

Project Approval

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

As delegate of the Minister for Planning, I approve the project referred to in schedule 1, subject to the conditions in schedules 2 to 5.

These conditions are required to:

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

SIGNED 3 SEPTEMBER 2009
Sydney

Sam Haddad
Director-General
2009

SCHEDULE 1

Application No: 07_0087
Proponent: Bloomfield Collieries Pty Limited
Approval Authority: Minister for Planning
Land: See Appendix 1
Project: Bloomfield Coal Project

May 2011 modification in red
March 2012 modification in blue
February 2013 modification in green
August 2018 modification in purple

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DEFINITIONS

Annual Review	The review required by condition 3 of Schedule 5
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
BCT	NSW Biodiversity Conservation Trust
Biodiversity Offset Strategy	The Biodiversity Offset Strategy as described in EA (MOD 1) and EA (MOD 4)
CCC	Community Consultative Committee
CHPP	Coal handling and preparation plant
Council	Cessnock City Council
Day	The period between 7am and 6pm on Monday to Saturday and between 8am and 6pm on Sunday and Public Holidays
Department	Department of Planning and Environment
Dol	Department of Industry – Lands and Water
DRG	Division of Resources and Geoscience within the Department
DSC	Dams Safety Committee
EA	Environmental Assessment prepared for the Bloomfield Group entitled <i>Bloomfield Colliery Completion of Mining and Rehabilitation Part 3A Environmental Assessment Project Application 07_0087</i> Volumes 1, 2 and 3 (November 2008), including the response to submissions dated 5 February 2009
EA (MOD 1)	Modification application 07_0087 Mod 1 and Environmental Assessment titled <i>Extension of the Project Approval Area for out-of-pit overburden emplacement and rehabilitation, alternative haul road and powerline relocation</i> , prepared by Business Environment and dated September 2010, including the Biodiversity Offset Strategy titled <i>Bloomfield Colliery Project Modification (07_0087 MOD 1) – Proposed Offset Strategy</i> , dated 31 March 2011
EA (MOD 2)	Modification application 07_0087 Mod 2 and letter entitled Bloomfield Coal Project – Modification of PA 07_0087, dated November 2011
EA (MOD 3)	Modification application 07_0087 Mod 3 as requested by letter entitled <i>Bloomfield Coal Project – Modification of PA 07-0087</i> and dated 17 December 2012
EA (MOD 4)	Modification application 07_0087 and accompanying Environmental Assessment prepared for the Bloomfield Group entitled <i>Bloomfield Colliery – Life of Mine Extension, Modification 4</i> (January 2018), including the response to submissions dated 14 June 2018
EEC	Endangered Ecological Community
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environment Protection Licence issued under the <i>Protection of the Environment Operations Act 1997</i>
Evening	The period between 6pm and 10pm
Feasible	Means what is possible and practical in the circumstances
Land	The whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this approval
LGA	Local government area
Material harm	Is harm that: <ul style="list-style-type: none"> • involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or • results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) This definition excludes “harm” that is authorised under either this approval or any other statutory approval’
Mining operations	The removal and emplacement of overburden and the extraction of coal
Minister	NSW Minister for Planning, or delegate
Modification 4	The modification to the project as described in EA (MOD 4)
Morning shoulder	The period between 6am and 7am, Monday to Saturday (excluding Public Holidays)
Night	The period between 10pm and 6am, Monday to Saturday and between 10pm and 8am on Sunday and Public Holidays

OEH	Office of Environment and Heritage
Privately-owned land	Land that is not owned by a public agency, or a mining company (or its subsidiary)
Proponent	Bloomfield Collieries Pty Limited or any other person or persons who rely on this approval to carry out the project that is subject to this approval
Project	The Bloomfield Coal Project described in the EA
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
ROM	Run-of-mine
Secretary	Planning Secretary under the EP&A Act, or nominee
Site	Land to which the project application applies (see Appendix 1 and 2)
Statement of Commitments	The Proponent's Final Statement of Commitments for Site Operations and Management in Appendix 3

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

1. The Proponent **must** implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the project.

Terms of Approval

2. The Proponent must carry out the project generally in accordance with the:
 - (a) EA, EA (MOD 1), EA (MOD 2), EA (MOD 3) and EA (MOD 4);
 - (b) Biodiversity Offset Strategy; and
 - (c) Statement of Commitments.

Notes:

- *The general layout of the project is shown in Appendix 2; and*
- *The Statement of Commitments is reproduced in Appendix 3.*

- 2A. The Proponent must carry out the project in accordance with the conditions of this approval.
3. If there is any inconsistency between the above documents, the more recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.
 4. The Proponent **must** comply with any reasonable requirements of the **Secretary** arising from the Department's assessment of:
 - (a) any reports, strategies, plans, programs, reviews, audits or correspondence that are submitted in accordance with the conditions of this approval;
 - (b) any reviews, reports or audits undertaken or commissioned by the Department regarding compliance with the conditions of this approval; and
 - (c) the implementation of any actions or measures contained in these documents.

Limits on Approval

5. Mining operations may take place on the site until 31 December 2030.

*Note: Under this Approval, the Proponent is required to rehabilitate the site to the satisfaction of the **Secretary** and **DRG**. Consequently this approval will continue to apply in all other respects other than the right to conduct mining operations until the site has been rehabilitated to a satisfactory standard.*

6. The Proponent **must** not extract more than 1.3 million tonnes of ROM coal a year from the site.

Hours of Operation

7. Project operations may take place 24 hours per day, 7 days per week.

Management Plans / Monitoring Programs

8. With the approval of the **Secretary**, the Proponent may submit any management plan or monitoring program required by this approval on a progressive basis.
9. The Proponent **must** prepare revisions of any strategy, plan or program required under this project approval if directed to do so by the **Secretary**. Such revisions **must** be prepared to the satisfaction of, and within a timeframe approved by, the **Secretary**.
10. With the approval of the **Secretary**, the Proponent may integrate any strategy, plan, program, review, audit or committee required by this approval with any similar requirement under the development consent for the Donaldson Coal Mine and the project approval for the Abel Coal Mine.

Structural Adequacy

11. The Proponent **must** ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.

Notes:

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

Demolition

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

Operation of Plant and Equipment

13. The Proponent **must** ensure that all plant and equipment used on site is:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

Community Enhancement Fund

14. The Proponent **must** establish a Community Enhancement Fund of a minimum of \$500,000 and implement expenditure from that fund to the satisfaction of the **Secretary**. Proposals for expenditure from the fund must:
- (a) be prepared by the Proponent in consultation with Council and the CCC and be submitted to the **Secretary** for approval by 31 December 2009;
 - (b) be expended over the ten calendar years 2010-2019; and
 - (c) include:
 - a minimum of \$180,000 on local infrastructure projects within Cessnock LGA, to be commenced no later than 30 September 2011; and
 - a minimum of \$32,000 annually to locally-operating community charities.

Evidence of Consultation

15. Where conditions of this approval require consultation with an identified party, the Proponent must:
- (a) consult with the relevant party prior to submitting the subject document to the **Secretary** for approval; and
 - (b) provide details of the consultation undertaken including:
 - the outcome of that consultation, matters resolved and unresolved; and
 - details of any disagreement remaining between the party consulted and the Proponent and how the Proponent has addressed the matters not resolved.

Applicability of Guidelines

16. References in the conditions of this approval to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this approval.
17. However, consistent with the conditions of this approval and without altering any limits or criteria in this approval, the **Secretary** may, when issuing directions under this approval in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

Compliance

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

SCHEDULE 3 SPECIFIC ENVIRONMENTAL CONDITIONS

NOISE

Noise Impact Assessment Criteria

- The Proponent **must** ensure that the noise generated by the project does not exceed at any residence on privately-owned land, or on more than 25% of any privately-owned land, the noise impact assessment criteria shown in Table 1 for the monitoring location nearest to that residence or land:

Table 1: Operational noise impact assessment criteria dB(A)

Morning shoulder	Day	Evening	Night		Location and Locality
			<i>L</i>_{Aeq(15 min)}	<i>L</i>_{A1(1 min)}	
40	35	35	35	45	E Browns Rd, Black Hill
42	35	35	35	45	F Black Hill Rd, Black Hill
43	39	42	37	45	G Buchanan Rd, Buchanan
35	35	35	35	45	H Mt Vincent Rd, Louth Park
35	35	35	35	45	L Kilshanny Ave, Ashtonfield
48	39	39	37	46	M John Renshaw Drive, Buttai
43	42	42	35	45	N Lings Road, Buttai

Note: To interpret the locations in Table 1, see Appendix 2.

However, if the Proponent has a written negotiated noise agreement with the landowner of any privately-owned land, and a copy of this agreement has been forwarded to the Department and EPA, then the Proponent may exceed the noise limits in Table 1 on that land in accordance with the negotiated noise agreement.

Cumulative Noise Criteria

- The Proponent **must** take all reasonable and feasible measures to ensure that the noise generated by the project combined with the noise generated by other mines does not exceed the following amenity criteria at any residence on, or on more than 25 percent of, any privately owned land:
 - L*_{Aeq(11 hour)} 50dB(A) – Morning shoulder and Day;
 - L*_{Aeq(4 hour)} 45 dBA) – Evening; and
 - L*_{Aeq(9 hour)} 40 dB(A) – Night.

Continuous Improvement

- The Proponent **must**:
 - implement all reasonable and feasible noise mitigation measures;
 - investigate ways to reduce the noise generated by the project; and
 - report on these investigations and the implementation and effectiveness of these measures in the Annual Review,
to the satisfaction of the Secretary.

Monitoring

- The Proponent **must** prepare a Noise Monitoring Program for the project to the satisfaction of the Secretary. The Program must :
 - be prepared in consultation with EPA and be submitted to the Secretary for approval within 6 months of the date of this approval; and
 - include:
 - a combination of unattended and attended monitoring measures; and
 - a noise monitoring protocol for evaluating compliance with the noise impact assessment criteria in this approval.

The Proponent must implement the Noise Monitoring Program as approved by the Secretary.

BLASTING AND VIBRATION

Airblast Overpressure Limits

5. The Proponent **must** ensure that the airblast overpressure level from blasting at the project does not exceed the criteria in Table 2 at any residence on privately-owned land.

Table 2: Airblast overpressure impact assessment criteria

Airblast overpressure level (dB(Lin Peak))	Allowable exceedance
115	5% of the total number of blasts in a 12 month period
120	0%

Ground Vibration Impact Assessment Criteria

6. The Proponent **must** ensure that the ground vibration level from blasting at the project does not exceed the levels in Table 3 at any residence on privately-owned land.

Table 3: Ground vibration impact assessment criteria

Peak particle velocity (mm/s)	Allowable exceedance
5	5% of the total number of blasts in a 12 month period
10	0%

Blasting Hours and Frequency

7. The Proponent **must** carry out blasting on site only between 9 am and 5 pm Monday to Saturday. No blasting is allowed on Sundays and Public Holidays.
8. The Proponent may carry out on the site a maximum of:
 - (a) 2 blasts a day; and
 - (b) 5 blasts a week, averaged over a 12 month period.

Operating Conditions

9. During mining operations on site, the Proponent **must** implement best blasting practice to:
 - (a) protect the safety of people, property, public infrastructure, and livestock; and
 - (b) minimise the dust and fume emissions from blasting at the project, to the satisfaction of the **Secretary**.
10. The Proponent **must** not undertake blasting within 500 metres of any privately-owned land, unless suitable arrangements have been made with the landowner and any tenants to minimise the risk of flyrock-related impact to the property to the satisfaction of the **Secretary**.

Public Notice

11. The Proponent **must**:
 - (a) notify the landowner/occupier of any residence within 2 kilometres of the mining area who registers an interest in being notified about the blasting schedule at the mine, or any other landowner nominated by the **Secretary**;
 - (b) operate a blasting hotline, or alternate system agreed to by the **Secretary**, to enable the public to get up-to-date information on the blasting schedule at the project;
 - (c) advertise the blasting hotline number in a local newspaper at least 4 times each year; and
 - (d) publish an up-to-date blasting schedule on its website, to the satisfaction of the **Secretary**.

Property Inspections

12. The Proponent **must** advise the owners of privately-owned land that they are entitled to a structural property inspection to establish the baseline condition of buildings and other structures on the property:

- (a) within 2 months of the date of this approval, for properties within 2 kilometres of blasting operations occurring at the date of this approval; and
- (b) at least 2 months prior to blasting within 2 kilometres of additional properties.

If the Proponent receives a written request for a structural property inspection from any such landowner, the Proponent **must**:

- within 2 months of receiving this request commission a suitably qualified, experienced and independent person, whose appointment has been approved by the **Secretary**, to inspect the condition of any building or structure on the land (prior to blasting taking place within 2 km of the property, if possible), and recommend measures to mitigate any potential blasting impacts; and
- give the landowner a copy of the property inspection report.

Property Investigations

13. If any landowner of privately-owned land within 2 kilometres of blasting operations, or any other landowner nominated by the **Secretary**, claims that buildings and/or other structures on his/her land have been damaged as a result of blasting at the project after the date of this approval, the Proponent **must** within 3 months of receiving this claim:
- (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the **Secretary**, to investigate the claim; and
 - (b) give the landowner a copy of the property investigation report.

If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Proponent **must** repair the damages to the satisfaction of the **Secretary**.

If the Proponent or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the **Secretary** for resolution.

Blast Monitoring Program

14. The Proponent **must** prepare a Blast Monitoring Program for the project to the satisfaction of the **Secretary**. This program must:
- (a) be submitted to the Director General for approval within 6 months of the date of this approval; and
 - (b) include a protocol for evaluating blasting impacts on, and demonstrating compliance with, the blasting criteria in this approval for all privately-owned residences and other structures.

The Proponent must implement the Blast Monitoring Program as approved by the **Secretary**.

AIR QUALITY

Impact Assessment Criteria

15. The Proponent **must** ensure that dust emissions generated by the project do not cause additional exceedances of the criteria listed in Tables 4 to 6 at any residence on privately-owned land, or on more than 25 percent of any privately-owned land.

Table 4: Air quality criteria

Pollutant	Averaging Period	Criterion
Particulate matter < 10 µm (PM ₁₀)	Annual	a,c 25 µg/m ³
Particulate matter < 10 µm (PM ₁₀)	24 hour	b 50 µg/m ³
Particulate matter < 2.5 µm (PM _{2.5})	Annual	a,c 8 µg/m ³
Particulate matter < 2.5 µm (PM _{2.5})	24 hour	b 25 µg/m ³
Total suspended particulates (TSP)	Annual	a,c 90 µg/m ³
^d Deposited dust	Annual	b 2 g/m ² /month a 4 g/m ² /month

Notes:

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

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

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

^d Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: *Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method*.

Monitoring

16. The Proponent **must** prepare an Air Quality Monitoring Program for the project to the satisfaction of the Secretary. This program must:
- be prepared in consultation with EPA and be submitted to the Secretary for approval within 6 months of the date of this approval; and
 - include:
 - a combination of high-volume samplers and dust deposition gauges to monitor the dust emissions of the project and provision for additional real time monitoring if required in response to monitoring results and/or complaints; and
 - an air quality monitoring protocol for evaluating compliance with the air quality impact assessment criteria in this approval.

The Proponent must implement the Air Quality Monitoring Program as approved by the Secretary.

METEOROLOGICAL MONITORING

17. During the project, the Proponent **must** ensure there is a suitable continuously operating meteorological station on or adjacent to the site that complies with the requirements in *Approved Methods for Sampling of Air Pollutants in New South Wales* (DEC, 2007), or its latest version, to the satisfaction of the Secretary.

WATER MANAGEMENT

Discharge

18. Except as may be expressly provided for by an EPL, or in accordance with section 120 of the *Protection of the Environment Operations Act 1997*, the Proponent **must** not discharge any mine water from the site. However, water may be transferred between the site and the adjoining Donaldson Coal Mine and/or Abel Coal Mine, in accordance with any approved Water Management Plan (see below).

Water Management Plan

19. The Proponent **must** prepare a Water Management Plan for the project to the satisfaction of the Secretary. This plan must:
- be prepared in consultation with EPA and DoI and be submitted to the Secretary for approval within 6 months of the date of this approval;
 - be prepared by suitably qualified expert/s whose appointment/s have been approved by the Secretary; and
 - include:
 - a Site Water Balance;
 - an Erosion and Sediment Control Plan;
 - a Surface Water Monitoring Plan;
 - a Ground Water Monitoring Program; and
 - a Surface and Ground Water Response Plan.

The Proponent must implement the Water Management Plan as approved by the Secretary.

Site Water Balance

20. The Site Water Balance must:
- include details of:
 - sources and security of water supply;
 - water use and management on site;
 - any off-site water transfers or discharges; and
 - reporting procedures; and
 - describe measures to minimise water use by the project.

Erosion and Sediment Control

21. The Erosion and Sediment Control Plan must:
- be consistent with the requirements of *Managing Urban Stormwater: Soils and Construction (Volume 2E – Mines and Quarries)* manual (DECC 2008), or its latest version;
 - identify activities that could cause soil erosion and generate sediment;
 - describe measures to minimise soil erosion and the potential for transport of sediment downstream;
 - describe the location, function and capacity of erosion and sediment control structures; and
 - describe what measures would be implemented to maintain the structures over time.

Surface Water Monitoring

22. The Surface Water Monitoring Program must include:
- detailed baseline data on surface water flows and quality in creeks and other waterbodies that could potentially be affected by the project;
 - surface water and stream health impact assessment criteria;
 - a program to monitor the impact of the project on surface water flows, water quality and stream health; and
 - reporting procedures for the results of the monitoring program.

Groundwater Monitoring

23. The Groundwater Monitoring Program must include:
- 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 site);
 - groundwater impact assessment criteria;
 - a program to monitor the impact of the project on groundwater levels, yield, quality, groundwater dependent ecosystems and riparian vegetation;
 - procedures for the verification of the groundwater model; and
 - reporting procedures for the results of the monitoring program and model verification.

Surface and Groundwater Response Plan

24. The Surface and Groundwater Response Plan must describe the measures and/or procedures that would be implemented to:
- investigate, notify and mitigate any exceedances of the surface water, stream health and ground water impact assessment criteria;
 - compensate landowners of privately-owned land whose water supply is adversely affected by the project; and
 - mitigate and/or offset any adverse impacts on groundwater dependent ecosystems or riparian vegetation.

LANDSCAPE MANAGEMENT

Rehabilitation Objectives and Commitments

25. The Proponent must rehabilitate the site to the satisfaction of DRG and the Secretary. This rehabilitation must be generally consistent with the proposed rehabilitation activities described in the documents listed in condition 2 of Schedule 2 and comply with the objectives in Table 5.

Table 5: Rehabilitation Objectives

Feature	Objective
All areas of the site affected by the project	<ul style="list-style-type: none"> Safe, stable and non-polluting Fit for the intended post-mining land use/s
Areas proposed for native ecosystem re-establishment	<ul style="list-style-type: none"> Restore self-sustaining native woodland ecosystems characteristic of vegetation communities found in the local area. Establish areas of self-sustaining: <ul style="list-style-type: none"> riparian habitat, within any diverted and/or re-established creek lines and retained water features;

<i>Feature</i>	<i>Objective</i>
	<ul style="list-style-type: none"> - potential habitat for threatened flora and fauna species; and - wildlife corridors, as far as is reasonable and feasible.
Areas proposed for agricultural land	<ul style="list-style-type: none"> • Establish/restore grassland areas to support sustainable agricultural activities • Achieve the nominated land capability classification
Other land affected by the development	<ul style="list-style-type: none"> • Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprised of local native plant species (unless DRG agrees otherwise)
Final Landform	<ul style="list-style-type: none"> • Stable and sustainable for the intended post-mining land use/s • Integrated with surrounding natural landforms • Incorporate micro-relief and drainage lines that are consistent with surrounding topography, to the greatest extent practicable • Maximise surface water drainage to the natural environment (excluding final void catchment)
Final voids	<ul style="list-style-type: none"> • Designed as long term groundwater sinks to maximise ground water flows across back filled pits to the final void • Minimise to the greatest extent practicable: <ul style="list-style-type: none"> - the size and depth of final voids; - the drainage catchment of final voids; - any high wall instability risk; and - the risk of flood interaction
Creek restoration works	<ul style="list-style-type: none"> • Engineered to be hydraulically and geomorphologically stable • Incorporate erosion control measures based on vegetation and engineering revetments • Incorporate structures for aquatic habitat • Revegetate with suitable native species
Surface infrastructure of the development	<ul style="list-style-type: none"> • To be decommissioned and removed, unless DRG agrees otherwise
Rehabilitation materials	<ul style="list-style-type: none"> • Materials from areas disturbed under this consent (including topsoils, substrates and seeds) are to be recovered, managed and used as rehabilitation resources, to the greatest extent practicable
Water quality	<ul style="list-style-type: none"> • Water retained on the site is fit for the intended post-mining land use/s • Water discharged from the site is suitable for receiving waters and fit for aquatic ecology and riparian vegetation
Community	<ul style="list-style-type: none"> • Ensure public safety • Minimise adverse socio-economic effects associated with mine closure

Note: *The rehabilitation objectives detailed in 5 apply to the entire site, including all landforms constructed under either this approval or previous consents. However, they do not require any additional earthmoving works to be undertaken for landforms that have been approved and constructed prior to Modification 4 or under previous consents.*

25A. The Proponent must rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance. All reasonable steps must be taken to minimise the total area exposed at any time. Interim stabilisation and temporary vegetation strategies must be employed when areas prone to dust generation, soil erosion and weed incursion cannot be permanently rehabilitated.

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

Landscape Management Plan

26. The Proponent **must** prepare a detailed Landscape Management Plan for the project to the satisfaction of the **Secretary** and **DRG**. This plan must:
- (a) be prepared in consultation with **OEH, DoI and Council** by suitably qualified expert/s whose appointment/s have been approved by the **Secretary**; and
 - (b) include a:
 - Rehabilitation Management Plan to be submitted to the **Secretary** for approval within 6 months of the date of this approval;
 - Final Void Management Plan to be submitted to the **Secretary** for approval by **30 June 2012**; and
 - Mine Closure Plan to be submitted to the **Secretary** for approval by **30 June 2012**.

The Proponent must implement the Landscape Management Plan as approved by the Secretary.

Rehabilitation Management Plan

27. The Rehabilitation Management Plan must include:
- (a) the rehabilitation objectives for the site;
 - (b) a description of the short, medium, and long term measures that would be implemented to:
 - rehabilitate the site; and
 - manage the remnant vegetation and habitat on the site;
 - (c) performance and completion criteria for the rehabilitation of the site;
 - (d) a detailed description of the measures that would be implemented over the next 3 years, including the procedures to be implemented for:
 - minimising and rehabilitating disturbed areas;
 - protecting vegetation and soil outside the disturbance areas;
 - undertaking pre-clearance surveys;
 - managing impacts on fauna;
 - landscaping the site to minimise visual impacts;
 - conserving and reusing topsoil;
 - collecting and propagating seed for rehabilitation works;
 - salvaging and reusing material from the site for habitat enhancement;
 - controlling weeds and feral pests;
 - controlling access; and
 - bushfire management;
 - (e) a program to monitor the effectiveness of these measures, and progress against the performance and completion criteria;
 - (f) a description of the potential risks to successful rehabilitation and/or revegetation, and a description of the contingency measures that would be implemented to mitigate these risks; and
 - (g) details of who would be responsible for monitoring, reviewing, and implementing the plan.

Final Void Management Plan

28. The Final Void Management Plan must:
- (a) justify the final location and future use of the final void;
 - (b) incorporate design criteria and specifications for the final void based on verified groundwater modelling predictions and a re-assessment of post-mining groundwater equilibration; and
 - (c) describe what actions and measures would be implemented to:
 - minimise any potential adverse impacts associated with the final void; and
 - manage and monitor the potential impacts of the final void.

Tailings Dam Embankment

- 28A. Prior to any decision to construct the embankment as described in EA (MOD 4), the Proponent must submit relevant details to the DSC.

Mine Closure Plan

29. The Mine Closure Plan must:
- (a) be prepared in consultation with **DRG** and Council;
 - (b) define the objectives and criteria for mine closure;

- (c) investigate options for the future use of the site in a manner consistent with the *Lower Hunter Regional Strategy* (Department of Planning, 2006) and/or other extant regional planning strategies;
- (d) investigate ways to minimise the adverse socio-economic effects associated with mine closure, including reduction in local employment levels;
- (e) describe the measures that would be implemented to minimise or manage the ongoing environmental effects of the project; and
- (f) describe how the performance of these measures would be monitored over time.

Biodiversity Offsets

- 29A. By 31 December 2011, the Proponent must make suitable arrangements to provide appropriate long-term security for the Biodiversity Offset Area (see Appendix 6) to the satisfaction of the Secretary.

Biodiversity Offset Management Plan

- 29B. By 31 December 2011, the Proponent must prepare a Biodiversity Offset Management Plan to the satisfaction of the Secretary. This plan must:
- (a) be generally consistent with OEH's "Principles for the use of biodiversity offsets in NSW";
 - (b) include:
 - a description of the short, medium and long term measures that would be undertaken to implement the Biodiversity Offset Strategy;
 - detailed performance and completion criteria for the Biodiversity Offset Strategy; and
 - a detailed description of the measures that would be implemented within the Biodiversity Offset Area for:
 - revegetation and regeneration, including (where relevant) establishment of canopy, sub-canopy, understorey and ground cover;
 - appropriate protection, conservation and management of native vegetation and faunal habitat;
 - controlling weeds and feral pests;
 - management of public access; and
 - bushfire management.

The Proponent must implement the Biodiversity Offset Management Plan as approved by the Secretary.

Conservation Bond

- 29C. Within 6 months of the approval of the Biodiversity Offset Management Plan, the Applicant must lodge a conservation bond with the Department to ensure that the Biodiversity Offset Strategy is implemented in accordance with the performance and completion criteria of the Biodiversity Offset Management Plan. The sum of the bond must be determined by:
- (a) calculating the full remaining cost of implementing the offset strategy; and
 - (b) employing a suitably qualified quantity surveyor to verify these costs, to the satisfaction of the Secretary.

If the Biodiversity Offset Strategy is completed to the satisfaction of the Secretary, the Secretary will release the conservation bond. If the Biodiversity Offset Strategy is not completed to the satisfaction of the Secretary, the Secretary will call in all or part of the conservation bond, and arrange for the satisfactory completion of the relevant works.

Biodiversity Credits

- 29D. Prior to works commencing for the widening of the haul road and upgrade of the watercourse as described in EA (MOD 4), the Proponent must retire 10 ecosystem credits as listed in the credit profile in Appendix D of EA (MOD 4) in consultation with OEH and in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT and OEH.

Note: The listed credits were calculated in accordance with Framework for Biodiversity Assessment of the NSW Biodiversity Offset Policy for Major Projects (OEH, 2014) and may need to be converted to reasonably equivalent 'biodiversity credits', within the meaning of the BC Act, to facilitate retirement.

Conservation Funding

30. Within 6 months of the date of this approval, and again prior to 30 September 2011, the Proponent must provide contributions of \$20,000 to conservation projects within the Cessnock LGA, in consultation with

OEH and to the satisfaction of the Secretary.

HERITAGE

Aboriginal Cultural Heritage Management Plan

31. The Proponent **must** prepare an Aboriginal Cultural Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must:
- be prepared in consultation with the OEH and the local Aboriginal community and be submitted to the Secretary for approval within 6 months of the date of this approval;
 - include a protocol for the ongoing consultation and involvement of Aboriginal communities in the conservation and management of Aboriginal heritage on site; and
 - describe the measures that would be implemented to protect Aboriginal sites on site, or if any new Aboriginal objects or skeletal remains are discovered during the project.

The Proponent must implement the Aboriginal Cultural Heritage Management Plan as approved by the Secretary.

Historic Heritage Condition Surveys

- 31A. Within 2 months of approval of Modification 4, the Proponent must undertake condition surveys of the:
- Buttai No 1 and No 2 reservoirs; and
 - Buttai Cemetery (Wilfred Elliot Private Cemetery), including any memorial headstones, graves, fences and trees,
- to the satisfaction of the Secretary.

Historic Heritage Conservation Management Plan

- 31B. The Proponent must prepare a Historic Heritage Conservation Management Plan for the Buttai No 1 and No 2 reservoirs and the Buttai Cemetery, to the satisfaction of the Secretary: This plan must:
- be prepared by a suitably qualified and experienced person/s;
 - be prepared in consultation with OEH, Hunter Water, Council and relevant landowners;
 - be prepared in accordance with Heritage Council of NSW guidelines (where relevant);
 - outline the results of the condition surveys required under condition 31A of Schedule 3;
 - include a program for the regular monitoring of the condition of the No 1 and No 2 reservoirs throughout the life of the project; and
 - include a contingency plan in the case of any damage to the No 1 or No 2 reservoirs, or Buttai Cemetery caused by Modification 4.

The Proponent must implement the Historic Heritage Conservation Management Plan as approved by the Secretary.

VISUAL

32. The Proponent **must**:
- take all reasonable and feasible measures to mitigate visual and off-site lighting impacts of the project; and
 - ensure that all external lighting associated with the project complies with *Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting*, to the satisfaction of the Secretary.

GREENHOUSE GAS

Energy Savings Action Plan

33. The Proponent **must** prepare an Energy Savings Action Plan for the project to the satisfaction of the Secretary. This plan must:
- be prepared in accordance with the *Guidelines for Energy Savings Action Plans* (DEUS, 2005), or its latest version, and be submitted to the Secretary for approval within 6 months of the date of this approval;
 - include consideration of energy use by mobile equipment;
 - include a program to monitor the effectiveness of measures to reduce energy use on site.

The Proponent must implement the Energy Savings Action Plan as approved by the Secretary.

WASTE MINIMISATION

34. The Proponent **must**:
- (a) monitor the amount of waste generated by the project;
 - (b) investigate ways to minimise waste generated by the project;
 - (c) implement all reasonable and feasible measures to minimise waste generated by the project; and
 - (d) report on waste management and minimisation in the **Annual Review**, to the satisfaction of the **Secretary**.

SCHEDULE 4 ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS

1. If the results of the monitoring required in schedule 3 identify that impacts generated by the project are greater than the relevant impact assessment criteria, except where a negotiated agreement has been entered into in relation to that impact, then the Proponent **must, as soon as practicable and no longer than 7 days** of obtaining the monitoring results, notify the **Secretary**, the affected landowners and tenants (including tenants of mine owned properties) accordingly, and provide quarterly monitoring results to each of these parties until the results show that the project is complying with the criteria in schedule 3 **and publish the results on its website.**
2. If the results of monitoring required in schedule 3 identify that impacts generated by the project are greater than the relevant air quality impact assessment criteria in schedule 3, then the Proponent **must** send the relevant landowners and tenants (including tenants of mine owned properties) a copy of the NSW Health fact sheet entitled "Mine Dust and You" (and associated updates) in conjunction with the notification required in condition 1.

INDEPENDENT REVIEW

3. If a landowner considers the project to be exceeding the impact assessment criteria in schedule 3, then he/she may ask the **Secretary** in writing for an independent review of the impacts of the project on his/her land.

If the **Secretary** is satisfied that an independent review is warranted, the Proponent **must** within 2 months of the **Secretary's** decision:

- (a) consult with the landowner to determine his/her concerns;
- (b) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the **Secretary**, to conduct monitoring on the land, to:
 - determine whether the project is complying with the relevant impact assessment criteria in schedule 3; and
 - identify the source(s) and scale of any impact on the land, and the project's contribution to this impact; and
- (c) give the **Secretary** and landowner a copy of the independent review.

If the **Secretary** is not satisfied that an independent review is warranted, the **Secretary** will notify the landowner in writing of that decision, and the reasons for that decision, within 21 days of the request for a review.

4. If the independent review determines that the project is complying with the relevant impact assessment criteria in schedule 3, then the Proponent may discontinue the independent review with the approval of the **Secretary**.

If the independent review determines that the project is not complying with the relevant impact assessment criteria in schedule 3, and that the project is primarily responsible for this non-compliance, then the Proponent **must**:

- (a) take all reasonable and feasible measures, in consultation with the landowner, to ensure that the project complies with the relevant criteria and conduct further monitoring to determine whether these measures ensure compliance; or
- (b) secure a written agreement with the landowner to allow exceedances of the relevant criteria, to the satisfaction of the **Secretary**.

If further monitoring under paragraph (a) determines that the project is complying with the relevant criteria, then the Proponent may discontinue the independent review with the approval of the **Secretary**.

5. If the independent review determines that the relevant impact assessment criteria in schedule 3 are being exceeded, but that more than one mine is responsible for this non-compliance, then the Proponent **must**, together with the relevant mine/s:
 - (a) implement all reasonable and feasible measures, in consultation with the landowner, to ensure that the relevant impact assessment criteria are complied with, and conduct further monitoring to determine whether these measures ensure compliance; or
 - (b) secure a written agreement with the landowner and other relevant mines to allow exceedances of the relevant impact assessment criteria in schedule 3,

to the satisfaction of the [Secretary](#).

If the further monitoring referred to under paragraph (a) above determines that the project is complying with the relevant impact assessment criteria in schedule 3, then the Proponent may discontinue the independent review with the approval of the [Secretary](#).

SCHEDULE 5
ENVIRONMENTAL MANAGEMENT, MONITORING, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. The Proponent **must** prepare an Environmental Management Strategy for the project, to the satisfaction of the **Secretary**. The strategy must:
 - (a) be submitted to the **Secretary** for approval within 6 months of the date of this approval;
 - (b) provide the strategic framework for environmental management of the project;
 - (c) identify the statutory approvals that apply to the project;
 - (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;
 - (e) describe the procedures that would be implemented to:
 - keep the local community and relevant agencies informed about the operation and environmental performance of the project;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise during the course of the project;
 - respond to any non-compliance; and
 - respond to emergencies;
 - (f) include:
 - **references** to the various strategies, plans and programs that are required under the conditions of this approval once they have been approved; and
 - a clear plan depicting all the monitoring to be carried out in relation to the project.

The Proponent must implement the Environmental Management Strategy as approved by the Secretary.

Management Plan Requirements

2. The Proponent **must** ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:
 - (a) detailed baseline data;
 - (b) a description of:
 - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - any relevant limits or performance measures/criteria;
 - 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:
 - impacts and environmental performance of the project;
 - effectiveness of any management measures (see (c) above);
 - (e) a contingency plan to manage any unpredicted impacts and their consequences;
 - (f) a program to investigate and implement ways to continually improve the environmental performance of the project over time;
 - (g) a protocol for managing and reporting any:
 - incidents;
 - complaints;
 - non-compliances with statutory requirements; and
 - exceedances of the impact assessment criteria and/or performance criteria; and
 - (h) a protocol for periodic review of the plan.

Annual Review

3. Each year, the Proponent **must** review the environmental performance of the project to the satisfaction of the **Secretary**. This review must:
 - (a) describe the works that were carried out in the past year, and the works that are proposed to be carried out over the next year;
 - (b) include a comprehensive review of the monitoring results and complaints records of the mine complex over the past year, which includes a comparison of these results against the
 - the relevant statutory requirements, limits or performance measures/criteria;

- the monitoring results of previous years; and
 - the relevant predictions in the [documents listed in condition 2 of Schedule 2](#);
- (c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;
 - (d) identify any trends in the monitoring data over the life of the project;
 - (e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and
 - (f) describe what measure will be implemented over the next year to improve the environmental performance of the project.

Revision of Strategies, Plans and Programs

4. **Within three months of:**
 - (a) the submission of an annual review under Condition 3 above;
 - (b) the submission of an incident report under Condition 6 below;
 - (c) the submission of an audit report under Condition 7 below, or
 - (d) any modification of the conditions of this approval (unless the conditions require otherwise), the Proponent **must** review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the [Secretary](#).

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.

Community Consultative Committee

5. Within 3 months of the date of this approval, the Proponent **must** establish a Community Consultative Committee (CCC) for the project to the satisfaction of the [Secretary](#). The CCC must be operated in general accordance with the [Department's Community Consultative Committee Guidelines: State Significant Projects \(2016\)](#).

Notes:

- *The CCC is an advisory committee only.*
- *In accordance with the guidelines, the committee should comprise an independent chair and appropriate representation from the Proponent, Council and the local community.*
- *The CCC may also be combined with any similar CCC for the Donaldson Coal Mine or the Abel Coal Mine.*

INCIDENT REPORTING

6. The Proponent **must** notify the [Secretary](#) and any other relevant agencies of any incident associated with the project as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent **must** provide the [Secretary](#) and any relevant agencies with a detailed report on the incident.

INDEPENDENT ENVIRONMENTAL AUDIT

7. Every 3 years, unless the [Secretary](#) directs otherwise, the Proponent **must** commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:
 - (a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the [Secretary](#);
 - (b) include consultation with the relevant agencies **and the CCC**;
 - (c) assess the environmental performance of the project and assess whether it is complying with the requirements in relevant project approvals and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals);
 - (d) review the adequacy of strategies, plans or programs required under these approvals; and
 - (e) recommend appropriate measures or actions to improve the environmental performance of the mine complex, and/or any assessment, plan or program required under these approvals.

Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the [Secretary](#).

8. Within three months of commencing an Independent Environmental Audit, or within another timeframe agreed by the [Secretary](#), the Proponent **must** submit a copy of the audit report to the [Secretary](#), and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations **must** be implemented to the satisfaction of the [Secretary](#).

Monitoring and Environmental Audits

- 8A. Any condition of this approval that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance report and independent audit.

Note: *For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the project to provide data on compliance with the approval or on the environmental impact of the project, and an "environmental audit" is a periodic or particular documented evaluation of the project to provide information on compliance with the approval or the environmental management or impact of the project.*

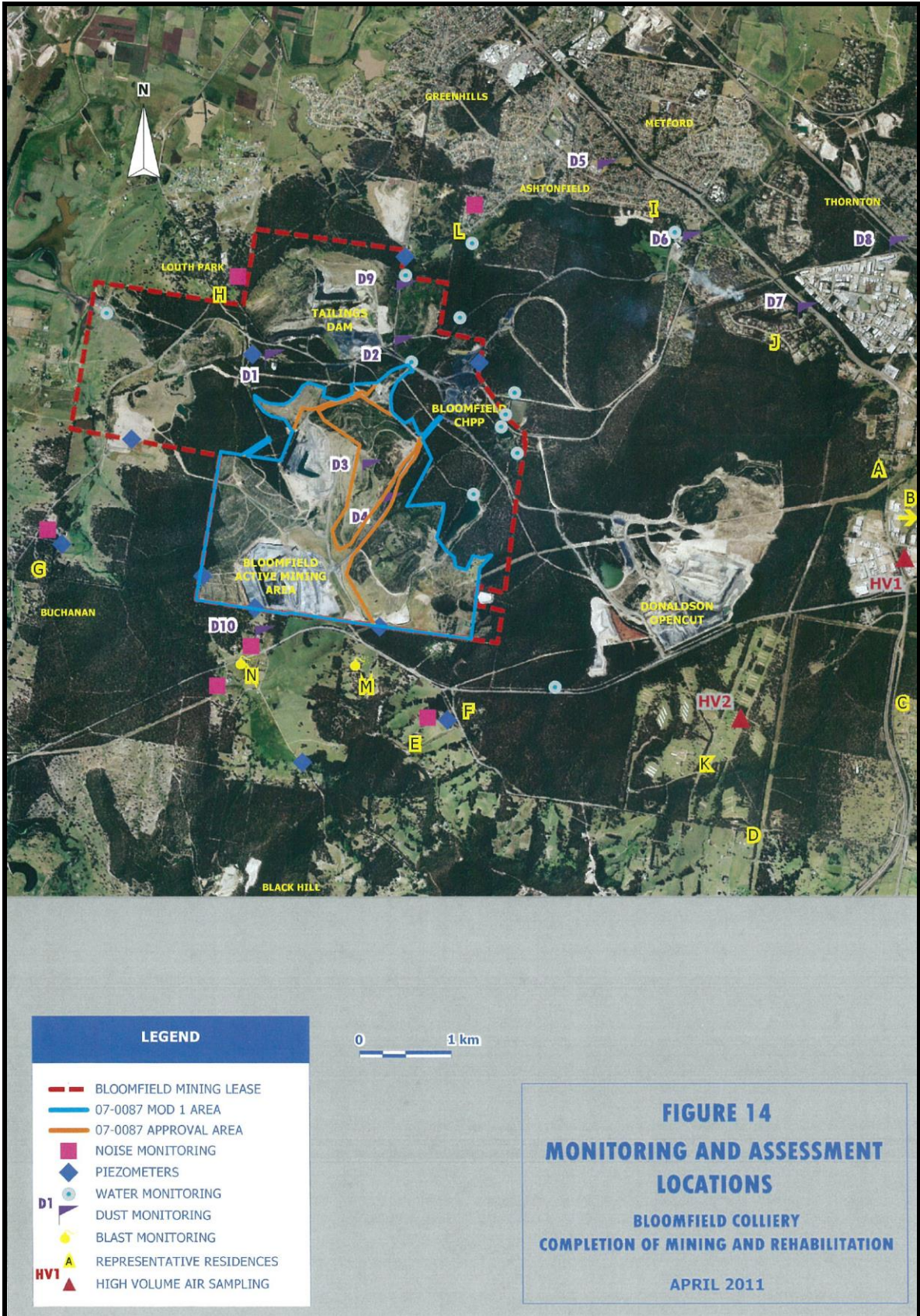
ACCESS TO INFORMATION

9. From the end of 2009, the Proponent **must** make the following information publicly available on its website:
- (a) a copy of all current statutory approvals for the project;
 - (b) a copy of the current environmental management strategy and associated plans and programs;
 - (c) a summary of the monitoring results of the project, which have been reported in accordance with the various plans and programs approved under the conditions of this approval;
 - (d) a complaints register, which is to be updated on a monthly basis;
 - (e) a copy of the minutes of CCC meetings;
 - (f) a copy of any Annual Reviews (over the last 5 years);
 - (g) a copy of any Independent Environmental Audit, and the Proponent's response to the recommendations in any audit; and
 - (h) any other matter required by the **Secretary**.

**APPENDIX 1
SCHEDULE OF PROJECT LAND**

Lot & DP Number	
Lot 36 DP 755260	Lot 1 DP 722210
Lot 35 DP 755260	Lot 26 DP 755260
Lot 34 DP 755260	Lot 25 DP 755260
Lot 48 DP 755260	Part Lot 23 DP 755260
Lot 30 DP 755260	Lot 43 DP 755260
Lot 29 DP 755260	Part Lot 1 DP 1045722
Lot 28 DP 755260	Part Lot 2 DP 1045722
Lot 27 DP 755260	Part Lot 11 DP 755237
Part Lot 26 DP 755260	Lot 13 DP 241097
Part Lot 43 DP 755260	Part Lot 1 DP 136865
Part Lot 25 DP 755260	Lot 1 DP 42349
Part Lot 24 DP 755260	Part Lot 4 DP 241097
Part Lot 18 DP 755237	Part Lot 5 DP 241097
Part Lot 19 DP 755237	Part Lot 6 DP 241097
Part Lot 20 DP 755237	Lot 44 DP 755260
Part Lot 23 DP 755237	Part Lot 45 DP 755260
Part Lot 29 DP 755237	Part Lot 46 DP 755260
Part Lot 13 DP 241097	Part Lot 2 DP 456999
Part Lot 1 DP 136865	Part Lot 10 DP 755237
Part Lot 3 DP 1045720	Part Lot 18 DP 755237
Part Lot 31 DP 755237	Lot 19 DP 755237
Part Lot 4 DP 241097 (Pipeline)	Lot 20 DP 75523
Part Lot 5 DP 241097 (Pipeline)	Lot 23 DP 755237
Part Lot 1 DP 617909 (Pump station)	Part Lot 29 DP 755237
Lot 1 DP 722210 (Road)	Part Lot 1 DP 42349 (Road)
Lot 6 DP 241097 (Pipeline)	Various Council Road Reserves
Crown Road Reserve	Hunter Water Pipeline

**APPENDIX 2
PROJECT MAP**



**APPENDIX 3
STATEMENT OF COMMITMENTS**

REF.	COMMITMENT	EA SECTION No. (Refer for further detail)
1.	General	
1.1	Bloomfield Collieries Pty Limited ('Bloomfield') will carry out the proposed development generally in accordance with this Part 3A Environmental Assessment ('EA'). If there is any inconsistency between this draft Statement of Commitments and the EA, the draft Statement of Commitments will prevail to the extent of the inconsistency.	1.4
1.2	Bloomfield will undertake mining within the Project Area, as defined by Figure 2 of the EA. The Project Area includes the following items and their associated mining activities: <i>The current and proposed active open cut coal mining areas;</i> <i>The unshaped and shaped overburden dump areas within the Project Area;</i> <i>The workshop and surrounding area used for maintenance and fuel storage;</i> <i>The road linking the current and proposed coal mining areas with the ROM coal stockpiles adjacent to the coal washery; and</i> <i>The road linking the current and proposed coal mining areas to the workshop.</i>	1.1, 2.1
2.	Production	
2.1	A maximum of 0.88 mtpa ROM coal will be mined from the Bloomfield Mine during Stage 1 with a maximum of 1.3 mtpa ROM coal mined during Stages 2 to 4.	2.5
2.2	Active mining will occur over 4 stages, which total approximately 10 to 21 years. The final (5 th) stage is the completion of site rehabilitation.	2.5
2.3	All Run-of-Mine ('ROM') coal will be transported by internal haul roads to the approved ROM coal stockpiles at the Bloomfield washery.	2.6.1
3.	Hours of Operation	
3.1	Bloomfield Mine will operate 24 hours per day, seven days per week.	2.4
4.	Rehabilitation	
4.1	All site rehabilitation, including monitoring and maintenance will be undertaken in accordance with procedures documented in the EA and the existing Bloomfield Rehabilitation Management System.	3.2
4.2	Any additional rehabilitation requirements and plans for this Project will be included in the existing Bloomfield Rehabilitation Management System.	3.2
4.3	Land that has been mined will be rehabilitated to a safe and stable form with a land capability similar to that existing prior to mining, and with a landform compatible with the surrounding landscape.	3.3.2
4.4	Post mining landform and land use plans will be developed in consultation with the landowner and with reference to the objectives of the Lower Hunter Regional Strategy (the Department, 2006).	3.6.1

REF.	COMMITMENT	EA SECTION No. (Refer for further detail)
5.	Final Void	
5.1	The final void will be retained for the deposition of washery reject material in accordance with the Abel Project Approval.	3.5
5.2	Rehabilitation of the final void forms part of the Abel Project Approval. However, rehabilitation of the tailings filled void at the completion of the Abel Project will remain the responsibility of Bloomfield as outlined in the Draft Bloomfield Closure and Rehabilitation Strategy (Abel).	Letter to the Department (11/5/09)
6.	Environmental Management Systems and Plans	
6.1	Bloomfield's existing environmental management systems, plans and procedures will be applied to this Project and will be amended where relevant to incorporate additional items required to manage, mitigate, or monitor impacts associated with this Project.	2.8, 2.11, 3.2
7.	Environmental Monitoring and Reporting	
7.1	Bloomfield will undertake ongoing environmental monitoring as detailed in this EA.	2.8
7.2	Bloomfield will implement and participate in the actions required for the Integrated Environmental Monitoring Program ('IEMP') that forms part of the Abel Project Approval and which includes elements of the Bloomfield Project.	2.8, 2.12, 15.2
7.3	An Annual Environmental Management Report ('Annual Review') will be prepared and forwarded to relevant government departments, including the Department. The Annual Review will include a summary of all monitoring undertaken during the year, including a discussion of any exceedances and responses taken to ameliorate these exceedances.	4.3.2
8.	Consultation	
8.1	Bloomfield will continue to consult with the local community throughout the life of the Project.	5
8.2	A specific representative of Bloomfield will be nominated and contact details provided so that members of the community may contact the mine with questions or complaints if required.	5
8.3	A record of any complaints received regarding the Project will be retained by Bloomfield for the duration of the Project.	2.8
9.	Flora and Fauna	
9.1	A Flora and Fauna Management Plan will be developed and implemented prior to any clearing occurring as part of the Project.	7.6
9.2	The existing Bloomfield pre-clearance protocol will be implemented prior to any clearing occurring as part of the Project.	7.6, 7.7
9.3	Bloomfield will commit to commensurate support to the value of \$20,000 for a local activity or program related to biodiversity, to be commenced within the first two years of mining.	7.6, 7.7, Response to Submissions (29/1/09) and DECC meeting minutes (30/4/09)
10.	Aboriginal Heritage	

REF.	COMMITMENT	EA SECTION No. (Refer for further detail)
10.1	<p>An Aboriginal Heritage Management Plan ('AHMP') will be prepared in consultation with Mindaribba LALC, prior to any Project impacts occurring. This Plan will specify the policies and actions required to mitigate and manage the potential impacts of the Project on Aboriginal heritage. The plan will include:</p> <p><i>Procedures for ongoing Aboriginal consultation and involvement;</i> <i>Mitigation measures for the identified and potential Aboriginal evidence;</i> <i>Management procedures for any previously unrecorded evidence or skeletal remains;</i> <i>Training for relevant staff and contractors in their roles and responsibilities under the AHMP</i> <i>Review of the plan.</i></p>	8.8
10.2	<p>The AHMP will include a program of salvage to be undertaken in the Project Area with representatives of Mindaribba LALC collecting identified stone artefacts from sites B2, B16, B18, B19, B20 and B22 prior to any development impacts occurring.</p>	8.8
10.3	<p>Should any skeletal remains be detected during the Project, work in that location will cease immediately and the finds will be reported to the appropriate authorities, including the Police, OEH and Mindaribba LALC.</p>	8.8
10.4	<p>In the event that Aboriginal objects are located during the Project, a protocol to ascertain the value of such finds, in consultation with the Aboriginal community representatives and a qualified archaeologist will be implemented and used to inform any management decision. OEH will be informed of any finds using the appropriate site recording cards.</p>	8.8
10.5	<p>Further consultation with and continued involvement of Mindaribba LALC will be continued through the Project, in relation to the contents and recommendations of Aboriginal Heritage studies.</p>	8.8
11.	Noise Management and Monitoring	
11.1	<p>A Noise Management Plan will be prepared and implemented for the Project. The Plan will include mitigation and monitoring requirements for the Project.</p>	9.2
11.2	<p>The following noise controls will be implemented to achieve noise criteria identified in this EA:</p> <p>During Year 1 (End of Stage 1):</p> <p><i>The excavator and dump site will be situated in a shielded location during night-time operation;</i> <i>No dozer operation at the drill location will occur during night and morning shoulder periods; and</i> <i>The front end loader will replace the dozer at the dump site during the night-time period unless 4 dBA of noise suppression is achieved.</i></p> <p>During Year 5 (End of Stage 2):</p> <p><i>The excavator and dump site will be situated in a shielded location during night-time operation;</i> <i>No dozer operation at the drill location will occur during night and morning shoulder periods; and</i> <i>The front end loader will replace the dozer at the dump site during the night-time period unless 4 dBA of noise suppression is achieved.</i></p> <p>During Year 10 (End of Stage 4):</p> <p><i>The excavator and dump site will be situated in a shielded location during night-time operation; and</i></p>	9.5

REF.	COMMITMENT	EA SECTION No. (Refer for further detail)
	<i>No dozer operation at the drill location will occur during the night period.</i>	
11.3	Bloomfield may undertake a noise monitoring and investigation program during the Project, in consultation with OEH and the Department , to determine whether relevant noise criteria can be achieved without the use of the noise controls listed in 11.2. If such a study concludes that relevant criteria can be achieved, the above controls will be modified or removed.	9.5
11.4	Noise complaints received will be dealt with in accordance with Bloomfield's existing complaints protocol.	2.8
12.	Blasting	
12.1	Bloomfield will continue to consult with nearby residents regarding their blasting program, consistent with current practice and the Shot Firing and Explosives Management Plan.	2.8
12.2	Blasting will only be undertaken during the hours of 9.00 am to 5.00 pm Monday to Saturday. Blasting will not occur on Sundays or Public Holidays.	9.8
12.3	Blasts will be designed in consideration of vibration and airblast limits, wind speed and direction.	9.8
12.4	Blast monitoring will be conducted over the life of the mine in accordance with requirements provided by the Shot Firing and Explosives Management Plan.	2.8
12.5	All relevant personnel will be trained in Bloomfield's environmental obligations in relation to blasting controls.	2.8
13.	Air Quality	
13.1	An Air Quality Monitoring Program will be prepared and implemented for the Project. The Air Quality Monitoring Program will include monitoring at locations as described in the EA.	2.12
13.2	Dust generation on the Project Area will be minimised by implementation of the following: <i>All vehicles will be operated according to Mine Transport Management Plan, which requires vehicles to remain on specified routes;</i> <i>Disturbed areas will be minimised where possible;</i> <i>Dust suppression water spraying will be used on all active haul roads and stockpile areas where required;</i> <i>All mobile equipment will be maintained in good working order;</i> <i>Adequate stemming will be used in blast holes; and</i> <i>Meteorological conditions will be considered in the timing of blasts to minimise impacts of blast generated dust.</i>	2.8
14.	Greenhouse Gas Monitoring and Energy Efficiency	
14.1	Bloomfield will assess the viability of improving energy efficiency and reducing greenhouse gas emissions from its operations, including the mining fleet, stationary equipment and mining processes.	10.9
14.2	Bloomfield will monitor greenhouse gas emissions in accordance with the requirements of the current EEO and Greenhouse Challenge Plus programs and comply with any reporting requirements under the <i>NGER Act 2007</i> .	10.9

REF.	COMMITMENT	EA SECTION No. (Refer for further detail)
15.	Surface Water Management	
15.1	Surface water management for the Project will be undertaken in accordance with Bloomfield's existing Environmental Water Management System ('EWMS'). The EMWS will be modified to address the additional requirements for this Project provided in the Draft Water Management Plan (Appendix H).	2.8, 11.5
15.2	An Erosion and Sediment Control Plan will be prepared that will form part of the EWMS.	2.8, 11.3, 11.5
16.	Surface Water Monitoring Program	
16.1	Bloomfield's existing EWMS incorporates a Surface Water Monitoring Program which will be implemented for this Project and updated to include the additional monitoring point proposed for this Project in consultation with Dol .	11.5.2
16.2	A response/mitigation procedure will be developed as part of the EWMS for unforeseen surface or groundwater impacts being detected during the Project.	11.5.3, 12.4
17.	Groundwater Monitoring	
17.1	Bloomfield's existing EWMS will incorporate a Groundwater Monitoring Program, developed in consultation with Dol .	2.8, 12.4
18.	Visual Amenity	
18.1	Visual impacts of the Bloomfield Mine will be mitigated by the following strategies: <i>Rehabilitation of the southern boundary of the Project Area adjacent to John Renshaw Drive will be given priority during the early stages of mining;</i> <i>Mobile directional lighting in active mine areas will be directed away from neighbouring properties and roadways; and</i> <i>Complaints regarding lighting will be investigated by Bloomfield during the relevant shift.</i>	14.6.1, 14.6.2
18.2	Tree areas will be incorporated into rehabilitation to assist the visual blending of overburden dumps with the surrounding landscape.	3.4.3
19.	Staff Training	
19.1	Bloomfield will ensure that all personnel receive training in their responsibilities to mitigate, manage and monitor potential environmental impacts.	2.8, 2.11, 3.2
20.	Integration with Other Mining Operations – Roles & Responsibilities	
20.1	Bloomfield will implement and participate in the actions required for the Integrated Environmental Monitoring Program ('IEMP') that forms part of the Abel Project Approval and which includes elements of the Bloomfield Project.	2.8, 2.12, 15.2
20.2	Bloomfield is responsible for the operation, maintenance and monitoring of all water management systems and structures within its Project Area.	15.3.2 Letter to the Department (11/5/09)
20.3	Rehabilitation of the final void forms part of the Abel Project Approval. However, rehabilitation of the tailings filled void at the completion of	Letter to the Department

REF.	COMMITMENT	EA SECTION No. (Refer for further detail)
	the Abel Project will remain the responsibility of Bloomfield as outlined in the Draft Bloomfield Closure and Rehabilitation Strategy (Abel).	(11/5/09)
21.	Community Enhancement Fund	
21.1	Bloomfield will establish a Community Enhancement Fund (CEF) that will provide a range of practical commitments to local community projects and contributions to the local community.	Response to Submissions (29/1/09) and email to the Department (7/5/09)
21.2	<p>The CEF will comprise two components:</p> <p><i>Within two years of the Bloomfield Mine being approved, \$180,000 will be provided by Bloomfield for a local infrastructure project within Cessnock Local Government Area, to be determined in consultation with Cessnock City Council.</i></p> <ul style="list-style-type: none"> Over a period of ten years from the date of the Bloomfield Mine being approved, \$320,000 will be provided by Bloomfield for a community welfare based charity/s focussed within the Cessnock LGA, to be determined in consultation with Cessnock City Council. 	Email to the Department (7/5/09)

REF	COMMITMENTS FOR THE PROPOSED S75W MODIFICATION (07_0087 MOD 1)	S75W Modification EA Section
1.	General	
1.1	<p>Bloomfield Collieries will carry out the proposed development generally in accordance with the Section 75W Environmental Assessment ('EA') and the Part3A Environmental Assessment (07_0087).</p> <p>If there is any inconsistency between this draft Statement of Commitments and the EA, the Statement of Commitments will prevail to the extent of the inconsistency.</p>	1.4
1.2	<p>Bloomfield will undertake mining and rehabilitation activities within the Project Area as defined by the Schedule of Land (Figure 8). The proposed Modification Activities include:</p> <ul style="list-style-type: none"> <i>use of Wattle Tree Drive as an alternative haul route (Area A);</i> Upgrade and <i>overburden emplacement and rehabilitation - east of Save a Mile Haul Road (Area B)</i> Additional <i>out-of-pit landform reshaping and rehabilitation – northern and south-eastern areas (Area C and E)</i> Additional <i>of a corridor and overhead powerline from an existing powerline onto the open cut mine site, together with some clearing for an associated infrastructure area (Area D)</i> Construction 	1.1, Chapter 2

2.	Hours of Operation and Operational Controls	
2.1	<p>Bloomfield Mine will operate 24 hours per day seven days per week except for the proposed Modification Activities.</p> <p>No Modification Activities will occur during the night-time period (10.00pm-6.00am). To manage noise from the various Modification Activities the following hours of operation will be followed:</p> <ul style="list-style-type: none"> • <i>Drive construction (Area A) and Powerline Corridor (Area D)</i> <i>Wattle Tree</i> <ul style="list-style-type: none"> ○ <i>Construction hours (for the powerline corridor and construction of Wattle Tree Drive) will be between the hours of 7.00am and 6.00pm Monday to Friday and 8.00am to 1.00pm Saturdays.</i> ○ <i>A bund will be constructed adjacent to Wattle Tree Drive and trees will be planted to screen this area, thereby minimising aesthetic impacts and stray light.</i> • <i>a-Mile haul road (Area B)</i> <i>East of Save-</i> <ul style="list-style-type: none"> ○ <i>Daytime operations (7.00am to 6.00pm Mondays to Saturdays, 8.00am to 6.00pm Sundays) will be in the southern part of the dump to raise the dump and provide screening for the evening (6.00pm-10.00pm) and morning shoulder (6.00am-7.00am) operations.</i> ○ <i>The height of the overburden emplacement area will be limited to an RL of 100 metres</i> ○ <i>During evening and morning shoulder periods, the following controls will be in place:</i> <ul style="list-style-type: none"> ▪ <i>the drill and clearing dozer will be worked in a shielded location; dumping will only occur in the northern part of the dump;</i> ▪ <i>the dozer will only operate in a shielded location in the northern part of the dump;</i> ▪ <i>an earthen bund will be constructed in the approved dumping area to the south of the existing haul road to a minimum height of 80 metres RL; and</i> ▪ <i>There will be no coal haulage from S-Cut during the morning shoulder period.</i> • <i>area (Area C)</i> <i>Northern</i> <ul style="list-style-type: none"> ○ <i>Dumping and rehabilitation during the daytime period only.</i> • <i>eastern area (Area E)</i> <i>South-</i> <ul style="list-style-type: none"> ○ <i>Dumping and rehabilitation during the daytime period only (7.00am to 6.00pm Mondays to</i> 	6.6

	<p><i>Saturdays, 8.00am to 6.00pm Sundays)</i></p> <ul style="list-style-type: none"> ○ <i>be restricted to a maximum of 70 hours of work; and</i> ○ <i>loader will replace the dozer at the Area E dump once the emplacement reaches an RL of 52 metres.</i> <p style="text-align: right;"><i>Dumping will</i></p> <p style="text-align: right;"><i>A front end</i></p>	
3.	Ecology	
3.1	A pre-clearing protocol to protect any threatened species using trees within the powerline clearing area will be implemented during construction of the corridor.	6.3
3.2	The identified nesting tree adjacent to the powerline clearing area will be protected during construction of the powerline and associated infrastructure to prevent accidental damage by machinery.	6.3
3.3	Bloomfield will commit to providing a biological offset to compensate for the loss of native vegetation. The offset will be agreed with and designed to satisfy the requirements of the Department of Planning and Infrastructure and generally be consistent with OEH's "Principles for the use of biodiversity offsets in NSW".	
3.4	Bloomfield will commit to providing \$20,000 towards the Stanford Merthyr Conservation Project being managed by the Land and Property Management Group within 6 months of Director General's approval of the modification.	
4.	Water Management	
4.1	The existing water drainage channel to Lake Kennerson will be re-routed around the disturbance area prior to commencement of works in the south-eastern area	6.9.1
4.2	Diversion banks and sediment control measures will be provided at the toe of the proposed batter of the emplacement area adjacent to Save-a-Mile haul road prior to works commencing to protect downstream areas	6.9.1

APPENDIX 4
CONCEPTUAL FINAL LANDFORM



Figure 1: Proposed final landform – Abel Underground Mine in care and Maintenance



Figure 2: Proposed final landform – Abel Underground Mine resumes operation

APPENDIX 5
Deleted

**APPENDIX 6
BIODIVERSITY OFFSET AREA**

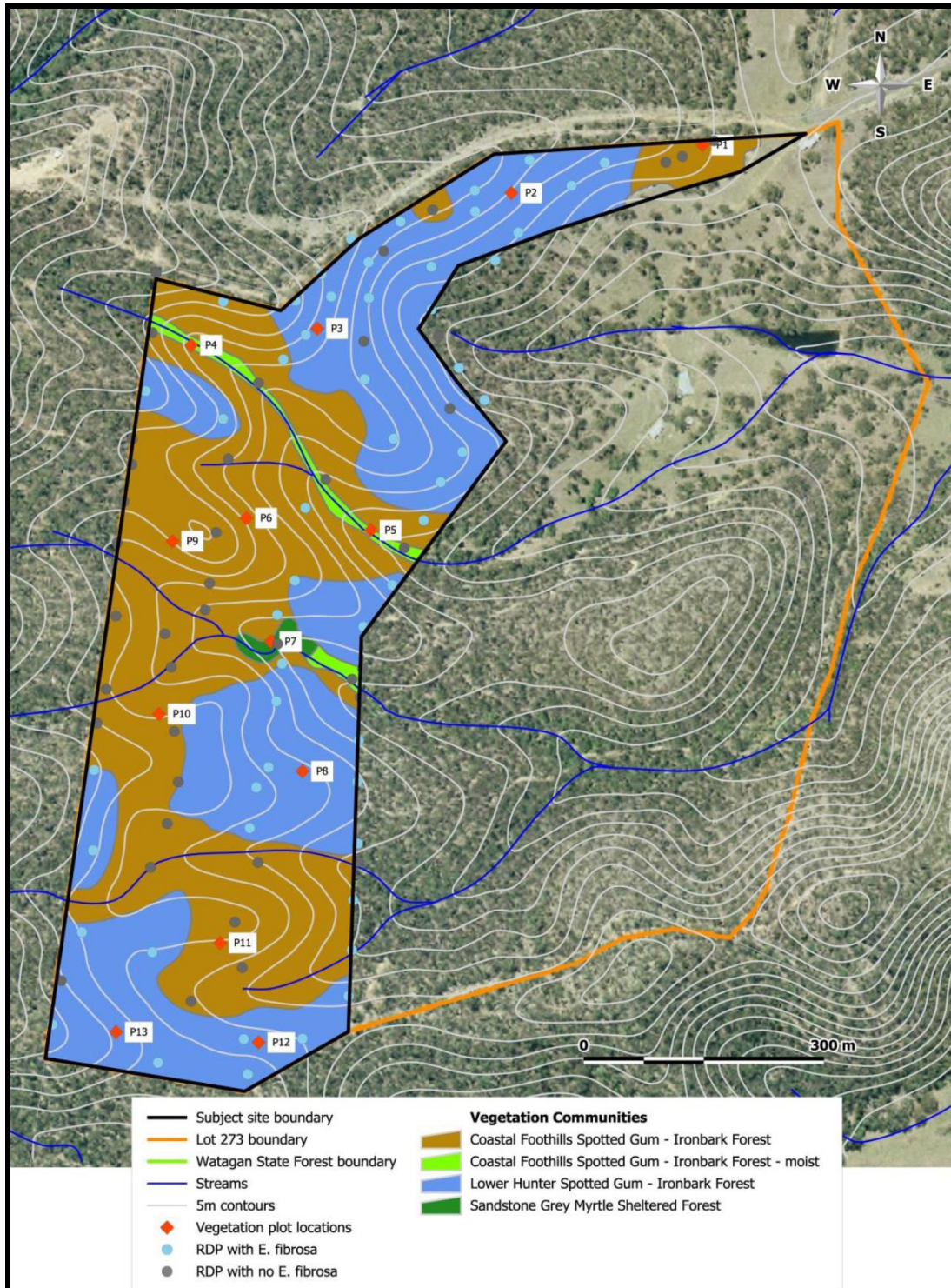


Figure 1: Biodiversity Offset Area (Part Lot 237 DP 1017683 Thursbys Road, Congewai)