



**Donaldson Coal Pty Ltd
Abel Coal Project
Black Hill**

INDEPENDENT ENVIRONMENTAL AUDIT

ABEL COAL PROJECT

BLACK HILL NSW

June 2008

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Executive Summary

Donaldson Coal Pty Ltd (DCPL) was granted Project Approval to develop the Abel Coal Project on 7 June 2007. The project is located approximately 23 km from the Port of Newcastle and 4 km south of East Maitland, NSW.

The Independent Environmental Audit of the Abel Coal Project to review compliance of the development with the Minister's Conditions of Approval (MCoA) and Statements of Commitments (SoC) was conducted on site between the 26-29 May 2008, with additional information provided by DCPL between 28 May and 6 June 2008.

The audit was conducted generally in accordance with the Australian/New Zealand Standards AS/NZS ISO 19011:2003 - Guidelines for Quality and/or Environmental Management System Auditing.

The documentation held by Donaldson Coal and interviews/discussions with the site personnel provided the auditor with the required information and documentation for the verification of compliance of the development with the MCoA.

The independent audit of the MCoA for the Abel Coal project confirmed a high degree of compliance and did not identify any non-compliance with the MCoA or Statement of Commitments (SoC) for the activities undertaken during the 12 months since the Project Approval was granted on 7 June 2007.

All the management plans and monitoring programs required by the MCoA have been approved by DoP, except for the Subsidence Management Plan that will be prepared prior to the commencement of mining operations that could cause subsidence.

1.0 Introduction

1.1 Background

This Independent Environmental Audit was conducted at the request of Donaldson Coal Pty Ltd to satisfy Minister's Condition of Approval (MCoA) for the Abel Coal Project, Schedule 5, Condition 5 that requires:

“Within 1 year of this approval, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:

- be conducted by suitably qualified, experienced and independent expert/s whose appointment has been endorsed by the Director-General;*
- include consultation with the relevant agencies;*
- assess the various aspects of the environmental performance of the project, and its effects on the surrounding environment;*
- assess whether the project is complying with the relevant standards, performance measures and statutory requirements;*
- review the adequacy of any strategy/plan/program required under this approval; and, if necessary,*
- recommend measures or actions to improve the environmental performance of the project, and/or any strategy/plan/program required under this approval.”*

During the period 7 June 2007 to 6 June 2008, primary construction activities related to the Abel Coal Project commenced in March 2008 and included the establishment of the mine portals and initial under-ground roadways. No mining of coal from the Abel project occurred during this 12 month period since the Project Approval. The roadway extending from the personnel and equipment access portal had progressed approximately 20m south of the box cut by 6 June 2008, and the roadway for the conveyor had progressed approximately 80m from the conveyor portal. The roadway for the ventilation portal had not commenced.

Other activities undertaken during the 7 June 2007 to 6 June 2008 included the installation of:

- a temporary 1250kVA diesel generators.
- an auxiliary fan to provide ventilation during construction of the mine portals.
- temporary offices and ablution facilities for use during the construction and setup of the surface infrastructure area.
- two 225,000L water tanks for potable water.
- a temporary 2,000L self-bunded fuel tank for use by mobile equipment during construction and a 55,000L self-bunded fuel tank

1.2 Scope of Work

The scope of work for the environmental audit addressed the requirements of MCoA Schedule 5 Condition 5:

- *assess the various aspects of the environmental performance of the project, and its effects on the surrounding environment;*
- *assess whether the project is complying with the relevant standards, performance measures and statutory requirements;*

- *review the adequacy of any strategy/plan/program required under this approval; and, if necessary,*
- *recommend measures or actions to improve the environmental performance of the project, and/or any strategy/plan/program required under this approval.”*

1.3 Structure of the Audit Report

The audit report has been structured to provide an assessment of all the consent conditions under the following sections:

Section 1 – Introduction

Section 2 – Project Description - Background

Section 3 – Development Consent Minister’s Conditions of Approval

Section 4 – Other Environmental Approvals

Section 5 – Discussion of the Donaldson Mine Environmental Audit Findings

Attachment A – Donaldson Mine – Minister’s Conditions of Approval and Statements of Commitment

2.0 Project Description

2.1 Project Establishment

The Abel Coal Project is being developed by Donaldson Coal Pty Ltd (DCPL) in accordance with the Environmental Assessment (2005) and the Project Approval granted in June 2007. The underground mine is located approximately 23 km from the Port of Newcastle and 4 km south of East Maitland, NSW.

The Abel Coal Project will:

- extract approximately 4.5 million tonnes of Run-of-Mine (ROM) coal annually using high productivity continuous miner based bord and pillar systems, and pillar extraction underground mining methods;
- truck the ROM coal along a private haul road to the Bloomfield Colliery for beneficiation at the Bloomfield Coal Preparation Plant (CHPP); and
- transport processed coal via the existing Bloomfield rail loop and spur line off the Great Northern Railway Line, to the Port of Newcastle.

The Abel Coal Project is located within Mining Lease (ML) 1618. The ML extends southwards from John Renshaw Drive towards George Booth Drive, and is bounded on the eastern side by the F3 Freeway and the western side by a geological feature in the vicinity of Buttai Creek. The ML has a surface area of approximately 2750 hectares.

The land on which the surface infrastructure for the Abel Coal Project is to be located is private land owned by DCPL. Surrounding land to the south of John Renshaw Drive is owned by Coal and Allied, the Catholic Diocese of Maitland and Newcastle, and various private land owners.

The Abel Coal Project surface facilities and ROM stockpiles are located in the high wall of a box cut, excavated for the Donaldson Coal Mine (north of John Renshaw Drive). The surface infrastructure and facilities for Abel are being constructed within a 9.5ha area and include temporary offices, amenities, service and storage facilities and car parking area. Areas of Donaldson Mine Lease and Bloomfield Colliery, used for Abel surface facilities are included in the Abel Mining Lease 1618.

2.2 Coal Resource

The Abel Coal Project resource occurs within the Permian Tomago Coal Measures – Four Mile Creek formation that outcrops in the mine lease area and comprise six seams, the upper seams of which will be extracted and blended to produce premium grade steaming coal.

The method of coal extraction will be high productivity, continuous miner based bord and pillar systems, using pillar extraction techniques. The amount of coal extracted will be varied to control subsidence to protect a range of surface features.

The Abel underground workings will extract coal from the Upper Donaldson, Lower Donaldson and Ashtonfield coal seams. These seams dip downwards towards the south across the site at approximately 5°. The roadways for the underground workings will be driven underneath John Renshaw Drive to access the coal reserves located south of the road.

The mineable section of the Upper Donaldson Seam is within the northern and central parts of the project area, where seam thickness ranges from 1.5 to 3.2m. Depth of cover ranges from 30m in the north to 250m in the southern area of the lease. Upper Donaldson Seam washed products consist principally of semi-soft coking coal, with high ash thermal coal as a secondary product.

Mineable reserves within the Lower Donaldson Seam are within the central and southern parts of the project area, where the interval below the Upper Donaldson Seam exceeds 10m. Depth of cover ranges from 50 to 450m. Lower Donaldson Seam washed products consist principally of low and high ash thermal coal, with potential for a semi-soft coking coal product in the southeast part of the project area.

The Ashtonfield Seam is of mineable thickness in the northeastern part of the project area. Working thickness ranges from 1.5 to 2.2m. The Ashtonfield Seam is typically 20m below the Lower Donaldson Seam. Depth of cover ranges from 30 to 250m. Ashtonfield Seam washed products consist of semi-soft coking coal and low ash thermal coal.

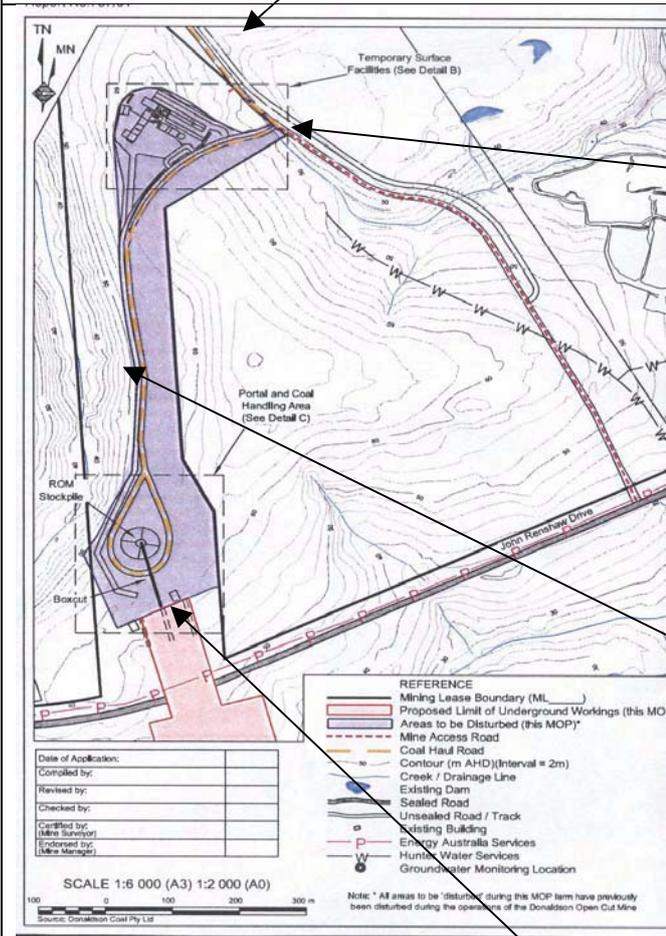
A conveyor from the underground production areas will transport the ROM coal through the mine portal to a surge stockpile within the boxcut. Initially, trucks will transport coal to the existing Bloomfield CHPP for beneficiation. As production levels increase from the Abel Mine, it is planned for an overland conveyor to replace truck haulage. All truck haulage and conveying to Bloomfield will be on private mine roads within existing coal operation areas.

The beneficiated coal product will be conveyed to the Bloomfield rail loader for transport to the Port of Newcastle, 23km to the east.

Plate 1: Abel Coal Project – May 2008



Big Kahuna water storage pond



Abel Coal Project surface layout plan (under construction)



Sealed access to the Abel surface facilities and portals



Native vegetation buffer along Four Mile Creek adjacent to the access road to the mine portals



Open cut high-wall showing Abel portals, looking south towards John Renshaw Drive

3.0 Minister's Condition of Approval

The Project Approval for the Abel Coal Project granted on 7 June 2007, includes conditions for the overall development of the project.

This Independent Environmental Audit is required under MCoA Schedule 5 Condition 5, and involved the review of documentation available from DCPL for the Abel Coal Project, to verify compliance of the project activities at 6 June 2008 in relation to each consent condition (i.e. 12 months after granting of the Project Approval).

The Abel Coal Project development in the first 12 months consisted of approval of the required management plans and monitoring programs, application for other approvals and commencement of construction works for site establishment of surface facilities and mine access portals.

3.1 Environmental Management Strategy (EMS)

The Environmental Management Strategy prepared for the Abel Underground Mine is part of an Integrated Environmental Management Strategy (IEMS) for all of the DCPL projects. The IEMS was submitted to DoP on 7 December 2007 and approved on 26 February 2008. The IEMS documentation has been developed in accordance with the elements of ISO14001.

The components of the IEMS and the commitments in the strategy provide a sound basis for the environmental management of the project. Any updates or changes to environmental management procedures for the project will be achieved through revision of the Management Plans in accordance with EMS Operating Manual EOM-001 Section 13.5.

3.2 Environmental Management Plans

Environmental Management Plans prepared by DCPL were submitted to the Director-General for approval (refer to Table 1).

Table 1: Management Plans Required Under MCoA Schedule 4

MCoA	Management Plan (MP)	Status
7	Subsidence MP	To be prepared prior to commencement of 2 nd workings and approved by Director-General of DPI (Minerals).
9	Hazard MP	To be prepared prior to commencement of 1 st workings under specified surface features.
11	Water MP	Submitted to DoP 7/12/07; Approved by DoP 5/5/08
12	Site Water Balance	Submitted to DoP 7/12/07; Approved by DoP 5/5/08.
13	Erosion and Sediment Control	Submitted to DoP 7/12/07; Approved by DoP 5/5/08.
14	Surface Water Monitoring Program	Submitted to DoP 7/12/07; Approved by DoP 5/5/08.
15	Groundwater Monitoring Program	Submitted to DoP 7/12/07; Approved by DoP 5/5/08
18	Landscape MP	Submitted to DoP 7/12/07; Approved by DoP 11/2/08
19	Rehabilitation MP	Submitted to DoP 7/12/07; Approved by DoP 11/2/08.
20	Final Void MP	Submitted to DoP 7/12/07; Approved by DoP 11/2/08
21	Mine Closure Plan	Submitted to DoP 7/12/07; Approved by DoP 11/2/08
24	Noise Monitoring Program	Submitted to DoP 2/10/07; DoP comments received 12/5/08; Revised NMP approved 2/6/08.
26	Air Quality Monitoring Program	Submitted to DoP 7/12/07; Approved by DoP 26/2/08
29	Aboriginal Heritage MP	Submitted to DoP 3/12/07; Approved by DoP 11/2/08
32	Energy Savings Action Plan	Submitted to DoP 7/12/07; Approved by DoP 13/2/08

3.3 Environmental Monitoring Program

The monitoring programs for each of the environmental aspects and included in the management plans are collated into an Integrated Environmental Monitoring Program (IEMP) for the Abel Coal Project, Donaldson Coal Mine, Tasman Mine and Bloomfield facilities. The IEMP was submitted to the DoP on 7 December 2007. The monitoring programs will be reviewed regularly and updated as required in accordance with EMS Operating Manual EOM-001 Section 13.5 and include:

- Noise
- Blasting
- Air Quality Monitoring
- Surface Water
- Groundwater
- Aboriginal and Cultural Heritage
- Flora and Fauna
- Meteorological Monitoring

The monitoring programs results will be presented in the AEMR.

3.4 Other Environmental Approvals

The status of licences and other approvals required for the Abel Coal Project operations are presented in Table 2.

Table 2 Current Licenses, Lease and Approvals for Abel Coal Project

Licence/ Consent	No.	Legislative Requirement	Status	Activity
Environment Protection Licence	12856	<i>Protection of the Environment Operations Act 1997</i>	Draft EPL pending issue	Coal mining (26), coal works and extractive industries
Mining Lease	1618	<i>Mining Act 1992</i>	Granted 15 May 2008	Coal mining for a surface area of 2755ha for 21 years
Mining Operations Plan		<i>Mining Lease condition</i>	MOP prepared for June 2008 to Dec 2009	Mining operations and rehabilitation
Groundwater Bore Licence		<i>Water Act 1912, Part 5</i>	Application submitted	Groundwater extraction active mining area
Section 138 Approval		<i>Roads Act 1993</i>	To be obtained	For construction of mine portals beneath John Renshaw Drive (MR588)

4.0 Discussion of Environmental Audit Findings

The audit of the MCoA for the Abel Coal Project was undertaken between 26-29 May 2008 with a site inspection, document review and discussions with relevant project personnel. Additional information was provided to the auditor by DCPL between 29 May and 6 June 2008.

The preparation of documentation for the Abel Coal Project and the construction activities, demonstrated a high degree of compliance with the MCoA attached to the Project Approval.

The status and availability of documentation provided to the auditor was adequate to undertake verification of compliance with the MCoA, in relation to the construction status of the project.

The terms used in the audit for the assessment of compliance of the Donaldson Mine with the MCoA were:

Compliant	Implies compliance with the intent and/or requirement of the consent condition.
Non-Compliant	The specific requirement of the consent condition has not been met.
In progress	Consultation or negotiations with authorities or other parties have been initiated to address the requirements of the MCoA and are ongoing.
Not yet activated/Not yet commenced	The requirement of the consent condition has not yet been triggered by the project activities.
Noted	No specific auditable requirement applicable to the condition.

The following table provides a summary of the consent conditions (extracted from the full audit table in Attachment A) where compliance with the requirements of the MCoA will be required prior to the commencement of specific development activities.

Minister's Condition of Approval – Abel Coal Project			
SCHEDULE 4 SPECIFIC ENVIRONMENTAL CONDITIONS			
	Subsidence Impact Limits		
1.	The Proponent shall ensure that there are no subsidence impacts on the Pambalong Nature Reserve or F3 Freeway.	Not yet activated	
4.	The Proponent shall ensure that not more than 60% of the coal seam is extracted beneath the cliff areas identified in Figure 2 of Appendix 2.	Not yet activated	It was advised that the extraction of coal from the underground mine is planned to be less than 60% under cliff areas.
5.	Within 6 years of this approval, the Proponent shall ensure that subsidence has been effectively completed on the following: (a) Catholic Diocese of Maitland-Newcastle land; and (b) Coal & Allied Operations Pty Limited owned land.	Not yet activated	Noted
6.	With the written agreement of the relevant landowner, the Proponent may: (a) conduct additional mining operations and/or cause additional subsidence impacts beyond those permitted under conditions 2(a) and 3; and (b) increase the time within which subsidence must be effectively completed under condition 5.	Not yet activated	Written approval will be sought if required. This condition had not been activated at the date of this audit.

	Subsidence Management Plan		
7.	<p>Prior to carrying out any underground mining operations that could lead to subsidence of the land surface, the Proponent shall prepare a Subsidence Management Plan (SMP) to the satisfaction of the Director-General of DPI. This plan must be prepared in accordance with the:</p> <ul style="list-style-type: none"> • <i>New Approval Process for Management of Coal Mining Subsidence - Policy</i>; and • <i>Guideline for Applications for Subsidence Management Approvals</i> (or the latest versions of these documents). 	Not yet activated	The Subsidence Management Plan will be prepared and submitted to the Director-General for approval prior to the commencement of any underground mining operations that will cause subsidence.
8.	<p>In preparing the Subsidence Management Plan the Proponent shall pay particular attention to the potential surface impacts on all areas of proposed underground mining where:</p> <p>(a) cover depths are less than 100metres; or</p> <p>(b) overlying abandoned mine workings occur (e.g. Stockrington Colliery and beneath Blackhill Quarry).</p>	Not yet activated	
	First Workings Hazard Management Plan		
9.	<p>If the proponent intends to carry out first workings under the following surface features, then it shall include a First Workings Hazard Management Plan in the relevant Subsidence Management Plan for these workings, which describes in detail how these workings would be managed and monitored to ensure compliance with this approval and the contingency measures that would be implemented if the impacts on these surface features are greater than predicted:</p> <ul style="list-style-type: none"> • all buildings and structures on the Black Hill Public School, Black Hill Church and cemetery, and Boral Hotmix Plant sites; • all buildings and structures on, or proposed to be constructed on the Catholic High School site; • the 4 largest dams on the commercial orchard situated on Properties 52 and 53 while these dams are being used as part of a commercial agricultural enterprise; and • all Schedule 2 creeks, rainforest areas and the Blue Gum Creek alluvium. 	Not yet activated	At the time of this audit, first workings had not commenced. The First Workings Hazard Management Plan is not required until the commencement of first workings.
	Discharge		
10.	<p>Except as may be expressly provided for by an EPL, the Proponent shall not discharge any surface waters from the site. However, water may be transferred within the site, and between the site and the adjoining Tasman mine, in accordance with any approved Water Management Plan.</p>	Not yet activated	No surface waters have been discharged from the Abel Coal Project site at the time of this audit.
17.	Vegetation Offset		
	<p>The Proponent shall provide a suitable offset of at least 20ha for the 12.3 hectares of native vegetation that would be disturbed by the project, in consultation with DECC, and to the satisfaction of the Director-General. This offset must include the establishment of at least 10 hectares of Lower Hunter Spotted Gum Ironbark Forest to ensure that there is no net loss of this vegetation on site in the medium to long term. The offset must be contiguous with existing native vegetation and be capable of enhancing local and regional wildlife corridors.</p>	Not yet activated	The 20ha area of land The identification of a suitable vegetation offset area of 20ha is being sought by Donaldson Coal to meet the requirements of this condition.
	Aboriginal Heritage Management Plan		
28.	<p>The Proponent shall not destroy any known Aboriginal objects (as defined in the National Parks and Wildlife Act 1974) without the written approval of the Director-General.</p>	Not activated	
	Disposal of Tailings and Coarse Reject		
34.	<p>The Proponent shall ensure that the:</p> <ul style="list-style-type: none"> • fine tailings generated by the project are disposed of within existing underground workings or open cut pits on the Bloomfield site; and • coarse rejects generated by the project are disposed of within existing open cut pits on the Bloomfield site, to the satisfaction of the D-G. 	Not yet activated	No coal had been extracted or processed from the Abel Coal Project at the date of this audit.

Statement of Commitments – Abel Coal Project			
8.4	At the end of the second year of underground mining, a comprehensive review will be undertaken of the performance of the groundwater system. This would include re-running the groundwater model in transient calibration mode, to verify that the actual inflow rates and groundwater level impacts are in accordance with the model predictions described in this report. If necessary, further adjustment would be made to the model at that time, and new forward predictions of mine inflows and water level impacts will be undertaken.	Not yet activated	A review of the performance of the groundwater system at the end of the second year of underground mining including re-running the groundwater model in transient calibration mode, to verify that the actual inflow rates and groundwater level impacts are in accordance with the model predictions in the Environmental Assessment (2006). Further development of the regional and local groundwater model will occur if necessary.
8.5	The current groundwater model will be expanded to include deeper layers and a larger area that will incorporate the Bloomfield operations and areas of possible groundwater impact around Bloomfield. It is proposed to calibrate this expanded model with ongoing monitoring data from Bloomfield, and more detailed simulation of the Donaldson mining and backfilling. Details of this model and scheduling for completion will be included in the Groundwater Management Plan.	Not yet activated	The groundwater model used for the simulation of impacts from the Abel mine was limited to the Donaldson seams and the coal measures stratigraphically overlying them. Thus the model did not extend north of the sub-crop line of the Lower Donaldson Seam, and did not include all of the Bloomfield operation. Further development of the regional and local groundwater model is outlined in Part A section A.9.2 of the Water Management Plan.
A.	Principal Residences		
	The Company commits to producing and implementing a plan of management for each Principal Residence existing at the date of approval of this project. A Principal Residence is defined as an existing building capable of being occupied as a separate domicile and used for such purpose. The plan of management will be produced and implemented as follows:	Not yet commenced	
B.	Future Principal Residence		
	If there is no existing residence on a landholding and a residence is planned to be built, the site for this Future Principal Residence will be protected in the same way as that proposed above for Principal Residences.	Not yet commenced	
E.	All Other Surface Structures		
	“All Other Surface Structures” is defined as any building or structure impacted by mining-induced subsidence from the Abel Underground Mine Project which is not categorised as a Principal Residence, Future Principal Residence, Black Hill Church and Cemetery or Black Hill School. The Company shall prepare and implement plans of management for the mitigation and remediation of any damage to All Other Surface Structures prior to any mining occurring that would impact on them.	Not yet commenced	
G.	Public Roads		
	The Company shall prepare and implement a plan of management as part of the SMP process implemented under the mining lease for the Abel Underground Mine. This plan of management will ensure the safety and serviceability of public roads and 4WD tracks and fire fighting access tracks.	Not yet commenced	The commitment in this SoC will be included in the Subsidence Management Plan when it is developed prior to 2 nd workings.
H.	Powerlines		
	The Company shall prepare and implement a plan of management as part of the SMP process which will ensure the safety and serviceability of powerlines.	Not yet commenced	The commitment in this SoC will be included in the Subsidence Management Plan when it is developed prior to 2 nd workings
I.	Gas Pipeline		
	The Company shall prepare and implement a plan of management as part of the SMP process which will ensure the safety and serviceability of the gas pipeline.	Not yet commenced	The commitment in this SoC will be included in the Subsidence Management Plan when it is developed prior to 2 nd workings.
K.	Cliffs		
	Trigger-action response plans (TARPs) will be developed by the Company based on consultation with DEC and Local Councils to ensure the general public and employees working in the vicinity of the	Not yet commenced	

	cliffs are not exposed to rock falls caused by mine subsidence damage.		
M.	General Surface Water Flow		
	The Company shall prepare and implement a plan of management to maintain the surface drainage of areas surrounding any dwellings and other structures or infrastructure, where required. This plan shall include but not be limited to monitoring, mitigation or remediation of mining-induced ponding, drainage pattern changes and any resulting serviceability difficulties and/or hazards to the public.	Not yet commenced	The commitment in this SoC will be included in the Subsidence Management Plan when it is developed prior to 2 nd workings.
N.	Public Safety		
	The Company shall prepare and implement a surface safety management program to ensure public safety in any surface areas that may be affected by subsidence arising from the proposed underground mining.	Not yet commenced	The commitment in this SoC will be included in the Subsidence Management Plan when it is developed prior to 2 nd workings.
O.	Landowner Agreements		
	The Company will enter into separate arrangements with Coal and Allied for its Black Hill land and with the Catholic Diocese of Maitland and Newcastle with regard to an agreed mining schedule underneath these respective lands. These arrangements will set timeframes for the completion of mining beneath these areas.	Not yet commenced	Written approval will be sought if required. This SoC had not been activated at the date of this audit.

5.0 Conclusions

The documentation held by Donaldson Coal and interview/discussions with the site personnel provided the auditor with the required information and documentation for the verification of compliance of the development with the MCoA and Statements of Commitments.

The independent audit of the MCoA for the Abel Coal project confirmed a high degree of compliance and did not identify any non-compliance with the MCoA or the Statement of Commitments (SoC) for the development activities undertaken during the 12 months since the Project Approval granted on 7 June 2007.

All the management plans and monitoring programs required by the MCoA have been approved by DoP, except for the Subsidence Management Plan that will be prepared prior to the commencement of mining operations that could cause subsidence (as required by MCoA Schedule 4 Condition 7).

**DONALDSON MINE
INDEPENDENT ENVIRONMENTAL AUDIT**

ATTACHMENTS

Attachment A - Minister's Conditions of Approval

Attachment B – Statement of Commitments

Attachment A – Minister’s Conditions of Approval – Donaldson Coal Mine

Ref	Condition	Audit Evidence	Status	Comments
	Obligation to Minimise Harm to the Environment			
1.	The Proponent shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the project. Terms of Approval		Noted	
2.	The Proponent shall carry out the project generally in accordance with the: <ul style="list-style-type: none"> • Environmental Assessment; • statement of commitments (see Appendix 3); and • conditions of this approval. 	Abel Underground Mine Part 3A Environmental Assessment, Donaldson Coal, 26 Sept 2006 Statement of Commitments Project Approval 05-0136, 7 Jun 2007	Compliant	The project is being developed generally in accordance with the environmental assessment documents and the requirements in these conditions of approval.
3.	If there is any inconsistency between the above documents, the later document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.		Noted	There are currently no inconsistencies between the Environmental Assessment and the development of the Abel Coal Project.
4.	The Proponent shall comply with any reasonable and feasible requirements of the Director-General arising from the Department’s assessment of: <ul style="list-style-type: none"> • any reports, plans or correspondence that are submitted in accordance with the conditions of this approval; and • the implementation of any actions or measures contained in these reports, plans or correspondence. 		Noted	
	Limits on Approval			
5.	Mining operations may take place until 31 December 2028 on the Abel Site.	Mining Lease 1618	Noted	
6.	The Proponent shall not extract more than 4.5 million tonnes of ROM coal a year from the Abel site.		Noted	No coal had been extracted prior to the date of this audit.
7.	No more than 6.5 million tonnes of ROM coal may be processed on the site in a year.		Noted	No coal from this site has been processed prior to this audit.
8.	All product coal produced on the site shall be transported by rail via the Bloomfield rail loading facility. However, in emergencies some product coal may be transported from the site by road with the approval of the Director-General. Structural Adequacy		Noted	No product coal had been transported for the Abel Coal Project prior to the date of this audit.
9.	The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA. <i>Notes: Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works. Part 8 of the EP&A Regulation sets out the requirements for the certification of the Project.</i> Demolition		Noted	At the date of the audit the construction works for the Abel Coal Project had involved the development of the area at the high wall of the Donaldson Mine. It was advised that approval will be obtained for any structures requiring construction or occupation certificates, prior to commencement of works.
10.	The Proponent shall ensure that all demolition work is carried out in accordance			Noted. No demolition of buildings or other

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Abel Coal Project

Ref	Condition	Audit Evidence	Status	Comments
	with <i>Australian Standard AS 2601-2001: The Demolition of Structures</i> , or its latest version.			structures had been required at the time of this audit.
	Operation of Plant and Equipment			
11.	The Proponent shall ensure that all plant and equipment used on site is: <ul style="list-style-type: none"> maintained in a proper and efficient condition; and operated in a proper and efficient manner. 		Noted	
	SCHEDULE 4 SPECIFIC ENVIRONMENTAL CONDITIONS			Note: No underground works had commenced at the date of the audit. MCoA Schedule 4 conditions 1-5 were not applicable at the date of the audit.
	Subsidence Impact Limits			
1.	The Proponent shall implement and comply with commitment 5 of the statement of commitments and the part of the statement of commitments titled "Subsidence Specific Commitments by the Company".		Not yet activated	
2.	The Proponent shall ensure that there are no subsidence impacts on the Pambalong Nature Reserve or F3 Freeway.		Not yet activated	
3.	The Proponent shall ensure that not more than 60% of the coal seam is extracted beneath the cliff areas identified in Figure 2 of Appendix 2.		Not yet activated	It was advised that the extraction of coal from the underground mine is planned to be less than 60% under cliff areas.
4.	The definition of "principal residence" in the statement of commitments is to include the following: <ul style="list-style-type: none"> all buildings and structures on, or proposed to be constructed on, the Catholic High School site; all buildings and structures on the Boral Hotmix Plant site; the 4 largest dams on the commercial orchard situated on Properties 52 and 53 while these dams are being used as part of a commercial agricultural enterprise. 			Noted
5.	Within 6 years of this approval, the Proponent shall ensure that subsidence has been effectively completed on the following: <ul style="list-style-type: none"> (a) Catholic Diocese of Maitland-Newcastle owned land: (insert Lot & DPs); and (b) Coal & Allied Operations Pty Limited owned land: (insert Lot & DPs). 		Not yet activated	Noted
6.	With the written agreement of the relevant landowner, the Proponent may: <ul style="list-style-type: none"> conduct additional mining operations and/or cause additional subsidence impacts beyond those permitted under conditions 2(a) and 3; and increase the time within which subsidence must be effectively completed under conditions 5. 		Not yet activated	Written approval will be sought if required. This condition had not been activated at the date of this audit.
	Subsidence Management Plan			
7.	Prior to carrying out any underground mining operations that could lead to subsidence of the land surface, the Proponent shall prepare a Subsidence Management Plan (SMP) to the satisfaction of the Director-General of DPI. This plan must be prepared in accordance with the: <ul style="list-style-type: none"> <i>New Approval Process for Management of Coal Mining Subsidence – Policy;</i> <i>Guideline for Applications for Subsidence Management Approvals</i> (or the latest versions or replacements of these documents). 		Not yet activated	The Subsidence Management Plan will be prepared and submitted to the Director-General for approval prior to the commencement of any underground mining operations that will cause subsidence.

Ref	Condition	Audit Evidence	Status	Comments
8.	In preparing the Subsidence Management Plan the Proponent shall pay particular attention to the potential surface impacts on all areas of proposed underground mining where: (c) cover depths are less than 100metres; or (d) overlying abandoned mine workings occur (e.g. Stockrington Colliery and beneath Blackhill Quarry).		Not yet activated	Noted
9.	First Workings Hazard Management Plan If the proponent intends to carry out first workings under the following surface features, then it shall include a First Workings Hazard Management Plan in the relevant Subsidence Management Plan for these workings, which describes in detail how these workings would be managed and monitored to ensure compliance with this approval and the contingency measures that would be implemented if the impacts on these surface features are greater than predicted: <ul style="list-style-type: none"> all buildings and structures on the Black Hill Public School, Black Hill Church and cemetery, and Boral Hotmix Plant sites; all buildings and structures on, or proposed to be constructed on the Catholic High School site; the 4 largest dams on the commercial orchard situated on Properties 52 and 53 while these dams are being used as part of a commercial agricultural enterprise; and all Schedule 2 creeks, rainforest areas and the Blue Gum Creek alluvium (see Figure 2 in Appendix 2). 		Not yet activated	Not required until the commencement of first workings.
WATER MANAGEMENT Note: These conditions should be read in conjunction with commitments 5, 6, 7 and 8 of the statement of commitments.				
10.	Discharge Except as may be expressly provided for by an EPL, the Proponent shall not discharge any surface waters from the site. However, water may be transferred within the site, and between the site and the adjoining Tasman mine, in accordance with any approved Water Management Plan (see below).		Not yet activated	No surface waters have been discharged from the Abel Coal Project site at the time of this audit.
11	Water Management Plan The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Director-General. This plan must: <ul style="list-style-type: none"> be submitted to the Director-General for approval within 6 months of this approval; be prepared by suitably qualified expert/s whose appointment/s have been approved by the Director-General; be prepared in consultation with the DECC and DWE; be integrated, as far as is practicable, with the water management plans of the adjoining Bloomfield, Donaldson and Tasman mines; and include a: <ul style="list-style-type: none"> Site Water Balance; Erosion and Sediment Control Plan; Surface Water Monitoring Plan; 	Water Management Plan, March 2008 Letter from DoP re Approval of Consultants, 26 Jun 2007 Email from DNR re WMP, 6 Dec 2007 Letter to DoP re Submission of Water Management Plan, 7 Dec 2007 Letter from DECC re WMP, 9 Apr 2008 Letter from DoP re Water Management Plan Approval, 5	Compliant	The Water Management Plan was prepared by consultants (Dr Steve Perrins - Evans & Peck; Peter Dundon – Peter Dundon & Associates) and prepared in consultation with the DECC and DWE and prepared in consultation with the DECC and DWE. The Abel Coal Project WMP has been integrated with the water management plans for the Donaldson Coal and Bloomfield Collieries. The WMP includes: <ul style="list-style-type: none"> Site Water Balance Part B, section B.3; Erosion and Sediment Control - Plan Part B, section B.4;

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Ref	Condition	Audit Evidence	Status	Comments
	<ul style="list-style-type: none"> - Groundwater Monitoring Program; and - Surface and Groundwater Response Plan, setting out the procedures for: <ul style="list-style-type: none"> - investigating, and if necessary mitigating, any exceedances of the surface or groundwater assessment criteria (see below); and - responding to any unforeseen impacts of the project. 	May 2008		<ul style="list-style-type: none"> - Surface Water Monitoring Plan - Part A Section A.8; - Groundwater Monitoring Program Part A, section A.9; and - Surface and Groundwater Response Plan - Part A section A8.5
	<p>Site Water Balance</p> <p>The Site Water Balance must:</p> <p>(a) include details of:</p> <ul style="list-style-type: none"> • sources of water; • reliability of water supply; • water use on site; • water management on site; • off-site water transfers; • reporting procedures; and <p>(b) describe measures to minimise water use by the project.</p>	<p>Water Management Plan, Part B Abel Coal Project section B.3, and Part C Bloomfield CHPP section C3</p> <p>Water Management Plan Appendix 2 Water Balance Modelling</p>	Compliant	<p>The details of the site water balance are contained in the Water Management Plan:</p> <ul style="list-style-type: none"> • sources of water – section B.3.4 and C3.4; • reliability of water supply – section B.3.7 and C3.7; • water use on site – section B.3.5 and C3.5; • water management on site – section B.3.5 and C3.5; • off-site water transfers – section B.3.6 and C3.8; • reporting procedures – section B.3.8 and C3.11; and • measures to minimise water use – section B.3.9 and C.12.
	<p>Erosion and Sediment Control</p> <p>The Erosion and Sediment Control Plan must:</p> <p>(a) be consistent with the requirements of the Department of Housing's <i>Managing Urban Stormwater: Soils and Construction</i> manual;</p> <p>(b) identify activities that could cause soil erosion and generate sediment;</p> <p>(c) describe measures to minimise soil erosion and the potential for transport of sediment to downstream waters;</p> <p>(d) describe the location, function, and capacity of erosion and sediment control structures; and</p> <p>(e) describe what measures would be implemented to monitor and maintain the structures over time.</p>	<p>Erosion and Sediment Control Plan, Part B Abel Coal Project Section B.4 and Part C Bloomfield Section C.4 and C5</p>	Compliant	<p>The Erosion and Sediment Control Plan is consistent with the requirements of the Department of Housing's <i>Managing Urban Stormwater: Soils and Construction</i> manual Part B section B4.3 and Part C section C.4.5 and C.5.1. Activities that could cause soil erosion and generate sediment are identified in Part B section B.4, and Part C sections C.4 and C.5. Measures to minimise soil erosion and the potential for transport of sediment to downstream waters are described in Part B section B.4, and Part C sections C.4 and C.5. Location, function, and capacity of erosion and sediment control structures are described in Part B section B.4, and Part C sections C.4 and C.5. Measures to be implemented to monitor and maintain the structures are in Part C, sections C.4.6 and C.5.</p>
	<p>Surface Water Monitoring Program</p> <p>The Surface Water Management and Monitoring Plan must include:</p>	<p>Water Management Plan.</p>	Compliant	<p>The Water Management Plan and Surface Water</p>

Ref	Condition	Audit Evidence	Status	Comments
	<ul style="list-style-type: none"> detailed baseline data on surface water flows and quality in creeks and other water bodies that could be affected by the project; surface water impact assessment criteria; a program to monitor the impact of the project on surface water flows and quality; procedures for reporting the results of this monitoring. 	Surface Water Monitoring Program Part A section A.8		<p>Monitoring Program includes:</p> <ul style="list-style-type: none"> baseline data on surface water flows and quality in creeks and other water bodies that could be affected by the project – part A section A.8.3; surface water impact assessment criteria – Part A section 8.4; impact of the project on surface water quality Part A section A.8.4.1; impact of the project on surface water flows – Part A section A.8.4.2 procedure for reporting the results of this monitoring – Part A section A.8.6
15.	<p>Groundwater Monitoring Program</p> <p>The Groundwater Monitoring Program must include:</p> <ul style="list-style-type: none"> further development of the regional and local groundwater model; detailed baseline data to benchmark the natural variation in groundwater levels, yield and quality (including at any privately-owned bores in the vicinity of the mine; groundwater impact assessment criteria; monitoring of the Pambalong Nature Reserve and rainforest areas; a program to monitor the impact of the project on groundwater levels, yield and quality; and procedures for reporting the results of this monitoring. 	Water Management Plan, Groundwater Monitoring Program, Part A, section A.9	Compliant	<p>The Groundwater Monitoring Program include:</p> <ul style="list-style-type: none"> further development of the regional and local groundwater model – Part A section A.9.2; baseline data to benchmark the natural variation in groundwater levels, yield and quality (including at any privately-owned bores in the vicinity of the mine – Part A section A.9.3; groundwater impact assessment criteria – Part A section A.9.4; monitoring of Pambalong Nature Reserve and rainforest areas – Part A section A.9.5; a program to monitor the impact of the project on groundwater levels, yield and quality – Part A section A.9.6; and reporting the results of this monitoring – Part A section A.9.7.
	LANDSCAPE MANAGEMENT <i>Note: These conditions should be read in conjunction with commitments 10 and 12 of the statement of commitments.</i>			
	Rehabilitation			
16	The Proponent shall rehabilitate the site to the satisfaction of the Director-General and DPI (Minerals).		Noted	Noted
	Vegetation Offset			
17.	The Proponent shall provide a suitable offset of at least 20ha for the 12.3 hectares of native vegetation that would be disturbed by the project, in consultation with DECC, and to the satisfaction of the Director-General. This offset must include the establishment of at least 10 hectares of Lower Hunter Spotted Gum Ironbark Forest to ensure that there is no net loss of this vegetation on site in the medium to long term. The offset must be contiguous with existing		Not yet activated	The vegetation offset is related to the proposed conveyor route and will be enacted prior to the clearing being undertaken for the construction of the conveyor. The identification of a suitable vegetation offset area is being sought by Donaldson Coal to meet the requirements of this

Ref	Condition	Audit Evidence	Status	Comments
	native vegetation and be capable of enhancing local and regional wildlife corridors.			condition.
18	Flora and Fauna Management in Farm Dams As part of its proposed Dam Monitoring and Management Strategy the Proponent shall prepare a flora and fauna assessment of farm dams which may be impacted by subsidence (with particular reference to potential impacts on threatened species). The Dam Monitoring and Management Strategy shall include measures to minimise impacts on threatened species to the satisfaction of the Director-General.	Flora and Fauna Management Plan, Section 5.2, October 2007	Compliant	The Flora and Fauna Management Plan has a section 5.2.1 Dam Monitoring and Management Plan within the Surface Ecological Monitoring Plan. The section outlines the species, habitats and monitoring proposed for the dams identified in the Environment Assessment, above the underground mining areas.
19.	Landscape Management Plan The Proponent shall prepare and implement a detailed Landscape Management Plan for the site to the satisfaction of the Director-General and DPI. This plan must: <ul style="list-style-type: none"> • be submitted to the Director-General for approval within 6 months of this approval; • be prepared by suitably qualified expert/s whose appointment/s have been endorsed by the Director-General; • be prepared in consultation with DWE, DECC and affected Councils; and include a: <ul style="list-style-type: none"> • Rehabilitation Management Plan; • Final Void Management Plan; and • Mine Closure Plan. 	Landscape Management Plan, March 2008 Letter from DoP re Consultants, 26 Jun 2007 Letter to DWE re LMP, 13 Nov 2007 Letter to Maitland City Council re LMP, 13 Nov 2007 Letter to Cessnock City Council re LMP, 13 Nov 2007 Letter from DECC re LMP, 27 Nov 2007 Letter to DoP re Landscape Management Plan, 7 Dec 2007 Letter from DoP re Landscape Management Plan Approval, 11 Feb 2008	Compliant	The Landscape Management was submitted to the Director-General within 6 months of granting of the Project Approval. The consultants who prepared the Landscape Management Plan, (i.e. Colin Driscoll Hunter Eco; Rod Masters GSS Environmental and Mark Burns of Global Soil Services) were endorsed by the Director-General on 26 June 2007. Consultation occurred with the Maitland and Cessnock City Councils, DWE and the DECC. The Landscape Management Plan includes the Rehabilitation Management Plan (Appendix 3), Final Void Management Plan (Appendix 4) and Mine Closure Plan (Appendix 5).
20.	Rehabilitation Management Plan The Rehabilitation Management Plan must include: <ul style="list-style-type: none"> • the rehabilitation objectives for the site; • a strategic description of how the rehabilitation of the site would be integrated with the 4,400 hectares of land owned by the Proponent surrounding the site, with a view to improving or enhancing the regional landscape and flora and fauna habitat values; • a general description of the short, medium and long term measures that would be implemented to rehabilitate the site; • a detailed description of the measures that would be implemented over the next three years to rehabilitate the site, including the measures to be implemented for: <ul style="list-style-type: none"> o progressively rehabilitating areas disturbed by mining operations on the 	Land Management Plan, Appendix 3 Rehabilitation Management Plan, March 2008 Email to DECC and DPI re Submission of the Landscape Management Plan, 23 May 2008 Draft Mining Operations Plan to December 2009, Section 4, May 2008	Compliant	The Rehabilitation Management Plan includes: <ul style="list-style-type: none"> • rehabilitation objectives– section 3.0 ; • a strategic description rehabilitation of the 4,400 hectares of land owned by the Proponent surrounding the site – section 4; • a general description of the short, medium and long term measures that would be implemented to rehabilitate the site – section 4.3; • description of the measures to be implemented over the next three years to rehabilitate the site – section 4.2 and 6.0, and

Ref	Condition	Audit Evidence	Status	Comments
	<p>site:</p> <ul style="list-style-type: none"> o managing the remnant vegetation and habitat on site; o revegetating, monitoring and maintaining the offset area; o undertaking additional pre-sub-sidence fauna surveys; o minimising impacts on threatened fauna; o minimising visual impacts; o conserving and reusing topsoil; o collecting and propagating seeds for rehabilitation works; o salvaging and reusing material from the site for habitat enhancement; o controlling weeds, feral pests, and access; o managing bushfires; and o managing any potential conflicts between the rehabilitation works and Aboriginal cultural heritage. <ul style="list-style-type: none"> • detailed performance and completion criteria for the rehabilitation of the site; • a detailed description of how the performance of the rehabilitation works would be monitored over time to achieve the stated objectives and against the relevant performance and completion criteria; and • details of who is responsible for monitoring, reviewing and implementing the plan. 			<p>MOP section 4, detailed performance and completion criteria for the rehabilitation of the site – section 6.0;</p> <ul style="list-style-type: none"> • a detailed description of how the performance of the rehabilitation works would be monitored over time to achieve the stated objectives and against the relevant performance and completion criteria – section 7; and • details of who is responsible for monitoring, reviewing and implementing the plan – section 8.
21	<p>Final Void Management</p> <p>The Final Void Management Plan must describe what actions and measures would be implemented to:</p> <ul style="list-style-type: none"> (a) minimise any potential adverse impacts associated with the modified final void of the Donaldson mine on the Abel site; and (b) manage and monitor the potential impacts of this final void over time. 	<p>Land Management Plan, Appendix 4 - Final Void Management Plan, March 2008</p>	<p>Compliant</p>	<p>The Final Void Management Plan describes the actions and measures to be implemented to:</p> <ul style="list-style-type: none"> (a) minimise any potential adverse impacts associated with the modified final void of the Donaldson mine on the Abel site Appendix 5 sections 4-6 ; and (b) management and monitoring of the final void over time – Appendix 5 section 8.0 and Appendix 6 section 10 (Mine Closure Plan).
22.	<p>Mine Closure Plan</p> <p>The Mine Closure Plan must:</p> <ul style="list-style-type: none"> (a) define the objectives and criteria for mine closure; (b) investigate options for the future use of the site, including the final voids; (c) investigate ways to minimise the adverse socio-economic effects associated with mine closure, including reduction in local and regional employment levels; (d) describe the measures that would be implemented to minimise or manage the on-going environmental effects of the project; and (e) describe how the performance of these measures would be monitored over time. 	<p>Land Management Plan, Appendix 5 - Mine Closure Plan, March 2008</p>	<p>Compliant</p>	<p>The Mine Closure Plan includes:</p> <ul style="list-style-type: none"> • objectives and criteria for mine closure – section 9.0; • options for the future use of the site, including the final voids – section 11.0; • investigate ways to minimise the adverse socio-economic effects associated with mine closure, including reduction in local and regional employment levels – section 4.4;

Ref	Condition	Audit Evidence	Status	Comments																																																																								
	NOISE																																																																											
	Noise Limits		Noted																																																																									
23.	The Proponent shall ensure that the noise generated by the project does not exceed the noise limits in Table 1 on any residence on privately-owned land. Table 1: Noise limits dB(A)	Mine Portal Drill Measurements, Abel Project, Heggies, 30 April 2008	Compliant	Noise monitoring was conducted by Heggies at the nearest potentially affected receivers identified in MCoA Table 1, during drilling activities at the Abel Coal Project site on 29 April 2008. The attended noise measurements concluded that no audible mine contribution to the noise measured was detected at Blackhill School (location D) and the drilling activities were not audible at location F. Refer to SoC 3.2 for noise reduction works conducted on the Bloomfield CHPP to screen residences to the north of the CHPP site.																																																																								
	<table border="1"> <thead> <tr> <th colspan="2">Location and Locality</th> <th>Day -$L_{Aeq}(15 \text{ min})$</th> <th>Evening $L_{Aeq}(15 \text{ min})$</th> <th>Night $L_{Aeq}(15 \text{ min})$</th> <th>$L_{Aeq}(1 \text{ min})$</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>Weakleys Dr, Beresfield</td> <td>50</td> <td>48</td> <td>41</td> <td>51</td> </tr> <tr> <td>B</td> <td>Yarrum Rd, Beresfield</td> <td>49</td> <td>47</td> <td>40</td> <td>50</td> </tr> <tr> <td>J</td> <td>Kilamey St, Avalon Estate</td> <td>46</td> <td>46</td> <td>40</td> <td>53</td> </tr> <tr> <td>L</td> <td>Kilshanny Ave, Ashtonfield</td> <td>44</td> <td>46</td> <td>38</td> <td>48</td> </tr> <tr> <td>C</td> <td>Phoenix Rd, Black Hill</td> <td>43</td> <td>44</td> <td>38</td> <td>50</td> </tr> <tr> <td>G</td> <td>Buchanan Rd, Buchanan</td> <td>43</td> <td>41</td> <td>36</td> <td>46</td> </tr> <tr> <td>H</td> <td>Mt Vincent Rd, Louth Park</td> <td>41</td> <td>40</td> <td>37</td> <td>46</td> </tr> <tr> <td>K</td> <td>Catholic Diocese (Former Bartter) K1, K2, K3</td> <td>41</td> <td>40</td> <td>36</td> <td>46</td> </tr> <tr> <td>D</td> <td>Black Hill School</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>E</td> <td>Brown Rd, Black Hill</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>F</td> <td>Black Hill Rd, Black Hill</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Location and Locality		Day - $L_{Aeq}(15 \text{ min})$	Evening $L_{Aeq}(15 \text{ min})$	Night $L_{Aeq}(15 \text{ min})$	$L_{Aeq}(1 \text{ min})$	A	Weakleys Dr, Beresfield	50	48	41	51	B	Yarrum Rd, Beresfield	49	47	40	50	J	Kilamey St, Avalon Estate	46	46	40	53	L	Kilshanny Ave, Ashtonfield	44	46	38	48	C	Phoenix Rd, Black Hill	43	44	38	50	G	Buchanan Rd, Buchanan	43	41	36	46	H	Mt Vincent Rd, Louth Park	41	40	37	46	K	Catholic Diocese (Former Bartter) K1, K2, K3	41	40	36	46	D	Black Hill School					E	Brown Rd, Black Hill					F	Black Hill Rd, Black Hill							
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24.	The Proponent shall prepare and implement a Noise Monitoring Program for the project to the satisfaction of the Director-General. This program must: (a) be submitted to the Director-General for approval within 6 months of this approval; (b) be prepared in consultation with the DECC; and (c) use a combination of attended and unattended monitoring measures to monitor the performance of the project.	Noise Monitoring Program, Heggies, Sep 2007 Letter to DECC re Noise Monitoring Program, 5 Sep 2007 Letter from DECC re Noise Monitoring Program, 13 Sep 2007 Letter from DoP re Comments on Noise Monitoring Program, 13 Nov 2007 Letter from DoP re Comments on Noise Monitoring Program, 12 May 2008 Letter to DECC re Noise	Compliant	The Noise Monitoring Program was submitted to the Director-General within 6 months of the Project Approval. Comments were received from DoP on 13 November 2007. Consultation with the DECC occurred by correspondence. The proposed program included both attended and unattended noise monitoring of the project activities. The Noise Management was submitted to DoP on 12 May 2008 and approved 2 June 2008. SoC 3.3 includes an outline of the proposed noise monitoring program and integration of the																																																																								

Ref	Condition	Audit Evidence	Status	Comments
		Monitoring Program, 23 May 2008 Letter from DoP re NMP Approval, 2 Jun 2008		programs conducted for the Donaldson Mine, Tasman Mine and Bloomfield facilities.
	AIR QUALITY Note: These conditions should be read in conjunction with commitment 4 of the statement of commitments.			
	Impact Assessment Criteria			
25.	The Proponent shall ensure that dust generated by the project does not cause additional exceedances of the criteria listed in Tables 2 to 4 at any residence on privately-owned land, or on more than 25 percent of any privately-owned land. <i>Table 2: Long term impact assessment criteria for particulate matter</i>		Noted	
	<i>Table 2: Long term impact assessment criteria for particulate matter</i>		Noted	Results of the integrated air quality monitoring will be reported in the AEMR 2008.
	Pollutant	Averaging period		
	Total suspended particulate (TSP) matter	Annual		Criterion 90 µg/m ³
	Particulate matter < 10 µm (PM ₁₀)	Annual		30 µg/m ³
	<i>Table 3: Short term impact assessment criteria for particulate matter</i>			
	Pollutant	Averaging period		Criterion
	Particulate matter < 10 µm (PM ₁₀)	24 hour		50 µg/m ³
	<i>Table 4: Long term impact assessment criteria for deposited dust</i>			
	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
	Monitoring			
26.	The Proponent shall prepare and implement an Air Quality Monitoring Program for the project to the satisfaction of the Director-General. This program must: <ul style="list-style-type: none"> be submitted to the Director-General for approval within 6 months of this approval; be prepared in consultation with the DEC; and use a combination of high volume samplers and dust deposition gauges to monitor the performance of the project. 	Air Quality Monitoring Plan, 10 Oct 2007 Email to DECC re Air Quality Monitoring Plan, 8 Nov 2007 Letter to DoP re Air Quality Monitoring Plan, 7 Dec 2007 Letter from DoP re Comments on Air Quality Monitoring Plan, 11 Feb 2008 Revised Air Quality Monitoring Plan, 20 Feb 2008 Letter from DoP re Approval of Air Quality Monitoring Plan, 26 Feb 2008	Compliant	The Air Quality Monitoring Plan was prepared in consultation with the DECC. The Air Quality Monitoring Program was submitted to the Director-General within 6 months of the Project Approval. The Air Quality Monitoring Program included: <ul style="list-style-type: none"> Six dust deposit gauges to measure monthly average dust deposition levels in accordance with AS 3580.10.1 1991. One high volume air sampler fitted with a PM10 size selective inlet and operated on a one-day-in-six cycle in accordance with AS 3580.9.7 1990. One high volume air sampler fitted with TSP inlet and operated on a one-day-in-six cycle in accordance with AS 2724.5 1987.
	METEOROLOGICAL MONITORING			
27.	During the project, the Proponent shall maintain a suitable meteorological station	Water Management Plan, Part A	Compliant	The meteorological station established at the

Ref	Condition	Audit Evidence	Status	Comments
	on site to the satisfaction of the DECC and Director-General. This station must satisfy the requirements in the <i>Approved Methods for Sampling of Air Pollutants in New South Wales</i> publication.	Section 10, March 2008		Donaldson Mine site offices is equipped and operated in accordance with AS 2923:1987 to record information on wind speed, wind direction, sigma-theta and temperature at 10-minute intervals.
	HERITAGE Note: These conditions should be read in conjunction with commitments 11 and 12 of the statement of commitments.			
	Aboriginal Heritage Management Plan			
28.	The Proponent shall not destroy any known Aboriginal objects (as defined in the <i>National Parks and Wildlife Act 1974</i>) without the written approval of the Director-General.		Not activated	
29.	The Proponent shall prepare and implement an Aboriginal Heritage Management Plan for the project to the satisfaction of the Director-General. This plan must: <ul style="list-style-type: none"> be submitted to the Director-General within 6 months of this approval; be prepared in consultation with the DEC and the Mindaribba and Awakabal Local Aboriginal Land Councils; and include a: <ul style="list-style-type: none"> comprehensive Aboriginal heritage survey across the Abel Site, staged so as to be complete prior to any disturbance; salvage program for temporarily storing and then replacing retrieved material; protocol for the ongoing consultation and involvement of Aboriginal communities in the conservation and management of Aboriginal heritage; describe the measures that would be implemented to protect Aboriginal sites on site, or if any new Aboriginal objects or skeletal remains are discovered. 	Aboriginal Heritage Management Plan, Nov 2007 Letter from DECC re Comments on Aboriginal Heritage Management Plan, 15 Nov 2007 Letter from Mindaribba Aboriginal Land Council re Aboriginal Heritage Management Plan, 26 Nov 2007 Letter from Awakabal Local Aboriginal Land Council re Aboriginal Heritage Management Plan, 30 Nov 2007 Letter to DoP re Aboriginal Heritage Management Plan, 3 Dec 2007	Compliant	This Aboriginal Heritage Management Plan was submitted to the Director-General within 6 months of the Project Approval. Consultation occurred with the DECC and the Mindaribba and Awakabal Aboriginal Land Councils. The Aboriginal Heritage Management Plan includes: <ul style="list-style-type: none"> a comprehensive Aboriginal heritage survey has been conducted across the Abel Site, staged so as to be complete prior to any disturbance – Table 1; salvage program for temporarily storing and then replacing retrieved material ; protocol for the ongoing consultation and involvement of Aboriginal communities in the conservation and management of Aboriginal heritage - Section 4.2 Aboriginal Community Involvement; Measures to be implemented to protect Aboriginal sites on site – section 4.5, or if any new Aboriginal objects or skeletal remains are discovered – Section 4.7 Identification of Previously Unidentified Aboriginal Sites and Section 4.8 Identification of Human Skeletal Remains.
	VISUAL IMPACT Visual Amenity Note: <i>These conditions should be read in conjunction with commitment 9 of the statement of commitments.</i>			
30.	The Proponent shall minimise the visual impacts of the project to the satisfaction of the Director-General.	Land Management Plan, Appendix 3-5 – Rehabilitation, Mine Closure, and Final Void Management Plans, March	Noted	The outline of proposed actions to reduce the visual impact of the mine and facilities have been addressed for the CHPP and shrub and tree plantings along the outside edge of the bund walls

Ref	Condition	Audit Evidence	Status	Comments
		2008		of the mine facilities will be planted to lessen the visual impact with project area rehabilitation in accordance with the post-mining rehabilitation criteria and land use.
31.	Lighting Emissions The Proponent shall ensure that no outdoor lights on the site shine above the horizontal.		Compliant	Lighting is shielded at the CHPP and the standard lights used on the mine site are maintained to reduce light scatter above the horizontal. No complaints have been received in relation to lights.
	GREENHOUSE GASES Energy Savings Action Plan			
32.	The Proponent shall prepare and implement an Energy Savings Action Plan for the project to the satisfaction of the Director-General. This plan must be prepared in accordance with any requirements or relevant guidelines of DWE, and submitted to the Director-General for approval within 6 months of this approval.	Energy Saving Action Plan (ESAP), Advitech, December 2007 Email from DECC re the ESAP, 5 Dec 2007 Letter to DoP re ESAP, 7 Dec 2007 Letter from DoP re Approval of ESAP 13 Feb 2008	Compliant	The ESAP stated that reporting of the effectiveness of measures implemented under the ESAP will be enhanced by the installation of sub-metering systems, SCADA monitoring systems, monthly reporting of energy KPI.
33.	Recording and Reporting The Proponent shall: <ul style="list-style-type: none"> record the greenhouse gas emissions generated by the project, and the effectiveness of the measures implemented under the Energy Savings Action Plan; and report on this monitoring in the AEMR. WASTE		Noted	Progress on action on the opportunities presented in the ESAP will be reported in the AEMR.
	Disposal of Tailings and Coarse Reject			
34.	The Proponent shall ensure that the: <ul style="list-style-type: none"> fine tailings generated by the project are disposed of within existing underground workings or open cut pits on the Bloomfield site; and coarse rejects generated by the project are disposed of within existing open cut pits on the Bloomfield site, to the satisfaction of the Director-General. Waste Minimisation		Not yet activated	No coal had been extracted or processed from the Abel Coal Project at the date of this audit.
35.	The Proponent shall: <ul style="list-style-type: none"> monitor the amount of waste generated by the project; investigate ways to minimise waste generated by the project; implement reasonable and feasible measures to minimise waste generated by the project; ensure irrigation of treated wastewater is undertaken in accordance with DEC's <i>Environmental Guideline for the Utilisation of Treated Effluent</i>; and report on waste management and minimisation in the AEMR, to the 		Noted	Waste management and minimisation will be reported in the AEMR prepared for the Abel Coal Project. Waste management for the project will be implemented in accordance with the waste hierarchy adopted by Donaldson Coal (i.e. avoidance, reuse, recycle/reprocessing, and disposal).

Ref	Condition	Audit Evidence	Status	Comments
	satisfaction of the Director-General.			
	SCHEDULE 5 ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING AND REPORTING <i>Note: This schedule should be read in conjunction with commitments 12, 14, and 15 of the statement of commitments.</i>			
	ENVIRONMENTAL MANAGEMENT STRATEGY			
1.	<p>The Proponent shall prepare and implement an Environmental Management Strategy for that project to the satisfaction of the Director-General. This strategy must be submitted to the Director-General within 6 months of this approval, and:</p> <ul style="list-style-type: none"> provide the strategic context for environmental management of the project; identify the statutory requirements that apply to the project; describe in general how the environmental performance of the project would be monitored and managed; describe the procedures that would be implemented to: keep the local community and relevant agencies informed about the operation and environmental performance of the project; receive, handle, respond to and record complaints; resolve any disputes that may arise during the course of project activities; respond to any non-compliance; manage cumulative impacts; and respond to emergencies; and describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project. 	<p>Environmental Management Strategy EMS Operating Manual EMS-01, 24 Oct 2007 Letter to DoP re EMS, 7 Dec 2007 Letter from DoP re Comments on the EMS, 11 Feb 2008 Letter to DoP re Revised EMS, 19 Feb 2008 Letter from DoP re EMS Approval, 26 Feb 2008</p>	Compliant	<p>This version of the EMS Operating Manual (EOM-1) provides an integrated environmental management strategy (or System) for all the Donaldson Coal operations (i.e Donaldson Mine, Tasman Mine, and Abel Underground Mine and the associated Bloomfield Operations comprising coal handling and preparation plant and rail loading facility). The integrated strategy includes the components to satisfy the requirements of MCoA Schedule 5 Condition 1.</p>
2.	<p>ENVIRONMENTAL MONITORING PROGRAM</p> <p>The Proponent shall prepare and implement an Environmental Monitoring Program for the project to the satisfaction of the Director-General. This program must consolidate the various monitoring requirements in schedule 4 of this approval into a single document, and be integrated as far as is practicable with the monitoring programs of the adjoining Bloomfield, Donaldson and Tasman mines.</p>	<p>Integrated Environmental Monitoring Program, Dec 2007 Letter to DoP re Integrated Environmental Monitoring Program, 7 Dec 2007 Letter from DoP re Integrated Environmental Monitoring Program</p>	Compliant	<p>The Integrated Environmental Monitoring Program includes noise, blasting, air quality, surface water, groundwater, Aboriginal and cultural heritage, flora and fauna and meteorological monitoring for the Donaldson Mine, Tasman Mine Abel Coal Project and Bloomfield facilities.</p>
3.	<p>INCIDENT REPORTING</p> <p>Within 7 days of detecting an exceedance of the limits/performance criteria in this approval, or an incident causing (or threatening to cause) material harm to the environment, the Proponent shall report the exceedance/incident to the Department and any other relevant agency. This report must:</p> <ul style="list-style-type: none"> describe the date, time and nature of the exceedance/incident; identify the cause (or likely cause) of the exceedance/incident; describe what action has been taken to date; and describe the proposed measures to address the exceedance/incident. 	<p>EMS section 12.3 – Emergency Response and Preparedness Plan (EME-3) Emergency Incidents Reporting Form (EME-2)</p>	Compliant	<p>A specific Emergency Response Plan has been developed by the Abel Coal Project team to provide procedures and processes for response to any incident related to the project. Donaldson Coal also have Emergency Response and Preparedness Plans as part of the EMS to address any significant environmental emergency and ensure that effective response is initiated to minimise any potential environmental impact should an incident occur.</p>
	ANNUAL REPORTING			

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Ref	Condition	Audit Evidence	Status	Comments
4.	<p>Within 12 months of this approval, and annually thereafter, the Proponent shall submit an AEMR to the Director-General and to all relevant agencies. This report must:</p> <ul style="list-style-type: none"> • identify the standards and performance measures that apply to the project; • describe the works carried out in the last 12 months; • describe the works that will be carried out in the next 12 months; • include a summary of the complaints received during the past year, and compare this to the complaints received in previous years; • include a summary of the monitoring results for the project during the past year; • include an analysis of these monitoring results against the relevant: • impact assessment criteria/limits; • monitoring results from previous years; and • predictions in the EA; • identify any trends in the monitoring results over the life of the project; • identify any non-compliance during the previous year; and • describe what actions were, or are being, taken to ensure compliance. 		Noted	The first AEMR for the Abel Coal Project is due to be prepared in June 2008 (i.e. 12 months from the date of Project Approval).
5.	<p>INDEPENDENT ENVIRONMENTAL AUDIT</p> <p>Within 1 year of this approval, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:</p> <ul style="list-style-type: none"> • be conducted by suitably qualified, experienced and independent expert/s whose appointment has been endorsed by the Director-General; • include consultation with the relevant agencies; • assess the various aspects of the environmental performance of the project, and its effects on the surrounding environment; • assess whether the project is complying with the relevant standards, performance measures and statutory requirements; • review the adequacy of any strategy/plan/program required under this approval; and, if necessary, • recommend measures or actions to improve the environmental performance of the project, and/or any strategy/plan/program required under this approval. 	<p>Letter to DoP re Independent Environmental Auditor, 5 Mar 2008</p> <p>Letter from DoP re Endorsement of re Independent Environmental Auditor, 7 Mar 2008</p>	Compliant	The Director-General endorsed Trevor Brown of Trevor Brown & Associates to conduct the Independent Environmental Audit of the Abel Coal Project in March 2007. This Independent Environmental Audit was conducted on the 26-29 April 2008 to satisfy requirements of MCoA Schedule 5 Condition 5, for an audit to be undertaken within 1 year of the approval granted on the 6 June 2007.
6.	<p>Within 3 months of completing this audit, or as otherwise agreed by the Director-General, the Proponent shall submit a copy of the audit report to the Director-General, with its response to any recommendations contained in the audit report.</p>		Noted	
7.	<p>Within 3 months of completing the audit, the Proponent shall review, and if necessary revise, the various strategies/plans/programs required under this approval to the satisfaction of the Director-General.</p>		Noted	
8.	<p>COMMUNITY CONSULTATIVE COMMITTEE</p> <p>Within 3 months of this approval, the Proponent shall establish a Community</p>		Compliant	Hon. Mr Milton Morris - Chairman

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	<p>Consultative Committee for the project. This committee must:</p> <ul style="list-style-type: none"> (a) be comprised of: <ul style="list-style-type: none"> • 2 representatives from the Proponent, 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, (b) whose appointment has been approved by the Director-General; (c) be chaired by an independent chairperson, whose appointment has been approved by the Director-General; (d) meet at least twice a year; (e) review the Proponent's performance with respect to environmental management and community relations; (f) undertake regular inspections of the mining operations; (g) review community concerns or complaints about the mine operations, and the Proponent's complaints handling procedures; and (h) provide advice to: <ul style="list-style-type: none"> • the Proponent on improved environmental management and community relations, including the provision of information to the community and the identification of community initiatives to which the Proponent could contribute; • the Department regarding the conditions of this approval; and • the general community on the performance of the mine with respect to environmental management and community relations; and (i) be operated generally in accordance with any guidelines the Department may publish in regard to the operation of Community Consultative Committees for mining projects. 			<p>The Mayor, Cr Peter Blackmore - Maitland City Council</p> <p>Mr Alan Brown - Community Member Mr Allan Jennings - Community Member Mr Terry Lewin - Community Member Mr Andrew Pace - Community Member Mr Brad Ure - Community Member Mr Alick Osborne - Director, Donaldson Coal Mr Mark McPherson - Project Manager, Abel Donaldson Coal Mr Phillip Brown - Environment Manager, Donaldson Coal Mr Adam Heaney - Landholder and Resident Liaison Officer, Donaldson Coal Mr Lachlan Crawford – Bloomfield Colliery</p>
9.	<p>The Proponent shall, at its own expense:</p> <ul style="list-style-type: none"> (a) ensure that 2 of its representatives attend CCC meetings; (b) provide the CCC with regular information on the environmental performance of the project; (c) provide meeting facilities for the CCC; (d) arrange site inspections for the CCC, if necessary; (e) respond to any advice or recommendations the CCC may have in relation to environmental management or community relations; (f) take minutes of the CCC meetings; (g) forward a copy of these minutes to the Director-General; and (h) put a copy these minutes on its website. <p>ACCESS TO INFORMATION</p>	<p>CCC Minutes of Meeting No.1, 5 December 2007 CCC Minutes of Meeting No.2, 11 March 2008</p>	Compliant	<p>CCC Meetings were held in December 2007 and March 2008 5 December 2007 at the Blackhill Public School. Minutes of the meetings were taken by Phil Brown of Donaldson Coal and distributed to the CCC members, Director-General and posted onto the Donaldson Coal website – www.doncoal.com.au</p>
10.	<p>Within 3 months of the approval of any plan/strategy/program required under this approval (or any subsequent revision of these plans/strategies/programs), or the completion of the audits or AEMRs required under this approval, the Proponent shall:</p> <ul style="list-style-type: none"> • provide a copy of the relevant document/s to the relevant agencies; 		Compliant - ongoing	<p>DECC and DPI were advised on 23 May 2008 that the approved management plans were available and had been uploaded to the website: EMS Integrated Manual Aboriginal Heritage Management Plan</p>

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Ref	Condition	Audit Evidence	Status	Comments
11.	<ul style="list-style-type: none"> • ensure that a copy of the relevant document/s is made publicly available at the mine; and • put a copy of the relevant document/s on its website. During the project, the Proponent shall: <ul style="list-style-type: none"> • make a summary of monitoring results required under this approval publicly available at the mine and on its website; and • update these results on a regular basis (at least every three months). 		Noted	Air Quality Management Plan Mine Energy Saving Action Plan Water Management Plan A summary of the monitoring data required under this approval will be available when the mine is operational.

Attachment B Statement of Commitments Abel Underground Mine

Ref	Audit Evidence	Status	Comments
0.	General The Applicant shall carry out the development generally in accordance with the: (a) Abel Underground Mine Part 3A Environmental Assessment. If there is any inconsistency between the conditions of this Statement of Commitments and a document listed above the conditions of this Statement of Commitments shall prevail to the extent of the inconsistency.	Compliant	This SoC should be read in conjunction with MCoA Schedule 3 Condition 2 The project is being developed generally in accordance with the environmental assessment documents and the requirements in these conditions of approval.
1.	Production		
1.1	No more than 4.5 million tonnes of ROM coal a year will be mined from the Abel Underground Mine.	Noted	Note: This SoC should be read in conjunction with MCoA Schedule 3 Condition 6 and 7 No coal had been:
1.2	No more than 6.5 million tonnes of ROM coal a year will be processed at the Bloomfield CHPP.		1.1 extracted;
1.3	No more than 5.0 million tonnes per annum of product coal will be transported on the Bloomfield Rail Loop.		1.2 processed; or 1.3 transported from the Abel Mine prior to the date of this audit.
2.	Hours of Operation		
2.1	The Abel Underground Mine will operate 24 hours per day, seven days/ week.	Noted	Operations of the Abel Coal Project underground mine and the Bloomfield facilities will occur 24 hours per day, when coal extraction commences.
2.2	The Bloomfield CHPP will operate 24 hrs per day, 7 days/week.		
2.3	The Bloomfield Rail Loop will operate 24 hrs/day, 7 days/week.		
3.	Noise Note: SoC 3 should be read in conjunction with MCoA Schedule 4 Condition 23 – Noise Monitoring		
3.1	Construction Activities The following noise control measures will be implemented prior to commencement of construction of the Abel Underground Mine or the upgrade of the Bloomfield CHPP; (a) Maintain all machinery and equipment in working order; (b) No construction activities at the Abel pit top will take place on Sundays or Public Holidays; (c) Where possible locate noisy site equipment behind structures that act as barriers or at the greatest distance from noise sensitive areas; (d) Orient equipment so that noise emissions are directed away from noise sensitive areas.	Noted	Mine activities will be undertaken in a manner that includes maintenance of machinery and equipment and location and orientation of equipment to reduce potential for noise nuisance to sensitive receivers. Aboveground construction activities only occur during normal working hours Monday to Saturday with no work on Sundays or public holidays.

<p>3.2</p>	<p>Noise Control Measures (a) The following noise control measures will be implemented prior to the mining of coal from the Abel Underground Mine:</p> <ul style="list-style-type: none"> • orientation of the ventilation fan towards the north-west, away from residential receivers and angle the output parallel to the ground. • the sound power level of the front end loader to be used near the portal should not exceed 113 dBA and will be fitted with a noise sensitive reversing alarm. <p>(b) The following noise control measures will be implemented prior to the Bloomfield CHPP receiving any ROM coal from the Abel Underground Mine:</p> <ul style="list-style-type: none"> • Noise mitigation works including partial enclosure and noise screening of drives and conveyors of the Bloomfield CHPP to screen residences to the north of the site. 			<p>(a) Installation of the ventilation fan for the underground workings is planned to reduce potential for noise impact on sensitive receivers. The equipment used near the portal to the underground mine are fitted with 'quackers' rather than beepers to reduce noise nuisance. (b) The Bloomfield CHPP has had noise screening enclosures fitted to the drives and conveyors to reduce noise emission to residences to the north.</p>
				
<p>3.3</p>	<p>Plate A1: Partial enclosure of the Bloomfield CHPP for noise mitigation on the northern side of the plant facing the closest residential areas.</p> <p>Monitoring Within 6 months of this approval being granted a Noise Monitoring Program shall be prepared and implemented for the Abel Underground Mine and the Bloomfield CHPP, to the satisfaction of the Director-General. The Noise Monitoring Program shall include a combination of real-time and supplementary attended monitoring measures, and a noise monitoring protocol for evaluating compliance with the noise environmental assessment. This plan will be integrated with the monitoring plans for the Tasman, Donaldson and Bloomfield Mines to provide a single integrated Noise Monitoring Program for all 4 mines</p>	<p>Letter to DECC re Noise Monitoring Program, 5 Sep 2007 Letter from DECC re Noise Monitoring Program, 13 Sep 2007 Letter to DoP re Noise Monitoring Program, 2 Oct 2007 Letter from DoP re Comments on Noise Monitoring Program, 13 Nov 2007 Letter from DoP re Comments on Noise Monitoring Program, 12 May 2008</p>	<p>Compliant</p>	<p>Plate A2: Partial enclosure of drives and conveyors of the Bloomfield CHPP for noise mitigation.</p> <p>Note: SoC 3.3 should be read in conjunction with MCoA Schedule 4 Condition 23 – Noise Monitoring The Noise Monitoring Program for the Abel Coal Project was prepared by Heggies in consultation with the DECC and was submitted DoP on 2 October 2007. Comments from DoP were received on 13 November 2007 and the NMP revised for submission to the DoP on 2 May 2008. DoP comments on the revised NMP were received on 12 May 2008 and the NMP was amended and submitted to DoP. Approval of the NMP was received from DoP on 2 June 2008.</p>

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		Letter to DECC re Noise Monitoring Program, 23 May 2008 Letter from DoP re NMP Approval, 2 Jun 2008		
<p>3.4</p> <p>Continuous Improvement The Company shall: (a) report on these investigations and the implementation of any new noise mitigation measures on site in the AEMR, to the satisfaction of the Director-General. The operator of the Bloomfield CHPP shall: (b) investigate ways to reduce the noise generated by the Bloomfield CHPP, including maximum noise levels which may result in sleep disturbance; (c) implement all reasonable and feasible best practice noise mitigation measures on the site; and (d) report on these investigations and the implementation of any new noise mitigation measures on site in the AEMR, to the satisfaction of the Director-General.</p>			Noted	
<p>4.</p>				
<p>4.1</p>	<p>Air Quality Note: SoC 4 should be read in conjunction with MCoA Schedule 4 Condition 25</p> <p>Construction The following actions shall be adopted in relation to dust control on the site during construction of the proposed Abel Underground Mine and the modifications to the Bloomfield CHPP:</p> <ul style="list-style-type: none"> • Minimise the area to be disturbed; • Progressively rehabilitate disturbed areas as soon as practicable; • Restrict vehicle movements to specified routes; • Provide speed limited signage around the mine site; • Dust suppression using water sprays; • Commence landscaping as soon as practicable; • Install dust gauges to monitor dust deposition levels at sensitive receptors. 	Air Quality Monitoring Plan, bel Underground Min, Holmes Air Sciences, 20 Feb 2008 Integrated Environmental Monitoring Program, GSS Environmental, Dec 2007	Compliant	The total area of disturbance for the construction of the surface facilities for the Abel Coal Project is approximately 9.5ha which is within the existing Donaldson Mine disturbed area adjacent to the open cut high wall. The limited area of disturbance associated with the Abel Coal Project will enable the management of dust generation from vehicle movements as the major traffic routes around the site are sealed including the road to the Bloomfield CHPP. Six dust deposition gauges are installed plus a high volume sampler for PM ₁₀ and TSP, in accordance with the Air Quality Monitoring Plan for the Abel Underground Mine. There are additional dust gauges installed around the Donaldson Mine as part of the Integrated Environmental Monitoring Program.
<p>4.2</p>	<p>Air Quality Control Measures (a) The following actions would be adopted in relation to dust control on the site during operation of the proposed Abel Underground Mine and the operation of the Bloomfield CHPP:</p> <ul style="list-style-type: none"> • All mobile equipment will be maintained in good working order to limit exhaust fumes. • Regular watering of all roads; • Use water sprays periodically on open stockpile areas and regular visual inspection will be undertaken and water sprays activated as required. 	Air Quality Monitoring Plan, 10 Oct 2007	Noted	The control of air quality in relation to the Abel Coal Project will occur during operation of the mine and CHPP facilities in accordance with the Air Quality Monitoring Plan. The Abel Coal Project at the time of this audit was in site establishment and construction phase with the majority of the works being undertaken in the areas previously disturbed by the Donaldson Mine operations.

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	<p>(b) Dust emissions generated by the Abel Underground Mine and the Bloomfield CHPP will not exceed any statutory limits.</p> <p>(c) Dust control on site is to be aimed at prevention of air pollution and prevention of the degradation of local amenity.</p> <p>(d) Dust controls on the site will comply with all relevant NSW DEC guidelines and any applicable Environment Protection Licence issued under the POEO Act 1997.</p> <p>(e) Regular inspections for excessive visible dust generation will be undertaken and appropriate controls will be implemented when such events occur. This will include ceasing operations during high wind conditions if necessary to ensure effective dust control.</p>			<p>The establishment of the surface facilities for the Abel Mine included surfacing the access roads and storage areas and use of water trucks if necessary on unsealed areas.</p>
<p>4.4</p>	<p>Monitoring</p> <p>(a) Within 6 months of the grant of this approval an Air Quality Monitoring Program shall be prepared and implemented for the Abel Underground Mine and the Bloomfield CHPP, to the satisfaction of the Director-General. The Air Quality Monitoring Program shall include a combination of real-time and supplementary attended monitoring measures (including real-time air quality monitoring for 24-hour average PM10 and the recording of required meteorological monitoring data) and an air quality monitoring protocol for evaluating compliance with the air quality environmental assessment. This plan will be integrated with the existing monitoring plans for the Tasman, Donaldson and Bloomfield Mines to provide a single integrated Air Monitoring Program for all 4 mines.</p> <p>(b) Within 6 months of this approval, the Company shall ensure that there is 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.</p>	<p>Air Quality Monitoring Plan, 10 Oct 2007 Integrated Environmental Monitoring Program, December 2007 Letter to DoP re Air Quality Monitoring Plan, 7 Dec 2007 Letter from DoP re Approval of Air Quality Monitoring Plan Revision, 26 Feb 2008</p>	<p>Compliant</p>	<p>Note: SoC 4.4 should be read in conjunction with MCoA Schedule 4, Condition 26</p> <p>The Air Quality Monitoring Program was submitted to the Director-General within 6 months of the Project Approval.</p> <p>The Abel Underground Mine Air Quality Monitoring Program included:</p> <ul style="list-style-type: none"> Six dust deposit gauges to measure monthly average dust deposition levels in accordance with AS 3580.10.1 1991. One high volume air sampler fitted with a PM10 selective inlet and operated on a one-day-in-six cycle in accordance with AS 3580.9.7 1990. One high volume air sampler fitted with TSP inlet and operated on a one-day-in-six cycle in accordance with AS 2724.5 1987.
<p>5.</p> <p>5.1</p>	<p>Surface Water Management - Abel Underground Mine Note: SoC 5 should be read in conjunction with MCoA Schedule 4 Conditions 11-15</p> <p>Schedule 1 streams</p> <p>(a) Schedule 1 streams (as defined in the DIPNR 2005 guideline, "Management of stream/aquifer systems in coal mining developments") will be managed via the implementation of mitigation and remediation works where needed to ensure that:</p> <ul style="list-style-type: none"> stream stability is maintained where subsidence occurs stream fractures are minimised stream channels maintained with minimal incision from bed grade change; stream bed grade change is minimised to provide stable stream length. <p>(b) Where any stream stability controls are required they will be designed in accordance with the <i>Rehabilitation Manual for Australian Streams</i> (Land and Water Resources Research and Development Corporation, 2000) and will be provided primarily by vegetation.</p> <p>Schedule 2 streams</p> <p>(a) Schedule 2 streams will be managed so as to ensure that:</p> <ul style="list-style-type: none"> they maintain pre-mining course, and maintain bed channel gradients which 	<p>Integrated Environmental Monitoring Program, Dec 2007 Water Management Plan, March 2008</p>	<p>Noted</p>	<p>The management of underground mining and subsequent subsidence will be addressed in the Subsidence Management Plan and attachments that will be prepared prior to 2nd workings.</p> <p>The Integrated Environmental Management Plan outlines the monitoring locations, frequency and parameters to be measured for the Scheduled streams (as defined in the "Management of stream/aquifer systems in coal mining developments guideline, DIPNR 2005).</p>
<p>5.2</p>			<p>Noted</p>	<p>The management of underground mining and subsequent subsidence will be addressed in the Subsidence Management Plan and attachments that</p>

	<p>do not initiate erosion;</p> <ul style="list-style-type: none"> they maintain pool riffle sequences where they pre-existed, or have pool riffle sequences installed where appropriate; they maintain connectivity to underground workings, and flow loss to fracture zones in similar levels to pre-mining; they maintain geomorphic integrity of the stream; the ecosystem habitat values of the stream are protected; no significant alteration of the water quality occurs in the stream. <p>(b) The above commitments for Schedule 2 streams will be achieved by:</p> <ul style="list-style-type: none"> the provision of a minimum barrier of 40m between the 20 millimetre line of subsidence and the bank of any Schedule 2 streams; or <p>the carrying out of further detailed studies and the development of a Surface Water Management Plan for the Abel Underground Mine which clearly demonstrates that the above commitments can be met prior to any mining occurring which will impact on any Schedule 2 streams</p>			<p>will be prepared prior to 2nd workings. The Integrated Environmental Management Plan outlines the monitoring locations, frequency and parameters to be measured for the Schedule 2 streams (as defined in the "Management of stream/aquifer systems in coal mining developments guideline, DIPNR 2005).</p>
<p>5.3</p>	<p>Blue Gum Creek Alluvium For the lower reach of Blue Gum Creek (from the confluence of Long Gully and Blue Gum Creek downstream), a buffer will be provided which provides for no more than 20mm of subsidence at 40m from the edge of the alluvium will be adopted, and within the buffer zone no significant subsidence will occur.</p>		<p>Noted</p>	
<p>5.4</p>	<p>Rainforest Communities Subsidence in the rain forest protection zones identified on Figure 2.2 will be limited to 20mm of subsidence at the edge of the zone identified unless further studies can demonstrate that there will be no significant impact on the rainforest communities within the buffer zone with greater subsidence impacts.</p>		<p>Noted</p>	
<p>5.5</p>	<p>Surface Water Management Plan Prior to mining occurring that will impact on any Schedule 1 streams the Surface Water Management Plan for the Abel Underground Mine will be developed so as to address the following in relation to schedule 1 streams:</p> <ul style="list-style-type: none"> detailed identification of risk factors on a case-by-case basis; setting up of permanent monitoring locations along watercourses as well as regular inspection regimes; continuation of baseline data collection on water flow conditions and health indicators (such as macro-invertebrates); establishment of trigger levels that will be used to assess whether any changes observed through monitoring warrant responsive action; and details of responsive and remedial action to be undertaken if required. require the identification of any existing degradation in the streams prior to mining to allow differentiation of that degradation induced by the mining. provide for a post-mining assessment of any streams within the area of mine subsidence within six (6) months of the initial subsidence. provide for a subsequent assessment within eighteen (18) months of the initial subsidence to confirm that post-mining degradation resulting from the mining is successfully remediated. 	<p>Water Management Plan, Nov 2007 Integrated Environmental Monitoring Program, section 4.4, Dec 2007</p>	<p>Compliant</p>	<p>Note: SoC 5.5 should be read in conjunction with MCoA Schedule 4 Condition 11, 12 and 14 – Water Management Plan and Site Water Balance</p> <p>The surface water monitoring and water management plan for the Abel Coal Project is outlined in the Water Management Plan Part A and B, and the Integrated Environmental Monitoring Program section 4.4.</p> <p>The assessment of the various streams and surface water bodies that may potentially be affected by the underground mining will occur progressively prior to the mining operations approaching the specific areas.</p>

- require any remediation works to be implemented to a standard approved by DNR, where the assessment has indicated degradation of the streams in the area of mining induced subsidence, and thereafter on an annual basis until any mining induced stream instability is addressed to the standard approved.
 - require a photographic record of stream stability for areas where either fracturing is detected (at maximum strain points), or at maximum tilts within the subsidence envelope.
- Where it is proposed not to leave a barrier around a Schedule 2 stream a detailed assessment will be undertaken for the stream and provided to DNR addressing the proposed impacts on it. The detailed assessment will include:
- assessment of the geomorphic and vegetation condition and aquatic habitat for the stream;
 - selective measurements of channel boundary sediment size;
 - predictions of subsidence and cracks/fractures throughout the stream;
 - a detailed photographic record of the existing stream condition;
 - mapping of spatial distribution of alluvium/colluvial aprons of the stream;
 - collection of background data for the shallow alluvial aquifer by the installation and regular monitoring of a network of piezometers and/or wells in the main areas of alluvium for the shallow alluvial aquifer;
 - assessment of the location and activity of springs, pipes/tunnels and/or salt seepages/efflorescences;
 - measurement of current bed slope and any pool-riffle sequences on each channel and periodic assessments of changes over time;
 - an assessment of likely erosion points, fracturing or seepage zones from the mining area to the stream, along the stream channel occurring as a result of mining activities.
 - an assessment of any required remedial works on the affected stream, including:
 - options considered for the remediation program
 - anticipated lifetime of the remedial works
 - details of the engineering design or process for engineering
 - design of the remediation works
 - long term remediation requirements, including revegetation.
 - details of the proposed monitoring regime. It will provide for:
 - post-mining assessment, to a standard approved by DNR, within six (6) months of the initial subsidence.
 - provide for a subsequent assessment within eighteen (18) months of the initial subsidence to confirm that post-mining degradation resulting from the mining is successfully remediated.

Following consultation with DNR on the above assessment for each schedule 2 stream the Surface Water Management Plan for the Abel Underground Mine will be developed to implement the findings of the above assessment.

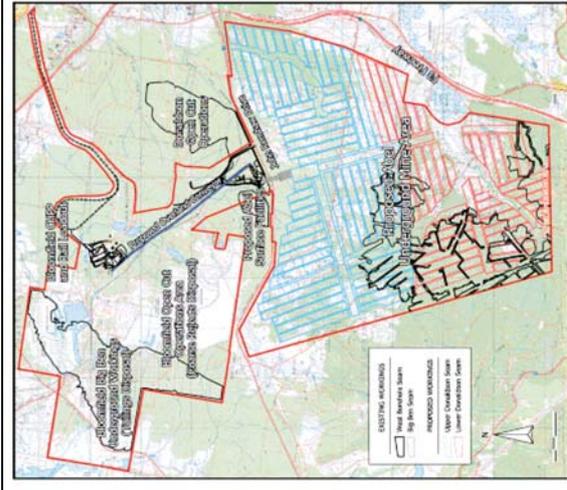
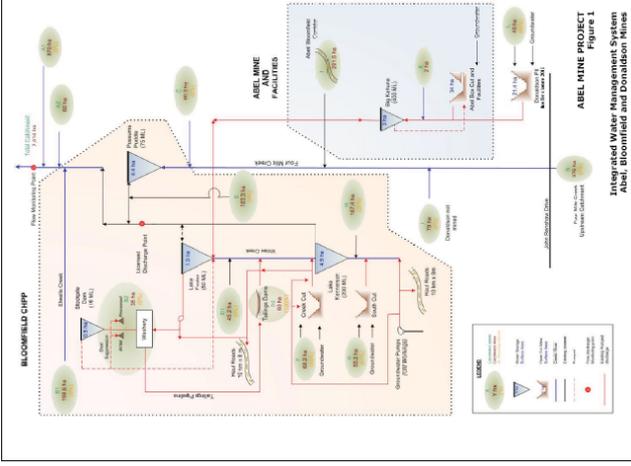


Figure A1: DCPL ML areas included in the Integrated Environmental Monitoring Program

Integrated surface water monitoring program includes surface area management for all the Donaldson Coal projects and is outlined in the Integrated Environmental Monitoring Program, section 4.4.

6.	<p>Surface Water Management – Bloomfield CHPP and the Abel Underground Pit Top Facilities <i>Note: SoC 5 should be read in conjunction with MCoA Schedule 4 Conditions 11</i></p> <p>Separate surface water management systems will be designed for the Bloomfield CHPP and the Abel Underground Pit Top Facilities which provide for:</p> <ul style="list-style-type: none"> Separation of clean and dirty water; Management and control of stormwater flows; Minimisation of sediment generation, soil erosion and transport off site; Recycling of water where to minimise demand for potable water; and Provision of water for fire fighting. Maintain water supply for the coal handling and preparation plant and for dust suppression at all times; Achieve zero discharge to the environment from Big Kahuna; Minimise discharge from the Stockpile Dam; Minimise discharge from Lake Foster and Lake Kennerson; Where controlled discharge is necessary, preference is given to Lake Kennerson. 	<p>Water Management Plan, Part B Abe Coal Project Water Management Plan, Part C, Bloomfield CHPP</p> <p>Water Management Plan Appendix 2, Water Balance Modelling</p>	Compliant	<p>The Water Management Plan includes a Site Water Balance in Appendix 2 that outlines the water management for the project including water conservation, recycling and zero discharge for the project.</p>
6.2	<p>The surface water management systems shall be based on the following principles:</p> <ul style="list-style-type: none"> Minimise demand for fresh water supply by recycling water collected on the site; Store recycled water on site to reduce water consumption during operation of the proposed development; Design drainage and sediment control for the operation in accordance with the Landcom (2004) guidelines; Provide a water supply for fire fighting and provision for containment of firewater; Use of a first flush system to ensure "dirty" water is captured in accordance with DEC guidelines. 	<p>Water Management Plan Part B section B.3.9 – Minimisation of Water Use, and Part C, section C.1.3 Water Supply to CHPP</p> <p>Water Management Plan, Part B, section B4 – Erosion and Sediment Control</p>	Compliant	
6.3	<p>The surface water management systems will include an Erosion and Sediment Control Plan (ESCP). The ESCP will outline the measures that will be implemented to ensure that no undue pollution of receiving waters occurs during any earthworks construction or during the operation of the facilities.</p>	<p>Water Management Plan, Part B, section B.4, and Part C section C.4 <i>Managing Urban Stormwater: Soils & Construction, Landcom 2004</i></p>	Compliant	<p>Figure A2: Site Water Balance for Abel Coal Project and Bloomfield CHPP. Sections B4 and C.4 in the Water Management Plan outline the erosion and sediment control measures to be implemented on the Abel and Bloomfield sites.</p>
6.4	<p>The following erosion and sediment control works will be implemented as part of the project:</p> <ul style="list-style-type: none"> All works for the Abel box cut and subsequent construction of surface facilities 	Water Management Plan, Part	Compliant	<p>The Erosion and Sediment Control Plans have been prepared for the Abel Coal Project in accordance with the Landcom 2004 guidelines in</p>

	<p>will be undertaken within the boundaries of the existing Donaldson Mine lease area. These activities will be undertaken in accordance with the approved procedures for erosion protection and sediment control for the Donaldson Mine.</p> <ul style="list-style-type: none"> The majority of works in the vicinity of the stockpile area for the Bloomfield CHPP will be undertaken within an area that reports to the existing Stockpile Dam and Dam F. These facilities provide adequate erosion and sediment control for those areas. For minor bunding works to be undertaken on the southern boundary of the enlarged stockpile area, standard erosion control practices such as silt fences will be used. For any earthworks associated with increasing the capacity of the bypass channel around Lake Foster, standard erosion control practices such as silt fences will be used. <p>If a conveyor is eventually constructed between the Abel box cut and the Bloomfield CHPP, a separate Erosion and Sediment Control Plan will be prepared that takes account of the details of the conveyor, particularly the crossing of Four Mile Creek.</p>	<p>B, section B.4 Erosion and Sediment Control Abel Coal Project</p> <p>Water Management Plan Part C, section C4, Erosion and Sediment Control CHPP Stockpile Areas</p> <p>Water Management Plan, Part C, section C.5, Erosion and Sediment Control Diversion around Lake Foster</p>	<p>the <i>Managing Urban Stormwater: Soils and Construction</i> for the surface works area in the boxcut and the Bloomfield CHPP and stockpile areas.</p>
<p>7.</p>	<p>Surface Water Monitoring Program Note: SoC 7 should be read in conjunction with MCoA Schedule 4 Condition 14 – Surface Water Monitoring Program</p>		
<p>7.1</p>	<p>An integrated surface monitoring program will be undertaken for the Abel Mine, Donaldson Mine and the Bloomfield CHPP covering all potentially affected catchments including Four Mile Creek, Blue Gum Creek and other creeks on the land overlying the Abel underground lease area.</p>	<p>Integrated Environmental Monitoring Program, Dec 2007</p>	<p>Compliant</p>
<p>7.2</p>	<p>Monitoring of surface water in the creeks that overlie the Abel Underground Mine will commence just prior to mining and continue until one year after mining has passed the contributing catchment and will be undertaken at the following locations:</p> <ul style="list-style-type: none"> Four Mile Creek at John Renshaw Drive (same as existing Donaldson site); Weakleys Flat Ck at John Renshaw Drive (same as existing Donaldson site); Buttall Creek at Lings Road; Blue Gum Creek at Stockington Road; and Long Gully (downstream). 	<p>Water Management Plan, Part A, section A8 Surface Water Monitoring Plan Integrated Environmental Monitoring Program, section 4.4, Dec 2007</p>	<p>Compliant</p>

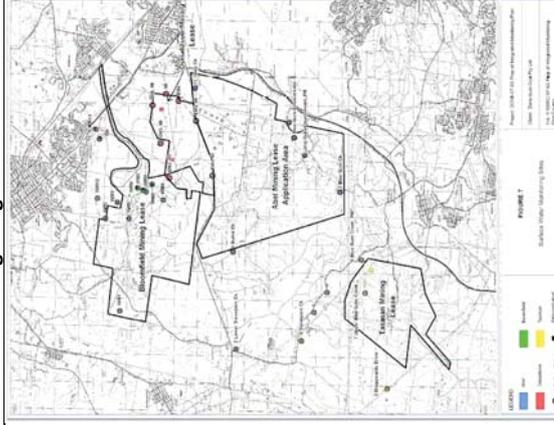


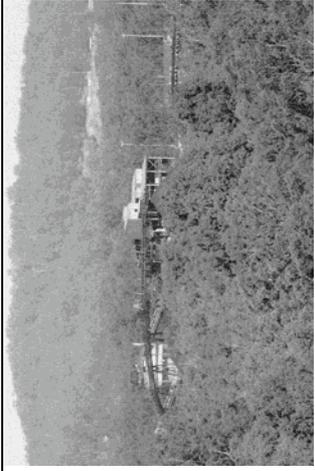
Figure A3: Surface water monitoring locations

<p>7.3</p> <p>The following monitoring regime is proposed:</p> <ul style="list-style-type: none"> • Routine monthly baseline sampling; • Daily water samples collected from the discharge point on any occasion when there is controlled discharge from Lake Kennerson. Water samples will also be collected at the flow gauging station behind the Four Mile Workshops. These samples will be analysed for: total suspended solids, conductivity, pH and filterable iron; • Daily water samples will be collected from any overflow from the Stockpile Dam. Water samples will also be collected at the flow gauging station behind the Four Mile Workshops. These samples will be analysed for: total suspended solids, conductivity, pH and filterable iron. • Collection of extensive baseline data prior to mining, including the ability to collect at least 15 years of baseline data for Blue Gum Creek and Pambalong Nature Reserve; • Monthly monitoring during any substantial subsidence period for each monitoring site, and annual monitoring for all sites; • Water quality sampling from each of the sampling locations shown in Figure 8.2 in the EA with analytes measured including pH, Electrical Conductivity, Total Dissolved Solids, Total Suspended Solids, Chloride, Sulfates, Alkalinity (Bicarbonate), Alkalinity (Carbonate), Calcium, Magnesium, Sodium and Potassium; • Flow gauging stations established on Blue Gum Creek to monitor water flow and level; and <p>Macro-invertebrate monitoring within Blue Gum Creek and Pambalong Nature Reserve, including the use of AUSRIVAS (Australian River Assessment System) to assess biological health.</p>	<p>Integrated Environmental Monitoring Program, section 4.4, Tables 4 and 5</p> <p>Water Management Plan, Part A section A.8 Surface Water Monitoring Plan</p>	<p>Compliant</p>	<p>The surface water monitoring program includes monitoring of the Four Mile Creek at John Renshaw Drive, Weakleys Flat Creek at John Renshaw Drive, Buttai Creek at Lings Road, Blue Gum Creek at Stockington Road and Long Gully.</p> <p>Table A8.1: Routine Water Quality Monitoring Sites and Locations</p> <table border="1"> <thead> <tr> <th>Site</th> <th>Location</th> </tr> </thead> <tbody> <tr> <td colspan="2">Four Mile Creek and Tributaries</td> </tr> <tr> <td>• EM1/WM10</td> <td>Four Mile Creek dis John Renshaw Dr.</td> </tr> <tr> <td>• EM2/WM6</td> <td>Four Mile Creek dis Donaldson</td> </tr> <tr> <td>• WM5</td> <td>Elwells Creek @ Haul Road</td> </tr> <tr> <td>• WM3</td> <td>Elwells Creek @ Four Mile Creek</td> </tr> <tr> <td>• WM12</td> <td>Sharnook Creek @ Four Mile Creek</td> </tr> <tr> <td>• WM11</td> <td>Four Mile Creek @ Workshop</td> </tr> <tr> <td colspan="2">Water Storages</td> </tr> <tr> <td>• WM7</td> <td>Possums Puddle</td> </tr> <tr> <td>• WM4</td> <td>Possums Puddle outflow</td> </tr> <tr> <td>• WM8</td> <td>Lake Foster</td> </tr> <tr> <td>• WM0</td> <td>Lake Kennerson</td> </tr> <tr> <td></td> <td>Big Kahuna</td> </tr> <tr> <td colspan="2">Viney Creek and Tributaries</td> </tr> <tr> <td>• EM3</td> <td>Weakleys Flat Creek upstream</td> </tr> <tr> <td>• EM4¹</td> <td>Weakleys Flat Creek downstream</td> </tr> <tr> <td></td> <td>Viney Creek vs John Renshaw Drive</td> </tr> <tr> <td colspan="2">Blue Gum Creek and Tributaries</td> </tr> <tr> <td></td> <td>Blue Gum Ck @ Tasman Mine</td> </tr> <tr> <td></td> <td>Blue Gum Ck @ George Booth Drive</td> </tr> <tr> <td></td> <td>Blue Gum Ck @ Stockington Road</td> </tr> <tr> <td></td> <td>uls</td> </tr> <tr> <td></td> <td>Long Gully vs Blue Gum Creek</td> </tr> <tr> <td></td> <td>Blue Gum Ck vs Pambalong Reserve</td> </tr> <tr> <td></td> <td>Pambalong Reserve @ Cedar Hill Dr</td> </tr> <tr> <td colspan="2">Buttai Creek</td> </tr> <tr> <td></td> <td>Buttai Ck @ Lings Road</td> </tr> <tr> <td colspan="2">Scotch Dairy Creek</td> </tr> <tr> <td>• EM6¹</td> <td>Scotch Dairy Creek upstream</td> </tr> <tr> <td>• EM6¹</td> <td>Scotch Dairy Creek downstream</td> </tr> </tbody> </table>	Site	Location	Four Mile Creek and Tributaries		• EM1/WM10	Four Mile Creek dis John Renshaw Dr.	• EM2/WM6	Four Mile Creek dis Donaldson	• WM5	Elwells Creek @ Haul Road	• WM3	Elwells Creek @ Four Mile Creek	• WM12	Sharnook Creek @ Four Mile Creek	• WM11	Four Mile Creek @ Workshop	Water Storages		• WM7	Possums Puddle	• WM4	Possums Puddle outflow	• WM8	Lake Foster	• WM0	Lake Kennerson		Big Kahuna	Viney Creek and Tributaries		• EM3	Weakleys Flat Creek upstream	• EM4 ¹	Weakleys Flat Creek downstream		Viney Creek vs John Renshaw Drive	Blue Gum Creek and Tributaries			Blue Gum Ck @ Tasman Mine		Blue Gum Ck @ George Booth Drive		Blue Gum Ck @ Stockington Road		uls		Long Gully vs Blue Gum Creek		Blue Gum Ck vs Pambalong Reserve		Pambalong Reserve @ Cedar Hill Dr	Buttai Creek			Buttai Ck @ Lings Road	Scotch Dairy Creek		• EM6 ¹	Scotch Dairy Creek upstream	• EM6 ¹	Scotch Dairy Creek downstream
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<p>8.</p> <p>8.1</p> <p>Within 6 months of the granting of approval a Groundwater Management Plan will be prepared. The Plan will comply with all relevant guidelines and will address:</p> <ul style="list-style-type: none"> • Groundwater management within the Abel Underground Mine area, including protection, management, mitigation and remediation of groundwater as required; • Groundwater management within the area of proposed tailings disposal 	<p>Water Management Plan Groundwater Monitoring Program, Part A, section A.9., , Nov 2007</p>	<p>Compliant</p>	<p>Figure A4: Surface water monitoring sites</p> <p>Note: SoC 8 should be read in conjunction with MCoA Schedule 4 Conditions 11 and 15 – Groundwater Monitoring Management Plan</p> <ul style="list-style-type: none"> • Groundwater management within the Abel underground mine area section A.9.4.4 • Groundwater management in the area of Bloomfield Colliery section A.9.2 related to 																																																														

	<p>within Bloomfield Colliery:</p> <ul style="list-style-type: none"> Proposed groundwater monitoring program; Proposed groundwater reporting schedule; and Feedback mechanisms to alter mining methods if documented groundwater monitoring values are triggered. 	<p>Water Management Plan, Groundwater Monitoring Program, Part A, section A.9.4.5 Water Management Plan, Part B section B5.2</p>	<p>Compliant</p>	<p>further development of the groundwater model.</p> <ul style="list-style-type: none"> Groundwater Monitoring Program section A.9.6 Groundwater Reporting Schedule section 9.7 Feedback mechanisms and response actions section A9.4.5
<p>8.2</p>	<p>The following response plan will be implemented in the event of significant unforeseen variances from the predicted inflow rates and/or groundwater level impacts:</p> <ul style="list-style-type: none"> Additional sampling and/or water level measurements to confirm the variance from expected behaviour. Immediate referral to a competent hydrogeologist for assessment of the significance of the variance from expected behaviour. The review hydrogeologist would be requested to recommend an appropriate remedial action plan or amendment to the mining or water management approach. If appropriate, this recommended action plan would be discussed with DNR and other agencies for endorsement. 			<p>The Groundwater Monitoring Program includes section A.9.4.5 Response Actions and Part B section B.5.2 Groundwater Response Plan. In the event of any exceedance, a preventative and/or remedial strategy may comprise:</p> <ul style="list-style-type: none"> Additional monitoring; Modification of mine water management procedures; Modification to mine water management facilities; or no change to operations (if appropriate).
<p>Note: SoC 8.3 should be read in conjunction with MCoA Schedule 4 Conditions 15 – Groundwater Monitoring Program</p>				
<p>8.3</p>	<p>The groundwater monitoring program will be an integrated monitoring program for the Abel Mine, Tasman Mine, Donaldson Mine and the Bloomfield CHPP (including the tailings disposal area) and will include:</p> <ul style="list-style-type: none"> Monthly measurement of water levels in a representative network of piezometers. Initially, all piezometers currently available would be monitored, however it is recommended that the representativeness of the piezometers be reviewed after the first two years of the project, and an appropriate suite of piezometers be selected on the basis of this review for ongoing monitoring. All piezometers located around Pambalong Nature Reserve would continue to be monitored through the life of the project. Quarterly sampling of all standpipe piezometers, for laboratory analysis of electrical conductivity (EC), total dissolved solids (TDS) and pH. Annual collection of water samples from all piezometers for laboratory analysis of a broader suite of parameters: <ul style="list-style-type: none"> Physical properties (EC, TDS and pH) Major cations and anions Nutrients Dissolved metals Additional sampling and/or water level measurements to confirm any variance from expected behaviour. Additional regional monitoring piezometers will be installed in the following areas: <ul style="list-style-type: none"> Multi-level piezometers to the north and west of Pambalong Nature Reserve, to provide additional data on groundwater pressures in the intervening strata between the Donaldson seams and the alluvium (supplementing the existing data from piezometers C081A and B and C082). Multi-level piezometers along the eastern side of the Abel project area, located 	<p>Water Management Plan, Groundwater Monitoring Program, Part A, section A.9</p>	<p>Compliant</p>	<p>The Groundwater Monitoring Program developed for the Abel Coal Project as part of the integrated monitoring system covering the Donaldson Coal sites, includes the monitoring programs that have been operating on the Abel project site since September 2005, and will continue, including:</p> <ul style="list-style-type: none"> Monthly measurement of water levels in a representative network of piezometers. All piezometers located around Pambalong Nature Reserve would continue to be monitored through the life of the project. Quarterly sampling of all piezometers, for laboratory analysis of EC, TDS and pH. Annual collection of water samples from all piezometers for laboratory analysis of a broader suite of parameters: <ul style="list-style-type: none"> Physical properties (EC, TDS and pH) Major cations and anions (Ca, Mg, Na, K, Cl, SO₄, HCO₃ and CO₃) Nutrients Dissolved metals <p>Additional piezometers are proposed to be installed around Pambalong Nature Reserve and Hexham Swamp, to facilitate monitoring of potential impacts on the wetlands due to mining:</p>

	<p>at nominally 3 sites between the F3 Freeway and the lease boundary, to resolve the apparent anomalous water levels below sea level at C063A and B, and to provide additional data on groundwater pressures in the intervening strata between the Donaldson seams and the Hexham Swamp alluvium.</p> <ul style="list-style-type: none"> - Multi-level piezometers near the western and southern boundaries of the Abel project area to provide information on groundwater pressures at various depths, as this area currently lacks monitoring points. These piezometers would also aim to provide information on the current status of groundwater in the West Borehole seam near the former workings, prior to mining of the Donaldson seams approaching that area. • The additional Pambalong and Hexham Swamp monitoring bores will be installed prior to commencement of coal extraction. The western piezometers will be installed at least five years prior to mining reaching that part of the lease. • The subsidence/fracturing monitoring piezometer network should comprise the following: <ul style="list-style-type: none"> - Multi-level piezometers situated centrally within the extraction panels (at least 2 locations per panel) with vibrating wire piezometers set at nominally 30m intervals from the surface down to 30m above the Upper Donaldson roof level. - Shallow standpipe piezometers adjacent to each of the above multi-level piezometers, set to the base of the colluvium/weathered bedrock zone, to monitor any impact on the surficial unconfined aquifer. Standpipe piezometers will allow repeat hydraulic testing and water quality sampling, as well as water level monitoring. <p>The above monitoring network will be implemented prior to commencement of each extraction panel, and would be monitored closely before, during and after extraction. Based on the monitoring results during extraction of the first 4 or 5 panels, an appropriate ongoing monitoring program would be developed for the subsequent deeper panels as the mining progresses downward.</p>			<ul style="list-style-type: none"> • Multi-level piezometers to the west and north of Pambalong Nature Reserve, to provide additional data on groundwater pressures in the intervening strata between the Donaldson seams and the alluvium. • Multi-level piezometers along the eastern side of the Abel project area, located between the F3 Freeway and the lease boundary, to provide additional data on groundwater pressures in the intervening strata between the Donaldson seams and the Hexham Swamp alluvium. <p>Additional piezometers are also proposed for the subsidence monitoring network:</p> <ul style="list-style-type: none"> • Multi-level piezometers situated centrally within the extraction panels, with vibrating wire piezometers at 30m intervals from the surface down to 30m above the Upper Donaldson roof level. • Shallow standpipe piezometers adjacent to each multi-level vibrating wire piezometer.
<p>8.4</p>	<p>At the end of the second year of underground mining, a comprehensive review will be undertaken of the performance of the groundwater system. This would include re-running the groundwater model in transient calibration mode, to verify that the actual inflow rates and groundwater level impacts are in accordance with the model predictions described in this report. If necessary, further adjustment would be made to the model at that time, and new forward predictions of mine inflows and water level impacts will be undertaken.</p>	<p>Water Management Plan, Groundwater Monitoring Program, Part A, section A.9.2</p>	<p>Not yet activated</p>	<p>A review of the performance of the groundwater system at the end of the second year of underground mining including re-running the groundwater model in transient calibration mode, to verify that the actual inflow rates and groundwater level impacts are in accordance with the model predictions in the Environmental Assessment (2006). Further development of the regional and local groundwater model will occur if necessary.</p>
<p>8.5</p>	<p>The current groundwater model will be expanded to include deeper layers and a larger area that will incorporate the Bloomfield operations and areas of possible groundwater impact around Bloomfield. It is proposed to calibrate this expanded model with ongoing monitoring data from Bloomfield, and more detailed simulation of the Donaldson mining and backfilling. Details of this model and scheduling for completion will be included in the Groundwater Management</p>	<p>Water Management Plan, Groundwater Monitoring Program, Part A, section A.9.2</p>	<p>Not yet activated</p>	<p>The groundwater model used for the simulation of impacts from the Abel mine was limited to the Donaldson seams and the coal measures stratigraphically overlying them. Thus the model did not extend north of the sub-crop line of the Lower Donaldson Seam, and did</p>

	Plan.			not therefore include all of the Bloomfield mining operation. Further development of the regional and local groundwater model is outlined in Part A section A.9.2 of the Water Management Plan.
<p>9.</p> <p>Visual Amenity <i>Note SoC 9 should be read in conjunction with MCoA Schedule 5 Condition 30</i></p> <p>Visual impacts of the Abel Underground Mine portal and the Bloomfield CHPP will be ameliorated by the following strategies:</p> <p>(a) The access portals for the Abel underground Mine will be located in the high wall of the existing Donaldson Open Cut Pit.</p> <p>(b) If the overland conveyor to the Bloomfield CHPP to the Abel Underground Mine portal is constructed its maximum height will not exceed 15 metres so to ensure that it is concealed from view by the surrounding tree cover. Where possible the route will follow the existing haul roads and tree clearing will be minimised where possible to reduce the visual impact of the conveyor.</p> <p>(c) New buildings and structures, as well as existing buildings and structures at the Bloomfield CHPP, visible from the surrounding areas will be painted a dark charcoal colour.</p> <p>(d) All reasonable measures will be taken to design the stockpiles at the Bloomfield CHPP so as to minimise their visual impact on the surrounding East Maitland and Ashtonfield Areas.</p> <p>(e) Existing lighting will be redesigned and new lighting be designed, so as to minimise, via the use of directional lighting, light spill affecting residents in the East Mainland, Ashtonfield Areas and Black Hill areas.</p>	Compliant	 <p>Plate A3: Abel access portals in high wall</p> <p>(c) The Bloomfield CHPP external cladding has been painted a charcoal colour to reduce the visibility of the plant to surrounding areas (see Plates below)</p> <p>(e) Lighting is shielded at the CHPP and the standard lights used on the mine site are maintained to reduce light scatter above the horizontal. No complaints have been received in relation to lights.</p>		

	 <p>Plate A4 : (d) Bloomfield stockpiles maintained at a height to minimise visual impact to surrounding areas.</p>	 <p>Plate A5 : (c) Bloomfield CHPP prior to painting of external structures in 2008</p>	 <p>Plate A6: (c) Bloomfield CHPP after painting to reduce visibility from the surrounding area.</p>
10.	<p>Flora and Fauna <i>Note: This SoC should be read in conjunction with MCoA Schedule 4 Condition 16 to 19 – Landscape Management Plan,</i></p> <p>Landscape Management Plan, March 2008 Letter from DoP re Consultants, 26 Jun 2007 Letter to DWE re LMP, 13 Nov 2007 Letter to Maitland City Council re LMP, 13 Nov 2007 Letter to Cessnock City Council re LMP, 13 Nov 2007 Letter from DECC re LMP, 27 Nov 2007 Letter to DoP re Landscape Management Plan, 7 Dec 2007 Letter from DoP re Landscape Management Plan Approval, 11 Feb 2008</p>	Compliant	<p>The Landscape Management was submitted to the Director-General within 6 months of granting of the Project Approval. The consultants who prepared the Landscape Management Plan, (i.e. Colin Driscoll Hunter Eco; Rod Masters GSS Environmental and Mark Burns of Global Soil Services) were endorsed by the Director-General on 26 June 2007. Consultation occurred with the Maitland and Cessnock City Councils, DWE and the DECC. The Landscape Management Plan includes the Rehabilitation Management Plan (Appendix 3), Final Void Management Plan (Appendix 4) and Mine Closure Plan (Appendix 5).</p>
	<p>A Flora and Fauna Management Plan for the proposed conveyor corridor and stockpile expansion areas will be developed and implemented prior to any clearing occurring for the conveyor corridor and stockpile expansion. This plan will include:</p> <ul style="list-style-type: none"> a vegetation clearance protocol that describes the measures to be taken in order to minimise and ameliorate any impact on flora and fauna in general, and threatened species in particular, during the clearing process. a commitment to conduct pre-clearance surveys of areas to be cleared of vegetation by a suitably qualified biologist. Searches will be conducted for 	Compliant	<p>The Vegetation Clearance Protocol included in the Flora and Fauna Management Plan is triggered prior to any clearance associated with the mine activities o accordance with the commitment in this SoC. The Ecological Monitoring Plan will be implemented prior to any mining that will impact on the areas of sub-tropical rainforest above Abel Underground Mining, and for Pambalong Nature</p>

	<p>threatened species of flora or fauna, trees having potential habitat hollows and any habitat assets such as large hollow logs or rocks which could be used in later rehabilitation. If any threatened species of flora are found in the planned clearing areas the Flora and Fauna Management will provide for the consideration of the following options to minimise any impact to the threatened species of flora:</p> <ul style="list-style-type: none"> - modification of the area to be cleared in order to leave the flora in place. - translocation of the flora to an area of similar habitat within the Donaldson or Bloomfield properties, applying the best available knowledge about the ecology and translocation of the species. <ul style="list-style-type: none"> • the pre-clearing survey will be conducted about 7 days prior to commencement and involve the following: <ul style="list-style-type: none"> - Trees having potential habitat hollows should be clearly marked with a band of survey paint around the stem; - Habitat trees watched at dusk to determine what if any fauna are using the hollows; - At a minimum all marked trees will be left standing for at least 2 nights following the clearing to allow any mammals to vacate the trees. However as most of the areas to be cleared are narrow or in close proximity to standing forest, it cannot be guaranteed that the mammals will leave and a person experienced in capturing and handling native fauna should be in attendance when these trees are pushed over; - Any trees found to contain bats should be left standing and soft-felled at dusk after the bats have left the hollows. This should be conducted under the supervision of a suitably experienced fauna ecologist. <p>An Ecological Monitoring Plan will be drafted and implemented prior to any mining that will impact on the areas of sub-tropical rainforest above Abel Underground Mining, and for Pambalong Nature Reserve, outside of the mining area to the southeast. These two areas will be monitored as follows:</p> <p>Sub-tropical Rainforest Monitoring plan</p> <p>The collection of the following data:</p> <ul style="list-style-type: none"> • At suitable locations, record the outer boundary between the rainforest and the surrounding dry forest in order to monitor the stability of the community; • Establish groundwater piezometers to record water depth; • Establish permanent transects along which floristic content is recorded; and • Monitor the stability of selected major rock formations that occur in or near the rainforest. <p>Pambalong Nature Reserve Monitoring</p> <p>The data to be collected would be as follows:</p> <ul style="list-style-type: none"> • Rainfall in the catchments supplying water to Pambalong Nature Reserve; • Water levels in PNR; • Annual fauna monitoring with emphasis on birds and amphibians; and • Broad vegetation communities and their boundaries. 		Reserve, outside of the mining area to the southeast.
11.	Aboriginal Heritage Note: SoC 11 should be read in conjunction with MCoA Schedule 4 Condition 28 and 29		

Independent Environmental Audit – 6 June 2008
Abel Coal Project

11.1	During any construction phase if any Aboriginal sites or relics are uncovered the NSW DEC will be informed. In the event that a site or relic is found then work in the area of the find will cease until it is assessed for significance and an appropriate management strategy is devised if necessary.		Noted	
11.2	An Aboriginal Heritage Management Plan will be implemented in consultation with the relevant Aboriginal stakeholders to specify the policies and actions required to mitigate and manage the potential impacts of the proposal on Aboriginal heritage.	Aboriginal Heritage Management Plan, Nov 2007	Compliant	Note: SoC 11.2 should be read in conjunction with MCoA Schedule 4 Condition 29 - Aboriginal Heritage Management Plan
11.3	The plan will provide procedures for: <ul style="list-style-type: none"> ongoing Aboriginal consultation and involvement, maintenance of an Aboriginal site database, management of recorded sites within the investigation area, further archaeological investigation prior to undermining. The plan will be regularly verified to establish that it is functioning as designed (ie. policies adhered to and actions implemented) to the standard required	Aboriginal Heritage Management Plan, Nov 2007	Compliant	This Aboriginal Heritage Management Plan was prepared in consultation with the DECC and the Murrumbidgee and Awakabal Aboriginal Land Councils. The Aboriginal Heritage Management Plan includes: <ul style="list-style-type: none"> a comprehensive Aboriginal heritage survey has been conducted across the Abel Site, staged so as to be complete prior to any disturbance – Table 1; salvage program for temporarily storing and then replacing retrieved material; protocol for the ongoing consultation and involvement of Aboriginal communities in the conservation and management of Aboriginal heritage - Section 4.2 Aboriginal Community Involvement; Measures to be implemented to protect Aboriginal sites on site – section 4.5, or if any new Aboriginal objects or skeletal remains are discovered - Section 4.7 Identification of Previously Unidentified Aboriginal Sites and Section 4.8 Identification of Human Skeletal Remains.
11.4	Continued use of surface infrastructure and construction of new surface infrastructure will be assessed against the location of identified Aboriginal heritage evidence and where impacts may occur, mitigation measures will be implemented as specified in the Aboriginal Heritage Management Plan.	Aboriginal Heritage Management Plan, Nov 2007	Compliant	
11.5	The Company will seek to minimise impacts to identified and potential Aboriginal heritage evidence within the northern investigation area and to conserve identified evidence where impacts are not required to occur for operational reasons.	Aboriginal Heritage Management Plan, Nov 2007	Compliant	
11.6	The Company will seek to mitigate impacts to identified and potential Aboriginal heritage evidence within the northern investigation area where impacts must occur for operational reasons. Staged systematic archaeological survey of each section proposed to be undermined in the southern investigation area will occur with the participation of the Aboriginal stakeholders prior to any underground mining in that section. The survey will sample the geographic extent of each section. The nature, level of integrity, potential impacts and scientific and cultural significance of any evidence identified will be assessed in consultation with the Aboriginal stakeholders and mitigation measures implemented as per the Aboriginal Heritage Management Plan.	Aboriginal Heritage Management Plan section 4.4 and Table 3, Nov 2007	Compliant	
11.7	Where site types susceptible to subsidence impacts (grinding grooves and rock shelters) are identified within the southern investigation area, an assessment of the potential impacts of subsidence will be undertaken by an appropriately qualified expert. Where it is determined that subsidence may impact a grinding groove or rock shelter site (including shelters with 'Potential Archaeological Deposits'), mitigation measures will be implemented to ensure that any impact is acceptable.	Aboriginal Heritage Management Plan, section 4.4, Nov 2007	Compliant	Management of recorded Aboriginal sites within the surface impact area is addressed in section 4.4 of the Aboriginal Heritage Management Plan.
11.8	A regional monitoring network for Aboriginal heritage across the Abel, Tasman, Donaldson and Bloomfield sites will be established, including continuation of the existing programme of monitoring in the Donaldson Bushland Conservation	Aboriginal Heritage Management Plan, section 4.9, Tables 2 and 3, Nov 2007	Compliant	Monitoring of the recorded Aboriginal sites is addressed in section 4.9, and Tables 2, 3 and 4 of the Aboriginal Heritage Management Plan, Nov

	<p>Areas, monitoring before and after undermining for a sample of Aboriginal sites within the southern investigation area for which it is not anticipated that subsidence related impacts will occur, monitoring before and after undermining for all Aboriginal sites for which it is inferred that undermining may result in impacts in order to ensure the adequacy of conservation measures around those sites, and documentation of the results of all monitoring in an annual report.</p> <p>The Company will continue to consult with and involve the registered Aboriginal stakeholders, particularly the Local Aboriginal Land Councils, in the ongoing management of the heritage resources within the investigation area as per the Aboriginal Heritage Management Plan.</p> <p>Should any previously unrecorded Aboriginal heritage evidence be identified within the lease area during the course of operations, Donaldson will ensure that this evidence is subject to temporary conservation and is recorded and appropriate management strategies are implemented in consultation with the Aboriginal community as per the Aboriginal Heritage Management Plan.</p> <p>Donaldson will maintain a current database providing details of all identified Aboriginal heritage evidence within the lease area so that the Aboriginal Heritage Management Plan can be effectively implemented and records for any Aboriginal sites identified and copies of all reports prepared in relation to ongoing monitoring and archaeological studies associated with the project will be lodged in a timely manner with DEC.</p>	<p>Aboriginal Heritage Management Plan, sections 4.1 and 4.2, Nov 2007</p> <p>Aboriginal Heritage Management Plan, sections 4.7, Nov 2007</p> <p>Aboriginal Heritage Management Plan, section 4.3 – Aboriginal Site Database, Nov 2007</p>	<p>Compliant</p>	<p>2007.</p> <p>Consultation with the Minda ribba and Awakabal Aboriginal Land Councils has occurred in relation to the identified Aboriginal sites. Ongoing consultation will occur in accordance with sections 4.1 and 4.2 of the Aboriginal Heritage Management Plan.</p> <p>Management of previously unrecorded Aboriginal sites will occur in accordance with section 4.7 of the Aboriginal Heritage Management Plan.</p> <p>The database of Aboriginal sites are addressed in section 4.3 and Table 1 of the Aboriginal Heritage Management Plan.</p>
<p>11.9</p>				
<p>11.10</p>	<p>In order to form an integrated monitoring network for Aboriginal heritage across the Abel, Tasman, Donaldson and Bloomfield sites, it is proposed for the duration of the mining leases to:</p> <ul style="list-style-type: none"> Continue the existing programme of monitoring in the Donaldson Bushland Conservation Areas to ensure that the condition of a sample of Aboriginal heritage sites that occur within the northern investigation area is regularly assessed. This will involve monitoring on an annual basis the seven existing datum points within the Conservation Area by a qualified archaeologist and representatives of the Minda ribba LALC; A sample of Aboriginal heritage sites within the southern investigation area, comprising site types for which it is not anticipated that subsidence related impacts will occur, will be monitored before and after undermining in their vicinity to confirm the accuracy of these predictions. This will involve inspections prior to undermining then at set periods after undermining by a qualified archaeologist and representatives of the relevant LALC; All Aboriginal heritage sites for which it is inferred that undermining may result in impacts (ie. rock shelter and grinding groove sites) will be monitored before and after undermining in their vicinity to ensure the adequacy of conservation measures around those sites. This will involve inspections prior to undermining then at set periods after undermining by a qualified archaeologist and representatives of the relevant LALC; An annual report documenting the results of monitoring will be prepared and provided to the relevant LALC and DEC detailing the methodology of the 	<p>Aboriginal Heritage Management Plan, sections 4.9, Table 2 and Table 4, Nov 2007</p> <p>Aboriginal Heritage Management Plan, Table 2, Nov 2007</p> <p>Integrated Environmental Monitoring Program</p>	<p>Complaint</p>	<p>Results of the ongoing monitoring of the Aboriginal sites will be reported in the AEMR.</p>

	<p>inspections, conditions of the environment and Aboriginal heritage evidence at the relevant sites, comparisons with previously reported descriptions of each site, identification of any natural and/or human impacts during the intervening period, and identification of any implications for ongoing management and protection of the Aboriginal heritage evidence throughout the lease areas.</p>			
<p>12.</p>	<p>Environmental Management System <i>Note: SoC 12 should be read in conjunction with MCoA Schedule 5, Condition 1</i></p> <p>The Environmental Management Plan outlined in Chapter 8 of the Environmental Assessment will be prepared within 6 months of this approval being granted, to the satisfaction of the Department of Planning. The EMP will address, separately for the Abel Underground Mine and the Bloomfield CHPP (unless otherwise specified), the following specific issues for both construction and operation of the proposed mine:</p> <ul style="list-style-type: none"> • Construction Management Plan; • Community Involvement Plan; • Noise Management Plan; • Water Management Plan; • Waste Management Plan; • Air Quality Management Plan; • Erosion and Sediment Control Plan; • Flora and Fauna Management Plan; • Heritage and Archaeology Area Management Plans; • Landscape Management Plan; • Rehabilitation Management Plan; • Groundwater Management Plan; • Subsidence Management Plan; • Watercourse Subsidence Management Plan; • Dam Subsidence and Repair Management Plan; • Gas Management Plan <p>Bloomfield CHPP and RLF Environmental Management Plan</p> <p>Where appropriate the above plans will be integrated plans which will apply across the following mining operation areas:</p> <ul style="list-style-type: none"> • Proposed Abel Underground Mine; • Tasman Underground Mine; • Donaldson Open Cut Mine; and • Bloomfield Coal Handling and Preparation Plant (CHPP) and Rail Loading Facility (RLF). <p>The Environmental Management Plan will include:</p> <ul style="list-style-type: none"> • The Company Environmental Policy that guides the direction of environmental management and provides Company commitment to environmental protection, mitigation and management. • Objectives, including legislative requirements to be met and relevant guidelines and Standards; 	<p>Environmental Management Strategy EMS Operating Manual EMS-01, 24 Oct 2007 Letter to DoP re EMS, 7 Dec 2007 Letter from DoP re Comments on the EMS, 11 Feb 2008 Letter to DoP re Revised EMS, 19 Feb 2008 Letter from DoP re EMS Approval, 26 Feb 2008 Noise Management Plan, May 2008 Water Management Plan, Mar 2008 Air Quality Monitoring Plan, Feb 2008 Flora and Fauna Management Plan, Oct 2007 Aboriginal and Cultural Heritage Management Plan, Nov 2007 Landscape Management Plan, Mar 2008 Rehabilitation Management Plan, March 2008 Groundwater Management Plan, Mar 2008</p>	<p>Compliant</p>	<p>The EMS Operating Manual (EOM-1) developed by Donaldson Coal provides an integrated environmental management strategy (or System) for all the Donaldson Coal operations (i.e Donaldson Mine, Tasman Mine, and Abel Underground Mine and the associated Bloomfield Operations comprising coal handling and preparation plant and rail loading facility). The integrated strategy includes the components to satisfy the requirements of MCoA Schedule 5 Condition 1.</p> <ul style="list-style-type: none"> • Refer to MCoA Schedule 4 Condition 6 and 7 – Subsidence Management Plan • Refer to MCoA 4 Condition 10 – Water Management Plan • Refer to MCoA Schedule 4 Condition 12 – Erosion and Sediment Control Plan • Refer to MCoA Schedule 4 Condition 17 – Landscape Management Plan • Refer to MCoA Schedule 4 Condition 18 - Rehabilitation Management Plan • Refer to MCoA Schedule 4 Condition 26 and 27 – Aboriginal Heritage Management Plan. <p>The following integrated plans have been developed for the Donaldson operations:</p> <ul style="list-style-type: none"> • EMS • Environmental Monitoring Program • Water Management • Landscape Management <p>The Environmental Management Strategy developed for the Donaldson Coal operations addresses all the elements of ISO14001:</p> <ul style="list-style-type: none"> • Environmental Policy – Appendix 1 • Objectives of the EMS – section 3.0 • Environmental Work Procedures – section 10;

	<ul style="list-style-type: none"> • Work procedures, which detail in practical terms what will be undertaken, when and by whom; • Monitoring, including what will be monitored, when and where this will occur, and reporting of results; • Review procedures, being when the management plan and contents will be reviewed; • Feedback mechanisms, to ensure that any required changes to the Plan, due to a review or other mechanism such as other risk assessment, are made and the plan updated; • Training, describing how employees and contractors are trained in the documented procedures and updated on an ongoing basis when changes are made; and • Emergency response procedures. <p>The Company will prepare and implement an Environmental Due Diligence Training Program which will focus on the following matters:</p> <ul style="list-style-type: none"> • The EMS; • Environment Protection legislation; • Understanding Due Diligence; • Specific Environmental Impacts of construction and operation of the mine; • The Company Safety Health Environmental Policy; • Reporting and recording environmental incidents; • Site environmental management. <p>The mine Site Manager or his/her nominee shall be responsible for implementing the EMS.</p>		<ul style="list-style-type: none"> • Monitoring and Measurement – section 13.2; • Review Procedures – section 13.0; • Feedback mechanisms – section 13.5; • Training – section 12.1; • Emergency Response Procedures – section 12.3
<p>13.</p>	<p>Rehabilitation <i>Note: SoC 12 should be read in conjunction with MCoA Schedule 4 Condition 16 to 22</i></p> <p>The Company commits to rehabilitating the Abel Underground Mine area and Abel pit top in accordance with DOP and DPI guidelines. This includes ongoing rehabilitation in response to mine subsidence as well as rehabilitation of pit top areas after completion of mining.</p> <p>The Company will provide a Mine Closure Plan as part of the MOP required under the relevant condition of the mining lease for the Abel Underground Mine. This Mine Closure Plan will be produced in consultation with DOP, DPI and other stakeholders as required.</p>	<p>Compliant - ongoing</p> <p>Landscape Management Plan, March 2008 Landscape Management Plan, Appendix 3 – Rehabilitation Plan, March 2008 Landscape Management Plan, Appendix 4 – Final Void Management Plan, March 2008 Appendix 5 – Mine Closure Plan, March 2008 Mining Operations Plan, section 4, May 2008,</p>	<p>The Mining Operations Plan for June 2008 to December 2009 has been prepared and was submitted to DPI on 28 May 2008. The MOP contains an outline of the proposed rehabilitation activities for the Abel Mine.</p>
<p>14.</p>	<p>Site Security</p> <p>Unauthorised entry of people into the Abel Underground Mine Portal Surface works and the Bloomfield CHPP is to be prevented to ensure site security and to prevent damage to components of the mine particularly damage which may result in harm to the environment.</p>	<p>Compliant</p>	<p>The mine site has a security fence around the mining lease area and a boom gate at the entrance to the mine site on the main access road.</p>

15.	<p>Community Consultation <i>Note: SoC 13 should be read in conjunction with MCoA Schedule 5 Condition 8 and 9.</i></p> <p>A Community Liaison Committee will be created which will meet on a regular basis to review environmental performance of the Abel Underground Mine and the Bloomfield CHPP.</p> <p>Membership of the Committee is to be determined by the Company and the Committee is to be chaired by an Independent Facilitator and will include representatives of the local community and adjoining property holders, DOP, the DEC and local councils.</p> <p>The Environment Protection Licence for the mine will require the Company to keep a record of all complaints made in relation to pollution arising from any activity to which this Licence applies and will also specify the details to be provided in the record and a complaints handling procedure.</p> <p>The Environment Protection Licence for the mine will require that a telephone complaints line operates during the operating hours of the premises for the purpose of receiving any complaints from members of the public and that the telephone number of this line be notified to the community.</p> <p>A 24 hour telephone complaints line will be established and the local community will be notified of the phone number. Complaints received, information from the complainant, including the nature of the complaint would be recorded.</p> <p>The appropriate site manager or his/her nominee will undertake an immediate investigation into the cause of any complaint relating to operations of the site and in particular environmental issues and will ensure that corrective action is taken as required.</p> <p>The appropriate site manager or his/her nominee will provide the complainant with an explanation of the cause of any environmental incident and details of any actions taken to mitigate its effect.</p> <p>If necessary, the appropriate site manager would initiate further corrective action, such as introducing changes in operational procedures, work instructions or modifications to equipment etc as may be required to reduce the possibility of further environmental incidents.</p> <p>A record of all complaints received will be kept on site for 4 years.</p>	<p>CCC Minutes of Meeting No.1, 5 December 2007 CCC Minutes of Meeting No.2, 11 March 2008</p> <p>Draft DECC EPL condition M.4</p> <p>Draft DECC EPL condition M.5</p> <p>www.doncoal.com.au</p>	Compliant	<p>Hon. Mr Milton Morris - Chairman The Mayor, Cr Peter Blackmore - Maitland City Council</p> <p>Mr Alan Brown - Community Member Mr Allan Jennings - Community Member Mr Terry Lewin - Community Member Mr Andrew Pace - Community Member Mr Brad Ure - Community Member Mr Alick Osborne - Director, Donaldson Coal Mr Mark McPherson - Project Manager, Abel Mr Phillip Brown - Environment Manager, Donaldson Coal</p> <p>Mr Adam Heeney - Landholder and Resident Liaison Officer, Donaldson Coal Mr Lachlin Crawford – Bloomfield Colliery</p> <p>CCC Meetings were held in December 2007 and March 2008 5 December 2007 at the Blackhill Public School.</p> <p>Minutes of the meetings were taken by Phil Brown of Donaldson Coal and distributed to the CCC members, Director-General and posted onto the Donaldson Coal website – www.doncoal.com.au</p> <p>24 Hour complaints line established for the community and notified on the Donaldson website and through the CCC – 1800 111 271.</p>
16.	<p>Environmental Incidents</p> <p>Prior to commencement of construction an Emergency Response Plan (ERP) will be prepared for the site which will describe the general policy and approach to be adopted by The Company when managing and responding to an emergency or incident at the site. The ERP will contain a specific definition of 'incident' and 'environmental incident' that is to be consistent with the definition of 'incident' in the POEO Act.</p>	<p>EMS section 12.3 – Emergency Response and Preparedness Plan (EME-3) Emergency Incidents Reporting Form (EME-2)</p>	Compliant	<p>A specific Emergency Response Plan has been developed by the Abel Coal Project team to provide procedures and processes for response to any incident related to the project.</p> <p>Donaldson Coal also have Emergency Response and Preparedness Plans as part of the EMS to address ant significant environmental emergency and ensure that effective response is initiated to minimise any potential environmental impact should an incident occur.</p>
16.2	<p>In accordance with Part 5.7 of the POEO Act , the appropriate site manager must notify the NSW DEC of 'incidents' which occur in the course of operations</p>	<p>Emergency Response and Preparedness Plan (EME-3)</p>	Noted	

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	of the AUP where material harm to the environment is caused or threatened, as soon as practicable after they become aware of the incident or threatened material harm.	Draft EPL No. 12856, condition R2.		
16.3	Initial notification of an 'incident' (as defined) is to be made by telephoning the NSW DEC's Pollution Line.		Noted	
16.4	The following information will be required by Donaldson: <ul style="list-style-type: none"> • The time, date, nature, duration and location of the incident; • The location of the place where pollution is occurring or is likely to occur; • The nature, the estimated quantity or volume and the concentration of any pollutants involved; • The circumstances in which the incident occurred (including the cause of the incident, if known); • The action taken or proposed to be taken to deal with the incident and any resulting pollution or threatened pollution; and • Other relevant information. 	Emergency Response and Preparedness Plan (EME-3) Emergency Incidents Reporting Form (EME-2)	Noted	
16.5	The appropriate site manager will assess specific incidents taking into consideration the impact(s) on the environment, to determine whether what resources are required to determine what response is required, or to assist in responding to the impacts. The appropriate site manager would contact an outside agency if required.	Emergency Response and Preparedness Plan (EME-3)		
16.6	All employees working on the site will be responsible for ensuring that the appropriate site manager is informed of any environmental incidents. All environmental incidents would be recorded on an Environmental Incident Report form. As required by Part 5.7 of the POEO Act and the EPL, the Site Manager must notify the NSW DEC of incidents, or the threat of material harm to the environment, as soon as practicable after they become aware of the incident or threat of material harm.	Draft EPL No. 12856, condition R2.	Noted	
16.7	The management strategies for responding to and controlling incidents and/or emergencies will include the following: <p>General Procedures</p> <ul style="list-style-type: none"> • Provide adequate resources including staffing and fire fighting equipment; • Training of staff so that a high level of preparedness is maintained by all people who could be involved in an emergency; • Provide a first aid station which would be fully equipped and maintained at the site; and • Periodic review and update of emergency procedures for the site. <p>Fire</p> <ul style="list-style-type: none"> • Consultation has been initiated with the NSW Rural Fire Service and this would be ongoing; • Consult with adjoining landholders; • Undertake hazard reduction as required; • Provide fire fighting equipment at site buildings; • Provide clear signposting and access for all fire fighting equipment; 	Emergency Response and Preparedness Plan (EME-3)	Noted	

	<ul style="list-style-type: none"> • Make available water for fire fighting from water holding tanks or mains; and • Regularly inspect and maintain fire fighting equipment. <p>Chemicals</p> <ul style="list-style-type: none"> • Store all chemicals in appropriately banded areas in accordance with their Material Safety Data Sheets (MSDS) and the relevant Australian Standards; and • Store all fuels or flammable solvents in adequately ventilated areas. 			
16.8	All environmental incidents are to be recorded on an Environmental Incident Report form.	Emergency Incidents Reporting Form (EME-2)	Noted	
16.9	An Environmental Incident Folder is to be maintained and shall contain the following: <ul style="list-style-type: none"> • Copies of work instructions on how to deal with particular situations; • Incident contact names/numbers; and • Environmental Incident Report form containing all the details required in the "Notification of Environmental Harm" procedure. 	Emergency Incidents Reporting Form (EME-2)	Noted	
A.	<p>Subsidence Specific Commitments by the Company <i>Note: SoC A-O will be addressed in the Subsidence Management Plan or other specific plans prior to 2nd workings.</i></p> <p>Principal Residences</p> <p>The Company commits to producing and implementing a plan of management for each Principal Residence existing at the date of approval of this project. A Principal Residence is defined as an existing building capable of being occupied as a separate domicile and used for such purpose. The plan of management will be produced and implemented as follows:</p> <p>A1. Each Principal Residence will be individually assessed by the Mines Subsidence Board /structural engineer who will determine tolerable levels for individual subsidence parameters. Tolerable limits are those limits which will result in no mitigation works being required to the Principal Residence due to subsidence impacts from the Abel Underground Mine.</p> <p>A2. Each Principal Residence will have a pre-mining survey to identify and record pre-existing imperfections that will not be covered by the Mines Subsidence Board.</p> <p>A3. Such assessments will be done as and when the progression of the mining process dictates – i.e. mining may have commenced in other areas prior to the individual Principal Residence assessment being undertaken.</p> <p>A4. Tolerable levels will be set according to such factors as dwelling construction (e.g. brick veneer, clad), type (single, double storey), size (length and width), footings (slab, strip footings, piers), surface conditions (sand, rock, clay, steep slope) etc, with reference to the MSB Graduated Guidelines (compatible with AS 2870 and the Building Code of Australia).</p> <p>A5. The mine plan in proximity to each Principal Residence will be modified by the Company to maintain subsidence parameters within the tolerable levels determined above for each Principal Residence.</p> <p>A6. The mine plan will be reviewed by the MSB and the DPI prior to any Subsidence Management Plan being approved under the relevant lease.</p>		Not yet commenced	

	<p>A7. Each Principal Residence will have a specific subsidence monitoring plan to monitor subsidence impacts before and after mining at the Principal Residence and to ensure that tolerable limits are achieved in practice. A8. The Mines Subsidence Board has the responsibility to rectify any impacts to structures that may occur as a result of mining. In cases where the owner of the Principal Residence and the Company can agree to terms which permit second workings under the Principal Residence greater than those permitted above, the Company agrees to negotiate a plan of management similar to that proposed in the section of this Statement of Commitments titled "All Other Surface Structures" ..</p>			
<p>B.</p>	<p>Future Principal Residence If there is no existing residence on a landholding and a residence is planned to be built, the site for this Future Principal Residence will be protected in the same way as that proposed above for Principal Residences. This commitment applies to a maximum of one Future Principal Residence per landholding. <i>NOTE: Once the Mine Subsidence District is declared for the area all Future Principal Residences will require approval from the Mine Subsidence Board and must comply with the Mine Subsidence Compensation Act 1961.</i></p>		Not yet commenced	
<p>C.</p>	<p>Black Hill School All buildings and structures located at Black Hill School will be managed as if they were a Principal Residence.</p>		Noted	
<p>D.</p>	<p>Black Hill Church and Cemetery The Black Hill Church and cemetery will be managed as if they were a Principal Residence.</p>		Noted	
<p>E.</p>	<p>All Other Surface Structures "All Other Surface Structures" is defined as any building or structure impacted by mining-induced subsidence from the Abel Underground Mine Project which is not categorised as a Principal Residence, Future Principal Residence, Black Hill Church and Cemetery or Black Hill School. The Company shall prepare and implement plans of management for the mitigation and remediation of any damage to All Other Surface Structures prior to any mining occurring that would impact on them. The plan of management will include: (a) pre-mining audit of the structure; (b) the provision of a plan of management as part of the SMP approval process which requires the Company to mitigate/remediate any damage to improvements associated with the structure in conjunction with the Mines Subsidence Board; (c) post-mining monitoring of the improvements associated with the Structure. The mitigation/remediation measures to be undertaken will be related to the extent of damage experienced – see Schedule 1 for details.</p>		Not yet commenced	
<p>F.</p>	<p>Dams A Dam Monitoring and Management Strategy (DMMS) will be formulated for all dams prior to any mining occurring which will impact on the dams. The DMMS</p>	Flora and Fauna Management Plan, section 5.2.1 Dam	Compliant - ongoing	The monitoring and management of dams is outlined in the Flora and Fauna Management Plan.

	<p>will provide for:</p> <p>F1. The individual inspection of each dam by a qualified engineer for:</p> <ul style="list-style-type: none"> • current water storage level; • current water quality (EC and pH); • wall orientation relative to the potential cracking; • wall size (length, width and thickness); • construction method and soil / fill materials; • wall status (presence of rilling / piping / erosion / vegetation cover); • potential for safety risk to people or animals; • downstream receptors, such as minor or major streams, roads, tracks or other farm infrastructure; and • potential outwash effects. <p>F2. Photographs of each dam will be taken prior to and after undermining, when the majority of predicted subsidence has occurred.</p> <p>F3. Dam water levels, pH and EC will be monitored prior to and after undermining to assess the baseline and post mining dam water level and water quality in order to determine whether rehabilitation is required.</p> <p>F4. In the event that subsidence / crack development monitoring indicates a significant potential for dam wall failure, dam water will be managed in one of the following manners:</p> <ul style="list-style-type: none"> • pumped to an adjacent dam to lower the water level to a manageable height that reduces the risk of dam wall failure, • discharged to a lower dam via existing channels if the water can not be transferred, or • not transferred if the dam water level is sufficiently low to pose a minor risk. <p>An alternate water supply will be provided to the dam owner until the dam can be reinstated.</p> <p>F5. In the event of subsidence damage to any dams the Company shall remediate the damage and reinstate the dam in conjunction with the Mine Subsidence Board.</p>	Monitoring and Management	<p>A baseline set of data for the farm dams identified in the Environmental Assessment (2007) focussing on the threatened flora and fauna is proposed in the Flora and Fauna Management Plan with target species and appropriate methods and monitoring provided.</p> <p>This program is proposed to commence prior to underground mining occurring in the vicinity of the dams.</p>
G.	Public Roads		The commitment in this SoC will be included in the Subsidence Management Plan when it is developed prior to 2 nd workings.
H.	Powerlines		The commitment in this SoC will be included in the Subsidence Management Plan when it is developed prior to 2 nd workings
I.	Gas Pipeline		The commitment in this SoC will be included in the Subsidence Management Plan when it is developed prior to 2 nd workings.

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J.	<p>Survey Marks At the completion of subsidence or otherwise as required by Government Authorities, the functionalities of any survey marks affected by subsidence will be fully restored to the satisfaction of the Government Authorities.</p>		Noted	
K.	<p>Cliffs Note: SoC K should be read in conjunction with MCoA Schedule 4 Condition 3 Trigger-action response plans (TARPs) will be developed by the Company based on consultation with DEC and Local Councils to ensure the general public and employees working in the vicinity of the cliffs are not exposed to rock falls caused by mine subsidence damage. Appropriate rock fall hazard controls may include such items as rock fall catch ditches, barrier fencing, earth mounds and warning signs installed at appropriate locations to promote awareness that a rock fall hazard could exist along the top and bottom of cliff lines that will be undermined.</p>		Not yet commenced	
L.	<p>Water Supply In the event of interruptions to water supplies due to subsidence impacts on farm dams, water tank pipelines, water mains and irrigation systems within the application area, the Company commits to providing water supplies of equivalent quality and quantity to locations convenient to those affected until such time that the affected farm dams, water tanks, pipelines, water mains and irrigation systems are restored.</p>		Noted	This SoC had not been activated at the date of this audit.
M.	<p>General Surface Water Flow The Company shall prepare and implement a plan of management to maintain surface drainage of areas surrounding any dwellings and other structures or infrastructure, where required. This plan shall include monitoring, mitigation or remediation of mining-induced ponding, drainage pattern changes, any resulting serviceability difficulties and/or hazards to the public.</p>		Not yet commenced	The commitment in this SoC will be included in the Subsidence Management Plan when it is developed prior to 2 nd workings.
N.	<p>Public Safety The Company shall prepare and implement a surface safety management program to ensure public safety in any surface areas that may be affected by subsidence arising from the proposed underground mining. This program shall include, but not be limited to, regular monitoring of areas posing safety risks, erection of warning signs, entry restrictions, backfilling of dangerous surface cracks and securing of unstable man-made structures or rockmass, where required and appropriate, and the provision of timely notification of mining progress to the community and any other relevant Stakeholders where management of public safety is required.</p>		Not yet commenced	The commitment in this SoC will be included in the Subsidence Management Plan when it is developed prior to 2 nd workings.
O.	<p>Landowner Agreements Note: SoC should be read in conjunction with MCoA Schedule 4 Condition 6 The Company will enter into separate arrangements with Coal and Allied for its Black Hill land and with the Catholic Diocese of Maitland and Newcastle with regard to an agreed mining schedule underneath these respective lands. These arrangements will set timeframes for the completion of mining beneath these areas.</p>		Not yet commenced	Written approval will be sought if required. This SoC had not been activated at the date of this audit.