

Appendix A

Project Approval Conditions

(Relevant to this EP Application)

Table A1: Project Approval 05_0136 MOD 3 Conditions relevant to the Extraction Plan

Condition No.	Condition Requirement	Addressed in EP
Schedule 3, Condition 4	<p>Extraction Plan</p> <p>The Proponent shall prepare and implement an Extraction Plan for all second workings in the mining area to the satisfaction of the Director-General. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared by a team of suitably qualified and experienced persons whose appointment has been endorsed by the Director-General; (b) be approved by the Director-General prior to the commencement of any second workings covered by the Extraction Plan; (c) include a detailed plans of existing and proposed first and second workings, and any associated surface development; (d) include detailed performance indicators for each of the performance measure in Conditions 1 and 3 in Schedule 3; (e) give particular consideration to any proposed multi seam mining; (f) include a detailed investigation of nay overlying or adjacent West Borehole Seam workings, in consultation with the DRE, which: <ul style="list-style-type: none"> • assesses the stability of remnant coal pillars in the former West Borehole Seam workings; • includes revised multi seam subsidence predictions for the second workings areas; • gives particular consideration to the risks of irregular subsidence and for pillar run leading to subsidence outside of the predicted angle of draw; and • recommends final design of the second workings panels and any necessary adaptive management measures; (g) provide revised predictions of the potential subsidence effects, subsidence impacts and environmental consequences of the proposed second workings, incorporating any relevant information obtain since project approval (h) describe the measures that would be implemented to ensure compliance with the performance measures in Conditions 1 and 3 in Schedule 3, and manage or remediate any impacts and/or environmental consequences; (i) include a Built Features Management Plan, which has been prepared in consultation with DRE and the owners of affected built features, to manage the potential subsidence impacts and/or environmental consequences of the proposed second workings, and which: <ul style="list-style-type: none"> • addresses in appropriate detail all items of key public infrastructure (with particular consideration of angle towers on transmission lines and powerlines), other public infrastructure and all other built features; • has been prepared following appropriate 	<p>This Extraction Plan</p> <p>S4.1</p> <p>S4.1</p> <p>SMP Plans</p> <p>S3.5</p> <p>S3.3, Appendix C</p> <p>S3.3, Appendix C</p> <p>S3.4, Appendix C</p> <p>S3.5</p>

Condition No.	Condition Requirement	Addressed in EP
	<p>consultation with the owner/s of potentially affected feature/s;</p> <ul style="list-style-type: none"> • recommends appropriate remedial measures and includes commitments to mitigate, repair, replace or compensate all predicted impacts on potentially affected built features in a timely manner; and • in the case of all key public infrastructure, and other public infrastructure except roads, trails and associated structures, reports external auditing for compliance with ISO 31000 (or alternative standard agreed with the infrastructure owner), and provides for annual auditing of compliance and effectiveness during extraction which may impact the infrastructure; <p>(j) include a Water Management Plan, which has been prepared in consultation with EPA and NOW, which provides for the management of the potential impacts and/or environmental consequences of the proposed second workings on watercourses and aquifers, including:</p> <ul style="list-style-type: none"> • surface and groundwater impact assessment criteria, including trigger levels for investigating any potentially adverse impacts on water resources or water quality; • a program to monitor and report stream flows, assess any changes resulting from subsidence impacts and remediate and improve stream stability; • a program to monitor and report groundwater inflows to underground workings; and • a program to predict, manage and monitor impacts to groundwater bores on privately-owned land; <p>(k) include a Biodiversity Management Plan, which has been prepared in consultation with OEH, which provides for the management of the potential impacts and/or environmental consequences of the proposed second workings on aquatic and terrestrial flora and fauna, with a specific focus on threatened species, populations and their habitats; endangered ecological communities; and water dependent ecosystems;</p> <p>(l) include a Land Management Plan, which has been prepared in consultation with any affected public authorities, to manage the potential impacts and/or environmental consequences of the proposed second workings on land in general, with a specific focus on cliffs, rock face features and steep slopes;</p> <p>(m) include a Heritage Management Plan, which has been prepared in consultation with OEH and relevant stakeholders for both Aboriginal and historic heritage, to manage the potential environmental consequences of the proposed second workings on both Aboriginal and non-Aboriginal heritage items, and reflects the requirements of</p>	<p>Appendix H</p> <p>Appendix E</p> <p>Appendix K</p> <p>Appendix F</p>

Condition No.	Condition Requirement	Addressed in EP
	condition 21 of schedule 4; (n) include a Public Safety Management Plan, which has been prepared in consultation with DRE, to ensure public safety in the mining area; (o) include a Subsidence Monitoring Program, which has been prepared in consultation with DRE; to: <ul style="list-style-type: none"> provide data to assist with the management of the risks associated with subsidence; validate the subsidence predictions; analyse the relationship between the predicted and resulting subsidence effects and predicted and resulting impacts under the plan and any ensuing environmental consequences; and inform the contingency plan and adaptive management process; (p) include a contingency plan that expressly provides for adaptive management where monitoring indicates that there has been an exceedance of any performance measure in Conditions 1 and 3 in Schedule 3, or where any such exceedance appears likely; (q) proposes appropriate revisions to the Rehabilitation Management Plan required under condition 29 of Schedule 4; and (r) include a program to collect sufficient baseline data for future Extraction Plans.	Appendix I Appendix J Appendix K S5.2 In Progress This Extraction Plan
Schedule 3, Condition 5	The Proponent shall ensure that the management plans required under conditions 4(h)-(m) above include: <ul style="list-style-type: none"> (a) a revised assessment of the potential environmental consequences of the Extraction Plan, incorporating any relevant information that has been obtained since this approval; and (b) a detailed description of the measures that would be implemented to remediate predicted impacts. 	S3.3 S5
Schedule 3, Condition 6	First Workings The Proponent may carry out first workings on site, other than in accordance with an approved Extraction Plan, provided that DRE is satisfied that the first workings are designed to remain long-term stable and non-subsiding, except insofar as they may be impacted by approved second workings.	S3.5
Schedule 4, Condition 27	Rehabilitation Objectives The Proponent shall rehabilitate the site to the satisfaction of the Executive Director Mineral Resources. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the EA, and comply with the objectives in Table 12.	

Condition No.	Condition Requirement	Addressed in EP																		
	<div>Table 12: Rehabilitation Objectives</div> <table><tr><th>Feature</th><th>Objective</th></tr><tr><td><ul style="list-style-type: none">Mine site (as a whole).</td><td><ul style="list-style-type: none">Safe, stable & non-polluting; andFinal land use compatible with surrounding land uses.</td></tr><tr><td><ul style="list-style-type: none">Surface infrastructure.</td><td><ul style="list-style-type: none">To be decommissioned and removed, unless the Executive Director Mineral Resources agrees otherwise.</td></tr><tr><td><ul style="list-style-type: none">Portals and ventilation shafts.</td><td><ul style="list-style-type: none">To be decommissioned and made safe and stable; andRetain habitat for threatened species (eg bats), where practicable.</td></tr><tr><td><ul style="list-style-type: none">Watercourses within project area.</td><td><ul style="list-style-type: none">Hydraulically and geomorphologically stable.</td></tr><tr><td><ul style="list-style-type: none">Cliffs.</td><td><ul style="list-style-type: none">No additional risk to public safety compared to prior to mining.</td></tr><tr><td><ul style="list-style-type: none">Other land affected by the project.</td><td><ul style="list-style-type: none">Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprised of:<ul style="list-style-type: none">local native plant species (unless the Executive Director Mineral Resources agrees otherwise); anda landform consistent with the surrounding environment.</td></tr><tr><td><ul style="list-style-type: none">Built features damaged by mining operations.</td><td><ul style="list-style-type: none">Repair to pre-mining condition or equivalent unless:<ul style="list-style-type: none">the owner agrees otherwise; orthe damage is fully restored, repaired or compensated under the <i>Mine Subsidence Compensation Act 1961</i></td></tr><tr><td><ul style="list-style-type: none">Community.</td><td><ul style="list-style-type: none">Ensure public safety; andMinimise the adverse socio-economic effects associated with mine closure</td></tr></table>	Feature	Objective	<ul style="list-style-type: none">Mine site (as a whole).	<ul style="list-style-type: none">Safe, stable & non-polluting; andFinal land use compatible with surrounding land uses.	<ul style="list-style-type: none">Surface infrastructure.	<ul style="list-style-type: none">To be decommissioned and removed, unless the Executive Director Mineral Resources agrees otherwise.	<ul style="list-style-type: none">Portals and ventilation shafts.	<ul style="list-style-type: none">To be decommissioned and made safe and stable; andRetain habitat for threatened species (eg bats), where practicable.	<ul style="list-style-type: none">Watercourses within project area.	<ul style="list-style-type: none">Hydraulically and geomorphologically stable.	<ul style="list-style-type: none">Cliffs.	<ul style="list-style-type: none">No additional risk to public safety compared to prior to mining.	<ul style="list-style-type: none">Other land affected by the project.	<ul style="list-style-type: none">Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprised of:<ul style="list-style-type: none">local native plant species (unless the Executive Director Mineral Resources agrees otherwise); anda landform consistent with the surrounding environment.	<ul style="list-style-type: none">Built features damaged by mining operations.	<ul style="list-style-type: none">Repair to pre-mining condition or equivalent unless:<ul style="list-style-type: none">the owner agrees otherwise; orthe damage is fully restored, repaired or compensated under the <i>Mine Subsidence Compensation Act 1961</i>	<ul style="list-style-type: none">Community.	<ul style="list-style-type: none">Ensure public safety; andMinimise the adverse socio-economic effects associated with mine closure	Appendix E to Appendix J
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Schedule 4, Condition 28	The Proponent shall carry out the rehabilitation of the site progressively, that is, as soon as reasonably practicable following disturbance.	Appendix J																		
Schedule 5, Condition 1	<p>Notification of Landowners</p> <p>As soon as practicable obtaining monitoring results which show:</p> <ul style="list-style-type: none">(a) an exceedance of any relevant criteria in Schedule 4, the Proponent shall notify affected landowners in writing of the exceedance, and provide regular monitoring results to each affected landowner until the Proponent is again complying with the relevant criteria; and(b) an exceedance of any relevant air quality criteria in Schedule 4, the Proponent shall send a copy of the NSW Health fact sheet entitled “Mine Dust and You” (as may be updated from time to time) to the affected landowners and/or existing tenants of the land (including the tenants of any mine-owned land).	Appendix H, Appendix K																		
Schedule 5, Condition 2	<p>If an owner of privately-owned land considers that the Proponent is exceeding the relevant criteria in Schedule 4, then he/she may ask the Director-General in writing for an independent review of the impacts of the project on his/her land.</p> <p>If the Director-General is satisfied that an independent review is warranted, then within 2 months of the Director-General’s decision the Proponent shall:</p> <ul style="list-style-type: none">(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to:<ul style="list-style-type: none">I. consult with the landowner to determine his/her concerns;II. conduct monitoring to determine whether the Proponent is complying with the relevant criteria in Schedule 4; andIII. if the Proponent is not complying with these criteria then identify the measures that could be implemented to ensure compliance with the relevant criteria; and(b) give the Director-General and landowner a copy of the independent review.																			

Condition No.	Condition Requirement	Addressed in EP
Schedule 6, Condition 2	<p>Management Plan Requirements</p> <p>The proponent shall ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:</p> <ul style="list-style-type: none"> (a) detailed baseline data; (b) a description of: <ul style="list-style-type: none"> I. the relevant statutory requirements (including any relevant approval, licence or lease conditions); II. any relevant limits or performance measures/criteria; III. the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures; (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria; (d) a program to monitor and report on the: <ul style="list-style-type: none"> I. impacts and environmental performance of the project; II. effectiveness of any management measures (see c above); (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible; (f) a program to investigate and implement ways to improve the environmental performance of the project over time; (g) a protocol for managing and reporting any: <ul style="list-style-type: none"> I. incidents; II. complaints; III. non-compliances with statutory requirements; and IV. exceedances of the impact assessment criteria and/or performance criteria; and (h) a protocol for periodic review of the plan. 	This Extraction Plan

Condition No.	Condition Requirement	Addressed in EP
Schedule 6, Condition 3	<p>Adaptive Management</p> <p>The Proponent must assess and manage project-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedules 3 and 4. Any exceedance of these criteria and/or performance measures constitutes a breach of this approval and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.</p> <p>Where any exceedance of these criteria and/or performance measures has occurred, the Proponent must, at the earliest opportunity:</p> <ul style="list-style-type: none"> (a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur; (b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and (c) implement remediation measures as directed by the Director-General, to the satisfaction of the Director-General. 	S5.2
Schedule 6, Condition 5	<p>Revision of Strategies, Plans and Programs</p> <p>Within 3 months of the submission of an:</p> <ul style="list-style-type: none"> (a) annual review under condition 4 of schedule 6; (b) incident report under condition 7 of schedule 6; (c) audit report under condition 3 of schedule 7; and (d) or any modification to the conditions of this approval, <p>the Proponent shall review, the strategies, plans and programs required under this approval to the satisfaction of the Director-General. Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted for the approval of the Director-General.</p> <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.</i></p>	S6.2

Donaldson has made the subsidence specific commitments in **Table A2** in relation to subsidence impacts from Abel Underground Mine.

Table A2: Subsidence Specific Commitments Relevant to EP / SMP Area 4 from PA 05_0136 MOD 3

Commitment	Addressed in EP
Subsidence Specific Commitments by the Company	
A. Principal Residences	
<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 Mine Subsidence Board (MSB) /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 MSB.</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 DRE prior to any Subsidence Management Plan being approved under the relevant lease.</p> <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.</p> <p>A8. The MSB has the responsibility to rectify any impacts to structures that may occur as a result of mining.</p> <p>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>Appendix H</p>

B. Future Principal Residences	
<p>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.</p> <p>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.</p>	S4.3
E. All other Surface Structures	
<p>“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.</p> <p>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.</p> <p>The plan of management will include:</p> <ul style="list-style-type: none"> (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. <p>The mitigation/remediation measures to be undertaken will be related to the extent of damage experienced – see Schedule 1 for details.</p>	Appendix H
F. Dams	
<p>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 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>	Appendix H

<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 cannot 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>	
G. Public Roads	
<p>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 existing fire fighting access tracks.</p>	Appendix H
H. Powerlines	
<p>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.</p>	Appendix H
J. Survey Marks	
<p>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>	Appendix H
L. Water Supply	
<p>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>	Appendix H
M. General Surface Water Flow	
<p>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.</p> <p>NOTE: Also see Water Supply.</p>	Appendix F Appendix H
N. Public Safety	
<p>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 manmade 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>	Appendix J

Additionally Mining Leases include the standard Condition 8 requiring the preparation of a Subsidence Management Plan prior to commencing any underground mining operations which will potentially lead to subsidence of the land surface which includes the pillar extraction proposed by Abel for EP / SMP Area 4.