



# Environmental Management Strategy

March 2024

## DOCUMENT CONTROL

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## 1 INTRODUCTION

### 1.1 Background

Austar Coal Mine Pty Ltd (Austar), a subsidiary of Yancoal Australia Limited (Yancoal), owns the Austar Coal Mine, an underground coal mine in closure located approximately 10 kilometres southwest of Cessnock in the Lower Hunter Valley in NSW (refer to **Figure 1**). The Austar Coal Mine incorporates the former Pelton, Ellalong, Cessnock No. 1 (Kalingo) and Bellbird South Collieries and includes coal extraction, handling, processing and rail and road transport facilities (refer to **Figure 1**).

The Austar mining complex includes approximately 10,300 hectares (ha) of sub-surface mining leases and 923 ha of surface leases. It measures approximately 17 km across and 16 km long. As such, for the purposes of closure planning, Yancoal has divided the mining areas at Austar into discrete Closure Management Areas (CMAs), representing key areas of the mine site.

The adopted CMAs are shown in **Figure 1** and are as follows:

- CMA 1 - Austar Pit Top Facilities - including administration buildings, the main access drift which was sealed in October 2022, coal conveyor bin, store, workshop and laydown facilities);
- CMA 2 - Pelton CHPP - including CHPP, administration areas, Reverse Osmosis plant, overland conveyor and a number of heritage listed buildings in various states of repair;
- CMA 3 - No. 1 shaft (sealed, was the second egress man winder);
- CMA 4 - No. 2 shaft (administrative buildings, laydown areas and mine dewatering via a pipe line which pumps to Kalingo and Austar Dams to CHPP);
- CMA 5 - Kalingo Infrastructure Area (KIA) (partially sealed ventilation shafts and decommissioned underground services);
- CMA 6 - Kitchener Surface Infrastructure Site (SIS) (temporarily sealed ventilation shafts and fan infrastructure, fully sealed services borehole/drop hole), along with water management dams, pipelines and powerlines; and
- CMA 7 – Aberdare Extended Emplacement Area (EEA) – coarse reject emplacement area;
- CMA 8 - Bellbird Areas 12 and 13); and
- CMA 9 – Other lands

Mining was approved under two major project approvals: Bellbird South (DA 29/95) and Stage 3 (PA 08\_0111), along with numerous development approvals from Cessnock City Council. Bellbird South consent DA 29/95 expired on 14 February 2022<sup>1</sup> whilst the Stage 3 consent PA 08\_0111 expires on 31 December 2030.

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<sup>1</sup> Under Schedule 2 Condition 5, DA 29/95 continues to apply in all respects other than to permit the carrying out of mining operations, until the rehabilitation of the site is complete.

This revision of the Environmental Management Strategy (EMS) has been prepared to document environmental management and monitoring activities whilst the site is in the closure planning stage specifically the prefeasibility and feasibility studies, Early works and Executable planning phases as detailed in Figure 2.

The EMS may require review an update as closure studies progress, and specific closure activities and schedules are determined.

The EMS takes into consideration the commitments stated in the Environmental Assessments, Environmental Impact Statements, Statement of Environmental Effects, various development consent conditions and license conditions.

## **1.2 Closure Status and Activities**

On 30 March 2020, the Austar Coal Mine transitioned to care and maintenance, with cessation of mining and coal processing activities. On 26 February 2021, a decision was made by the Yancoal board to transition the Austar Coal Mine from care and maintenance to closure. In October 2022, the mine was permanently sealed and access is no longer possible. Ventilation and compressed air operations ceased and the mine is gradually flooding.

Austar is currently at closure planning stage of mine closure, undertaking technical studies and site investigations to address closure knowledge gaps and develop detailed decommissioning and rehabilitation execution plans that will deliver optimal rehabilitation outcomes at the site. A number of 'Early Works' (including progressive decommissioning of redundant infrastructure) may be undertaken while closure studies are completed.

Standard maintenance activities will continue as per the operational and care and maintenance phase of the mine. This includes but is not limited to:

- road and infrastructure maintenance;
- water management i.e. erosion and sediment control, pumping and dam desilting;
- standard site inspections and light vehicle movements;
- land management activities including weed management, rehabilitation repair, fencing, and site security;
- plant maintenance;
- deliveries and waste management;
- environmental monitoring; and
- general administrative and maintenance tasks.

Specific activities which may be undertaken on site during the closure planning and Early Works phase include:

- detailed site investigations including drilling and test pitting programs to inform technical studies such as contamination, geochemistry, geotechnics and capping and landform designs;
- removal and transport of saleable equipment from the site;

- decommissioning and removal of surface plant and equipment;
- demolition of non-heritage mine infrastructure;
- desilting and decommissioning of mine water dams, including erosion and sediment control;
- sealing and rehabilitation of historic exploration boreholes; and
- rehabilitation trials.

While specific closure execution requirements and activities have not yet been finalised, it is anticipated that major earthworks will be required. When specific activities are known, appropriate environmental management measures will be identified and implemented and management plans updated accordingly. Management plans will be submitted to DPPI for approval prior to the commencement of closure execution activities not currently considered.

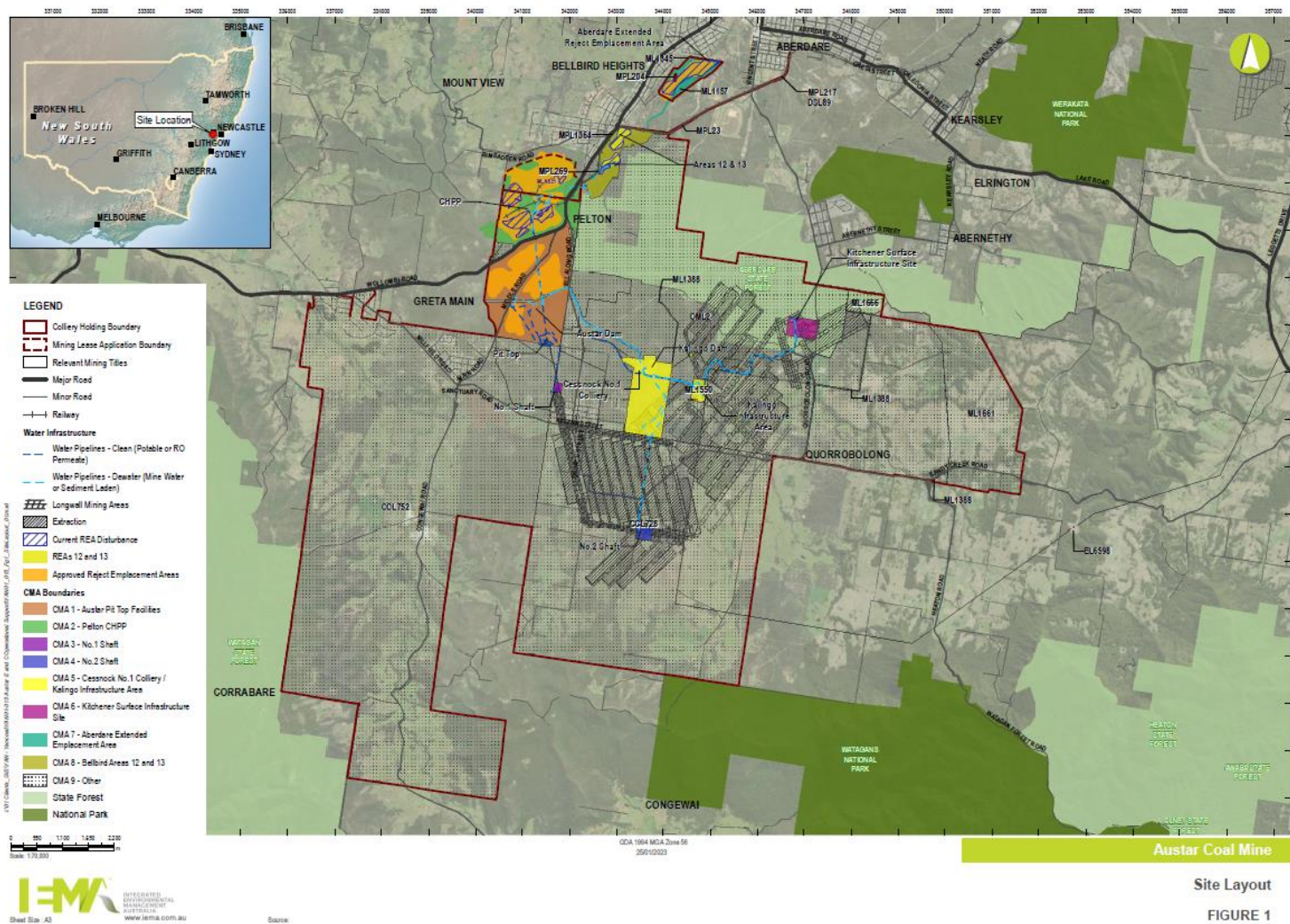


Figure 1 - Site Layout



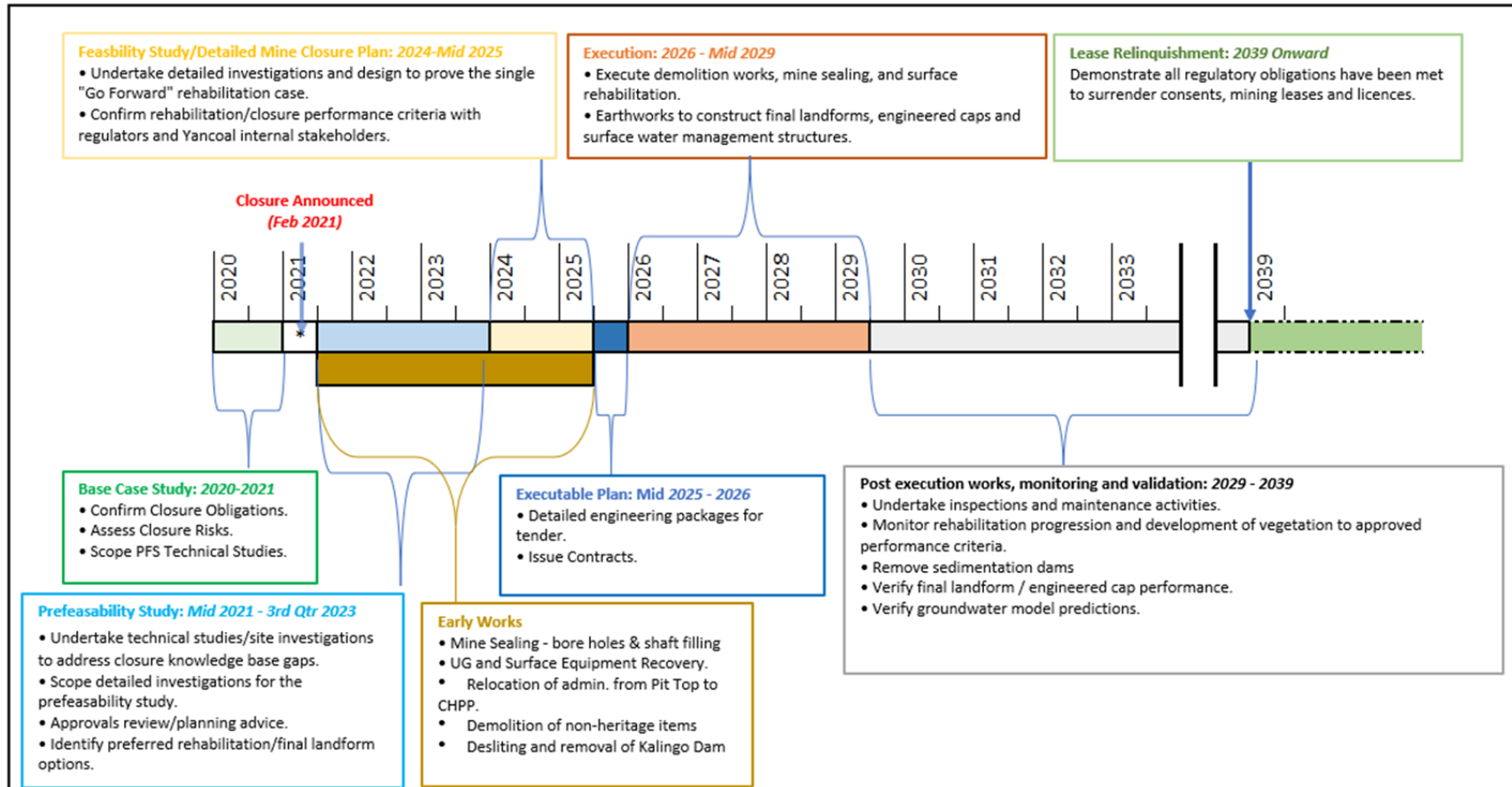


Figure 2 – Indicative Closure Timeline

### 1.3 Purpose and Scope

The purpose of the EMS is to:

- Satisfy the relevant conditions under NSW Development Consent DA 29/95 (as modified) and NSW Project Approval (08\_0111) (as modified);
- Provide an overall framework for environmental management;
- Identify key environmental aspects to be addressed in the strategy and supporting plans and procedures;
- Establish procedures for reviewing progress and implementing corrective actions; and
- Provide a framework for review and continual improvement.

The EMS establishes an environmental management framework for activities (summarised in **Section 1.2**). It includes the development and management of environmental management plans, compliance and reporting requirements.

The EMS has been prepared in accordance with the requirements of PA 08\_0111 and Development Consent DA 29/95 (refer to **Appendix A** for details of conditions).

## 2 STAKEHOLDER CONSULTATION

### 2.1 Pre 2023 Consultation

In accordance with Schedule 7 Condition 1 of PA 08\_0111 and Schedule 5 Condition 1 of DA 29/95, the original EMS, and subsequent revisions, have been prepared to the satisfaction of the Director General or Secretary at the time of preparation.

### 2.2 2023 Consultation

In accordance with the requirements of PA 08\_0111, a copy of this version of the EMS was submitted to the Department of Planning and Environment (DPE) for approval.

The approval letter will be appended in **Appendix B**.

### 3 STRATEGIC FRAMEWORK FOR ENVIRONMENTAL MANAGEMENT

This document outlines the EMS for Austar. It is an integral component of the overall environmental management system for the Austar Mine Complex.

The environmental performance of the development has been monitored and managed throughout the operation of the development in accordance with this EMS and the relevant environmental management plans as approved by the Secretary under the conditions of DA 29/95 and PA 08\_0111. This framework will continue to be implemented during closure planning and execution until such a time as rehabilitation is complete. The EMS and relevant management plans will be regularly reviewed during closure to ensure management and monitoring measures remain relevant to closure activities (**Section 1.2**).

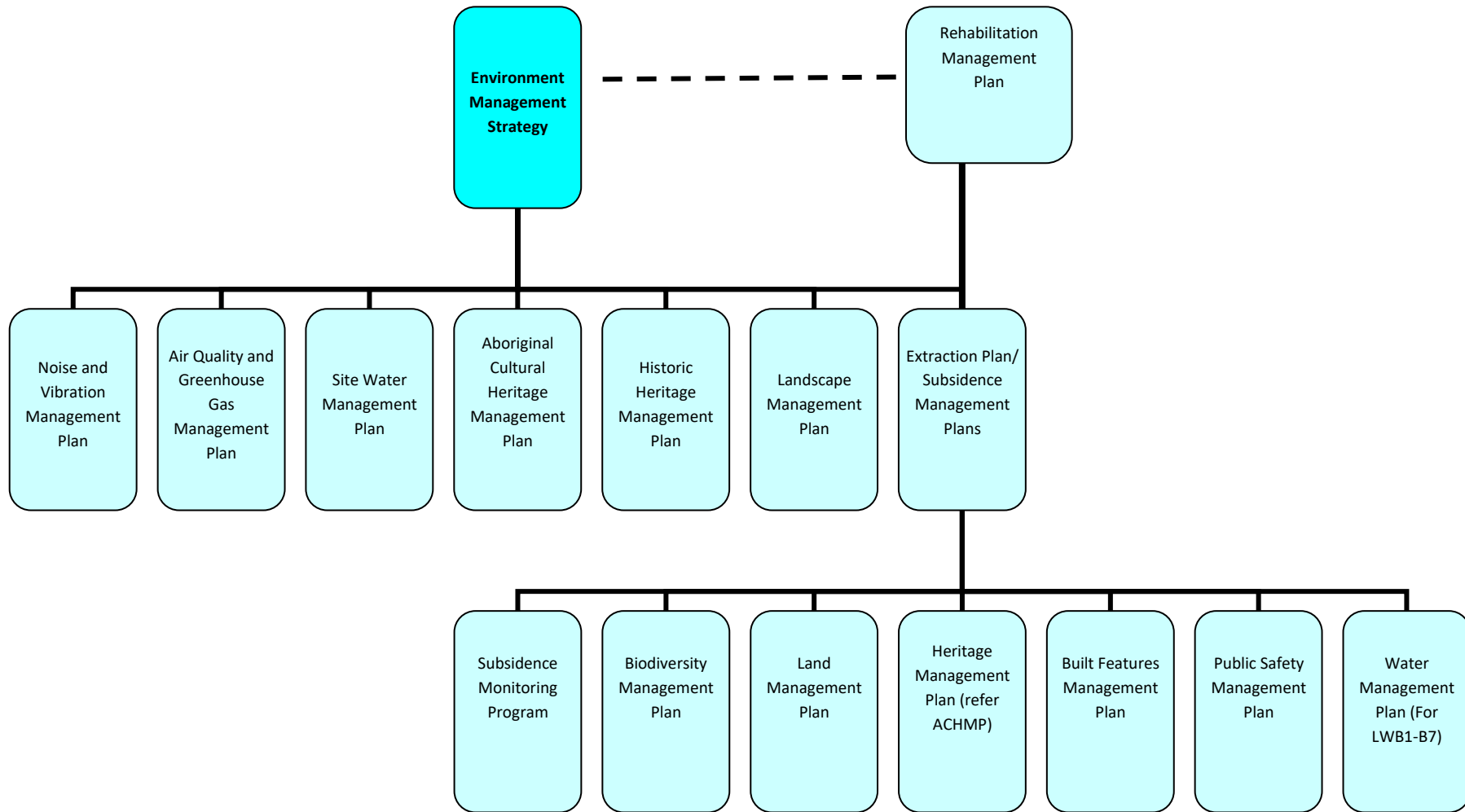
The subordinate plans and policies have been developed in consultation with relevant government agencies and departments and are updated as required. Where relevant, some plans may address the requirements of both DA 29/95 and PA 08\_0111, and the approval of the Secretary is sought under both DA 29/95 and PA 08\_0111 for those plans. The general relationship of the EMS with other plans is shown in **Plate 1**.

Copies of the various strategies, plans and programs required under the conditions of DA 29/95 and PA 08\_0111 (as listed below) are available on the Austar Coal Mine website.

**TABLE 1-RELEVANT AUSTAR MANAGEMENT PLANS**

Aspect	Relevant Plans	Details
Heritage	Austar Aboriginal Cultural Heritage Management Plan	Provides details on the location of known and potential cultural heritage sites and outlines management measures to prevent damage.
	Austar Historic Heritage Management Plan	Provides details on the location of known and potential historic heritage sites and outlines management measures to prevent damage.
Air Quality	Austar Air Quality and Greenhouse Gas Management Plan	Provides details on the location of sensitive receivers, air quality impacts from operations and mitigation strategies and measures.
Noise and Vibration	Austar Noise and Vibration Management Plan	Provides details on the location of sensitive receivers and noise mitigation strategies.
Water	Austar Site Water Management Plan	Provides details of the physical and management controls for surface runoff, erosion and sedimentation control, incident response and details of the compliance monitoring program.
Biodiversity and Rehabilitation	Austar Landscape Management Plan (Kitchener SIS)	Provides details on landscape management measures and mitigation strategies.
	Rehabilitation Management Plan <sup>1</sup>	

1 - Required under mining lease conditions.



**PLATE 1 - ENVIRONMENTAL MANAGEMENT FRAMEWORK**

During operations, Austar undertook underground mining in accordance with the following Extraction Plans prepared in accordance with DA 29/95 and PA 08\_0111:

- Austar Coal Mine Longwalls A7-A10 Extraction Plan;
- Austar Coal Mine Longwalls B1-B3 Extraction Plan; and
- Austar Coal Mine Longwalls B4-B7 Extraction Plan.

Underground mining at Austar ceased in 2020. A final subsidence survey was undertaken in February 2021. Results analysed by Mine Subsidence Engineering Consultants (MSEC) concluded that ground monitoring could be ceased as the ongoing subsidence effects are expected to be very small and similar to the order of natural ground movements and survey tolerance. Based on the findings of MSEC (2021), subsidence is considered complete and the monitoring under the Austar Extraction Plans has been discontinued.

During 2022, Austar undertook an audit of all actions required to close out the Extraction Plans (such as removal of subsidence pegs). While most of the actions have been finalised, there are some outstanding actions over the three extraction plans. Following the finalisation of actions, the Austar Extraction Plans will be retired in consultation with DPHI.

## 4 BASELINE DATA

Baseline data for each environmental aspect (i.e. noise, air, water) is provided in the relevant management plans as well as in the Environmental Assessment for PA 08\_0111 and Environmental Impact Statement for DA 29/95.

## 5 STATUTORY REQUIREMENTS

### 5.1 Key Legislation

The main NSW legislation relevant to closure and rehabilitation of the site is:

- *Mining Act 1992* (Mining Act);
- *Environmental Planning and Assessment Act 1979* (EP&A Act);
- *Protection of the Environment Operations Act 1997* (POEO Act);
- *Heritage Act 1977*;
- *National Parks and Wildlife Act 1974*;
- *Biodiversity Conservation Act 2016*;
- *Water Management Act 2000 and Water Act 1912*;
- *Dams Safety Act 2015*;
- *Radiation Control Act 1991*; and

- *Contaminated Land Management Act 1997.*

## 5.2 Consents, Leases and Licences

The operation at Austar is regulated through various leases, licences, permits and approvals as set out below.

### 5.2.1 Development Approval

The following development approvals apply to the Austar Coal Mine (**Table 2**).

**TABLE 2 - DEVELOPMENT APPROVALS AND CONSENTS**

Consent Description	Date	Expiry	Approval Authority	Summary of Approved Development
DA 29/95	14 Feb 1996	14 Feb 2022 <sup>2</sup>	Minister for Urban Affairs and Planning	<p>Ellalong Colliery Extension into Bellbird South. Extension of underground mining activities into Bellbird South area (CML 2). Mine life of 21 years with a production of 3 million tonnes per annum (Mtpa). Reject emplacement.</p> <p>Construction and operation of a new infrastructure site including new ventilation shaft and fan(s) (No. 2 Shaft) adjacent to Sandy Creek Road.</p> <p>Use of Pelton CHPP for washing and handling of coal.</p> <p>Provision of a maximum raw coal stockpile of 100,000 t.</p> <p>Reopening of disused Cessnock No. 1 Colliery shafts for ventilation and access, or the sinking of new shafts, as required.</p> <p>Construction of various water management devices including sedimentation and clean water dams and drainage systems.</p>
DA 29/95	27 Sep 2006 (MOD 1)	14 Feb 2022	Minister for Planning	<p>Use of longwall top coal caving (LTCC) mining methods in two longwall panels.</p> <p>Installation of a larger capacity fan at the site approved for DA 8/1999/1658.</p> <p>Installation of a new downcast ventilation shaft.</p> <p>Installation of a new 10 MVA substation.</p> <p>Installation of a nitrogen inertisation plant with a 2,000 m<sup>3</sup> capacity.</p>
	8 Jun 2008 (MOD 2)			Increase in the maximum allowable extraction height from 4.5 m to 6.5 m
	28 May 2009 (MOD 3)			To allow longer and wider panels A4 and A5.

<sup>2</sup> DA 29/95 lapsed on 14 February 2022. This consent continues to apply in all respects other than to permit the carrying out of mining operations, until the rehabilitation of the site and those requirements and undertakings have been carried out to the required standard.

Consent Description	Date	Expiry	Approval Authority	Summary of Approved Development
	7 Dec 2010 (MOD 4)			Extract one additional Longwall Panel A5a (LW A5a)
	27 Apr 2012 (MOD 5)			Extension of Longwall Panel A5a
	29 Jan 2016 (MOD 6)			Extension to Bellbird South development consent area to include Longwall panels LWB1 to LWB3 Extension of consent to 14 February 2022
	25 Aug 2017 (MOD 7)			Extension to Bellbird South development consent area to include Longwall panels LWB4 to LWB37
Project Approval 08_0111	6 Sep 2009	31 Dec 2030	Minister for Planning	<p>Stage 3 Expansion Project - extension to longwall mining area to east of existing operations. Key features:</p> <p>Longwall production from the Greta coal seam from panels A6 to A17 using LTCC.</p> <p>Construction of a new surface infrastructure site south west of Kitchener including ventilation shafts and fans, winders, bath house facilities, a workshop, electricity substation, store and offices. Construction of a new road and intersection at Quorrobolong Road.</p> <p>Coal will continue to be brought to the surface at Austar's existing surface facilities at Paxton. These facilities will continue to be used to take large mining equipment into and out of the mine.</p> <p>Continued use of Austar's existing water management, coal transport systems, coal preparation plant and rejects emplacement areas.</p>
Project Approval 08_0111 (Modifications)	4 May 2010 (MOD 1)	31 Dec 2030	Delegate for Minister for Planning	Minor change to subsidence impact performance measures to built features in Table 1 of Project Approval. The key performance indicator which was amended in the Project Approval requires the project does not cause built features to go beyond safe, serviceable and repairable criteria, unless the landowner agrees in writing.
	13 Mar 2012 (MOD 2)			Reorientation of the Stage 3 longwalls. Removal of longwall A6, and extraction of coal in longwalls A7 to A19, which are a reorientation of previously approved longwalls A7 to A17 to more closely align with the direction of principal stress. In addition, the chain pillar widths are increased from 45m to 55m to reduce roadway failure risks which in turn further minimises subsidence. The modification will enable more efficient and safer extraction of coal from the Stage 3 area.

Consent Description	Date	Expiry	Approval Authority	Summary of Approved Development
	17 Dec 2013 (MOD3)			Extension of Stage 3 longwalls A7 to A10.
DA 74/75/79	4 Dec 1975	Nil expiry	Cessnock City Council (CCC)	Development Consent for a coal mine at Ellalong including: Approval for underground coal mining. Construction of a new access drift, upcast shaft and ventilation shaft. Expansion of the Pelton CHPP. Conveyance of coal from the Ellalong pit top to the Pelton CHPP Operation for the washing and handling of coal. Water management systems. Upgrade of the Pelton rail loading facility and railway spur. reject emplacement underground, open cut areas adjoining Pelton and other abandoned mine sites.
DA 118/680/93	8 Oct 1980	Nil expiry	CCC	Downcast Ventilation Shaft and Man Access Shaft, Bathhouse and Offices at Ellalong Colliery.
DA 118/691/181	26 Nov 1992	Nil expiry	CCC	Pelton Open Cut Coal Mine. Approval of an open cut coal mine adjoining Pelton Colliery up to 300,000 tonnes of coal and underground mining of approximately 27,000 tonnes of coal from a section of prior workings south of the proposed open cut.
DA 118/691/181	11 Jan 1993	Nil expiry	CCC	Pelton Open Cut Coal Mine – Modification. Extension of open cut mining area. Infrastructure and water management modifications.
DA 118/691/229	7 Jan 1993	Nil expiry	CCC	Pelton Coal Handling Preparation Plant – Raw Coal Handling Facility, Washed Coal Facility and Upgrading of the Water Management System. Upgrade and replacement of coal handling infrastructure such as surge bin, automatic stacking system, reclaim facilities and skyline conveyor. Increase in stockpile capacity. Upgrade to water management system. Extension of the reclaim tunnel. Construction of a mine water transfer pipeline from Ellalong Colliery to Pelton. Provision of underground workings for emergency mine water disposal. Upgrade of lime treatment plant.
DA 118/693/42	26 Nov 1993	Nil expiry	CCC	Extension of Pelton Open Cut Mine. Extension of open cut mining area including emplacement of overburden in previously



Consent Description	Date	Expiry	Approval Authority	Summary of Approved Development
				mined blocks and extension of the mine's water management system.
DA 118/694/120	27 Jun 1994	Nil expiry	CCC	Approves the extraction of longwall panels LW13 and LW14 as a minor extension to the Ellalong Colliery within CML2.
DA 118/694/152	7 Jul 1994	Nil expiry	CCC	Relocatable Office and Temporary Bathhouse at Pelton Colliery.
DA 118/695/22	12 Jul 1995	Nil expiry	CCC	Establishment of an overburden stockpile for the Pelton Open Cut Operations.
DA 118/695/81	12 Jul 1995	Nil expiry	CCC	Additions for Bathhouse, office and car park at Ellalong Colliery. Extension to the bathhouse at the Ellalong drift site. Extension of existing offices or construction of portable offices. Construction of a 4000 square metre car park.
DA 8/1999/1658	18 Feb 2000	Nil expiry	CCC	Relocation of Ventilation Facilities at Bellbird South Underground Mine. Installation of a ventilation shaft and fan house. Upgrading of the existing access track to the site from the Pelton - Ellalong Road.
DA 8/2002/655/1	16 Oct 2002	Nil expiry	CCC	Compressor and Pump Enclosure Buildings at Ellalong Colliery.
DA 118/695/18	21 Feb 1995	Nil expiry	CCC	Relocatable Office at Pelton Colliery.
DA 8/2012/503/1	19 Dec 2012	Nil expiry	CCC	Extension of car parking area associated with Austar Coal Mine

## 5.2.2 Mining Authorities

Details of the relevant mining authorities are summarised in **Table 3**.

**TABLE 3 - MINING TENEMENTS**

Mining Title (Act)	Date Granted	Expiry Date	Area (ha)	Surface	Depth Restriction
EL 6598 (1992)	13/07/2006	13/7/2024	3582.72	Yes	Various
Dam Site Lease 89 (1901)	04/04/1908	04/04/2030	3.961	Yes	Surface to 15.24 metres
Mineral Lease No. 1157 (1906)	8/07/1949	08/07/2028	10.24	Yes	Surface to 15.24 metres
Mineral Lease No. 1283 (1906)	13/07/1961	13/07/2042	1.973	No (sub-surface)	7.62 to 15.24 metres
Mining Purposes Lease No. 23 (1906)	17/05/1909	17/05/2030	2.421	Yes	Surface to 15.24 metres

<b>Mining Title (Act)</b>	<b>Date Granted</b>	<b>Expiry Date</b>	<b>Area (ha)</b>	<b>Surface</b>	<b>Depth Restriction</b>
Mining Purposes Lease No. 204 (1906)	03/02/1916	03/02/2039	1.2	Yes	Surface to 15.24 metres
Mining Purposes Lease No. 217 (1906)	12/04/1916	03/02/2039	0.6298	Yes	Surface to 15.24 metres
Mining Purposes Lease No. 233 (1906)	01/08/1916	01/08/2036	1.973	Yes	Surface to 7.62 metres
Mining Purposes Lease No. 269 (1906)	07/12/1917	07/12/2039	2.792	Yes	Surface to 6.1 metres below the level of the rails when laid
Mining Purposes Lease No. 1364 (1906)	28/10/1968	28/10/2029	0.4527	Yes	Surface to 15.24 metres
Consolidated Coal Lease No. 728 (1973)	10/10/1989	30/12/2044	3296	Various	Various
Consolidated Coal Lease No. 752 (1973)	23/05/1990	30/12/2044	3802	No (Sub-surface)	Various
Consolidated Mining Lease No. 2 (1992)	24/03/1993	06/07/2025	ML -3406 ha AMA - 2.528 ha	Various	Various
Mining Lease No. 1345 (1992) Including Ancillary Mining Activity (AMA) 1014	23/03/1995	30/12/2044	ML - 41.9 ha AMA - 0.5659 ha	Yes	Surface to 900 metres depth
Mining Lease No. 1388 (1992)	02/04/1996	02/04/2038	15.12	No (sub-surface)	30.48 to unlimited depth
Mining Lease No. 1550 (1992)	24/06/2004	23/06/2025	14.11	Yes	Surface to 20 metres
Mining Lease No. 1661 (1992)	22/11/2011	22/11/2032	469.32	No (sub-surface)	20 to 900 metres
Mining Lease No. 1666 (1992)	25/01/2012	25/01/2033	34.13	No (sub-surface)	30.48 to 900 metres
Mining Lease No. 1677 (1992)	23/08/2012	22/08/2032	9.16	Yes	Surface to 30.48 metres
Mining Lease No. 1851 (1992)	16/05/2023	16/05/2044	115.1	Yes	Surface to 50m

### 5.2.3 Environment Protection Licence

Austar operates in accordance with Environment Protection Licence 416 (EPL 416), initially issued on 5 April 2000 by the NSW Environment Protection Authority (EPA), under the authority of the *Protection of the Environment Operations Act 1997*.

The current version of the EPL is available on the Austar Coal Mine website.

#### 5.2.4 Water Licences

Austar currently holds water licences for a number of monitoring and dewatering bores across the operation. Austar’s current water licences issued under Part 5 of the *Water Act 1912* are provided in **Table 4**. Note all Part 5 Water Act licences are being transitioned to *Water Management Act 2000* licences and approvals.

**TABLE 4 - WATER LICENCES**

Licence Held	Licence Number	Validity of Licence	Purpose of Licence	Water Source and Extraction Limit
Bore Licence Certificate	20BL171361	17 May 2007 - Perpetuity	Monitoring Bore (AQD1077)	N/A
Bore Licence Certificate	20BL172524	20 Jul 2010 - Perpetuity	Monitoring Bore (NER1010)	N/A
Bore Licence Certificate	20BL172852	7 Jun 2011 - Perpetuity	Monitoring Bore (WBH1, WBH2, WBH3)	N/A
Bore Licence Certificate	20BL173843	1 Oct 2014 - Perpetuity	Monitoring Bore (BB1, BB2, BB3)	N/A
Bore Licence Certificate	20BL173878	8 Dec 2014 - Perpetuity	Monitoring Bore (MB01)	N/A
Bore Licence Certificate	20BL173891	19 Mar 2015 - Perpetuity	Monitoring Bore (MB02)	N/A
Water Access Licence	20AL210298 / WAL19181	Continuing	Unregulated River Water Licence	Hunter Unregulated and Alluvial Water Sources - Upper Wollombi Water Source - Congewai Creek Management Zone. 10 shares
Water Access Licence	20AL217003 / WAL41504	Continuing	Aquifer -Industrial dewatering 16CT pump station No 2 Shaft No 2 Shaft Borehole	Sydney Basin – North Coast Groundwater Source. North Coast Fractured and Porous Rock Groundwater Sources 2016. Extraction limit of 770ML in any 12 month period commencing 1 July

Relevant conditions from PA 08\_0111 and DA 29/95, EPL 416 and PA 08\_0111 Statement of Commitments and where these are addressed in this Plan are provided in **Appendix A**.

## 6 ASSESSMENT CRITERIA

Impact assessment criteria for each environmental aspect (i.e. noise, air, water) is provided in the relevant management plans.

## 7 MANAGEMENT MEASURES

Management measures to be implemented to comply with relevant statutory requirements, limits, or performance measures/criteria for each environmental aspect (i.e. noise, air, water) are provided in the relevant management plans which are listed and detailed in **Table 1**.

### 7.1 Cumulative Impacts

The CHPP, Pit Top facilities and remote infrastructure sites are relatively remote from other industrial activities. The potential for cumulative impacts regarding noise, air quality, visual amenity and traffic movements from other industries is therefore minor.

Land use surrounding the Pit Top, CHPP, and remote infrastructure sites include bushland, grazing, vineyards, residential, rural residential and small scale tourist accommodation. None of these land uses are considered to contribute significantly to cumulative impacts. There is an approved small quarry located immediately to the south of the washery. This operation could contribute to the noise and air quality environment.

In terms of underground operations, Austar Coal Mine is an extension of the former Ellalong mine and is surrounded by a number of historic inactive underground mine workings. Groundwater from these old workings flows into Austar Coal Mine and is handled by the water management system servicing the mine. As a result, potential cumulative groundwater impacts are managed as part of the Austar water management system. As the surrounding old underground mines are no longer operational, there are no other potential cumulative impacts from other underground mining operations in the area.

## 8 CONSOLIDATED MONITORING PROGRAM

The environmental performance of the development will be monitored in accordance with the monitoring programs contained within the relevant management plans listed in **Table 1**.

**Figure 2** provides a consolidated plan of all environmental monitoring specified in these plans as carried out at the site under the requirements of the development consents and EPL.

Specific information regarding the programs to monitor and report on the impacts and environmental performance of the site and the effectiveness of management measures for each environmental aspect (i.e. noise, air, water) are provided in the specific management plans listed and detailed in **Table 1**.

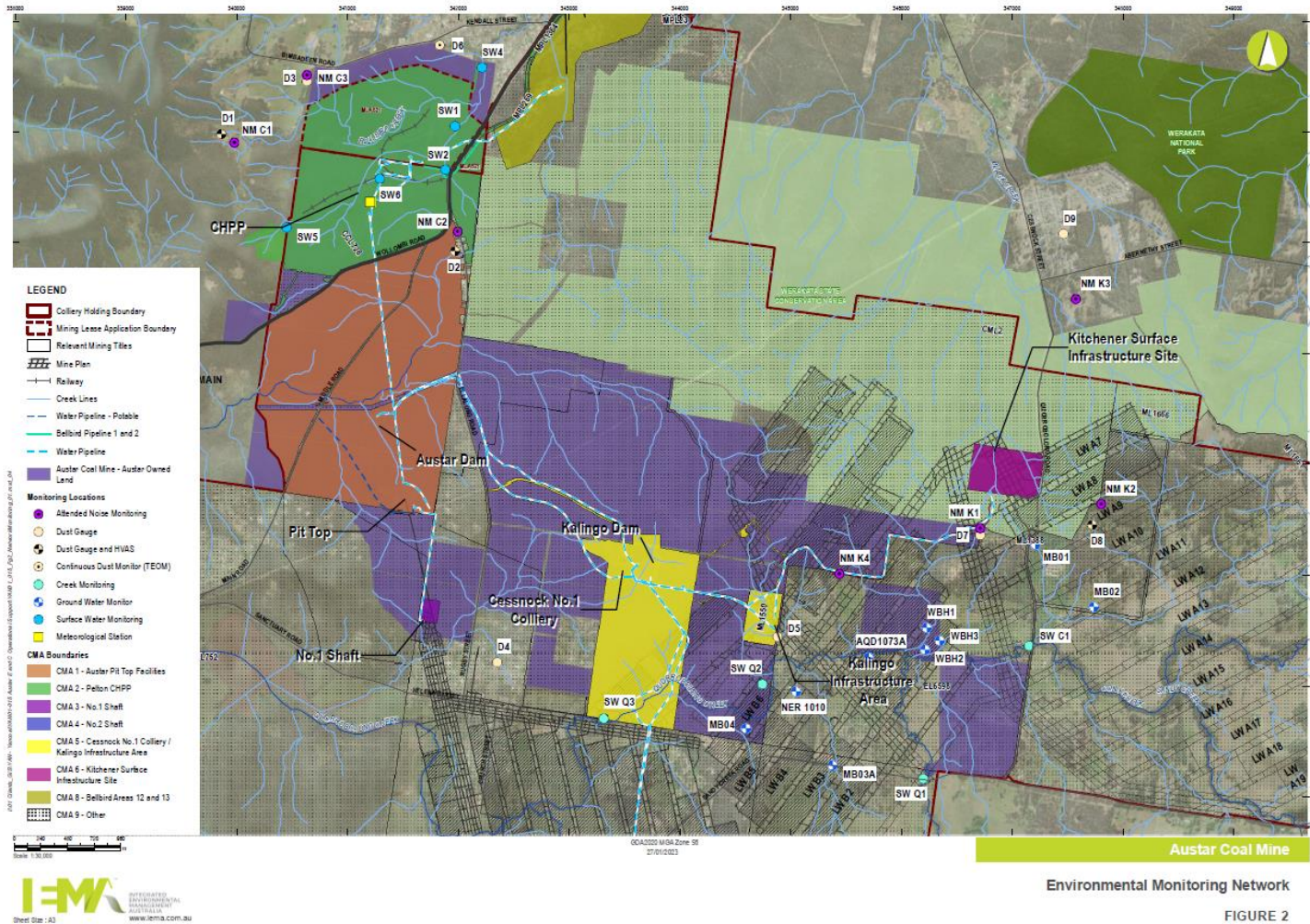


FIGURE 2 - ENVIRONMENTAL MONITORING NETWORK

## 9 CONTINGENCY PLAN FOR UNPREDICTED IMPACTS

In accordance with PA 08\_0111 Schedule 7 Condition 2, contingency plans for unpredicted impacts for each environmental aspect (i.e. noise, air, water) are provided in the relevant management plans (refer **Table 1**). Each contingency plan is unique as they are based on the environmental aspect causing the impact. Should impacts eventuate that have not been predicted or contemplated, Austar will utilise the appropriate contingency plan in the relevant management plan. A general outline for the contingency plans can be summarised as follows:

- Assess whether impacts constitute a material risk of harm to the environment and trigger the PIRMP and reporting requirements of the EMS if necessary.
- Investigate the cause of the unpredicted impact. This may include onsite process owners or external specialists required.
- Consult with government agencies regarding the unpredicted impacts if the impact is material and require additional management strategies.
- Review activities and management measures to prevent future occurrence.
- Revise the relevant management plan to consider the impact.

## 10 CONTINUAL IMPROVEMENT

Continual improvement opportunities for each environmental aspect (i.e. noise, air, water) are provided in the relevant management plans.

Austar will review the environmental performance of the development on an annual basis as part of the Annual Review (refer **Section 12.8**), any identified opportunities to improve the environmental performance of the development will be reported in the Annual Review.

## 11 IMPLEMENTATION AND OPERATION

### 11.1 Roles and Responsibilities

#### 11.1.1 Statutory Mining Engineering Manager

The Austar Coal Mine Statutory Mining Engineering Manager is responsible for the overall environmental performance of the Austar Coal Mine. The Statutory Mining Engineering Manager will ensure that adequate resources are available to implement the EMS at Austar Coal Mine.

#### 11.1.2 Environment & Community Manager

The Austar Coal Mine Environment & Community Manager is responsible for overseeing the environmental performance of the operation and compliance with the conditions of consent. This includes managing (including under delegation) aspects of the EMS including environmental monitoring, complaints handling, environmental training, environmental incident management and reporting, and regulatory reporting. The Environment & Community Manager reports directly to the Statutory Mining Engineering Manager.

### 11.1.3 Staff and Employees

All employees have a responsibility to manage operations in an environmentally responsible manner and report any incidents or take action to minimise the impacts from site operations. All employees are provided with environmental awareness training through a site induction process.

### 11.1.4 Contractors

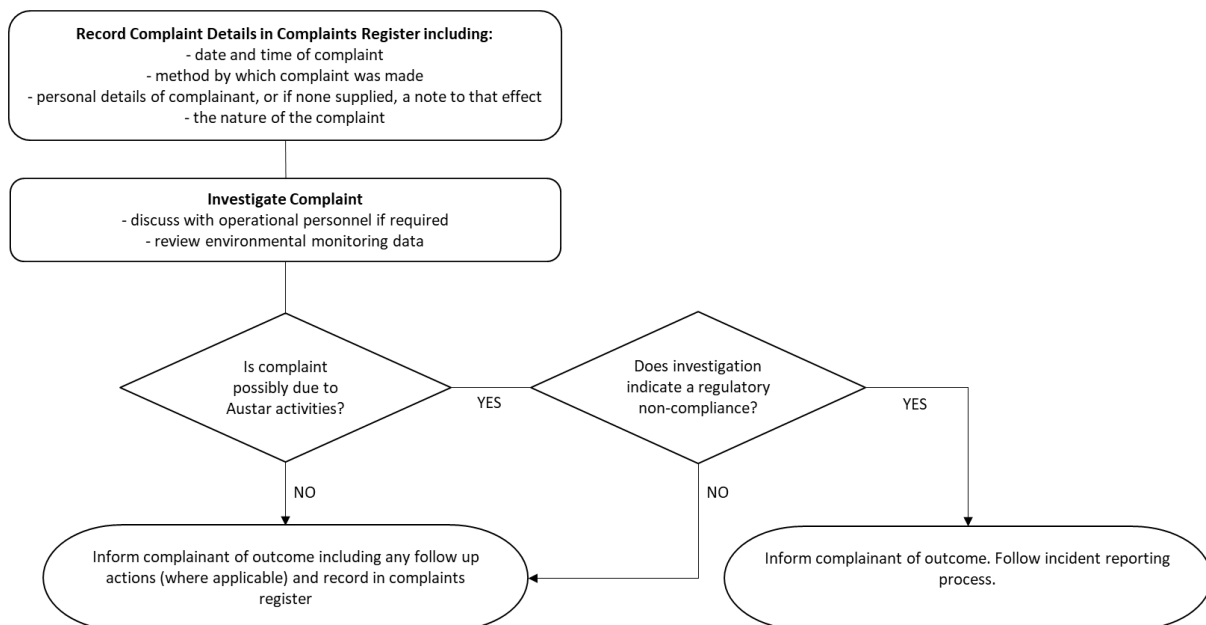
All contractors have a responsibility to manage operations in an environmentally responsible manner and report any incidents or take action to minimise the impacts from site operations. All contractors are provided with environmental awareness training through a site induction process.

## 12 COMPLAINTS, INCIDENTS AND REPORTING

### 12.1 Community Complaints and Independent Review

Austar records all complaints made by the community in a complaints register. The Environment & Community Manager (or delegate) is responsible for handling, recording and investigating complaints, and initiating remedial actions as required. The flowchart below details the procedure for complaints handling.

The complaints line phone number is provided on the Austar Coal Mine website.



Complaint records are kept for at least four years after the complaint was made and will be available to any authorised officer of the EPA who may require details.

A complaints register will be published on the Austar Coal Mine website, which will be updated monthly, and a summary of complaints will be provided in the Annual Review.

## 12.2 Dispute Resolution

In the event of a disagreement between operations and a member of the community in relation to an alleged exceedance of the criteria in the Development Consents, the Environment and Community Manager or delegate will undertake an investigation into the nature of the dispute and provide feedback to the stakeholder(s). Should a resolution of the disagreement not be reached through this primary process, and the landholder considers the development to be exceeding the criteria in the Development Consents at his/her land, then the landholder may utilise the Independent Review procedure specified in the Development Consent (PA08\_0111 Schedule 5 conditions 3 and 4).

## 12.3 Incident Reporting

Schedule 7 Condition 6 of PA 08\_0111 and Schedule 5 Condition 4 of DA 29/95 specify the requirements for incident reporting. An incident is defined as a set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in the approval.

There is an inconsistency between the wording of the conditions, however, the following protocol addresses the requirements of both conditions.

Austar will notify the Department and any other relevant agencies, of any incident associated with the mine complex as soon as practicable after Austar becomes aware of the incident.

Within 7 days of the date of the incident, Austar will provide a detailed report on the incident to the Department and any other relevant agencies. The report will include the following details:

- The date, time and nature of the exceedance/incident;
- Identify the cause (or likely cause) of the exceedance/incident;
- Describe what action has been taken to date; and
- Describe the proposed measures to address the exceedance/incident.

Further investigation may be required beyond the 7 days depending on the nature of the incident.

The EPL and Austar Pollution Incident Response Management Plan (PIRMP) should be referred to for notification requirements relating to incidents causing or threatening material harm to the environment.

## 12.4 Non-Compliance Reporting

A review of Austar's compliance with all conditions of the consents, mining leases and all other approvals and licences will be undertaken prior to (and included within) each Annual Review. The Annual Review will be made publicly available on the Austar website. If a non-compliance breaches or exceeds the limits or performance measures/criteria within the approvals then it is managed in accordance with the incident reporting protocol outlined in **Section 12.3**.



#### **12.4.1 Data Loss in Environmental Monitoring**

Despite our best efforts to ensure the integrity and reliability of our monitoring systems, unforeseen technical issues, equipment malfunctions, or external factors may occasionally result in temporary data loss or gaps in the monitoring records. Austar classifies a data capture rate of >95% as compliant. A data capture rate less than this will be reported as a non-compliance in the annual review.

#### **12.5 Responding to Emergencies**

Any emergency situations that arise at the site will be managed in accordance with Austar's internal emergency management system as well as, where necessary, the PIRMP.

The Emergency Management Plan outlines evacuation procedures and procedures to minimise the risk of harm to any persons in the vicinity of any incident deemed an emergency.

All Austar employees and contractors receive emergency training during their site inductions. Austar also has employees trained in emergency response.

The Emergency Management Plan is accessible to all employees through Intalex, and can also be located in the Control Room.

#### **12.6 Landowner Notification**

The landowner notification and provision of information requirements outlined in Schedule 5 Conditions 1 and 2 of PA 08\_0111 must be enacted when triggered by exceedances of relevant impact assessment criteria.

#### **12.7 Information Dissemination**

Austar is aware of its community obligations and the need to engage with various stakeholders. Austar endeavours to keep the local community informed of its operations, plans and environmental performance.

This will be achieved by one or more of the following activities:

- Distribution of newsletters and updates;
- 24 hour telephone complaints line (1800 701 986);
- Informal discussions with local residents as required;
- Provision of relevant plans, reports and monitoring results on the Austar Coal Mine website; and
- Effective operation of a Community Consultative Committee, with minutes and regular reporting on the environmental performance available on the Austar Coal website.

A Stakeholder Engagement Strategy has been developed and will be utilised during mine closure planning and execution to allow for timely and effective engagement with relevant stakeholders.

Austar will keep relevant agencies informed of its activities through scheduled (6 monthly and quarterly) progress update meetings and through the submission and publication of environmental management plans and reports.

## 12.8 Annual Review

In accordance with Schedule 7 Condition 3 of PA 08\_0111 and Schedule 5 Condition 5 of DA 29/95, Austar will prepare an Annual Review for submission to the Department. The Annual Review will include:

- a description of the development (including any rehabilitation) that was carried out in the previous year, and any activities proposed to be carried out over the current year;
- a comprehensive review of the monitoring results and complaints records of the development, including a comparison of results against:
  - relevant statutory requirements, limits and / or performance criteria,
  - requirements of management plans
  - relevant statutory requirements, limits or performance measures/criteria;
  - requirements of any plan or program required under the relevant development consents;
  - monitoring results of previous years; and
  - relevant predictions in the documents listed in condition 2 of Schedule 2;
- any non-compliance over the past year, and actions taken to ensure compliance;
- any trends in the monitoring data over the life of the development;
- any discrepancies between the predicted and actual impacts of the development, and investigation of the potential cause of any significant discrepancies; and
- any measures to be implemented over the next year to improve the environmental performance of the development.
- Comment on the effectiveness of management measures during the year.

## 12.9 Independent Environmental Audit

Austar's compliance with development consent and licence conditions is assessed by a 3 yearly independent environmental audit, as required by both the Bellbird South and Stage 3 approvals. Once approved, the Independent Environmental Audit can be found on the Austar Coal website.

## 13 DOCUMENT REVIEW AND REVISION

Schedule 7 Condition 4 of PA 08\_0111 and Schedule 5 Condition 8 of DA 29/95 specify the requirements for revision of strategies plans and programs. There is an inconsistency between the wording of the conditions, however, both require that within 3 months of:

- The submission of an Annual Review;
- The submission of an incident report;
- The submission of an audit report; or
- The approval of a modification to the conditions of consent;

Austar shall review the strategies, plans and programs required by the approval/consent to the satisfaction of the Department.

DA 29/95 requires Austar to notify the Department in writing of any such review being undertaken.

Where a review leads to a revision of a document, the revised document must be submitted to the Department for approval. The timing for submission of revised plans differs between the consents,

being 4 weeks in PA 08\_0111 and 6 weeks in DA 29/95. Given this, the 4 week requirement in PA 08\_0111 will prevail.

Any revision of the EMS will be undertaken to the satisfaction of the Secretary of the Department.

# Appendix A: Approval Requirements

**PROJECT APPROVAL/DEVELOPMENT CONSENT REQUIREMENTS**

Relevant conditions from PA 08\_0111 and DA 29/95 and where these conditions are addressed in this Plan are listed in the tables below.

**RELEVANT CONSENT CONDITIONS FROM DEVELOPMENT CONSENT DA 29/95 (AFTER MOD7)**

Schedule	Condition	Section of this Strategy
	<b>Environmental Management Strategy</b>	
5	1. The Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This Strategy must:	Whole document
	(a) provide the strategic context for environmental management of the development;	3
5	(b) identify the statutory requirements that apply to the development;	5
5	(c) describe in general how the environmental performance of the development would be monitored and managed during the development;	7, 8
5	(d) describe the procedures that would be implemented to:	12
	▪ keep the local community and relevant agencies informed about the operation and environmental performance of the development;	
5	▪ receive, handle, respond to, and record complaints;	12
5	▪ resolve any disputes that may arise during the course of the development;	12
5	▪ respond to any non-compliance;	12
5	▪ manage any cumulative impacts;	7.1
5	▪ respond to emergencies;	12
5	(e) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the development; and	11.1
	(f) include:	3
	▪ references to any strategies, plans and programs approved under the conditions of this consent; and	
	▪ a clear plan depicting all the monitoring to be carried out under the conditions of this consent.	8
	The Applicant must implement the approved strategy as approved from time to time by the Secretary.	

Schedule	Condition	Section of this Strategy
5	<b>ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING AND REPORTING</b>	
5	<b>Incident Reporting</b> 4. Within 7 days of detecting an exceedance of the limits/performance criteria in this consent, the Applicant must report the exceedance/incident to the Department (and any relevant agency). The report must: <ul style="list-style-type: none"> <li>(a) describe the date, time, and nature of the exceedance/incident;</li> <li>(b) identify the cause (or likely cause) of the exceedance/incident;</li> <li>(c) describe what action has been taken to date; and</li> <li>(d) describe the proposed measures to address the exceedance/incident.</li> </ul>	12
5	<b>Regular Reporting</b> 4A. The Applicant must 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.	12
5	<b>Annual Review</b> 5. By the end of September each year, unless the Secretary agrees otherwise, the Applicant must submit a review to the Department reviewing the environmental performance of the development to the satisfaction of the Secretary. This review must: <ul style="list-style-type: none"> <li>(a) describe the development (including any rehabilitation) that was carried out in the previous year to 30 June, and the development that is proposed to be carried out over the current year to 30 June;</li> <li>(b) include a comprehensive review of the monitoring results and complaints records of the development over the previous year to 30 June, which includes a comparison of these results against the:               <ul style="list-style-type: none"> <li>▪ relevant statutory requirements, limits or performance measures/criteria;</li> <li>▪ requirements of any plan or program required under this consent;</li> <li>▪ monitoring results of previous years; and</li> <li>▪ relevant predictions in the documents listed in condition 2 of Schedule 2;</li> </ul> </li> <li>(c) identify any non-compliance over the past year, and describe what actions were (or are being) taken to ensure compliance;</li> <li>(d) identify any trends in the monitoring data over the life of the development;</li> <li>(e) identify any discrepancies between the predicted and actual impacts of the</li> <li>(f) development, and analyse the potential cause of any significant discrepancies; and</li> <li>(g) describe what measures will be implemented over the next year to improve the environmental performance of the development.</li> </ul>	12

Schedule	Condition	Section of this Strategy
5	<p><b>Revision of Strategies, Plans and Programs</b></p> <p>8. Within 3 months of:</p> <ul style="list-style-type: none"> <li>(a) the submission of an incident report under condition 4 above;</li> <li>(b) the submission of an Annual Review under condition 5 above;</li> <li>(c) the submission of an audit report under condition 6 above; and</li> <li>(d) the approval of a modification to the conditions of this consent,</li> </ul> <p>the Applicant must review the strategies, plans and programs required under this consent, to the satisfaction of the Secretary. The applicant must notify the Department in writing of any such review being undertaken. Where this review leads to revisions in any such document, then within 6 weeks of the review the revised document must be submitted for the approval of the Secretary.</p> <p>Note: The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures recommended</p>	13
5	<p><b>Updating and Staging of Strategies, Plans or Programs</b></p> <p>8A. To ensure that strategies, plans or programs required under this consent are updated on a regular basis, and that they incorporate any appropriate additional measures to improve the environmental performance of the development, the Applicant may at any time submit revised strategies, plans or programs for the approval of the Secretary. With the agreement of the Secretary, the Applicant may also submit any strategy, plan or program required by this consent on a staged basis.</p> <p>With the agreement of the Secretary, the Applicant may prepare a revision of or a stage of a strategy, plan or program without undertaking consultation with all parties nominated under the applicable condition in this consent.</p> <p>While any strategy, plan or program may be submitted on a staged basis, the Applicant will need to ensure that the operations associated with the development are covered by suitable strategies, plans or programs at all times. If the submission of any strategy, plan or program is to be staged; then the relevant strategy, plan or program must clearly describe the specific stage/s of the development to which the strategy, plan or program applies; the relationship of this stage/s to any future stages; and the trigger for updating the strategy, plan or program.</p>	Noted
5	<p><b>Relationship with other consents</b></p> <p>8B. With the agreement of the Secretary, the Applicant may combine any strategy, plan, program, review, audit or committee required by this consent with any similar requirement under another development consent or approval relating to the Austar Mine Complex, including Project Approval 08_0111 for the Stage 3 mining area.</p>	EMS addresses PA 08_0111 and DA 29/95 conditions

Schedule	Condition	Section of this Strategy
5	<p><b>Access to Information</b></p> <p>12. The Applicant must:</p> <p>(a) make copies of the following publicly available on its website:</p> <ul style="list-style-type: none"> <li>▪ the documents listed in condition 2 of Schedule 2;</li> <li>▪ all current statutory approvals for the development;</li> <li>▪ approved strategies, plans and programs required under the conditions of this consent;</li> <li>▪ 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;</li> <li>▪ a summary of the progress of the development;</li> <li>▪ contact details to enquire about the development or to make a complaint;</li> <li>▪ a complaints register, which is to be updated on a monthly basis;</li> <li>▪ minutes of CCC meetings;</li> <li>▪ the last five annual reviews;</li> <li>▪ any independent environmental audit of the development, and the Applicant's response to the recommendations in any audit;</li> <li>▪ any other matter required by the Secretary; and</li> </ul> <p>(b) keep this information up-to-date,</p> <p>to the satisfaction of the Secretary.</p>	12

**RELEVANT CONSENT CONDITIONS FROM STAGE 3 PA 08\_0111 (AFTER MOD3)**

Schedule	Project Approval Conditions	Section of this Strategy
2	<b>STRATEGIES, PLANS AND PROGRAMS</b>	
2	12. With the approval of the Director-General, the Proponent may submit any strategies, plans or programs required by this approval on a progressive basis.	Noted
2	13. With the approval of the Director-General, the Proponent may integrate any strategies, plans, programs, reviews, audits or committees required by this approval with any similar requirement under another development consent or approval relating to the Austar Mine Complex.	EMS addresses PA 08_0111 and DA 29/95 conditions
5	<b>NOTIFICATION OF LANDOWNERS</b>	
5	If the results of the monitoring required in schedule 4 identify that impacts generated by the project are greater than the relevant impact assessment criteria, except where a negotiated agreement has been entered into in relation to that impact, then the Proponent shall, within 2 weeks of obtaining the monitoring results, notify the Director-General, the affected landowners and tenants (including tenants of mine owned properties) accordingly, and provide quarterly monitoring results to each of these parties until the results show that the project is complying with the criteria in schedule 4.	12



Schedule	Project Approval Conditions	Section of this Strategy
5	If the results of monitoring required in schedule 4 identify that impacts generated by the project are greater than the relevant air quality impact assessment criteria in schedule 4, then the Proponent shall send the relevant landowners and tenants (including tenants of mine owned properties) a copy of the NSW Health fact sheet entitled "Mine Dust and You" (and associated updates) in conjunction with the notification required in condition 1.	12
5	<b>INDEPENDENT REVIEW</b>	
5	<p>3. If a landowner of privately-owned land considers the project to be exceeding the impact assessment criteria in schedule 4, then he/she may ask the Director-General in writing for an independent review of the impacts of the project on his/her land.</p> <p>If the Director-General is satisfied that an independent review is warranted, the Proponent shall within 2 months of the Director-General's decision:</p> <ul style="list-style-type: none"> <li>(a) consult with the landowner to determine his/her concerns;</li> <li>(b) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to conduct monitoring on the land, to: <ul style="list-style-type: none"> <li>· determine whether the project is complying with the relevant impact assessment criteria in schedule 4; and</li> <li>· identify the source(s) and scale of any impact on the land, and the project's contribution to this impact; and</li> </ul> </li> <li>(c) give the Director-General and landowner a copy of the independent review.</li> </ul>	12
5	<p>4. If the independent review determines that the project is complying with the relevant impact assessment criteria in schedule 4, then the Proponent may discontinue the independent review with the approval of the Director-General.</p> <p>If the independent review determines that the project is not complying with the relevant impact assessment criteria in schedule 4, then the Proponent shall:</p> <ul style="list-style-type: none"> <li>(a) implement all reasonable and feasible measures, in consultation with the landowner, to ensure that the project complies with the relevant criteria, and conduct further monitoring to determine whether these measures ensure compliance; or</li> <li>(b) secure a written agreement with the landowner to allow exceedances of the relevant impact assessment criteria, to the satisfaction of the Director-General.</li> </ul> <p>If the further monitoring referred to under paragraph (a) above determines that the project is complying with the relevant impact assessment criteria, then the Proponent may discontinue the independent review with the approval of the Director-General.</p>	12
	<b>ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING</b>	

Schedule	Project Approval Conditions	Section of this Strategy
7	<b>Environmental Management Strategy</b> 1. The Proponent shall prepare and implement an Environmental Management Strategy for the Austar Mine Complex, to the satisfaction of the Director-General. The strategy must: <ul style="list-style-type: none"> <li>(a) be submitted to the Director-General for approval prior to the commencement of second workings in Stage 3 and construction of the Surface Infrastructure Site (other than the shaft construction referred to in condition 1 of schedule 4);</li> </ul>	N/A
7	<ul style="list-style-type: none"> <li>(b) provide the strategic framework for environmental management of the mine complex;</li> </ul>	3
7	<ul style="list-style-type: none"> <li>(c) identify the statutory approvals that apply to the mine complex;</li> </ul>	5
7	<ul style="list-style-type: none"> <li>(d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the mine complex;</li> </ul>	11.1
7	<ul style="list-style-type: none"> <li>(e) describe the procedures that would be implemented to:               <ul style="list-style-type: none"> <li>▪ keep the local community and relevant agencies informed about the operation and environmental performance of the mine complex;</li> </ul> </li> </ul>	12
7	<ul style="list-style-type: none"> <li>▪ receive, handle, respond to, and record complaints;</li> </ul>	12
7	<ul style="list-style-type: none"> <li>▪ resolve any disputes that may arise during the course of the project;</li> </ul>	12
7	<ul style="list-style-type: none"> <li>▪ respond to any non-compliance; and</li> </ul>	12
7	<ul style="list-style-type: none"> <li>▪ respond to emergencies;</li> </ul>	12
7	<ul style="list-style-type: none"> <li>(f) include:               <ul style="list-style-type: none"> <li>▪ copies of the various strategies, plans and programs that are required under the conditions of this approval once they have been approved; and</li> </ul> </li> </ul>	3
7	<ul style="list-style-type: none"> <li>▪ a clear plan depicting all the monitoring to be carried out in relation to the mine complex.</li> </ul>	8
7	<b>Management Plan Requirements</b> 2. The Proponent shall ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:	
7	<ul style="list-style-type: none"> <li>(a) detailed baseline data;</li> </ul>	0
7	<ul style="list-style-type: none"> <li>(b) a description of:               <ul style="list-style-type: none"> <li>▪ the relevant statutory requirements (including any relevant approval, licence or lease conditions);</li> <li>▪ any relevant limits or performance measures/criteria;</li> <li>▪ the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures;</li> </ul> </li> </ul>	Appendix A  6
7	<ul style="list-style-type: none"> <li>(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</li> </ul>	7
7	<ul style="list-style-type: none"> <li>(d) a program to monitor and report on the:               <ul style="list-style-type: none"> <li>▪ impacts and environmental performance of the project;</li> <li>▪ effectiveness of any management measures (see (c) above);</li> </ul> </li> </ul>	8
7	<ul style="list-style-type: none"> <li>(e) a contingency plan to manage any unpredicted impacts and their consequences;</li> </ul>	9

Schedule	Project Approval Conditions	Section of this Strategy
7	(f) a program to investigate and implement ways to continually improve the environmental performance of the project over time;	10
7	(g) a protocol for managing and reporting any: <ul style="list-style-type: none"> <li>▪ incidents;</li> <li>▪ complaints;</li> <li>▪ non-compliances with statutory requirements; and</li> <li>▪ exceedances of the impact assessment criteria and/or performance criteria; and</li> </ul>	12
7	(h) a protocol for periodic review of the plan.	13
7	<p><b>Annual Review</b></p> <p>Each year, the Proponent shall review the environmental performance of the mine complex to the satisfaction of the Director-General. This review must:</p> <ul style="list-style-type: none"> <li>(a) describe the works that were carried out in the past year, and the works that are proposed to be carried out over the next year;</li> <li>(b) include a comprehensive review of the monitoring results and complaints records of the mine complex over the past year, which includes a comparison of these results against the <ul style="list-style-type: none"> <li>▪ the relevant statutory requirements, limits or performance measures/criteria;</li> <li>▪ the monitoring results of previous years; and</li> <li>▪ the relevant predictions in the EA and Extraction Plan;</li> </ul> </li> <li>(c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;</li> <li>(d) identify any trends in the monitoring data over the life of the mine complex;</li> <li>(e) identify any discrepancies between the predicted and actual impacts of the mine complex, and analyse the potential cause of any significant discrepancies; and</li> <li>(f) describe what measure will be implemented over the next year to improve the environmental performance of the mine complex.</li> </ul>	12.8
7	<p><b>Revision of Strategies, Plans and Programs</b></p> <p>4. Within 3 months of:</p> <ul style="list-style-type: none"> <li>(a) the submission of an annual review under Condition 3 above;</li> <li>(b) the submission of an incident report under Condition 6 below;</li> <li>(c) the submission of an audit report under Condition 7 below; or</li> <li>(d) any modification to the conditions of this approval, (unless the conditions require otherwise), the Proponent shall review the strategies, plans, and programs required under this approval, to the satisfaction of the Director-General. Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted for the approval of the Director-General.</li> </ul> <p>Note: The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures recommended to improve environmental performance of the project.</p>	13

Schedule	Project Approval Conditions	Section of this Strategy
7	<p><b>Incident Reporting</b></p> <p>6. The Proponent shall notify the Director-General and any other relevant agencies of any incident associated with the mine complex as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent shall provide the Director-General and any relevant agencies with a detailed report on the incident.</p>	12.3
7	<p><b>Access to Information</b></p> <p>9. From the end of 2009, the Proponent shall make the following information publicly available on its website:</p> <ul style="list-style-type: none"> <li>(a) a copy of all current statutory approvals for the mine complex;</li> <li>(b) a copy of the current environmental management strategy and associated plans and programs;</li> <li>(c) a summary of the monitoring results of the mine complex, which have been reported in accordance with the various plans and programs approved under the conditions of this approval;</li> <li>(d) a complaints register, which is to be updated on a monthly basis;</li> <li>(e) a copy of the minutes of CCC meetings;</li> <li>(f) a copy of any Annual Reviews (over the last 5 years);</li> <li>(g) a copy of any Independent Environmental Audit, and the Proponent's response to the recommendations in any audit; and</li> <li>(h) any other matter required by the Director-General.</li> </ul>	12

## EPL REQUIREMENTS

Relevant conditions from EPL 416 and where these conditions are addressed in this Plan are listed in the table below.

### ENVIRONMENT PROTECTION LICENCE 416 (EPL 416)

Section	EPL Conditions	Section of this Strategy
5	<b>MONITORING AND RECORDING CONDITIONS</b>	
5	<b>M5 Recording of pollution complaints</b>	
5	M5.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	12
5	<p>M5.2 The record must include details of the following:</p> <ul style="list-style-type: none"> <li>a) the date and time of the complaint;</li> <li>b) the method by which the complaint was made;</li> <li>c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;</li> <li>d) the nature of the complaint;</li> <li>e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and</li> <li>f) if no action was taken by the licensee, the reasons why no action was taken.</li> </ul>	12
5	M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.	12
5	M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.	12

Section	EPL Conditions	Section of this Strategy
5	<b>M6 Telephone complaints line</b>	
5	M6.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	12
5	M6.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	12
5	M6.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	12

### STATEMENT OF COMMITMENTS

A list of the Statement of Commitments from PA 08\_0111 which are relevant to this EMS and where these commitments are addressed in this Strategy are listed in the table below.

#### PROJECT APPROVAL STATEMENT OF COMMITMENTS (08\_0111)

Appendix	Statement of Commitments	Section of this Strategy
3	1.13.1 Austar Coal Mine will work with Cessnock City Council, the Department and Community Consultative Committee to incorporate representatives from the Stage 3 Project area. Austar Coal Mine will provide the Community Consultative Committee with regular information regarding the environmental management performance of the Stage 3 Project and any relevant matters regarding community relations.	12
3	1.13.2 Maintain a 24 hour per day community information and complaint line.	12
3	1.13.3 Provide regular updates of mine development and monitoring on the Austar Coal Mine website.	12

# Appendix B: EMS Approval

Carly McCormack  
Environment & Community Superintendent  
Austar Coal Mine Pty Limited  
Darling Park – Tower 2  
Level 18, 201 Sussex Street  
Sydney NSW 2000

12/03/2024

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Subject: Austar Coal Mine Environmental Management Strategy

Dear Ms McCormack,


I refer to the Environmental Management Strategy submitted to the NSW Department of Planning, Housing and Infrastructure (the Department) in accordance with Schedule 7, Condition 1 of MP08\_0111 (as modified) and Schedule 5, Condition 1 of DA 29/95 (as modified). I also acknowledge your response to the Department's review comments and request for additional information.

The Department has carefully reviewed the document and is satisfied that it meets the requirements of the relevant conditions of consent. Accordingly, the Secretary has approved the Environmental Management Strategy (Revision 6 dated 8 March 2024).

You are reminded that if there are any inconsistencies between the Environmental Management Strategy and the conditions of approval, the conditions prevail. Please ensure that the approved plan is placed on the project website at the earliest convenience.

If you wish to discuss the matter further, please contact Katie Weekes on (02) 4927 3223 or via email at [katie.weekes@dpie.nsw.gov.au](mailto:katie.weekes@dpie.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink that reads "Jessie Evans".

Jessie Evans  
Director, Resource Assessments  
Resource Assessments

As nominee of the Planning Secretary