dwelling (rural situations) where the dwelling is more than 30 metres from the boundary, to determine compliance with the $L_{Aeq(15 minute)}$ noise limits in the above table. Where it can be demonstrated that direct measurement of noise from the development is impractical, the DEC may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.
- (d) The noise criteria apply under prevailing meteorological conditions (winds up to 3m/s), except under conditions of temperature inversions. Noise impacts that may be enhanced by temperature inversions must be addressed by:
- documenting noise complaints received to identify any higher level of impacts or patterns of temperature inversions; and
 - where levels of noise complaints indicate a higher level of impact then actions to quantify and ameliorate any enhanced impacts under temperature inversion conditions shall be developed and implemented.

Noise Management Plan

16. Within 6 months of the date of this consent, the Applicant shall prepare and subsequently implement a Noise Management Plan for the development, in consultation with DEC, and to the satisfaction of the Director-General. The plan shall include:
- (a) a noise monitoring protocol for evaluating compliance with the noise impact assessment criteria;
- (b) a plan for the management and minimisation of noise emissions associated with train-loading and rail operations, including consideration of all feasible and reasonable noise mitigation measures; and
- (c) a protocol for the investigation, notification, and mitigation of identified exceedances of the noise impact assessment criteria.

METEOROLOGICAL MONITORING

17. Within 6 months of the date of this consent, the Applicant shall establish and subsequently maintain a suitable meteorological station operating in the vicinity of the development in accordance with the requirements in *Approved Methods for Sampling of Air Pollutants in New South Wales*, and to the satisfaction of the DEC and the Director-General.

TRAFFIC & TRANSPORT

Road Haulage

18. The Applicant shall ensure that all loaded vehicles entering or leaving the site are covered.
19. The Applicant shall ensure all loaded vehicles leaving the site are cleaned of materials that may fall on the road before they are allowed to leave the site.

VISUAL IMPACT

20. The Applicant shall minimise the visual impacts of the development to the satisfaction of the Director-General.

Lighting Emissions

21. The Applicant shall take all practicable measures to mitigate off-site lighting impacts from the development to the satisfaction of the Director-General.
22. All external lighting associated with the development shall comply with *Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting*.

GREENHOUSE GAS

23. The Applicant shall:
 - (a) monitor the greenhouse gas emissions generated by the development;
 - (b) investigate ways to reduce greenhouse gas emissions on site; and
 - (c) report on these investigations in the AEMR, to the satisfaction of the Director-General.

WASTE MINIMISATION

24. The Applicant shall minimise the amount of waste generated by the development to the satisfaction of the Director-General.

HAZARDS MANAGEMENT

Spontaneous Combustion

25. The Applicant shall take the necessary measures to prevent, as far as is practical, spontaneous combustion on the site.

Dangerous Goods

26. The Applicant shall ensure that the storage, handling, and transport of dangerous goods is done in accordance with the relevant *Australian Standards*, particularly *AS1940* and *AS1596*, and the *Dangerous Goods Code*.

BUSHFIRE MANAGEMENT

27. The Applicant shall:
 - (a) ensure that the development is suitably equipped to respond to any fires on-site; and
 - (b) assist the Rural Fire Service and emergency services as much as possible if there is a fire on-site during the development.

MINE CLOSURE STRATEGY

28. At least 3 years prior to the cessation of mining, the Applicant shall prepare a Mine Closure Strategy for the development, in consultation with Council, DPI, SCA and DEC, and to the satisfaction of the Director-General. The plan must:
 - (a) define the objectives and criteria for mine closure;
 - (b) investigate options for the future use of the site, including the pit top and surface facilities area;
 - (c) investigate ways to minimise the adverse socio-economic effects associated with mine closure, including reduction in local employment levels;
 - (d) define a strategy for the ongoing management of water inflow to the mine;
 - (e) describe the measures that would be implemented to minimise or manage the ongoing environmental effects of the development; and
 - (f) describe how the performance of these measures would be monitored over time.

SCHEDULE 4 ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS

1. If the results of monitoring required in schedule 3 identify that impacts generated by the development are greater than the relevant impact assessment criteria in schedule 3, then the Applicant shall notify the Director-General and the affected landowners and/or existing or future tenants (including tenants of mine owned properties) accordingly, and provide quarterly monitoring results to each of these parties until the results show that the development is complying with the criteria in schedule 3.

INDEPENDENT REVIEW

2. If a landowner (excluding mine owned properties) considers that the development is exceeding the impact assessment criteria in schedule 3, then he/she may ask the Applicant in writing for an independent review of the impacts of the development on his/her land.

If the Director-General is satisfied that an independent review is warranted, the Applicant shall within 3 months of the Director-General advising that an independent review is warranted:

- (a) consult with the landowner to determine his/her concerns;
 - (b) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to conduct monitoring on the land, to determine whether the development is complying with the relevant criteria in schedule 3, and identify the source(s) and scale of any impact on the land, and the development's contribution to this impact; and
 - (c) give the Director-General and landowner a copy of the independent review.
3. If the independent review determines that the development is complying with the relevant criteria in schedule 3, then the Applicant may discontinue the independent review with the approval of the Director-General.
 4. If the independent review determines that the development is not complying with the relevant criteria in schedule 3, and that the mine is primarily responsible for this non-compliance, then the Applicant shall:
 - (a) take all practicable measures, in consultation with the landowner, to ensure that the development complies with the relevant criteria; and
 - (b) conduct further monitoring to determine whether these measures ensure compliance; or
 - (c) secure a written agreement with the landowner to allow exceedances of the relevant criteria in schedule 3;to the satisfaction of the Director-General.

If the additional monitoring referred to above subsequently determines that the development is complying with the relevant criteria in schedule 3, then the Applicant may discontinue the independent review with the approval of the Director-General.

If the Applicant is unable to finalise an agreement with the landowner, then the Applicant or landowner may refer the matter to the Director-General for resolution.

If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (see Appendix 3).

5. If the independent review determines that the development is not complying with the relevant criteria in schedule 3, but that several mines/extractive industries are responsible for this non-compliance, then the Applicant shall, with the agreement of the landowner and other mines/extractive industries, prepare and implement a Cumulative Impact Management Plan to the satisfaction of the Director-General. This plan must provide details of the joint approach to be adopted by the Applicant and other mines/extractive industries to manage cumulative impacts at the landowner's dwelling.

If the Applicant is unable to finalise an agreement with the landowner and/or other mines/extractive industries, and/or prepare a Cumulative Impact Management Plan, then the Applicant or landowner may refer the matter to the Director-General for resolution.

If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (see Appendix 3).

6. If the landowner disputes the results of the independent review, either the Applicant or the landowner may refer the matter to the Director-General for resolution.

If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (see Appendix 3).

SCHEDULE 5
ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING & REPORTING

ENVIRONMENTAL MANAGEMENT STRATEGY

1. Within 12 months of the date of this consent, the Applicant shall prepare and implement an Environmental Management Strategy for the development to the satisfaction of the Director-General. This strategy must:
 - (a) provide the strategic context for environmental management of the development;
 - (b) identify the statutory requirements that apply to the development;
 - (c) describe in general how the environmental performance of the development would be monitored and managed during the development;
 - (d) describe the procedures that would be implemented to:
 - keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise during the course of the development;
 - respond to any non-compliance;
 - manage cumulative impacts; and
 - respond to emergencies; and
 - (e) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the development; and
 - (f) be updated within 3 months of the completion of each Independent Environmental Audit.
2. Within 14 days of the Director-General's approval for the strategy, the Applicant shall:
 - (a) send copies of the approved strategy to the relevant agencies, Council, and the CCC; and
 - (b) ensure the approved strategy is publicly available during the development.

ENVIRONMENTAL MONITORING PROGRAM

3. Within 12 months of the date of this consent, the Applicant shall prepare an Environmental Monitoring Program for the development in consultation with the relevant agencies, and to the satisfaction of the Director-General. This program must consolidate the various monitoring requirements in schedule 3 of this consent into a single document.
4. Within 3 months of the completion of each Independent Environmental Audit, the Applicant shall review, and if necessary update, the Environmental Monitoring Program to the satisfaction of the Director-General.

ANNUAL REPORTING

5. The Applicant shall prepare and submit an AEMR to the Director-General and the relevant agencies. This report must:
 - (a) identify the standards and performance measures that apply to the development;
 - (b) describe the works carried out in the last 12 months;
 - (c) describe the works that will be carried out in the next 12 months;
 - (d) include a summary of the complaints received during the past year, and compare this to the complaints received in previous years;
 - (e) include a summary of the monitoring results for the development during the past year,
 - (f) include an analysis of these monitoring results against the relevant:
 - impact assessment criteria;
 - monitoring results from previous years; and
 - predictions in the EIS;
 - (g) identify any trends in the monitoring results over the life of the development;
 - (h) identify any non-compliance during the previous year; and
 - (i) describe what actions were, or are being taken to ensure compliance.

INDEPENDENT ENVIRONMENTAL AUDIT

6. Within 5 years of the date of this consent, and every 5 years thereafter, unless the Director-General directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:
 - (a) be conducted by a suitably qualified, experienced, and independent person whose appointment has been endorsed by the Director-General;
 - (b) be consistent with *ISO 19011:2002 – Guidelines for Quality and/or Environmental Systems Auditing*, or updated versions of this guideline;
 - (c) assess the environmental performance of the development, and its effects on the surrounding environment;

- (d) assess whether the development is complying with the relevant standards, performance measures, and statutory requirements;
 - (e) review the adequacy of the Applicant's Environmental Management Strategy and Environmental Monitoring Program; and, if necessary,
 - (f) recommend measures or actions to improve the environmental performance of the development, and/or the environmental management and monitoring systems.
7. The Independent Environmental Audit shall include a detailed audit of the subsidence, surface water, and ground water impacts of the development. The audit shall:
- (a) review the monitoring data for the development;
 - (b) identify any trends in the monitoring data;
 - (c) examine the subsidence, surface water, and ground water impacts of the development;
 - (d) compare these impacts against the relevant impact assessment criteria; and, if necessary,
 - (e) recommend measures to reduce, mitigate, or remediate these impacts
- If the independent audit determines that the subsidence, surface water, and/or ground water impacts resulting from the underground mining operations are greater than those predicted in the EIS/Supplementary Report or the relevant impact assessment criteria, the Applicant shall:
- (a) assess the significance of these impacts;
 - (b) investigate measures to minimise these impacts, including modifying subsequent mine plans; and
 - (c) describe what measures would be implemented to reduce, minimise, mitigate or remediate these impacts in the future;
- to the satisfaction of the Director-General.
8. Within 3 months of commissioning the Independent Environmental Audit, the Applicant shall submit a copy of the audit report to the Director-General, with a response to the recommendations contained in the audit report.

COMMUNITY CONSULTATIVE COMMITTEE

9. Within 3 months of the date of this consent, the Applicant shall establish a Community Consultative Committee to oversee the environmental performance of the mine. The CCC shall:
- (a) be comprised of:
 - 2 representatives from the Applicant, including the person responsible for environmental management at the mine;
 - at least 1 representative from Council (if available); and
 - at least 3 representatives from the local community, whose appointment has been approved by the Director-General in consultation with the Council;
 - (b) be chaired by an independent chairperson, whose appointment has been approved by the Director-General;
 - (c) meet at least twice a year; and
 - (d) review and provide comment on the environmental performance of the development, including any environmental management plans, monitoring results, audit reports, or complaints.
10. The Applicant shall, at its own expense:
- (a) ensure that 2 of its representatives attend the Committee's meetings;
 - (b) provide the Committee with regular information on the environmental performance and management of the development;
 - (c) provide meeting facilities for the Committee;
 - (d) arrange site inspections for the Committee, if necessary;
 - (e) take minutes of the Committee's meetings;
 - (f) make these minutes available to the public;
 - (g) respond to any comments or recommendations the Committee may have in relation to the environmental management or performance of the development;
 - (h) forward a copy of the minutes of each Committee meeting, and any responses to the Committee's recommendations to the Director-General within a month of acceptance of the minutes by the Committee.

ACCESS TO INFORMATION

11. Within 1 month of the approval of any management plan/strategy required under this consent (or any subsequent revision of these management plans/strategies), the completion of the independent audits required under this consent, or the completion of the AEMR, the Applicant shall:
- (a) provide a copy of the relevant document/s to the Council, relevant agencies and the CCC;
 - (b) ensure that a copy of the relevant documents is made publicly available at the mine; and
 - (c) put a copy of the relevant document/s on the Applicant's website, to the satisfaction of the Director-General.

12. During the life of the development, the Applicant shall:
- (a) make a summary of the results of all monitoring required under this consent publicly available both at the mine and on the Applicant's website; and
 - (b) update these results on a regular basis (at least every 3 months), to the satisfaction of the Director-General.

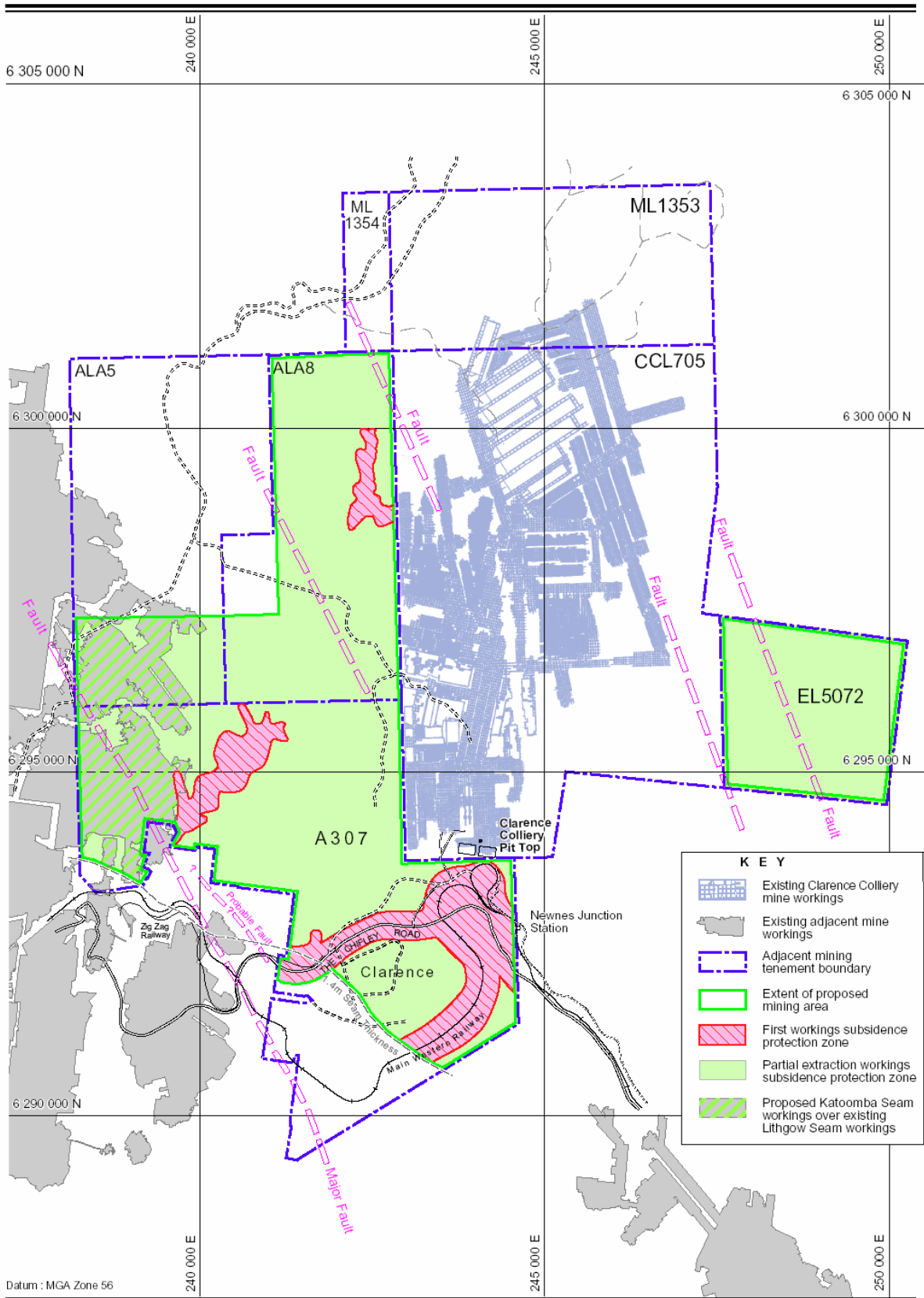
Note: The Applicant's environmental management plans/protocols should specify the reporting provisions for each environmental aspect.

**APPENDIX 1
SCHEDULE OF LAND**

This Appendix to be completed by an officer of the local office of the Department of Land and Water Conservation, a Registered Surveyor, Survey Drafting Officer or Property Officer.

ITEM	PARTICULARS REPORTED
Nature of the land (i.e, Freehold, occupied or vacant Crown land).	Freehold : Parish: Marrangaroo : County: Cook Lots Pt 20, 47, 50 139, Pt 94, Pt 19, 200 & 17 DP 751655 Lot 1 DP 576152 Lot 1 DP 113040 Lot 1 DP 574704 Lot 2 DP 787403 Lot 1 DP 911661 Lot Pt 1 DP 4330 Lot 19 DP 661122 Lots A & B DP 377435 Lots Pt A & Pt B DP 400049 Lots A & B DP 410209 Lots Pt 2, Pt 3, Pt 4, Pt 5 & Pt 6 DP 834082 Lots Pt 1 & Pt 2 DP 514250 Lots 1-14, 17 & 18 DP 7199 Shown by Orange Edge
	Freehold : Parish: Lett : County: Cook Lots Pt81, Pt 274, Pt 275, 16, 218, 4 & 134 DP 751650 Lots 1-35, 37-95, 97 & 98 DP 237413 Lots 14, 15, 16 & 17 Section 4 DP 2018 Lots 3, 4, 5, 7, 8, 9 & 10 Section 2 DP 2018 Lots 2-6 & 11 Section 1 DP 2018 Lots A & B DP 350637 Lots A & B 440786 Lot 369 DP 726995 Pt 1 & Pt 20 DP 5083 Lots 8,9 & 9A DP 981609 Lots 10-13 DP 852373 Lots A & B DP 440786 Lots 1 & 2 DP 575422 Lot 1 DP 871022 Lots 8 & 5 DP 788554 Lot 1 DP 105037 Lot 1 DP 982496 Lots 191 & 192 DP 875912 Lot 4 DP 251935 Lots 1 & 2 DP 719201 Lots 1 &2 DP 823423 Lots 1 & 2 DP 823390 Lot 1 DP 47648 Lot 3 DP 601456 Lot 3 DP 778317 Lots A & B 345465 Shown by Orange Edge
	Freehold : Parish: Clywdd : County: Cook Lots 45, Pt23, 37, 38, 39, 40, 54 & 59 DP 751631 Lot 167 DP 821851 Lot Pt 165 DP 751631 Lots 1 &2 DP 606571 Lot 1002 DP 843871 Lots 361 & 363 DP 209982 Lot 1 DP 579474 Lot Pt 1 DP 741138 Shown by Orange Edge
	Leasehold Land : Parish: Lett : County: Cook Lot 339 DP 720625 Special Lease 1963/32 Lithgow (73420) Shown by Brown

**APPENDIX 2
MINE PLAN AND SUBSIDENCE PROTECTION ZONES**



**FIGURE 5.6 (revised)
Clarence Colliery - Lease Extension Area
and Subsidence Protection Zones**

APPENDIX 3
INDEPENDENT DISPUTE RESOLUTION PROCESS

