

# **Appendix A**

# **Development Consent**

# **Conditions**

**Table A1: Development Consent DA 29/95 (as modified) Conditions relevant to the Extraction Plan**

Condition No.	Condition Requirement	Addressed in EP
Schedule 3, Condition 3A	<b>Extraction Plan</b> The Applicant must prepare and implement an Extraction Plan for all second workings in the active mining areas to the satisfaction of the Secretary. This plan must:	This Extraction Plan
	<ul style="list-style-type: none"> <li>be prepared by a team of suitably qualified and experienced experts whose appointment has been endorsed by the Secretary, and be approved by the Secretary prior to the commencement of any second workings covered by the Extraction Plan;</li> </ul>	S3.1
	<ul style="list-style-type: none"> <li>include a detailed plan for the second workings, which has been prepared to the satisfaction of DRG, and provides for adaptive management;</li> </ul>	Graphical Plans
	<ul style="list-style-type: none"> <li>include detailed plans of any associated surface construction works;</li> </ul>	Not Applicable
	<ul style="list-style-type: none"> <li>include the following to the satisfaction of DRG:</li> </ul>	
	<ul style="list-style-type: none"> <li>a coal resource recovery plan that demonstrates effective recovery of the available resource;</li> </ul>	Appendix K
	<ul style="list-style-type: none"> <li>predictions of the subsidence effects and subsidence impacts of the proposed second workings, incorporating any relevant information that has been obtained since the preparation of EA (MOD6); and</li> </ul>	S2.3
	<ul style="list-style-type: none"> <li>a Subsidence Monitoring Program to:               <ul style="list-style-type: none"> <li>monitor subsidence effects and subsidence impacts on land;</li> <li>validate the subsidence predictions; and</li> <li>analyse the relationship between the subsidence effects and subsidence impacts of the proposed second workings and any ensuing environmental consequences;</li> </ul> </li> </ul>	Appendix J
	<ul style="list-style-type: none"> <li>include a:               <ul style="list-style-type: none"> <li>Water Management Plan, which has been prepared in consultation with OEH and DPI-Water, to monitor and manage the environmental consequences of second workings on water resources (including drainage, flooding and ponding and alluvial aquifers);</li> </ul> </li> </ul>	Appendix E
	<ul style="list-style-type: none"> <li>Biodiversity Management Plan, which has been prepared in consultation with OEH, to monitor and manage the potential environmental consequences of second workings on aquatic and terrestrial flora and fauna, with a specific focus on threatened species and endangered ecological communities;</li> </ul>	Appendix G
	<ul style="list-style-type: none"> <li>Land Management Plan, to monitor and manage the potential environmental consequences of second workings on steep slopes and land in general;</li> </ul>	Appendix F
	<ul style="list-style-type: none"> <li>Built Features Management Plan, which has been prepared in consultation with the owner of the relevant feature, to monitor and manage the potential environmental consequences of second workings, including flooding</li> </ul>	Appendix H

<b>Condition No.</b>	<b>Condition Requirement</b>	<b>Addressed in EP</b>
	<p>related impacts, on any built feature or access to any built features;</p> <ul style="list-style-type: none"> <li>• include a Public Safety Management Plan, which has been prepared in consultation with DRG, to ensure public safety in the mining area; and</li> <li>• the above plan must include a:               <ul style="list-style-type: none"> <li>○ detailed description of baseline data;</li> <li>○ impact assessment criteria, including trigger levels for investigating any potentially adverse impacts;</li> <li>○ program to undertake monitoring prior to, during and after undermining;</li> <li>○ program, to validate predicted levels of impacts;</li> <li>○ detailed description of remediation and rehabilitation measures to be implemented, should adverse impacts occur; and</li> <li>○ contingency plan to manage any unpredicted adverse impacts and their environmental consequences and to provide for adaptive management.</li> </ul> </li> </ul>	<p>Appendix I</p>
<p>Schedule 3, Condition 3D</p>	<p><b>Provisions of Biodiversity Offsets</b>            If subsidence impacts associated with the active mining areas cause significant adverse impacts to threatened species, populations, habitats and/or endangered ecological communities and the Secretary determines that:</p> <p>(a) it is not reasonable or feasible to remediate the impact or environmental consequences; or</p> <p>(b) remediation measures implemented by the Applicant have failed to satisfactorily remediate the impact or environmental consequence, then the Applicant must provide a suitable offset to compensate for the impact or environmental consequence, to the satisfaction of the Secretary.</p> <p><i>Note: An offset required under this condition must be proportionate with the significance of the impact or environmental consequence.</i></p>	<p>Appendix G</p>
<p>Schedule 3, Condition 4</p>	<p>The Applicant must:</p> <p>(c) before carrying out any underground mining that will potentially lead to subsidence impacts to Sandy Creek Road, the applicant must prepare, in consultation with Council, (and following approval implement) a Public Safety Management Plan for Sandy Creek Road, to the satisfaction of the DRG.</p>	<p>Appendix I</p>
<p>Schedule 3, Condition 28</p>	<p><b>Rehabilitation Objectives</b>            The Applicant must rehabilitate the site to the satisfaction of DRG. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the documents listed in condition 2 of Schedule 2, and comply with the objectives in Table 6.</p>	<p>Land Affected by the project:            Appendix F – LMP</p> <p>Built Features:            Appendix H - BFMP</p>

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	<p><i>Table 6: Rehabilitation Objectives</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #d3d3d3;">Feature</th> <th style="background-color: #d3d3d3;">Objective</th> </tr> </thead> <tbody> <tr> <td>All areas affected by the development</td> <td> <ul style="list-style-type: none"> <li>• Safe</li> <li>• Hydraulically and geotechnically stable</li> <li>• Non-polluting</li> <li>• Fit for the intended post-mining land use(s)</li> </ul> </td> </tr> <tr> <td>Areas proposed for native ecosystem re-establishment</td> <td> <ul style="list-style-type: none"> <li>• Establish self-sustaining ecosystems comprising flora species selected to re-establish and complement local and regional biodiversity</li> </ul> </td> </tr> <tr> <td>Areas proposed for agricultural or pastoral use</td> <td> <ul style="list-style-type: none"> <li>• Nominated land capability classification is achieved and is self-sustaining</li> </ul> </td> </tr> <tr> <td>Other areas affected by the development</td> <td> <ul style="list-style-type: none"> <li>• Restore ecosystem function, including maintaining or establishing self-sustaining ecosystems comprised of local native plant species appropriate for the intended post mining land use(s) (unless DRG agrees otherwise).</li> </ul> </td> </tr> <tr> <td>Surface infrastructure of the development</td> <td> <ul style="list-style-type: none"> <li>• To be decommissioned and removed, unless DRG agree otherwise or development consent is obtained from the relevant consent authority for their retention and post-mining use</li> </ul> </td> </tr> <tr> <td>Portals and vent shafts of the development</td> <td> <ul style="list-style-type: none"> <li>• To be decommissioned and made safe and stable</li> </ul> </td> </tr> <tr> <td>Built features damaged by mining operations</td> <td> <ul style="list-style-type: none"> <li>• Repair/restore/replace to pre-mining condition or equivalent unless the:               <ul style="list-style-type: none"> <li>o owner agrees otherwise; 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Schedule 3, Condition 29	<p><b>Progressive Rehabilitation</b></p> <p>The Applicant must rehabilitate the site progressively, that is, as soon as reasonably practicable following disturbance, to the satisfaction of DRG. 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.</p>	Appendix F Appendix G																										
Schedule 5, Condition 5	<p><b>Annual Reporting</b></p> <p>By the end of September each year, unless the Secretary agrees otherwise, the Applicant must submit a review to the Department reviewing the environmental performance of the development to the satisfaction of the Secretary. This review must:</p>																											
	<p>(a) describe the development (including any rehabilitation) that was carried out in the previous year to 30 June, and the development that is proposed to be carried out over the current year to 30 June;</p>	S5.1																										
	<p>(b) include a comprehensive review of the monitoring results and complaints records of the development over the previous year to 30 June, which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> <li>• relevant statutory requirements, limits or performance measures/criteria;</li> </ul>	S5.1																										

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	<ul style="list-style-type: none"> <li>• requirements of any plan or program required under DA29/95</li> <li>• monitoring results of previous years; and</li> <li>• relevant predictions in the documents listed in condition 2 of Schedule 2.</li> </ul>	
	(c) identify any non-compliance over the past year, and describe what actions were (or are being) taken to ensure compliance;	S5.1
	(d) identify any trends in the monitoring data over the life of the development;	S5.1
	(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and	S5.1
	(f) describe what measures will be implemented over the next year to improve the environmental performance of the development.	S5.1