

**COAL
&
ALLIED**

Managed by Rio Tinto Coal Australia

13 March 2014

The Hon. Brad Hazzard
Minister for Planning and Infrastructure
c/-Scott Brooks
Team Leader Compliance (Mining)
Department of Planning & Infrastructure
PO Box 3145
SINGLETON NSW 2330

Dear Mr Brooks

RE: Mount Pleasant Project DA92/97– Independent Audit

We refer to Schedule 5, Condition 9 of the Mount Pleasant Project Development Consent granted in 1999 by the then Minister for Urban Affairs and Planning and as subsequently modified.

The condition 9 requires an independent audit to be undertaken and submitted by the end of March 2014 and every three years thereafter. As agreed in correspondence, dated 6th January 2014 (attached), to fulfil the requirements of condition 9, a one-on-one compliance review session with the relevant Coal & Allied personnel and yourself has been undertaken.

Please find attached a copy of the compliance review summary. The summary provides a description of performance against each condition and a summary of the compliance review findings for the conditions the focus of the review.

All conditions reviewed were found to be compliant. There were seven observations made, most of which will be actioned immediately, with some ongoing matters to be continued to be progressed over 2014.

Coal & Allied Operations Pty Ltd

ABN 16 000 023 656

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PO Box 315 Singleton NSW 2330 Australia

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We acknowledge that a full scale independent audit will be required to be completed 12 months post the commencement of construction.

Please contact me if you require any additional information in respect of, or clarification on, the above or attachments. We look forward to hearing from you.

Yours sincerely



Trudie Larnach
Specialist Project Approvals NSW
Approvals, Environment and Land, Coal Australia

PO Box 315 Singleton 2330

M: +61 (0)458 003 881

trudie.larnach@riotinto.com <http://www.riotintocoalaustralia.com.au>

Attachment 1: P&I correspondence dated 6th January 2014

Attachment 2: Compliance Review Summary



Contact: Scott Brooks
Phone: 6575 3401
Fax: 6575 3415
Email:
scott.brooks@planning.nsw.gov.au

Trudie Larnach
Specialist Project Approvals
Environment and Land Strategic Development, Coal Australia
PO Box 315
SINGLETON NSW 2330

Our ref: DA 92/97

Dear Trudie,

Mount Pleasant DA 92/97, Schedule 5 Condition 9 Independent Environmental Audit.

On the 6th January 2014 the Department received your submission requesting a change in the requirements for an Independent Environmental Audit as required by Condition 9 Schedule 5 of the Mt Pleasant Consent. This condition requires an independent audit by the end of March 2014 and every 3 years thereafter, unless the Director General directs otherwise.

The Department has assessed your request based on the Mount Pleasant mine not yet operating, and so the need for an audit is largely diminished.

The Independent Environmental Audit requirements for Mt Pleasant mine site will be as follows:

- A one-on-one compliance review will be undertaken as suggested in your letter by the end of March 2014. Any outcomes of this review will be completed in a time agreed to during the review;
- Further one-on-one reviews will be undertaken every 3 years from March 2014 whilst construction works for the mine are yet to commence;
- Should construction commence then a full Independent Environmental Audit will be undertaken within 12 months of the date of commencement and every 3 years thereafter, as described in Condition 9 Schedule 5. The Director General approves this change to auditing requirements, but reserves the right to make further changes if required.

Should you have any enquiries on this matter please contact Scott Brooks on (02) 6575 3401.

Yours sincerely

Scott Brooks
**Team Leader, Compliance,
Singleton**

As the Director-General's Nominee

6-1-2014

DA 92/97 - Mount Pleasant Coal Mine

Development Consent Conditions

CONDITION NUMBER	CONDITION	DESCRIPTION OF PERFORMANCE	2014 COMPLIANCE REVIEW SUMMARY 13/03/2014*																														
SCHEDULE 2 - ADMINISTRATIVE CONDITIONS																																	
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT																																	
1.	The Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or rehabilitation of the development.	No activity in 2013																															
TERMS OF CONSENT																																	
2.	The Applicant shall carry out the development in accordance with the:																																
2 (a)	EIS;																																
2 (b)	statement of commitments;																																
2 (c)	conditions of this consent.	Noted.																															
Notes:	<ul style="list-style-type: none"> The general layout of the development is shown in Appendix 2; and The statement of commitments is reproduced in Appendix 3. 																																
3.	If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.	No inconsistency identified.																															
4.	The Applicant shall comply with any reasonable requirements of the Director-General arising from the Department's assessment of:																																
4 (a)	any reports, strategies, plans, programs, reviews, audits or correspondence that are submitted by the Applicant in accordance with this consent; and	This condition has not been triggered.																															
4 (b)	the implementation of any actions or measures contained in these documents.																																
LIMITS ON CONSENT																																	
Mining Operations																																	
5.	The Applicant may carry out mining operations on the site until 22 December 2020																																
Note:	Under this consent, the Applicant is required to rehabilitate the site and carry out additional undertakings to the satisfaction of both the Director-General and the Executive Director, Mineral Resources in DRE. Consequently this consent will continue to apply in all other respects - other than the right to conduct mining operations - until the rehabilitation of the site and these additional undertakings have been carried out satisfactorily.	Due date has not been reached																															
Coal Extraction																																	
6.	The Applicant shall not extract more than 10.5 million tonnes of ROM coal from the site in a calendar year.	This condition has not been triggered.																															
Coal Transport																																	
7.	The Applicant shall transport all coal from the site by either (but not both):																																
7 (a)	conveyor to the Bengalla mine; or																																
7 (b)	rail via an on-site rail loop;	Coal transport option has yet to be chosen.																															
	Prior to the construction of the coal transport infrastructure on site, the Applicant shall notify the Director-General of the coal transport option chosen.																																
8.	If the Applicant decides to develop the conveyor/service corridor to the Bengalla mine, then the Applicant shall:																																
8 (a)	ensure that the final design of the conveyor/service corridor includes all reasonable and feasible measures to avoid and/or minimise the impacts on threatened species, endangered ecological communities, and Aboriginal objects with medium to high significance; and	This condition has not been triggered.																															
8 (b)	submit detailed plans of the development in the conveyor/service corridor to the Director-General for approval. Following approval, the Applicant shall implement the detailed plans to the satisfaction of the Director-General.																																
STRUCTURAL ADEQUACY																																	
9.	The Applicant shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA and MSB.																																
Notes:	<ul style="list-style-type: none"> Under Part 4A of the EP&A Act, the Applicant 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 development; The development is located in the Muswellbrook Mine Subsidence District. Under Section 15 of the Mine Subsidence Compensation Act 1961, the Applicant is required to obtain the MSB's approval before constructing any improvements on the site. 	No construction has occurred on site.																															
DEMOLITION																																	
10.	The Applicant shall ensure that all demolition work on site is carried out in accordance with AS 2601-2001: The Demolition of Structures, or its latest version.	No demolition work has occurred on site																															
PROTECTION OF PUBLIC INFRASTRUCTURE																																	
11.	Unless the Applicant and the applicable authority agree otherwise, the Applicant shall:																																
11 (a)	repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and																																
11 (b)	relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.	This condition has not been triggered.																															
Note:	This condition does not include matters that are expressly provided for in the conditions of this consent, such as the maintenance of public roads.																																
OPERATION OF PLANT AND EQUIPMENT																																	
12.	The Applicant shall ensure that all plant and equipment used on site, or to transport coal from the site is:																																
12 (a)	maintained in a proper and efficient condition; and	This condition has not been triggered.	Meteorological Station compliant																														
12 (b)	operated in a proper and efficient manner.																																
STAGED SUBMISSION OF STRATEGIES, PLANS AND PROGRAMS																																	
13.	With the approval of the Director-General, the Applicant may submit any strategy, plan or program required by this consent on a progressive basis.																																
Note:	While any strategy, plan or program may be submitted on a progressive basis, the Applicant will need to ensure that the operations on site are covered by suitable strategies, plans or programs at all times.	Documents are being submitted on a progressive basis.																															
PLANNING AGREEMENT																																	
14.	By the end of March 2012, unless otherwise agreed by the Director-General, the Applicant shall enter into a planning agreement with Council in accordance with:																																
14 (a)	(a) Division 6 of Part 4 of the EP&A Act; and																																
14 (b)	(b) the terms of the Applicant's offer dated 14 February 2011, which is summarised in Appendix 4.	The Voluntary Planning Agreement went on Public Exhibition in February 2012 and was endorsed by Council following Exhibition.	compliant																														
	This agreement must provide for annual payments to be made to Council with the first period for payment commencing upon the commencement of development on the site.																																
SCHEDULE 3 - ENVIRONMENTAL PERFORMANCE CONDITIONS																																	
ACQUISITION UPON REQUEST																																	
1.	Upon receiving a written request for acquisition from the owner of the land listed in Table 1, the Applicant shall acquire the land in accordance with the procedures in conditions 6-7 of schedule 4.																																
	<p><i>Table 1: Land subject to acquisition upon request</i></p> <table border="1"> <thead> <tr> <th>Receiver</th> <th>Receiver</th> </tr> </thead> <tbody> <tr> <td>43 - 44 - J.B Moore</td> <td>143, 161,237 - J.S. & N.M. Lonergan</td> </tr> <tr> <td>45 - B.A. & T.E. Strachan</td> <td>147 - M.J. & R.G. Adnum</td> </tr> <tr> <td>47 - B.L. & M.L. Bates</td> <td>156 - J.E. & J.L. Lonergan</td> </tr> <tr> <td>67 - J.M. Simpson</td> <td>158 - J.M. Hoath</td> </tr> <tr> <td>96 - R.P. Grey</td> <td>159, 236 - J.E. & M.S. Ducey</td> </tr> <tr> <td>101 - C. Austin</td> <td>129 - R.M. & S.D. Farrell</td> </tr> <tr> <td>102 - A. Mather</td> <td>130 - M.J. Farrell</td> </tr> <tr> <td>107 - B.L. Wilton</td> <td>135, 309 - K.J. & G.M. Yore</td> </tr> <tr> <td>108 - J.S. Gibson</td> <td>146 - C.R. & N.J. Hoath</td> </tr> <tr> <td>112 - B.D. Barry</td> <td>153 - G.M. Casey</td> </tr> <tr> <td>118 - J. & C. Hayes</td> <td>157 - R.B. Parkinson & S.A. Peberdy</td> </tr> <tr> <td>120, 308 - D.L. & P.A. Moore</td> <td>229 - C. Home</td> </tr> <tr> <td>121 - C. & J.M. Moore</td> <td>263 - R.R. & J.M. Hamilton</td> </tr> <tr> <td>137, 138 A - D.H. MacIntyre</td> <td>C - P.M. Yore</td> </tr> </tbody> </table> <p>D - S. Yore</p> <p>Notes:</p> <ul style="list-style-type: none"> To identify the locations referred to in Table 1, see the figures in Appendix 5; and All land is noise affected, except receiver 67 which is air quality affected. 	Receiver	Receiver	43 - 44 - J.B Moore	143, 161,237 - J.S. & N.M. Lonergan	45 - B.A. & T.E. Strachan	147 - M.J. & R.G. Adnum	47 - B.L. & M.L. Bates	156 - J.E. & J.L. Lonergan	67 - J.M. Simpson	158 - J.M. Hoath	96 - R.P. Grey	159, 236 - J.E. & M.S. Ducey	101 - C. Austin	129 - R.M. & S.D. Farrell	102 - A. Mather	130 - M.J. Farrell	107 - B.L. Wilton	135, 309 - K.J. & G.M. Yore	108 - J.S. Gibson	146 - C.R. & N.J. Hoath	112 - B.D. Barry	153 - G.M. Casey	118 - J. & C. Hayes	157 - R.B. Parkinson & S.A. Peberdy	120, 308 - D.L. & P.A. Moore	229 - C. Home	121 - C. & J.M. Moore	263 - R.R. & J.M. Hamilton	137, 138 A - D.H. MacIntyre	C - P.M. Yore	In 2013 written requests were received from some landholders listed in Table 1 and actioned in accordance with the procedures in Schedule 4.	Process compliant initiating phone calls acknowledged, follow up for 'return to sender' adequate including hand delivery, door knocking and other follow up. A number of requests for acquisition have been received over the last 3 years and processed in accordance with 4.1. Negotiation with some residents are ongoing.
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ADDITIONAL NOISE AND DUST MITIGATION UPON REQUEST																																	
2.	Upon receiving a written request from the owner of any residence on the land listed in Table 1 or Table 2, the Applicant shall implement additional noise and/or dust mitigation measures (such as double-glazing, insulation, air filters, first flush roof water drainage system and/or air conditioning) at the residence in consultation with the landowner. These measures must be reasonable and feasible and related to the noise and/or dust impacts on the residence.																																
	If within 3 months of receiving this request from the owner, the Applicant and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Director-General for resolution.																																
	<p><i>Table 2: Land where additional noise mitigation measures are available on request</i></p> <table border="1"> <thead> <tr> <th>Receiver</th> <th>Receiver</th> </tr> </thead> <tbody> <tr> <td>68 - Googe</td> <td>203 - Millard</td> </tr> <tr> <td>74 - Sornmaz</td> <td>205 - Dapkos Pty Ltd</td> </tr> <tr> <td>77 - Purser</td> <td>231-Wicks</td> </tr> </tbody> </table>	Receiver	Receiver	68 - Googe	203 - Millard	74 - Sornmaz	205 - Dapkos Pty Ltd	77 - Purser	231-Wicks	This condition has not been triggered.	Process compliant initiating phone calls acknowledged, follow up for 'return to sender' adequate including hand delivery, door knocking and other follow up. A number of requests for acquisition have been received over the last 3 years and processed in accordance with 4.1. Negotiation with some residents are ongoing.																						
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3.	Except for the noise-affected land referred to in Table 1, the Applicant shall ensure that the noise generated by the development does not exceed the criteria in Table 3 at any residence on privately owned land or on more than 25 percent of any privately-owned land.																																																																																																																																																																																																																													
	<p><i>Table 3: Noise criteria dB(A)</i></p> <table border="1"> <thead> <tr> <th rowspan="2">Location</th> <th colspan="2">Evening</th> <th colspan="2">Night</th> </tr> <tr> <th>L_{Aeq}(15min)</th> <th>L_{Aeq}(15min)</th> <th>L_{Aeq}(15min)</th> <th>L_{Aeq}(1min)</th> </tr> </thead> <tbody> <tr> <td>NAG 1</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>260, 261</td> <td>37</td> <td>37</td> <td>37</td> <td>45</td> </tr> <tr> <td>258</td> <td>40</td> <td>40</td> <td>40</td> <td>45</td> </tr> <tr> <td>259</td> <td>39</td> <td>39</td> <td>39</td> <td>45</td> </tr> <tr> <td>All other privately-owned land</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> <tr> <td>NAG 2</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>272</td> <td>36</td> <td>36</td> <td>36</td> <td>45</td> </tr> <tr> <td>All other privately-owned land</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> <tr> <td>NAG 3</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>139, 154, 240</td> <td>40</td> <td>40</td> <td>40</td> <td>45</td> </tr> <tr> <td>241</td> <td>39</td> <td>39</td> <td>39</td> <td>45</td> </tr> <tr> <td>All other privately-owned land</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> <tr> <td>NAG 4</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>169</td> <td>36</td> <td>36</td> <td>36</td> <td>45</td> </tr> <tr> <td>All other privately-owned land</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> <tr> <td>NAG 5</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>All privately-owned land</td> <td>41</td> <td>40</td> <td>39</td> <td>45</td> </tr> <tr> <td>NAG 6</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>205</td> <td>41</td> <td>41</td> <td>41</td> <td>45</td> </tr> <tr> <td>203, 242</td> <td>40</td> <td>40</td> <td>40</td> <td>45</td> </tr> <tr> <td>202</td> <td>39</td> <td>39</td> <td>39</td> <td>45</td> </tr> <tr> <td>204</td> <td>38</td> <td>38</td> <td>38</td> <td>45</td> </tr> <tr> <td>All other privately-owned land</td> <td>37</td> <td>37</td> <td>37</td> <td>45</td> </tr> <tr> <td>NAG 7</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>68, 74, 279</td> <td>43</td> <td>42</td> <td>42</td> <td>45</td> </tr> <tr> <td>86, 290</td> <td>42</td> <td>42</td> <td>42</td> <td>45</td> </tr> <tr> <td>77</td> <td>42</td> <td>41</td> <td>41</td> <td>45</td> </tr> <tr> <td>79, 80, 231</td> <td>41</td> <td>41</td> <td>41</td> <td>45</td> </tr> <tr> <td>78</td> <td>41</td> <td>40</td> <td>40</td> <td>45</td> </tr> <tr> <td>All other privately-owned land</td> <td>40</td> <td>37</td> <td>37</td> <td>45</td> </tr> <tr> <td>NAG 8</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>35</td> <td>42</td> <td>41</td> <td>41</td> <td>45</td> </tr> <tr> <td>289</td> <td>41</td> <td>40</td> <td>40</td> <td>45</td> </tr> <tr> <td>23, 84</td> <td>40</td> <td>40</td> <td>40</td> <td>45</td> </tr> <tr> <td>All other privately-owned land</td> <td>41</td> <td>39</td> <td>39</td> <td>45</td> </tr> <tr> <td>NAG 9</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>All privately-owned land</td> <td>39</td> <td>38</td> <td>37</td> <td>45</td> </tr> <tr> <td>NAG 10</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>All privately-owned land</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> <tr> <td>NAG 11</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>All privately-owned land</td> <td>37</td> <td>36</td> <td>35</td> <td>45</td> </tr> <tr> <td>All other privately-owned land</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> </tbody> </table> <p>Notes: • To identify the locations referred to in Table 3, see the figures in Appendices 5 and 6. • Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions), of the NSW Industrial Noise Policy.</p>	Location	Evening		Night		L _{Aeq} (15min)	L _{Aeq} (15min)	L _{Aeq} (15min)	L _{Aeq} (1min)	NAG 1					260, 261	37	37	37	45	258	40	40	40	45	259	39	39	39	45	All other privately-owned land	35	35	35	45	NAG 2					272	36	36	36	45	All other privately-owned land	35	35	35	45	NAG 3					139, 154, 240	40	40	40	45	241	39	39	39	45	All other privately-owned land	35	35	35	45	NAG 4					169	36	36	36	45	All other privately-owned land	35	35	35	45	NAG 5					All privately-owned land	41	40	39	45	NAG 6					205	41	41	41	45	203, 242	40	40	40	45	202	39	39	39	45	204	38	38	38	45	All other privately-owned land	37	37	37	45	NAG 7					68, 74, 279	43	42	42	45	86, 290	42	42	42	45	77	42	41	41	45	79, 80, 231	41	41	41	45	78	41	40	40	45	All other privately-owned land	40	37	37	45	NAG 8					35	42	41	41	45	289	41	40	40	45	23, 84	40	40	40	45	All other privately-owned land	41	39	39	45	NAG 9					All privately-owned land	39	38	37	45	NAG 10					All privately-owned land	35	35	35	45	NAG 11					All privately-owned land	37	36	35	45	All other privately-owned land	35	35	35	45	This condition has not been triggered.	
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7.	The Applicant shall ensure that its rail spur is only accessed by locomotives that are approved to operate on the NSW rail network in accordance with the noise limits in RailCorp's EPL (No. 12208) and ARTC's EPL (No. 3142).																																																																																																																																																																																																																													
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8.	The Applicant shall:																																																																																																																																																																																																																													
8 (a)	implement best practice noise management, including all reasonable and feasible noise mitigation measures to minimise the operational, low frequency, and rail noise generated by the development;																																																																																																																																																																																																																													
8 (b)	minimise the noise impacts of the development during temperature inversions;																																																																																																																																																																																																																													
8 (c)	regularly assess the real-time noise monitoring and meteorological forecasting data and relocate, modify, and/or stop operations on site to ensure compliance with the relevant conditions of this consent; and	No activity in 2013.	compliant. Observation: environmental monitoring results need to be extracted/copied from the annual review and separately added to website in new section to be more user friendly.																																																																																																																																																																																																																											
8 (d)	co-ordinate the noise management on site with the noise management at nearby mines (including the Bengalla mine) to minimise the cumulative noise impacts of the mines,																																																																																																																																																																																																																													
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CONDITION NUMBER	CONDITION	DESCRIPTION OF PERFORMANCE	2014 COMPLIANCE REVIEW SUMMARY 13/03/2014*																				
Noise Management Plan																							
9.	The Applicant shall prepare and implement a Noise Management Plan for the development to the satisfaction of the Director-General. This plan must:	The Noise Management Plan - Construction was prepared and submitted to the Director-General in February 2012. This plan is undergoing review.	compliant. Observation: Plan yet to be approved, undergoing review by Coal & Allied. P&I satisfied with the progress																				
9 (a)	be submitted to the Director-General for approval prior to carrying out any development on site;																						
9 (b)	describe the noise mitigation measures that would be implemented to ensure compliance with the relevant conditions of this consent, including a real-time noise management system that employs both reactive and proactive mitigation measures;																						
9 (c)	include a noise monitoring program that: <ul style="list-style-type: none"> uses a combination of real-time and supplementary attended monitoring to evaluate the performance of the development; includes a protocol for determining exceedances of the relevant conditions of this consent; and 																						
9 (d)	include a protocol that has been prepared in consultation with the owners of the nearby mines (including the Bengalla mine) to minimise the cumulative noise impacts of the mines.																						
BLASTING																							
Blasting Criteria																							
10.	The Applicant shall ensure that the blasting on the site does not cause exceedances of the criteria in Table 7.	This condition has not been triggered.																					
<i>Table 7: Blasting Criteria</i>																							
	<table border="1"> <thead> <tr> <th>Location</th> <th>Airblast Overpressure (dB(Lin Peak))</th> <th>Ground vibration (mm/s)</th> <th>Allowable Exceedance</th> </tr> </thead> <tbody> <tr> <td></td> <td>120</td> <td>10</td> <td>0%</td> </tr> <tr> <td>Residence on privately owned land</td> <td>115</td> <td>5</td> <td>5% of the total number of blasts over a 12 month period</td> </tr> <tr> <td>Historic heritage status</td> <td>-</td> <td>10</td> <td>0%</td> </tr> <tr> <td>All public infrastructure</td> <td>-</td> <td>50</td> <td>0%</td> </tr> </tbody> </table>			Location	Airblast Overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable Exceedance		120	10	0%	Residence on privately owned land	115	5	5% of the total number of blasts over a 12 month period	Historic heritage status	-	10	0%	All public infrastructure	-	50	0%
Location	Airblast Overpressure (dB(Lin Peak))			Ground vibration (mm/s)	Allowable Exceedance																		
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Historic heritage status	-	10	0%																				
All public infrastructure	-	50	0%																				
However, these criteria do not apply if the Applicant has a written agreement with the relevant owner or infrastructure provider/owner, and the Applicant has advised the Department in writing of the terms of this agreement.																							
Blasting Hours																							
11.	The Applicant shall only carry out blasting on site between 9am and 5pm Monday to Saturday inclusive. No blasting is allowed on Sundays, public holidays, or at any other time without the written approval of the Director-General.	This condition has not been triggered.																					
Blasting Frequency																							
12.	Unless otherwise agreed by the Director-General, the Applicant may carry out a maximum of:	This condition has not been triggered.																					
12 (a)	1 blast a day; and																						
12 (b)	6 blasts a week, averaged over any calendar year; for the development.																						
Note:	This condition does not apply to blasts that generate ground vibration of 0.5 mm/s or less at any residence on privately-owned land, or to blasts required to ensure the safety of the mine or its workers. For the purposes of this condition, a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the mine.																						
Property Inspections																							
13.	If the Applicant receives a written request from the owner of any privately-owned land within 2 kilometres of the approved open cut mining pits on site, for a property inspection to establish the baseline condition of any buildings and/or structures on his/her land, or to have a previous property inspection report updated, then within 2 months of receiving this request the Applicant shall:	This condition has not been triggered.	Process compliant initiating phone calls acknowledged, follow up for 'return to sender' adequate including hand delivery, door knocking and other follow up. No requests have been received to date																				
13 (a)	establish the baseline condition of the buildings and/or structures on the land, or update the previous property inspection report; identify any measures that should be implemented to minimise the potential blasting impacts of the development on these buildings and/or structures; and																						
13 (b)	give the landowner a copy of the new or updated property inspection report.																						
Property Investigations																							
14.	If the owner of any privately-owned land claims that the buildings and/or structures on his/her land have been damaged as a result of blasting on site, then within 2 months of receiving this claim the Applicant shall:	This condition has not been triggered.																					
14 (a)	commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to investigate the claim; and																						
14 (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 Applicant shall repair the damages to the satisfaction of the Director-General. If the Applicant or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Director-General for resolution.																						
Operating Conditions																							
15.	The Applicant shall:	This condition has not been triggered.																					
15 (a)	implement best blasting management practice on site to: <ul style="list-style-type: none"> protect the safety of people and livestock in the surrounding area; protect public or private infrastructure/property in the surrounding area; minimise the dust and fume emissions of the blasting on site; and minimise blasting impacts on heritage items in the vicinity of the site; 																						
15 (b)	co-ordinate the blasting on site with the blasting at nearby mines (including the Bengalla mine) to minimise the cumulative blasting impacts of the mines; and																						
15 (c)	operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site, to the satisfaction of the Director-General.																						
16.	The Applicant shall not undertake blasting within 500 metres of:	This condition has not been triggered.																					
16 (a)	a public road without the approval of Council; and																						
16 (b)	any land outside the site not owned by the Applicant, unless: <ul style="list-style-type: none"> the Applicant has a written agreement with the relevant landowner to allow blasting to be carried out closer to the land, and the Applicant has advised the Department in writing of the terms of this agreement; or the Applicant has: <ul style="list-style-type: none"> demonstrated to the satisfaction of the Director-General that the blasting can be carried out closer to the land without compromising the safety of the people or livestock on the land, or damaging the buildings and/or structures on the land; and updated the Blast Management Plan to include the specific measures that would be implemented while blasting is being carried out within 500 metres of the land. 																						
Blast Management Plan																							
17.	The Applicant shall prepare and implement a Blast Management Plan for the development to the satisfaction of the Director-General. This plan must:	This condition has not been triggered.																					
17 (a)	be submitted to the Director-General for approval prior to carrying out any blasting on site;																						
17 (b)	describe the measures that would be implemented to ensure compliance with the relevant conditions of this consent;																						
17 (c)	include a road closure management plan, prepared in consultation with Council;																						
17 (d)	include a blast monitoring program for evaluating compliance with the relevant conditions of approval; and																						
17 (e)	include a protocol that has been prepared in consultation with the owners of nearby mines (including the Bengalla mine) for minimising and managing cumulative blasting impacts of the mines.																						
AIR QUALITY & GREENHOUSE GAS																							
Odour																							
18.	The Applicant shall ensure that no offensive odours are emitted from the site, as defined under the POEO Act, unless otherwise authorised by an EPL.	This condition has not been triggered.																					
Greenhouse Gas Emissions																							
19.	The Applicant shall implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site.	No activity in 2013.																					
Air Quality Criteria																							
20.	Except for the air quality-affected land referred to in Table 1, the Applicant shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not exceed the criteria listed in Tables 8, 9 or 10 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.	This condition has not been triggered.																					
<i>Table 8: Long term criteria for particulate matter</i>																							
Pollutant	Averaging Period			^d Criterion																			
Total Suspended Solids (TSP) matter	Annual			^a 90 µg/m ³																			
Particulate Matter < 10 µm (PM ₁₀)	Annual			^a 30 µg/m ³																			
<i>Table 9: Short term criteria for particulate matter</i>																							
Pollutant	Averaging Period			^d Criterion																			
Particulate Matter < 10 µm (PM ₁₀)	24 hour			^a 50 µg/m ³																			
<i>Table 10: Long term criteria for deposited dust level</i>																							
Pollutant	Averaging Period			Maximum increase in deposited dust level	Maximum total deposited dust level																		

CONDITION NUMBER	CONDITION				DESCRIPTION OF PERFORMANCE	2014 COMPLIANCE REVIEW SUMMARY 13/03/2014*																										
	^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month																												
	Notes to Tables 8-10: ^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 development on its own); ^c 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; and ^d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Director-General.																															
Air Quality Acquisition Criteria																																
21.	If particulate matter emissions generated by the development exceed the criteria in Tables 11, 12 or 13 at any residence on privately-owned land or on more than 25 percent of any privately-owned land, then upon receiving a written request for acquisition from the landowner the Applicant shall acquire the land in accordance with the procedures in conditions 6-7 of schedule 4.																															
	<p><i>Table 11: Long term acquisition criteria for particulate matter</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>^d Criterion</th> </tr> </thead> <tbody> <tr> <td>Total Suspended Solids (TSP) matter</td> <td>Annual</td> <td>^a 90 µg/m³</td> </tr> <tr> <td>Particulate Matter < 10 µm (PM₁₀)</td> <td>Annual</td> <td>^a 30 µg/m³</td> </tr> </tbody> </table> <p><i>Table 12: Short term acquisition criteria for particulate matter</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>^d Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate Matter < 10 µm (PM₁₀)</td> <td>24 hour</td> <td>^a 150 µg/m³</td> </tr> <tr> <td>Particulate Matter < 10 µm (PM₁₀)</td> <td>24 hour</td> <td>^a 50 µg/m³</td> </tr> </tbody> </table> <p><i>Table 13: Long term acquisition criteria for deposited dust</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Maximum increase in deposited dust level</th> <th>Maximum total deposited dust level</th> </tr> </thead> <tbody> <tr> <td>^c Deposited dust</td> <td>Annual</td> <td>^b 2 g/m²/month</td> <td>^a 4 g/m²/month</td> </tr> </tbody> </table> <p>Notes to Table 11-13: ^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 development on its own); ^c 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; and ^d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Director-General.</p>				Pollutant	Averaging Period	^d Criterion	Total Suspended Solids (TSP) matter	Annual	^a 90 µg/m ³	Particulate Matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³	Pollutant	Averaging Period	^d Criterion	Particulate Matter < 10 µm (PM ₁₀)	24 hour	^a 150 µg/m ³	Particulate Matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³	Pollutant	Averaging Period	Maximum increase in deposited dust level	Maximum total deposited dust level	^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month	This condition has not been triggered.	
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Operating Conditions																																
22.	The Applicant shall:																															
22 (a)	implement best practice air quality management, including all reasonable and feasible measures to minimise offsite odour, fume and dust emissions of the development;																															
22 (b)	minimise any visible off-site air pollution;																															
22 (c)	minimise the surface disturbance on site;																															
22 (d)	regularly assess the real-time air quality monitoring and meteorological forecasting data and relocate, modify and/or stop operations on site to ensure compliance with the relevant conditions of this consent; and																															
22 (e)	co-ordinate the air quality management on site with the air quality management at nearby mines (including the Bengalla mine) to minimise the cumulative air quality impacts of the mines, to the satisfaction of the Director-General.																															
Air Quality and Greenhouse Gas Management Plan																																
23.	The Applicant shall prepare and implement an Air Quality and Greenhouse Gas Management Plan for the development to the satisfaction of the Director-General. This plan must:																															
23 (a)	be submitted to the Director-General for approval prior to carrying out any development on site;																															
23 (b)	describe the measures that would be implemented to ensure compliance with the relevant conditions of this consent, including a real-time air quality management system that employs reactive and proactive mitigation measures;																															
23 (c)	include an air quality monitoring program that: <ul style="list-style-type: none"> uses a combination of real-time monitors and supplementary monitors to evaluate the performance of the development; includes PM_{2.5} monitoring (although this obligation could be satisfied by the regional air quality monitoring network if sufficient justification is provided); includes a protocol for determining exceedances of the relevant conditions of this consent; and 																															
23 (d)	include a protocol that has been prepared in consultation with the owners of nearby mines to minimise the cumulative air quality impacts of the mines.																															
METEOROLOGICAL MONITORING																																
24.	For the life of the development, the Applicant shall ensure that there is a meteorological station operating in the vicinity of the site that:																															
24 (a)	complies with the requirements in the Approved Methods for Sampling of Air Pollutants in NSW guideline; and																															
24 (b)	is capable of continuous real-time measurement of temperature lapse rate in accordance with the NSW Industrial Noise Policy, or as otherwise approved by the OEH.				A new Meteorological station has been installed for the Project in 2012. The siting of the met station meets the condition requirements.	Compliant																										
SOIL & WATER																																
Note:	Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain water licences for the development.																															
Water Supply																																
25.	The Applicant shall ensure that it has sufficient water for all stages of development, and if necessary, adjust the scale of mining operations on site, to match its available water supply to the satisfaction of the Director-General.				Water balance has been completed for site.																											
Water Discharges																																
26.	The Applicant shall ensure that any surface water discharges from the site comply with the:																															
26 (a)	discharge limits (both volume and quality) set for the development in any EPL or																															
26 (b)	relevant provisions of the POEO Act or Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002.				This condition has not been triggered.																											
Compensatory Water Supply																																
27.	<p>The Applicant shall provide compensatory water supply to any landowner of privately-owned land whose water entitlements are adversely and directly impacted (other than an impact that is negligible) as a result of the development, in consultation with NOW, and to the satisfaction of the Director-General.</p> <p>The compensatory water supply measures must provide an alternative long-term supply of water that is equivalent to the loss attributed to the development. Equivalent water supply should be provided (at least on an interim basis) within 24 hours of the loss being identified.</p> <p>If the Applicant and the landowner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Director-General for resolution.</p> <p>If the Applicant is unable to provide an alternative long-term supply of water, then the Applicant shall provide alternative compensation to the satisfaction of the Director-General.</p>				This condition has not been triggered.																											
Water Management Plan																																
28.	The Applicant shall prepare and implement a Water Management Plan for the development to the satisfaction of the Director-General. This plan must be prepared in consultation with NOW and DRE, and be submitted to the Director-General for approval prior to carrying out any development on site. The plan must include:																															
28 (a)	<p>Site Water Balance, which must:</p> <ul style="list-style-type: none"> include details of: <ul style="list-style-type: none"> sources and security of water supply; water use on site; water management on site; any off-site transfers; and investigate and implement all reasonable and feasible measures to minimise water use by the development; 																															
28 (b)	<p>an Erosion and Sediment Control Plan, which must:</p> <ul style="list-style-type: none"> identify activities that could cause soil erosion, generate sediment or affect flooding; describe measures to minimise soil erosion and the potential for the transport of sediment to downstream waters, and manage any flood risk; describe the location, function, and capacity of erosion and sediment control structures; describe what measures would be implemented to maintain the structures over time; 																															

CONDITION NUMBER	CONDITION	DESCRIPTION OF PERFORMANCE	2014 COMPLIANCE REVIEW SUMMARY 13/03/2014*
28 (c)	a Surface Water Management Plan, which must include: <ul style="list-style-type: none"> • detailed baseline data on surface water flows and quality in creeks and other waterbodies that could potentially be affected by the development; • surface water and stream health impact assessment criteria including trigger levels for investigating any potentially adverse surface water impacts; • a program to monitor surface water flows and quality in the watercourses that could be affected by the project; and • reporting procedures for the results of the monitoring program; 	The Water Management Plan - Construction was prepared and submitted to the Director-General in February 2012, the Plan was approved in July 2012.	compliant
28 (d)	a Groundwater Management Plan, which must include: <ul style="list-style-type: none"> • detailed plans, including design objectives and performance criteria, for the design and management of the proposed final voids; • detailed baseline data of groundwater levels, yield and quality in the region, and privately-owned groundwater bores, that could be affected by the development; • groundwater impact assessment criteria including trigger levels for investigating any potentially adverse groundwater impacts; • a program to monitor and assess: <ul style="list-style-type: none"> o groundwater inflows to the mining operations; o impacts on regional and local (including alluvial) aquifers; o impacts on the groundwater supply of potentially affected landowners; o impacts on groundwater dependent ecosystems and riparian vegetation; 		
28 (e)	a Surface and Ground Water Response Plan, which must include: <ul style="list-style-type: none"> • a response protocol for any exceedances of the surface water and groundwater assessment criteria; • measures to offset the loss of any baseflow to watercourses caused by the development; • measures to prevent, minimise or offset groundwater leakage from alluvial aquifers caused by the development; • measures to compensate landowners of privately-owned land whose water supply is adversely affected by the development; and • measures to mitigate and/or offset any adverse impacts on groundwater dependent ecosystems or riparian vegetation. 		
BIODIVERSITY			
Offset Strategy			
29.	The Applicant shall prepare and implement an offset strategy for the development to the satisfaction of the Director-General. This strategy must:	This condition has not been triggered.	
29 (a)	be prepared in consultation with OEH;		
29 (b)	be submitted to the Director-General for approval prior to carrying out any development in the		
29 (c)	offset the biodiversity impacts of the development in the conveyor/service corridor; and		
29 (d)	focus on the re-establishment of: <ul style="list-style-type: none"> • significant and/or threatened flora communities and/or species; and • habitat for significant and/or threatened fauna species. 		
Note:	This offset strategy is not required if the Applicant does not carry out any development in the conveyor/service corridor. The offset strategy may be combined with any similar offset strategy required for the development under Commonwealth legislation, or the Aboriginal cultural heritage conservation area/s described in condition 33 below, subject to suitably offsetting the impacts of the conveyor/service corridor.		
Long Term Security of Offset			
30.	Within 2 years of the approval of the offset strategy, the Applicant shall demonstrate to the satisfaction of the Director-General that it has made suitable arrangements to provide appropriate long term security for the offset area/s in the offset strategy.	This condition has not been triggered.	
Conservation Bond			
31.	Within 6 months of the approval of the offset strategy, the Applicant shall lodge a conservation bond with the Department to ensure that the offset strategy is implemented in accordance with the performance and completion criteria of the Biodiversity Management Plan (see below).	This condition has not been triggered.	
31 (a)	The sum of the bond shall be determined by:		
31 (b)	calculating the full cost of implementing the offset strategy (other than land acquisition costs); and employing a suitably qualified quantity surveyor to verify the calculated costs.		
	If the offset strategy is completed generally in accordance with the completion criteria in the Biodiversity Management Plan to the satisfaction of the Director-General, the Director-General will release the bond. If the offset strategy is not completed generally in accordance with the completion criteria in the Biodiversity Management Plan, the Director-General will call in all or part of the conservation bond, and arrange for the satisfactory completion of the relevant works. With the agreement of the Director-General, this bond may be combined with rehabilitation security deposit administered by the Minister for Mineral Resources.		
Biodiversity Management Plan			
32.	The Applicant shall prepare and implement a Biodiversity Management Plan for the development to the satisfaction of the Director-General. This plan must:	The Biodiversity and Rehabilitation Management Plan was prepared and submitted to the Director-General in February 2012. The Strategy was approved in July 2012.	Compliant. Observation: P&I have requested all mining companies to review their respective BMPs. MTP will undertake this review and also add an agenda item to a CCC meeting to ask the members their views on the current land management of the MTP footprint.
32 (a)	be prepared in consultation with OEH and Council, and be submitted to the Director-General for approval prior to carrying out any development on site;		
32 (b)	include: <ul style="list-style-type: none"> • a description of the short, medium, and long term measures that would be implemented to: <ul style="list-style-type: none"> o manage the remnant vegetation and habitat on the site and in the offset area/s (if and when applicable); and o implement the offset strategy (if and when applicable), including detailed performance and completion criteria; • a detailed description of the measures that would be implemented over the next 3 years, including the procedures to be implemented for: <ul style="list-style-type: none"> o implementing revegetation and regeneration within the disturbance areas and offset areas, including establishment of canopy, sub-canopy (if relevant), understorey and ground strata; o maximising salvage and beneficial use of resources in areas that are to be impacted, including vegetative, soil and cultural heritage resources; o protecting vegetation and soil outside the disturbance areas; o rehabilitating creeks and drainage lines on the site, to minimise net loss of stream length and aquatic habitat; o managing salinity; o conserving and reusing topsoil; o undertaking pre-clearance surveys; o managing impacts on fauna; o landscaping the site and along public roads to minimise visual and lighting impacts; o collecting and propagating seed; o salvaging and reusing material from the site for habitat enhancement; o salvaging, transplanting and/or propagating threatened flora and native grassland; o controlling weeds and feral pests; o managing grazing and agriculture on site; o controlling access; and o bushfire management; • a program to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria; • a description of the potential risks to successful revegetation, and a description of the contingency measures that would be implemented to mitigate these risks; and • details of who would be responsible for monitoring, reviewing, and implementing the plan. 		
Note:	Under the National Parks and Wildlife Act 1974 or the Heritage Act 1977, the Applicant is required to obtain approvals for any impacts to Aboriginal objects and/or significant relics.		
Aboriginal Heritage Conservation Strategy			
33.	The Applicant shall prepare and implement an Aboriginal Heritage Conservation Strategy for the development to the satisfaction of the Director-General. This strategy must:	The Aboriginal Heritage Conservation Strategy is a schedule to the ACHMP described in condition 36	Compliant. Observation: Plan yet to be approved, undergoing review by Coal & Allied. P&I satisfied with the progress
33 (a)	be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Director-General;		
33 (b)	be prepared in consultation with OEH and the Aboriginal stakeholders;		
33 (c)	be submitted to the Director-General for approval prior to carrying out any development on site;		
33 (d)	provide for the establishment and conservation of an off-site Aboriginal cultural heritage conservation area/s that has comparable Aboriginal cultural heritage values (both cultural and archaeological) to the areas that would be developed on site;		
33 (e)	describe the measures that would be implemented to provide appropriate long term security for the proposed Aboriginal cultural heritage conservation areas; and		
33 (f)	include an action plan for the implementation of the strategy.		
Note:	The detailed measures for the implementation of the strategy are to be outlined in the Heritage Management Plan (see condition 36). The Aboriginal cultural heritage conservation area/s may be combined with any similar offset/conservation area required for the development under Commonwealth legislation, subject to suitably offsetting the cultural heritage impacts of the development.		

CONDITION NUMBER	CONDITION	DESCRIPTION OF PERFORMANCE	2014 COMPLIANCE REVIEW SUMMARY 13/03/2014*
34.	Within 2 years of the approval of the Aboriginal Heritage Conservation Strategy, the Applicant shall demonstrate to the satisfaction of the Director-General, that it has made suitable arrangements to provide appropriate long term security for the Aboriginal cultural heritage conservation areas in the Aboriginal Heritage Conservation Strategy.	This condition has not been triggered.	
Oral History			
35.	By the end of December 2013, the Proponent shall prepare a detailed history of the Mount Pleasant locality to the satisfaction of the Director-General. This history must:		
35 (a)	be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Director-General;	In 2013, Coal & Allied updated the detailed history, incorporating the 2004 oral history report as part of this study submitted to DoPI in December 2013.	compliant, plan approved. Requirements of the plan are ongoing. Observation: Plan will be circulated to interested parties in 2014
35 (b)	be prepared in consultation with the OEH, the local history society, local community (including former residents as far as is practicable), and Aboriginal stakeholders;		
35 (c)	be prepared in accordance with the relevant Heritage Council of NSW guidelines; and		
35 (d)	include detailed historical research as well as an oral history.		
Aboriginal Heritage Management Plan			
36.	The Applicant shall prepare and implement a Aboriginal Heritage Management Plan for the development to the satisfaction of the Director-General. This plan must:		
36 (a)	be prepared in consultation with OEH and the Aboriginal stakeholders by suitably qualified and experienced persons whose appointment has been endorsed by the Director-General;		
36 (b)	be submitted to the Director-General for approval prior to carrying out any development on site;		
36 (c)	include: <ul style="list-style-type: none"> a detailed plan for the implementation of the approved Aboriginal Heritage Conservation Strategy (required under condition 34); a description of the measures that would be implemented to: <ul style="list-style-type: none"> comply with the requirements of any Aboriginal Heritage Impact Permit issued for the development, including any approved archaeological testing and salvage program; store the Aboriginal objects salvaged, both during construction and in the long term; protect, monitor and/or manage all Aboriginal objects on site until the impacts of the development on these objects is unavoidable; minimise the blasting impacts of the development on Aboriginal objects in the vicinity of the site; manage the discovery of any human remains or previously unidentified Aboriginal objects on site; enable Aboriginal stakeholders to get reasonable access to the site during the development; ensure Aboriginal stakeholders are consulted about the conservation and management of Aboriginal cultural heritage on site; and <ul style="list-style-type: none"> ensure construction personnel receive suitable heritage inductions prior to carrying out any development on site, and that suitable records are kept of these inductions. 	The Aboriginal Cultural Heritage Management Plan (ACHMP) was developed in 2007, in consultation with the Cultural Heritage Working Group (CHWG), DECCW and DoP. The MTP ACHMP was revised and submitted for approval in February 2012. This plan is currently undergoing review.	compliant. Observation: Plan yet to be approved, undergoing review by Coal & Allied. P&I satisfied with the progress
TRANSPORT			
Relocation of Rail Loop or Conveyor/Service Corridor			
37.	Prior to carrying out any development on site, the Applicant shall enter into an agreement with the Minister for Mineral Resources, in consultation with the operators of the Bengalla Mine, so that if in the future the Bengalla mining operation is to extend further to the west, the Applicant shall undertake to relocate the Mount Pleasant rail loop or the conveyor/service corridor. Any relocation may require a further approval.	In progress	compliant in progress
Road Works			
38.	The Applicant shall, at its own expense:		
38 (a)	construct a bridge to carry the Bengalla Link Road over the proposed Mount Pleasant rail loop, in consultation with the operators of the Bengalla Mine		
38 (b)	construct the Mount Pleasant Northern Link Road to Dorset Road, prior to the closure of Castle rock Road;		
38 (c)	construct the Mount Pleasant Western Link Road (generally in accordance with Council's Western Roads Strategy) from the intersection of the Bengalla Link Road to the intersection of the Mount Pleasant Northern Link Road, prior to the closure of Wybong Road;	This condition has not been triggered.	compliant
38 (d)	construct the Mount Pleasant Mine Access Road;		
38 (e)	upgrade the Wybong Road from the Bengalla Link Road to the Mount Pleasant Mine Access Road; and		
38 (f)	construct an overpass or underpass across Wybong Road, or other means of crossing Wybong Road, should a construction road be proposed.		
39.	Should the following intersections be required, the Applicant shall undertake construction works at:		
39 (a)	the intersection of the Western Link Road and access to the mine site		
39 (b)	the intersection of the Bengalla Link Road and the Western Link Road;		
39 (c)	the intersection of the Castle rock/Mount Pleasant Northern Link Road and the Western Link Road; and		
39 (d)	the intersection of the Mount Pleasant Northern Link Road and Kayuga Road, to the satisfaction of Council and/or the RTA.	This condition has not been triggered.	compliant
40.	The Applicant shall:		
40 (a)	prepare a detailed schedule outlining the timing of the road construction works required by conditions 38 and 39 by the end of December 2011; and	Following discussions with council the applicant has provided a schedule of the road construction works on the 23/12/2011	compliant
40 (b)	update this schedule annually, to the satisfaction of Council.		
Road Maintenance			
41.	During the development, the Applicant shall maintain the roads and intersections between the Bengalla Mine main entrance and the Mt Pleasant Mine main entrance, including:		
41 (a)	part of the Bengalla Link Road;		
41 (b)	part of the Wybong Road; and		
41 (c)	part of the Mount Pleasant Western Link Road.	This condition has not been triggered.	
The Applicant shall develop a Maintenance Management Plan in respect of these roads, to the satisfaction of Council.			
Road Access and Signage			
42.	The Applicant shall ensure that as far as possible the preferred mine access road route, as described in the EIS, is the only route used by employees and contractors travelling to the mine site from Muswellbrook.	This condition has not been triggered.	
43.	The Applicant shall maintain signs and give at least 24 hours notice of temporary road closures. The location and wording of the signs are to be approved by Council. A protocol is to be established, in consultation with the emergency service providers and Council, to permit the passage of emergency vehicles during road closures.	This condition has not been triggered.	
Monitoring of Coal Transport			
44.	The Applicant shall:		
44 (a)	keep records of the: <ul style="list-style-type: none"> amount of coal transported from the site (on a monthly basis); and date and time of each train movement generated by the development; and 	This condition has not been triggered.	
44 (b)	make these records available on its website at the end of each calendar year.		
VISUAL			
Visual Amenity and Lighting			
45.	The Applicant shall:		
45 (a)	implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the development;		
45 (b)	ensure no outdoor lights shine above the horizontal; and		
45 (c)	ensure that all external lighting associated with the development complies with Australian Standard AS4282 (INT) 1997 - Control of Obtrusive Effects of Outdoor Lighting or its latest version, to the satisfaction of the Director-General.	This condition has not been triggered.	
Additional Visual Mitigation Measures			
46.	Upon receiving a written request from the owner of any residence on privately-owned land which has, or would have, significant direct view of the mining operations on site, the Applicant shall implement visual mitigation measures (such as landscaping treatments or vegetation screens) on the land in consultation with the landowner. These measures must be reasonable and feasible, and directed toward minimising the visibility of the mining operations from the residence.		
	If within 3 months of receiving this request from the owner, the Applicant and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Director-General for resolution.	This condition has not been triggered.	
Note:	Except in exceptional circumstances, the Director-General will not require additional visual impact mitigation to be undertaken for residences that are more than 3 kilometres from the mining operations.		
Landscape Management Plan			
47.	The Applicant shall prepare and implement a Landscape Management Plan to mitigate the visual impacts of the development to the satisfaction of the Director-General. This plan must:		
47 (a)	be prepared in consultation with Council, and submitted to the Director-General for approval prior to carrying out any development on site;		
47 (b)	provide for the establishment of trees and shrubs and/or the construction of mounding or bunding: <ul style="list-style-type: none"> along the access road to the mine site; around the water storage dams and coal preparation plant; at other areas identified as necessary for the maintenance of satisfactory visual amenity; and 	The Landscape Management Plan was prepared and submitted to the Director-General in February 2012. The Plan was approved in July 2012.	compliant
47 (c)	include details of the visual appearance of all buildings, structures, facilities or works (including paint colours and specifications), aimed at blending as far as possible with the surrounding landscape.		

CONDITION NUMBER	CONDITION	DESCRIPTION OF PERFORMANCE	2014 COMPLIANCE REVIEW SUMMARY 13/03/2014*												
BUSHFIRE MANAGEMENT															
48.	The Applicant shall:														
48 (a)	ensure that the development is suitably equipped to respond to any fires on site; and	Triggered, Castle rock fire 2013 - EY summary	compliant												
48 (b)	assist the Rural Fire Service and emergency services as much as possible if there is a fire in the vicinity of the site.														
WASTE															
Waste Minimisation & Disposal															
49.	The Applicant shall:														
49 (a)	minimise the waste (including coal reject) generated by the development;	This condition has not been triggered.													
49 (b)	ensure that the waste generated by the development is appropriately stored, handled and disposed of in a lawful manner.														
On-site Sewage															
50.	The Applicant shall ensure that all sewage generated on site is treated and disposed of to the satisfaction of Council.	This condition has not been triggered.													
Disposal of Fine Rejects															
51.	The Applicant shall not emplace fine rejects in the southern catchment without the written approval of the Director-General.	This condition has not been triggered.													
Waste Management Plan															
52.	The Applicant shall prepare and implement a Waste Management Plan for the development to the satisfaction of the Director-General. This plan must:	The Waste Management Plan - Construction was prepared and submitted to the Director-General in February 2012. The Plan was approved in July 2012.	compliant												
52 (a)	be prepared in consultation with NOW and DRE, and submitted to the Director-General for approval prior to carrying any development on site;														
52 (b)	describe the measures that would be implemented to avoid, minimise, reuse and recycle all waste streams generated by the development;														
52 (c)	include a fines emplacement plan; and														
52 (d)	a program to evaluate the fines emplacement plan and methods, with a view to emplacing fines within active mining areas.														
REHABILITATION															
Rehabilitation Objectives															
53.	The Applicant shall rehabilitate the site to the satisfaction of the Executive Director, Mineral Resources in DRE. This rehabilitation must be generally consistent with the proposed rehabilitation strategy depicted conceptually in the figure in Appendix 7, and comply with the objectives in Table 14.	This condition has not been triggered.													
<i>Table 14: Rehabilitation Objectives</i>															
	<table border="1"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>Mine Site (as a whole), including the final void</td> <td>Safe, stable & non-polluting</td> </tr> <tr> <td>Surface Infrastructure</td> <td>To be decommissioned and removed, unless the Director-General agrees otherwise.</td> </tr> <tr> <td>Land Forms</td> <td>To be set under condition 54 below</td> </tr> <tr> <td>Land use</td> <td>To be set under condition 54 below</td> </tr> <tr> <td>Community</td> <td>Minimise the adverse socio-economic effects associated with mine closure</td> </tr> </tbody> </table>			Feature	Objective	Mine Site (as a whole), including the final void	Safe, stable & non-polluting	Surface Infrastructure	To be decommissioned and removed, unless the Director-General agrees otherwise.	Land Forms	To be set under condition 54 below	Land use	To be set under condition 54 below	Community	Minimise the adverse socio-economic effects associated with mine closure
Feature	Objective														
Mine Site (as a whole), including the final void	Safe, stable & non-polluting														
Surface Infrastructure	To be decommissioned and removed, unless the Director-General agrees otherwise.														
Land Forms	To be set under condition 54 below														
Land use	To be set under condition 54 below														
Community	Minimise the adverse socio-economic effects associated with mine closure														
Rehabilitation Strategy															
54.	Prior to commencing any development on the site, the Applicant shall prepare a Rehabilitation Strategy for the development to the satisfaction of the Director-General. This strategy must:														
54 (a)	be prepared in consultation with relevant stakeholders, including DRE, NOW, Council and the CCC;														
54 (b)	investigate options for the future use of the site upon the completion of mining;														
54 (c)	describe and justify the proposed rehabilitation strategy for the site; and														
54 (d)	define the rehabilitation objectives for the area, as well as the proposed completion criteria for this rehabilitation.														
Progressive Rehabilitation															
55.	The Applicant shall carry out the rehabilitation of the site progressively, that is, as soon as reasonably practicable following disturbance.	This condition has not been triggered.													
Rehabilitation Management Plan															
56.	The Applicant shall prepare and implement a Rehabilitation Management Plan for the development to the satisfaction of the Executive Director, Mineral Resources in DRE. This plan must:	The Rehabilitation Management Plan was prepared and submitted to the Director-General in February 2012. The Strategy was approved in July 2012.	compliant												
56 (a)	be prepared in consultation with the Department, NOW, Council and the CCC;														
56 (b)	be submitted to the Executive Director Mineral Resources in DRE for approval, within 3 months of approval of the Rehabilitation Strategy;														
56 (c)	be prepared in accordance with any relevant DRE guideline;														
56 (d)	describe the measures that would be implemented to rehabilitate the site and implement the rehabilitation strategy (see condition 54); and														
56 (e)	build, to the maximum extent practicable, on the other management plans required under this consent.														
Schedule 4 - ADDITIONAL PROCEDURES															
NOTIFICATION OF LANDOWNERS															
1.	By the end of December 2011, the Applicant shall:	Letters were sent to all relevant owners by the 23/12/2011	see conditions 3.1, 3.2 and 3.13												
1 (a)	notify in writing the owners of: <ul style="list-style-type: none"> the land listed in Table 1 of schedule 3 that they have the right to require the Applicant to acquire their land at any stage of the development; any residence on the noise-affected land in Table 1 or Table 2 of schedule 3 that they are entitled to ask for additional noise mitigation measures to be installed at their residence at any stage of the development; any residences on the air quality-affected land listed in Table 1 that they are entitled to ask for additional air quality mitigation measures to be installed at their residence at any stage of the development; any privately-owned land within 2 kilometres of the approved open cut mining pit on the site that they are entitled to ask for an inspection to establish the baseline condition of any buildings and/or structures on their land, or to have a previous property inspection updated; and 														
1 (b)	send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the owners and/or existing tenants of any land (including mine-owned land) where the predictions in the EIS identify that dust emissions generated by the development are likely to be greater than the relevant air quality criteria in schedule 3 at any time during the life of the development.														
2.	As soon as practicable after obtaining monitoring results showing:	This condition has not been triggered.													
2 (a)	exceedance of the relevant criteria in schedule 3, the Applicant shall notify the affected landowner and tenants in writing of the exceedance, and provide regular monitoring results to each of these parties until the development is complying with the relevant criteria again; and/or														
2 (b)	an exceedance of the relevant criteria of schedule 3, the Applicant 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).														
INDEPENDENT REVIEW															
3.	If an owner of privately-owned land considers the development to be exceeding the criteria in schedule 3, then he/she may ask the Director-General in writing for an independent review of the impacts of the development on his/her land.	This condition has not been triggered.													
If the Director-General is satisfied that an independent review is warranted, then within 2 months of the Director-General's decision, the Applicant shall:															
3 (a)	commission a suitably qualified, experienced and independent expert, whose appointment has been approved by the Director-General, to: <ul style="list-style-type: none"> consult with the landowner to determine his/her concerns; conduct monitoring to determine whether the development is complying with the relevant criteria; and if the development is not complying with these criteria then: <ul style="list-style-type: none"> determine if the more than one mine is responsible for the exceedance, and if so the relative share of each mine towards the impact on the land; identify the measures that could be implemented to ensure compliance with the relevant criteria; and 														
3 (b)	give the Director-General and landowner a copy of the independent review.														
4.	If the independent review determines that the development is complying with the relevant criteria in schedule 3, then the Applicant may discontinue the independent review with the approval of the Director-General.	This condition has not been triggered.													
If the independent review determines that the development is not complying with the relevant criteria, and that the development is primarily responsible for this non-compliance, then the Applicant shall:															
4 (a)	implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent expert, and conduct further monitoring until the development complies with the relevant criteria; or														
4 (b)	secure a written agreement with the landowner to allow exceedances of the relevant criteria, to the satisfaction of the Director-General.														
If the independent review determines that the development is not complying with the relevant acquisition criteria, and that the development is primarily responsible for this non-compliance, then upon receiving a written request from the landowner, the Applicant shall acquire all or part of the landowners land in accordance with the procedures in condition 6-7 below.															
5.	If the independent review determines that the relevant criteria are being exceeded, but that more than one mine is responsible for this exceedance, then together with the relevant mine/s the Applicant shall:	This condition has not been triggered.													
5 (a)	implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent expert, and conduct further monitoring until there is compliance with the relevant criteria; or														
5 (b)	secure a written agreement with the landowner and other relevant mine/s to allow exceedances of the relevant impact assessment criteria.														

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	to the satisfaction of the Director-General.		
	If the independent review determines that the development is not complying with the relevant acquisition criteria in schedule 3, but that more than one mine is responsible for this non-compliance, then upon receiving a written request from the landowner, the Applicant shall acquire all or part of the landowner's land on as equitable a basis as possible with the relevant mine/s, in accordance with the procedures in conditions 6-7 below.		
LAND ACQUISITION			
6.	Within 3 months of receiving a written request from a landowner with acquisition rights, the Applicant shall make a binding written offer to the landowner based on:		
6 (a)	the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the development, having regard to the: <ul style="list-style-type: none"> existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date, but excluding any improvements that have resulted from the implementation of the additional mitigation measures required under condition 2 of schedule 3; 		
6 (b)	the reasonable costs associated with: <ul style="list-style-type: none"> relocating within the Muswellbrook, Singleton or Scone local government area, or to any other local government area determined by the Director-General; and obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired; and 		
6 (c)	reasonable compensation for any disturbance caused by the land acquisition process.		
	However, if at the end of this period, the Applicant and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Director-General for resolution.		
	Upon receiving such a request, the Director-General shall request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to: <ul style="list-style-type: none"> consider submissions from both parties; determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in paragraphs (a)-(c) above; prepare a detailed report setting out the reasons for any determination; and provide a copy of the report to both parties. 	These procedures have been followed for acquisition of some properties listed in Table 1.	
	Within 14 days of receiving the independent valuer's report, the Applicant shall make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination.		
	However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to the Director-General for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the Director-General will determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in paragraphs (a)-(c) above, the independent valuer's report, the detailed report of the party that disputes the independent valuer's determination and any other relevant submissions.		
	Within 14 days of this determination, the Applicant shall make a binding written offer to the landowner to purchase the land at a price not less than the Director-General's determination.		
	If the landowner refuses to accept the Applicant's binding written offer under this condition within 6 months of the offer being made, then the Applicant's obligations to acquire the land shall cease, unless the Director-General determines otherwise.		
7.	The Applicant shall pay all reasonable costs associated with the land acquisition process described in condition 6 above, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of this plan at the Office of the Registrar-General.	This condition has not been triggered.	
Schedule 5 - ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING			
ENVIRONMENTAL MANAGEMENT			
Environmental Management Strategy			
1.	The Applicant shall prepare and implement an Environmental Management Strategy for the development to the satisfaction of the Director-General. The strategy must:		
1 (a)	be submitted to the Director-General for approval prior to carrying out any development on site;		
1 (b)	provide the strategic framework for environmental management of the development;		
1 (c)	identify the statutory approvals that apply to the development;		
1 (d)	describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;		
1 (e)	describe the procedures that would be implemented to: <ul style="list-style-type: none"> keep the local community and relevant agencies informed about the operation and environmental performance of the development; receive, handle, respond to, and record complaints; resolve any disputes that may arise during the course of the development; respond to any non-compliance; respond to emergencies; and 	The Environmental Management Strategy was prepared and submitted to the Director-General in February 2012. The Strategy was approved in July 2012.	compliant
1 (f)	include: <ul style="list-style-type: none"> copies of any strategies, plans and programs approved under the conditions of this consent; and a clear plan depicting all the monitoring to be carried out in relation to the development. 		
Management Plan Requirements			
2.	The Applicant shall ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:		
2 (a)	detailed baseline data;		
2 (b)	a description of: <ul style="list-style-type: none"> the relevant statutory requirements (including any relevant consent, 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 development or any management measures; 		
2 (c)	a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;		
2 (d)	a program to monitor and report on the: <ul style="list-style-type: none"> impacts and environmental performance of the development; effectiveness of any management measures (see c above); 	All management plans in preparation include these conditions.	
2 (e)	a contingency plan to manage any unpredicted impacts and their consequences;		
2 (f)	a program to investigate and implement ways to improve the environmental performance of the development over time;		
2 (g)	a protocol for managing and reporting any: <ul style="list-style-type: none"> incidents; complaints; non-compliances with statutory requirements; and exceedances of the impact assessment criteria and/or performance criteria; and 		
2 (h)	a protocol for periodic review of the plan.		
Annual Review			
3.	By the end of December each year (or other such timing as agreed by the Director-General), the Applicant shall review the environmental performance of the development to the satisfaction of the Director-General. This review must:		
3 (a)	describe the development (including any rehabilitation) that was carried out in the past year, and the development that is proposed to be carried out over the next year;		
3 (b)	include a comprehensive review of the monitoring results and complaints records of the development over the past year, which includes a comparison of these results against the: <ul style="list-style-type: none"> relevant statutory requirements, limits or performance measures/criteria; monitoring results of previous years; and relevant predictions in the EIS; 	The MTP AEMR reports on the environmental performance of MTP as required by the Development Consent.	compliant
3 (c)	identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;		
3 (d)	identify any trends in the monitoring data over the life of the development;		
3 (e)	identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and		
3 (f)	describe what measures will be implemented over the next year to improve the environmental performance of the development.		
Revision of Strategies, Plans and Programs			
4.	Within 3 months of:		
4 (a)	the submission of an annual review under condition 3 above;		
4 (b)	the submission of an incident report under condition 7 below;		

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4 (c)	the submission of an audit under condition 9 below; and		
4 (d)	any modification to the conditions of this consent.		
	the Applicant shall review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Director-General.	This condition has not been triggered.	
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 development.		
Management of Cumulative Impacts			
5.	In conjunction with the owners of the nearby mines (including the Bengalla mine), the Applicant shall use its best endeavours to minimise the cumulative impacts of the development on the surrounding area to the satisfaction of the Director-General.		
Note:	Nothing in this consent is to be construed as requiring the Applicant to act in a manner which is contrary to the Trade Practices Act 1974.	This condition has not been triggered.	
Community Consultative Committee			
6.	The Applicant shall operate a Community Consultative Committee (CCC) for the development to the satisfaction of the Director-General. This CCC must be operated in general accordance with the Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects (Department of Planning, 2007, or its latest version).	A CCC for the Mount Pleasant Project was formed in 2004. In 2012, meetings were held in March, June and November. For the composition of the CCC, refer to section 4.4 of the 2012 AEMR.	compliant
Note:	The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent.	The minutes of CCC meetings document the matters discussed. The minutes are available on the Rio Tinto Coal Australia website: www.riotntocoalaustralia.com.au	
REPORTING			
Incident Reporting			
7.	As soon as practicable after the Applicant becomes aware of any incident associated with the development, the Applicant shall notify the Director-General and any other relevant agencies of the incident. Within 7 days of becoming aware of the incident, the Applicant shall provide the Director-General and any relevant agencies with a detailed report on the incident.	There were no incidents associated with the development in 2013	
Regular Reporting			
8.	The Applicant shall provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent, and to the satisfaction of the Director-General.	This condition has not been triggered.	
INDEPENDENT ENVIRONMENTAL AUDIT			
9.	By the end of March 2014, and every 3 years thereafter, unless the Director-General directs otherwise, the Applicant shall commission and pay the full cost of an independent Environmental Audit of the development. This audit must:		
9 (a)	be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General;		
9 (b)	include consultation with the relevant agencies;		
9 (c)	assess the environmental performance of the development and whether it is complying with the requirements in this consent and any relevant EPL or Mining Lease (including any assessment, plan or program required under these instruments);	This condition has not been triggered.	
9 (d)	review the adequacy of strategies, plans or programs required under the abovementioned approvals; and		
9 (e)	if necessary, recommend appropriate measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under the abovementioned approvals.		
Notes:	<ul style="list-style-type: none"> This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Director-General. The audits can be coordinated with similar auditing requirements for the Bengalla mine. 		
10.	Within 3 months of commissioning this audit, or as otherwise agreed by the Director-General, the Applicant shall submit a copy of the audit report to the Director-General, together with its response to any recommendations contained in the audit report.	This condition has not been triggered.	
ACCESS TO INFORMATION			
11.	The Applicant shall:		
11 (a)	make the following information publicly available on its website: <ul style="list-style-type: none"> the EIS; all current statutory approvals for the development; approved strategies, plans and programs required under the conditions of this consent; a comprehensive summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent; a complaints register, which is to be updated on a monthly basis; minutes of CCC meetings; the annual reviews (over the last 5 years); any independent environmental audit, and the Applicants response to the recommendations in any audit; any other matter required by the Director-General; and 	This information is available on the Rio Tinto Coal Australia Website: www.riotntocoalaustralia.com.au	compliant. Observation: environmental monitoring results need to be extracted/copied from the annual review and separately added to website in new section to be more user friendly.
11 (b)	keep this information up to date.		
	to the satisfaction of the Director-General.		
* Yellow highlighted conditions are the conditions the focus of the compliance review as the other conditions have not yet been triggered			