

WILPINJONG COAL ENVIRONMENTAL MANAGEMENT STRATEGY

WI-ENV-MNP-0001
June 2017

Document Owner		Document Approver			
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Version	Approval Date	Approver Name			
4	June 2017	Blair Jackson			
General Description of Changes from Previous Version					
Document No.	Version	Date	Prepared/Reviewed By	Distribution	Description of Change
EMS-R01	A	8 February 2006	WCPL	DECC, DP&E	Original plan - developed for initial development phase of the project This version was approved by DP&E.
EMS-R03	A	December 2010	WCPL	-	Internal Review
WI-ENV-MNP-0001	1	7 August 2014	WCPL, Palaris, Resource Strategies	DP&E	New document number. Revised following approval of Mod 5 (PA 05-0021). Submitted to DP&E for approval.
WI-ENV-MNP-0001	2	25 May 2016	WCPL	DP&E	Revised to address DP&E comments
WI-ENV-MNP-0001	3	October 2016	WCPL	DP&E	MOD 7
WI-ENV-MNP-0001	4	June 2017	WCPL	DP&E	Revision to align with SSD-6764 as a result of the WEP.

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1 Introduction

The Wilpinjong Coal Mine (“the Mine”) is owned and operated by Wilpinjong Coal Pty Limited (WCPL), a wholly owned subsidiary of Peabody Energy Australia Pty Ltd (PEA).

The Mine is an existing open cut coal mining operation situated approximately 40 kilometres (km) north-east of Mudgee, near the Village of Wollar, within the Mid-Western Regional Local Government Area, in central New South Wales (NSW) (**Figure 1**). The mine produces thermal coal products which are transported by rail to domestic customers for use in electricity generation and to port for export. Open cut mining operations are undertaken 24 hours per day, seven days per week.

PEA and its subsidiaries, WCPL and Peabody Pastoral Holdings Pty Ltd, is a major landholder owning adjacent rural properties and land to the east and south-east of the mine. Land to the west of the mine is owned by adjacent mining companies, whilst the National Parks and Wildlife Service estate own significant land to the north and south-west of the Mine.

Private properties are located predominantly in and around the Wollar Village approximately 1.5 km to the east of the Mine and along Mogo Road to the north of the Mine.

The Mine originally operated under Project Approval (PA 05-0021) that was granted by the Minister for Planning under Part 3A of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act) on 1 February 2006. Modification of the Project Approval subsequently occurred six times¹ with the most recent modification (Modification 7) approved in August 2016. The existing Environmental Management Strategy (this EMS) was developed in accordance with NSW Project Approval 05-0021 and the last revision was approved by the Department of Planning and Environment (DP&E) in March 2017.

On 24 April 2017, WCPL was granted Development Consent (SSD-6764) for the Wilpinjong Extension Project (WEP) that provides for the continued operation of the Mine at rates of up to 16 million tonnes per annum (Mtpa) of run-of-mine (ROM) out to 2033, and access to approximately 800 hectares (ha) of open cut extensions. Development Consent (SSD-6764) has superseded the Project Approval (Project Approval 05-0021).²

This EMS has been prepared to satisfy the relevant conditions in Development Consent (SSD-6764). Where relevant, this EMS builds on the components of the existing/approved EMS, including previous feedback from government stakeholders and recommendations.

¹ Mod 2 was withdrawn.

² Condition 9, Schedule 2 of SSD-6764 (Surrender of Existing Project Approval). Refer to **Section 2.1**.



- LEGEND**
- Mining Lease Boundary
 - Exploration Licence Boundary
 - Authorisation Boundary
 - Local Government Boundary
 - NSW State Forest
 - National Park, Nature Reserve or State Conservation Area
 - ✂ Mining Operation

Source: NSW Land & Property Information (2015);
NSW Dept of Industry (2015); Geoscience Australia (2011)

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ENERGY
WILPINJONG COAL MINE
Regional Location

Figure 1 Locality Plan

1.1 Definitions

Table 1 provides a list of definitions for particular terms and acronyms used throughout this Environmental Management Strategy (EMS).

Table 1 Explanation of Acronyms and Terms

Acronym / Phrase	Explanation
Continual Improvement	The process of enhancing the environmental management system to achieve improvements in overall environmental performance that are consistent with the Mine Environmental Policy.
Development Consent (SSD-6764)	Means number SSD-6764 granted by the Minister for Planning under Part 4 of the EP&A Act on 24 April 2017.
DP&E	The NSW Department of Planning and Environment (formerly the NSW Department of Planning and Infrastructure or DP&I).
DRE	NSW Department of Resources and Energy, which is a division of the NSW Department of Trade and Investment.
DRG	NSW Department of Resources and Geoscience, which is a division of the NSW Department of Planning & Environment (formally known as the DRE).
ECM	WCPL Environment and Community Manager.
EL	Exploration licences 6169 and 7091 granted by the Minister for Resources and Energy under the Mining Act 1992 on 3 March 2008 respectively. EL 6169 was renewed on 14 October 2013 and EL 7091 was renewed on 12 March 2013.
EMP	Environmental Management Plan.
ISO 14001	Environmental Management System (from ISO 14001).
EMS	WCPL's Environmental Management Strategy as required under Development Consent (SSD-6764)
EMS Audit	A systematic and documented verification process of obtaining and evaluating evidence to determine objectively whether the Mine EMS conforms to the EMS audit criteria set by WCPL and communication of the audit findings to senior management.
Environment	the surroundings in which the Mine operates, including air, water, noise, land, flora, fauna, natural resources, humans and their interaction.
Environmental Aspect	An element of Mine activities, products or services that can interact with the Environment.
Environmental Impact	Any change to the environment, whether adverse or beneficial, wholly or partially resulting from Mine activities, products or services.
Environmental Management Strategy (the Strategy)	This document, which has been developed for compliance with and in accordance with Condition 1, Schedule 5 of the Development Consent (SSD-6764).
Environmental Objective	Environmental objectives arising from PEA's Environmental Policies or WCPL's Annual Plan that WCPL aims to achieve, and which is quantified where practicable.
Environmental Performance	Measurable results of the environmental management system, related to WCPL's control of its Environmental Aspects, based on Environmental Policies, Goals and Objectives.
Environmental Policies	PEA's Environmental Mission Policy and Environmental Land Restoration Policy.
Environmental Goals	Environmental goals arising from PEA's Environmental Policies or WCPL's Annual Plan that WCPL aims to achieve.
EPA	NSW Environment Protection Authority.
EPL	Environment Protection Licence 12425 granted by the EPA under the <i>Protection of the Environment Operations Act 1997</i> (POEO Act).
External Stakeholder	Individual or group concerned with or affected by the Environmental Performance of the Mine.
Incident	An incident that must be notified to an authority (immediately if required) in accordance with the EPL, Development Consent (SSD-6764) and Mining Lease.
Key Performance Indicators (KPIs)	detailed performance indicators, quantified where practicable, applicable to the Mine or parts thereof, that arise from the Environmental Objectives and that need to be set and met in order to achieve those objectives.

Acronym / Phrase	Explanation
Material Harm to the Environment	Actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial.
MLA's	Mining Lease Application
MWRC	Mid-Western Regional Council.
Near Hit	An incident that had the potential to cause environmental harm, but harm was avoided.
Non Compliance	A non-compliance of Impact Assessment Criteria that are specified in the various EMPs required under the Project Approval.
NOW	The NSW Office of Water, which is part of the NSW Department of Primary Industries.
OEH	means the NSW Office of Environment and Heritage
PEA	Peabody Energy Australia Pty Ltd, WCPL's parent company.
Personnel	All staff and contractors that perform work for/at the Mine.
Prevention of Pollution	use of process, practices, materials or products that avoid, reduce or control pollution, which may include recycling, treatment, process changes, control mechanisms, efficient use of resources and materials substitution.
Private Receiver(s)	A Private Receiver(s) as identified in the Project Approval.
Project Approval	Project Approval (PA) (05-0021) granted by the Minister for Planning under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act) on 1 February 2006 (as amended).
The Secretary	Means the Secretary of the Department of Planning and Environment (DP&E)
WCPL	Wilpinjong Coal Pty Limited, a subsidiary of PEA.
WCP	Means The Wilpinjong Coal Project as described in the WCP EIS (WCPL, 2006)
WEP	Means The Wilpinjong Extension Project as described in the WEP EIS (WCPL, 2016)
WCP EIS	Means the Wilpinjong Coal Project Environmental Impact Statement (WCPL, 2006).
WEP EIS	Means the Wilpinjong Extension Project Environmental Impact Statement (WCPL, 2016).

1.2 Purpose

This EMS has been developed to minimise environmental impacts from the Mine by providing the strategic framework for environmental management across the Mine. This EMS is formulated from the requirements in Development Consent (SSD-6764) and sets out to:

- Provide a strategic framework for the environmental management of the Mine;
- Identify the statutory approvals that apply to the Mine;
- Describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Mine;
- Describe the procedures that would be implemented to:
 - Keep the local community and relevant agencies informed about the operation and environmental performance of the Mine;
 - Receive, handle, respond to, and record complaints;
 - Resolve any disputes that may arise during the course of the project;
 - Respond to any non-compliance; and
 - Respond to emergencies.
- Include a clear plan depicting all the monitoring to be carried out in relation to the project; and
- Include a clear plan depicting all the monitoring required to be carried out.

This EMS also sets out the procedures for periodic reviews, auditing and where necessary, revision of this EMS, so that it is maintained to reflect current mining operations to the

satisfaction of the Secretary. A copy of this EMS will be made available for viewing to members of the public at the Mine and on the website.

1.3 Scope

This EMS establishes the overarching framework for the monitoring and environmental management of activities undertaken at the Mine. This EMS incorporates the principles of continuous improvement and is consistent with the five fundamental elements of *ISO 14001: Environmental Management Systems*, as displayed within **Figure 2**.

This EMS relates to works and activities undertaken within:

- The Development Consent (SSD-67-64) area, which includes open cut mining areas, a Coal Handling and Preparation Plant (CHPP), raw and product coal stockpiles, a rail loop and rail loader, and office and workshop support facilities (**Figure 3**); and
- Exploration Licence areas 6169 and 7091.

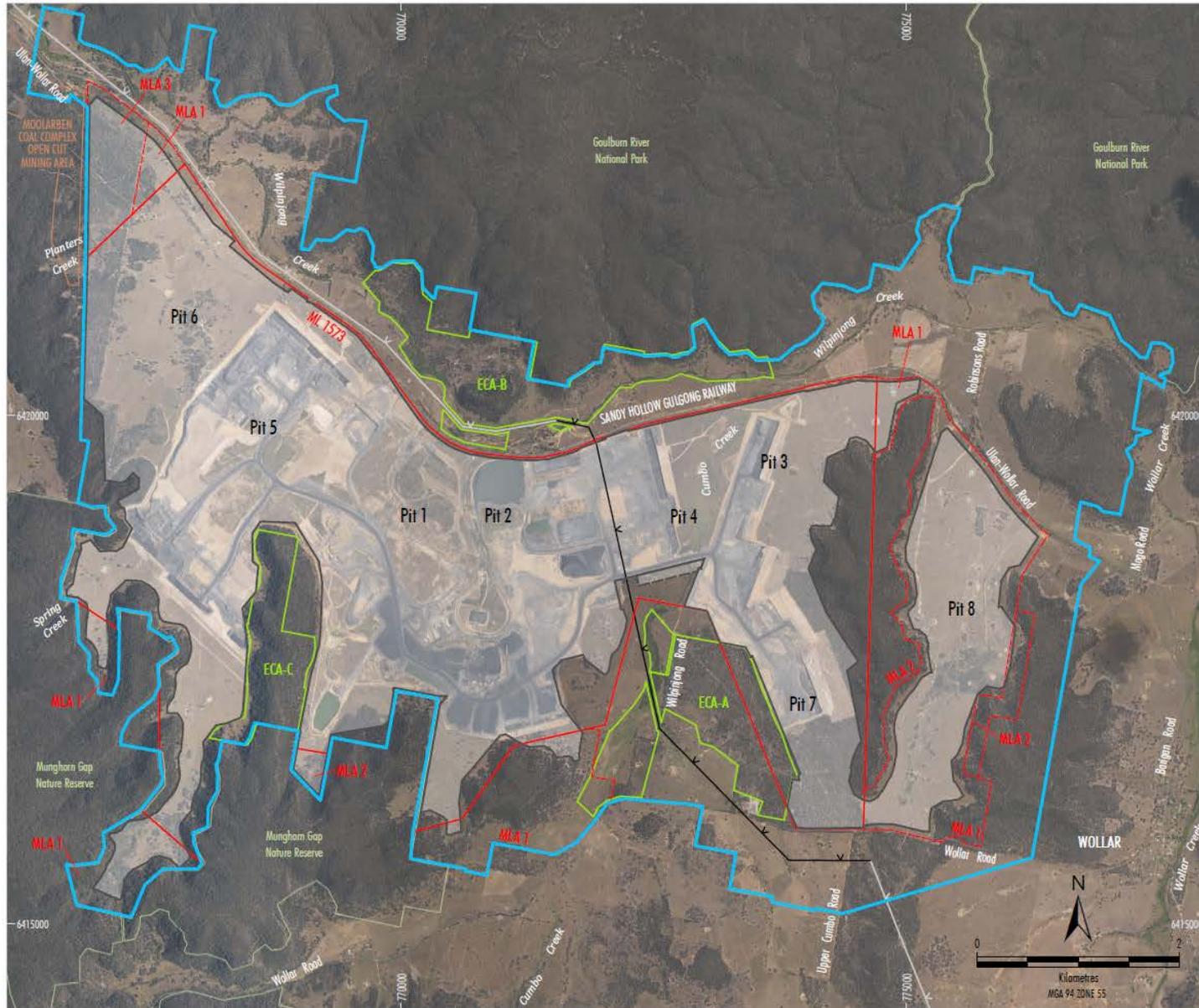


Figure 2 WCPL Environmental Management Principles

1.4 Consultation

This EMS has been prepared in accordance with the relevant Conditions of Development Consent (SSD-6764). Consultation specific to Environmental Management Plans (EMPs), as required under Development Consent (SSD-6764), is recorded within each relevant EMP and outlined in **Section 3.8**. Copies of correspondence relevant to this EMS are included in **Appendix 4**.

Figure 3 Development Consent Approved Areas, ML and MLA's



LEGEND

- Development Consent SSD-6764 Boundary
- Mining Lease Boundary
- Mining Lease Application Boundary
- Approved/Existing Open Cut and Contained Infrastructure Area
- Relocated Block Bank and Cumbo Creek Disturbance Area
- Enhancement and Conservation Area
- Approved Relocated TransGrid 330 kV ETL
- Existing TransGrid 330 kV ETL

Source: WCPL (2017); NSW Dept of Industry (2015)
 Orthophoto: WCPL (Dec 2015)

Peabody
 WILPINJONG COAL MINE
 General Arrangement

2 Peabody's Environmental Policy

We are the world's largest private-sector coal company producing thermal and metallurgical coal. Throughout the lifecycle of our operations we take responsibility for the environment, benefit our communities and restore the land for generations that follow.

Globally, Peabody supports the current technology to deploy high efficiency, low emissions (HELE) power stations and investment in next generation carbon capture, use and storage (CCUS) technologies to transition to the ultimate goal of near-zero emissions from coal-fuelled power.

The following governing principles apply to our employees, contractors, visitors and vendors at our sites, and support Peabody Energy's alignment with Sustainable Development practices:

- Management has the overall accountability for environmental management and for regular review of environmental performance;
- Progressively rehabilitate/reclaim, monitor and maintain areas disturbed by mining to ensure the post mine land use, landform and environmental outcomes are achieved;
- Identify, monitor and manage risks and opportunities during all mining life cycle phases and continuously improve environmental stewardship;
- Appropriate environmental objectives are developed, and applicable performance indicators are publically reported;
- Any employee has the authority to stop and challenge activities that could result in unauthorised environmental impact;
- Comply with applicable environmental standards, rules and procedures, relevant jurisdictional laws and regulations;
- Engage with interested and affected stakeholders;
- Efficient use and responsible procurement of resources is undertaken; and
- Conservation of energy and reduction in greenhouse gas intensity at our operations through energy efficiency and other leading practices.

3 Planning

3.1 Statutory Requirements

This EMS has been prepared to fulfil the requirements of the Development Consent (SSD-6764), and Environment Protection Licence (EPL) 12425 as shown in **Appendix 1**.

Table 2 summarises WCPL’s current and historical statutory approvals, and those subject to surrender.

Table 2: WCPL’s Current and Historical Statutory Approvals

Approval/Licence No.	Description	Date of Approval	Agency
SSD-6764	Development Consent	24 April 2017	DP&E
EPL 12425	EPL	16 January 2017 ²	EPA
PA05-0021¹	Project Approval	1 February 2006	DP&E
	Mod 1	30 November 2007	DP&E
	Mod 3	8 September 2010	DP&E
	Mod 4	24 August 2012	DP&E
	Mod 5	7 February 2014	DP&E
	Mod 6	21 November 2014	DP&E
	Mod 7	11 August 2016	DP&E

Notes:¹ In accordance with Condition 9, Schedule 2 of Development Consent SSD-6764, within 6 months of the commencement of development under this consent, or as otherwise agreed by the Secretary, WCPL must surrender the existing project approval (PA05-0021) for the Wilpinjong Coal Project in accordance with Section 8P of the EP&A Regulation. Following the commencement of development under this consent, and prior to the surrender of PA05-0021, the conditions of SSD-6764 shall prevail to the extent of any inconsistency with conditions of PA05-0021.² Date of most recent EPL Variation.

In addition to meeting the specific performance criteria established within Development Consent (SSD-6764), WCPL will 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 project.

3.1.1 Limits of Consent

WCPL may carry out mining operations on site until the 31 December 2033. WCPL must not extract more than 16 million tonnes of ROM coal from the site in a calendar year. WCPL must ensure that:

- All product coal is transported from the site by rail;
- No more than 10 laden trains leave the site on any one day; and
- Not more than 6 laden trains leave the site per day on average when calculated over any calendar year.

3.1.2 Operation of Plant and Equipment

WCPL must ensure that all plant and equipment used on site, or to monitor the performance of the development is:

- Maintained in a proper and efficient condition; and

- Operated in a proper and efficient manner.

3.1.3 Protection of Public Infrastructure

Unless WCPL and the applicable authority agree otherwise, WCPL must:

- Repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
- Relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

Note: This condition does not apply to any to damage to roads caused as a result of general road usage.

3.2 Specific Development Consent Requirements

This EMS has been prepared in accordance with Condition 1, Schedule 5 of Development Consent (SSD-6764). **Table 3** presents the EMS specific requirements and indicates where they are addressed within this EMS. Other statutory and Development Consent (SSD-6764) requirements are shown in **Appendix 1**.

Table 3 Development Consent EMS Requirements

Development Consent (SSD-6764) Condition	EMS Section
<p>Environmental Management Strategy</p> <p>1. The Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary, and carry out the development in accordance with this strategy. The strategy must:</p> <p>(a) be submitted to the Secretary for approval prior to carrying out any development under this consent;</p> <p>(b) provide the strategic framework for environmental management of the development;</p> <p>(c) identify the statutory approvals that apply to the development;</p> <p>(d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;</p> <p>(e) describe the procedures that would be implemented to:</p> <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 <p>(f) include:</p> <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 required to be carried out under the conditions of this consent. 	<p>This EMS</p> <p>Section 1.2</p> <p>This EMS Section 3.0 & Appendix 1 & 2 Section 7</p> <p>Section 6.0 Section 4.0 Section 4.0 Section 4.0</p> <p>Section 3.10 Appendix 3</p>

3.3 Development Consent General Requirements

Condition 3, Schedule 5 of Development Consent (SSD-6764), outlines general management plan requirements that are applicable to the preparation of this EMS. **Table 4** presents these requirements and indicates where they are addressed within this Strategy.

Table 4 General Management Plan Requirements

Development Consent (SSD-6764) Condition	EMS Section
Management Plan Requirements	
3. The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:	Section 2.0
(a) detailed baseline data;	Section 4.0
(b) a description of:	
• the relevant statutory requirements (including any relevant approval, licence or lease conditions);	Section 3.1 & Appendix 1 & 2
• any relevant limits or performance measures/criteria;	Section 4.0
• 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;	Section 4.0
(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;	Section 4.0
(d) a program to monitor and report on the:	
• impacts and environmental performance of the development;	Section 4.0 & Appendix 3
• effectiveness of any management measures (see c above);	Section 6.0
(e) a contingency plan to manage any unpredicted impacts and their consequences;	Section 4.0
(f) a program to investigate and implement ways to improve the environmental performance of the development over time;	Sections 5.0 and 6.0
(g) a protocol for managing and reporting any:	Section 6.0
• incidents	Section 4.0
• complaints	Section 4.0
• non-compliances with statutory requirements; and	Section 4.0
• exceedances of the criteria and/or performance criteria; and	Section 4.0
(h) a protocol for periodic review of the plan.	Section 5.0

3.4 Legal Requirements and Compliance

The planning process requires WCPL to identify, have access to, understand and demonstrate compliance with relevant environmental legislation and other requirements which WCPL subscribes to or that are related to its environmental aspects applicable to the Mine. This is achieved through the Peabody Compliance Action Tracker (PCAT) system, which monitors compliance by WCPL with its statutory requirements including the management and maintenance of documents, records and data.

Critical statutory requirements that apply to WCPL are the various approvals issued under State and Commonwealth legislation. Legal and other requirements considered in the planning process include:

- Environmental legislation, regulations and planning policies;
- Mining leases and approvals;
- Exploration leases;
- Development consents and development approvals;

- Environment Protection Licence (EPL) 12425;
- Other licences and permits (e.g. Radiation, Dangerous Goods, water licences);
- Voluntary Conservation Agreement as maintained with NSW Minister for Environment;
- Voluntary Planning Agreement with Mid-Western Regional Council (MWRC);
- Mining Operations Plan (MOP);
- Native Title Agreement;
- Environmental Assessments, and;
- *AS/NZS ISO 14001:2004*, Environmental management systems

3.5 Risk and Change Management

Risk identification at the Mine is undertaken in accordance with WCPL's Risk Management Plan (WI-SAH-MNP-0007). WCPL maintains a site Risk Register which records all significant site hazards and calls for their respective risks to be assessed, allowing objective prioritisation and focus according to the level of risk. The Risk Register forms a component of the Peabody Incident Management System (PIMS) database.

Change management at the Mine is undertaken in accordance with WCPL's Change Management Procedure (WI-SAH-PRO-001). This procedure describes the processes for managing changes in order that the potential for injury to people, or damage to physical assets and the environment, is eliminated or minimised to acceptable levels.

3.6 Environmental Aspects and Impacts

Identification of the Mine's environmental aspects and impacts is an integral part of the EMS. An environment and community broad brush risk assessment (Environment and Community Risk Register) is maintained and reviewed annually within the EMS. Ongoing job specific risk assessments are also regularly undertaken in accordance with the Risk Management Plan. Where necessary, results from these are incorporated into the Environment and Community Risk Register.

Where appropriate, the results of the Environment and Community Risk Register and ongoing risk reviews are incorporated into the mine planning and maintenance programmes, environmental objectives and targets, management programmes and work procedures.

3.7 Ground Disturbance Permit

Risk associated with ground disturbance is managed using the Ground Disturbance Permit (GDP)³. A GDP is required to be completed prior to the commencement of new projects or activities requiring ground disturbance within the Mine site. Where required, a site-specific erosion and sediment control plan is required to be developed as part of this process. The GDP must be approved by the ECM (or delegate) prior to works commencing. Ground disturbing activities are not authorised to proceed without an approved GDP. Pre-clearance surveys will be undertaken as required, in accordance with the Biodiversity Management Plan (BMP).

3.8 Annual Business Plan – Goals, Objectives and KPIs

WCPL's Annual Business Plan includes goals and objectives for environmental management and stakeholder engagement. These goals and objectives take into consideration:

- Legal and other requirements;

³ Further information regarding the GDP process is provided in the BMP.

- Significant environmental aspects;
- Stakeholder views;
- Technical capability; and
- Other company requirements including Peabody’s Environmental Policy (**Section 2**).

Goals and objectives are progressively achieved through implementation of the Environmental Management Plans (EMPs) and Mine procedures. Key performance indicators (KPIs) are developed to measure success against WCPL’s environmental goals and objectives. Environmental goals, objectives and KPIs are reviewed and updated on an annual basis for continual improvement. They form an integral part of this EMS and reflect WCPL’s commitment to continual improvement.

3.9 Life of Mine Plan

The Life of Mine (LOM) Plan provides WCPL a strategic planning instrument that details the long-term mining activities that are proposed for the Mine. The LOM Plan is an internal document that is primarily orientated to mining operations and provides an indicative timeline to when these activities are to be undertaken.

As a strategic planning document, the LOM Plan is a critical input to defining the environmental works and activities to be undertaken at the site (including the timeframes for implementing these works).

3.10 Organisational Chart

Figure 4 shows the organisational structure of WCPL’s Senior Leadership Team and environmental department (green boxes).

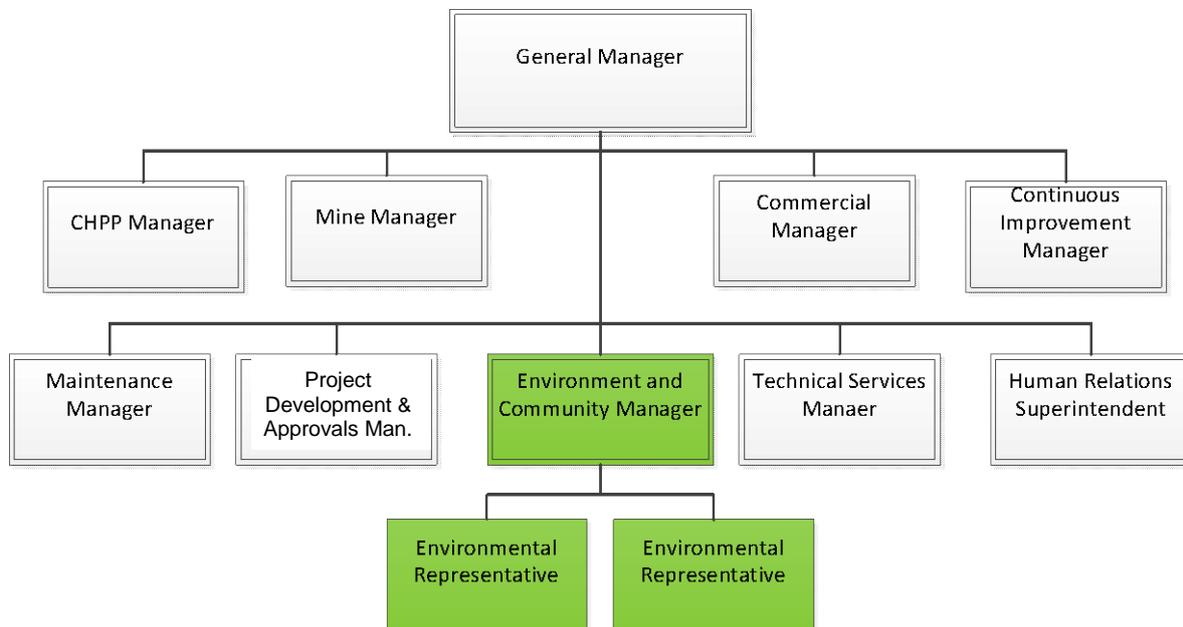


Figure 4: Organisational Chart

3.11 Environmental Management System Structure

The components of this EMS include:

- Environmental Management Strategy (this document);
- Specific and separate EMPs which provide details on the management of environmental aspects and impacts (including environmental obligations and performance targets) (**Table 5**);
- Site document control system including work procedures, training records, monitoring results, stakeholder engagement register, community complaints, environmental forms, inspection and audit reports; and
- Management roles and accountabilities of key personnel.

Table 5: EMPs Required by Development Consent (SSD67-64)

EMP	Document No	PA Condition	Consultation	Approval
Noise Management Plan	WI-ENV-MNP-0002	Condition 5, Schedule 3	EPA	DP&E
Blast Management Plan	WI-ENV-MNP-0003	Condition 14, Schedule 3	EPA & OEH	DP&E
Air Quality Management Plan	WI-ENV-MNP-0004	Condition 20, Schedule 3	EPA, NSW Health	DP&E
Water Management Plan	WI-ENV-MNP-0006	Condition 30, Schedule 3	EPA & DPI Water	DP&E
Aboriginal Cultural Heritage Management Plan	WI-ENV-MNP-0007	Condition 47, Schedule 3	OEH & RAPs	DP&E
Historic Heritage Management Plan	WI-ENV-MNP-0044	Condition 49, Schedule 3	Heritage Division & MWRC	DP&E
Biodiversity Management Plan	WI-ENV-MNP-0008	Condition 42, Schedule 3	OEH & DoEE	DP&E
Rehabilitation Management Plan (Mining Operations Plan) ¹	WI-ENV-MNP-0033	Condition 64, Schedule 3	DP&E, DPI Water, OEH, MWRC & CCC	DRE
Social Impact Management Plan	WI-ENV-MNP-TBA ²	Condition 68, Schedule 3	MWRC, Community of Wollar & CCC	DP&E

Notes: ¹ The Mine Operations Plan (MOP) may be used to address the requirements of the Rehabilitation Management Plan required under this condition. The MOP clearly documents how the requirements of this condition have been met. ² To be developed within 12 months of Development Consent (SSD-6764) approval.

All EMPs have been developed in accordance with the relevant conditions of Development Consent (SSD-6764), EPL 12425 and other approvals, licences, permits and agreements (as required).

This EMS applies to all employees, contractors and others attending the site, whilst also guiding WCPL's relationship with the communities and minimising the impact of WCPL's operations on the environment.

This EMS has been developed as an umbrella document to provide guidance to activities undertaken at the Mine for the development, implementation and continual assessment and review of its environmental management system.

An overview of this EMS structure is illustrated in **Figure 5**. This EMS remains a public document and provides the community with information relating to environmental management at the Mine, and is subject to audit by WCPL and the respective government agencies responsible for monitoring environmental performance at the Mine.

3.12 Mine Closure Planning

WCPL have developed a Mine Closure Plan, formally required by PA 05-0021 and as part of the Peabody Energy initiative to undertake life of mine closure planning for mining operations. The Mine is not planned for closure until 31 December 2033.

The Mining Operation Plan (MOP) addresses all aspects of rehabilitation including mine closure, final landform and final land use. The MOP has been prepared to address the requirements of the Rehabilitation Management Plan required under Development Consent (SSD67-64). The strategies and planning set out in the MOP, with respect to mine closure, reflect the current early stages of mine development and will be reviewed in consultation with all relevant government and community stakeholders during the life of the mine as strategies and planning mature and develop further. This will allow the MOP to be used as a dynamic document that can be continually improved over the life of the mine.

3.13 Ulan Road Strategy

In 2011 a strategy was developed by Arrb Group Ltd for the upgrade and ongoing maintenance of the Ulan Road, between Mudgee and the entrance to Ulan Coal No. 3 Underground Mine over the next 21 years (the “Ulan Road Strategy”) (Arrb Group Ltd, 2011).

This strategy was developed for Ulan Coal Mines Limited (UCML), in conjunction with WCPL and Moolarben Coal Operations Pty Ltd (MCO) and submitted to DP&E for approval in December 2011. The strategy was amended by the Secretary of DP&E in a letter dated 25 May 2013. As required, WCPL will:

- Work with MWRC and the owners of MCO and UCML to develop a detailed plan for the implementation of the strategy;
- Make financial contributions⁴ towards the implementation of the detailed plan, in accordance with the requirements of the detailed plan;
- Make contributions towards the implementation of the Ulan Road Strategy (ARRB Group, December 2011). If there is any dispute about the implementation of the strategy, then any of the parties involved⁵ may refer the matter to the Secretary for resolution; and
- Prior to carrying out any development under Development Consent (SSD-6764), the Applicant shall write to the owners of the residences that are entitled to additional road noise mitigation works under the Ulan Road Strategy (ARRB Group, December 2011) who have not sought these mitigation measures yet, and remind them that they are entitled to additional road noise mitigation works under the strategy.

⁴ WCPL's financial contributions to the Ulan Road upgrades are further detailed in Appendix 9 of PA 05-0021.

⁵ WCPL, UCML, MCO or MWRC

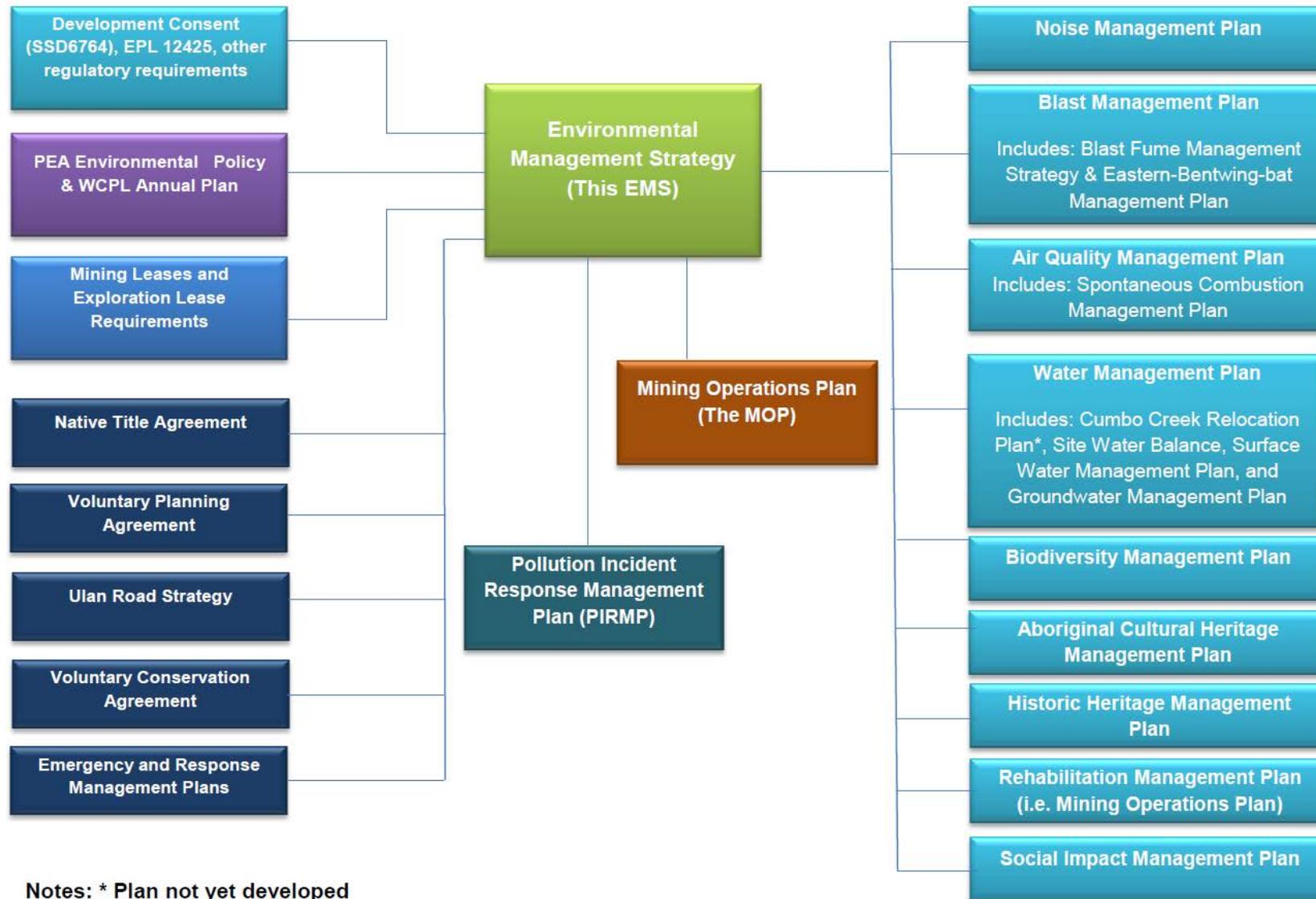


Figure 5: WCPL EMS Structure

3.14 Cooperation with Adjacent Mines

WCPL will continue to work cooperatively with MCO and UCML to minimise the cumulative impacts of the Mine on the surrounding area. WCPL will coordinate shift changes on site with the shift changes of MCO and UCML to minimise the potential cumulative traffic impacts of shift changes of the three mines.

In August 2015 and April 2016, WCPL altered its shift changes in consultation with MCO and UCML to the satisfaction of the Secretary.

WCPL will coordinate blasting activities in conjunction with MCO and UCML to minimise cumulative blasting impacts on the local community. The three mines have developed a Blasting Notification Protocol (UCML, 2011) to assist in the coordination of blasting activities.

WCPL has a data sharing agreement with MCO and UCML. This agreement allows WCPL access to data from selected monitoring equipment and weather stations owned and operated by these other mines. This data can be used to assist in the investigation of incidents and in general environmental management onsite.

3.15 Biodiversity Offsets Strategy and Voluntary Conservation Agreement

In 2012, WCPL entered into a Voluntary Conservation Agreement (VCA) with the NSW Minister for the Environment, for four parcels of land surrounding ML 1573 (**Figure 6**). These parcels, known as Enhancement and Conservation Areas (ECAs) A, B, C and D, comprise approximately 480 hectares of land, for conservation purposes.

The Biodiversity Offset Strategy comprises a package of Biodiversity Offset Areas that will be set aside for conservation and managed in perpetuity, and WCPL's rehabilitation strategy. In addition, the Biodiversity Offset Strategy includes a number of ECAs and residual Regeneration Areas associated with the original Wilpinjong Coal Project that will strengthen the linkages between the woodland rehabilitation areas and the Goulburn River National Park and Munghorn Gap Nature Reserve. The Biodiversity Offset Strategy will also assist in the faunal recolonisation of Project Rehabilitation Areas and residual Regeneration Areas.

The Biobanking Assessment Methodology 2014 (OEH, 2014c) and Credit Calculator were used to assess the biodiversity values of five land-based Biodiversity Offset Areas. **Figure 6** shows the location of Biodiversity Offset Areas relative to the Project. These Biodiversity Offset Areas are located on land owned by Peabody.

The Biodiversity Offset Areas are strategically located next to the Goulburn River National Park and Munghorn Gap Nature Reserve, with the potential to increase the extent of these existing protected areas. The Biodiversity Offset Areas total 1,100 ha in size, comprising approximately 996 ha of native vegetation (**Figure 6**).

WCPL have prepared a Biodiversity Management Plan (BMP), in accordance with the relevant conditions Development Consent (SSD67-64). The BMP includes management measures, rehabilitation criteria and a monitoring program for Biodiversity Offset Areas (BOAs), as well as for the ECAs, rehabilitation areas and residual Regeneration Areas.

All land within Biodiversity Offset Areas D and E has been, or is in the final process of being, transferred to National Parks Estate. Similarly, WCPL intends to proceed at the earliest opportunity to secure the additional Biodiversity Offset Areas 1-5 by transfer into the National Park Estate in accordance with Schedule 3, Conditions 32 and 35 of Development Consent (SSD-6764).

WCPL has, in 2017, commenced consultation with NSW National Parks and Wildlife Services (NPWS) with respect to the transfer of Biodiversity Offset Areas 1-5, including requesting a Financial Impact Statement.

In accordance with Schedule 3, Condition 44 of the Development Consent (SSD-6764), a Conservation Bond will be lodged with the Department within 2 years of commencing development, unless otherwise agreed to by the Secretary. The Conservation Bond will only apply to the ECAs and Biodiversity Offset Areas 1-5, however, it is noted existing bonds paid for the ECAs will remain current.

The sum of the bond will be calculated to cover management measures prescribed within the BMP and include (for example) staff costs, fencing, fire management, weed management, feral animal control, seed collection, replanting/revegetation, monitoring, auditing and reporting until the Biodiversity Offset Areas are transferred to NPWS as described above.

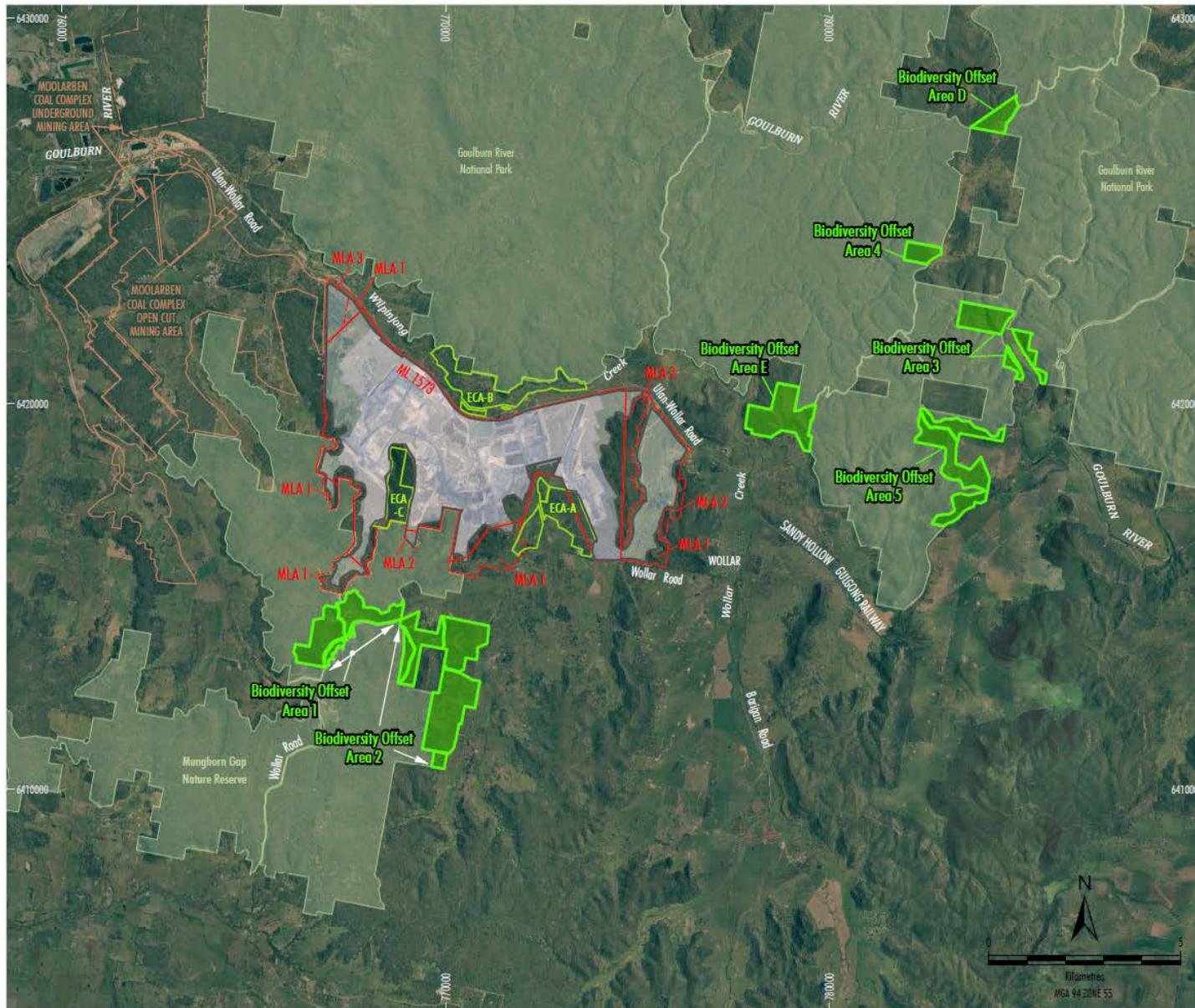


Figure 6: Biodiversity Offset Areas and Enhancement and Conservation Areas

3.16 Native Title Agreement

Through the operation of the Federal *Native Title Act 1993*, a Native Title Agreement (NTA) is maintained with the North Eastern Wiradjuri Company Ltd (NEWCO) Native Title Claimants over ML 1573. The Government Party Deed ("the Deed") represents an agreement for the purposes of s.31 (1) (b) of the *Native Title Act 1993* and was validly lodged with the National Native Title Tribunal on 12 December 2005.

The implementation of the NTA is through the operation of an "Ancillary Deed" which was entered into by the grantee party (WCPL) and the claimants (NEWCO). WCPL will continue to implement arrangements detailed in the NTA through the operation of the Aboriginal Cultural Heritage Management Plan (ACHMP) and, external to this ACHMP, in consultation with NEWCO.

There are three Mining Lease Applications (MLAs) required to support the WEP, two MLAs have already been lodge with the DRG. MLA 510 does not trigger the Native Title process. MLA515 is subject to Native Title negotiations with the relevant Native Title Claimants' Group. The third MLA is not required in the short term.

3.17 Voluntary Planning Agreement

In 2006 WCPL and MWRC signed the Wilpinjong Coal Project Planning Agreement. This agreement included a lump sum payment prior to the first shipment of coal from the Mine and monetary contributions for community infrastructure and road maintenance. In 2011 WCPL signed a Voluntary Planning Agreement (VPA) with MWRC in accordance with PA 05-0021 and Part 4 Division 6 of the EP&A Act 1979.

Within 6 months of the commencement of development under this Development Consent (SSD-6764), unless the Secretary agrees otherwise, WCPL shall amend the current planning agreement with MWRC under Division 6 of Part 4 of the EP&A Act to reflect the terms outlined in Appendix 4 (see below) of Development Consent (SSD-6764).

The annual payments for each payment year will be;

- A community infrastructure contribution
- A road maintenance contribution
- A social amenity/infrastructure contribution

The annual social amenity/infrastructure contribution is determined by the following formulas:

- For payment years up to and including 2027:
Annual Payment (4) = $(W-100) \times (\$12,000/20)$
- For payment years on and form 2028
Annual Payment (\$) = $W \times (\$12,000/20)$

Where 'W' is the total number of permanent employees and permanent contractors at the Wilpinjong Coal Project as determined by Wilpinjong (acting reasonably) on 28 February in any given year.

In addition to financial contributions, Wilpinjong must:

- Provide access to the ablution facilities at the Wollar General Store for public use during and beyond the store opening hours;
- Provide cleaning services to the Wollar General Store ablution facilities; and
- Provided continued ground keeping of the vacant and public land within Wollar Village, including church grounds, park and town entrances.

Council agrees to provide Wilpinjong with access to the maintenance equipment as required by Wilpinjong to carry out its obligations under clause (iii).

Council will be responsible for repairs and upgrades to the maintenance equipment as and when required to enable Wilpinjong to fulfil its obligations under clause (iii).

WCPL are also co-funding the implementation of the Ulan Road Strategy with UCML, MCO and MWRC (**Section 3.10**).

If a party to the VPA is dissatisfied with the conduct of the other party under the VPA, that party must notify the other and if the dispute cannot be resolved by discussions between the parties it shall be referred to the Secretary who will establish a mechanism whereby the dispute can be resolved.

3.18 Consultation and Communication

3.18.1 Internal Communications

Various forms of communications are undertaken (as required) to inform the Mine's management, employees, contractors and other relevant stakeholders of their requirements under the Strategy, including but not limited to the following:

- Induction Training;
- Pre-shift Talks;
- Crew Talks;
- Management Meetings;
- Safety Alerts;
- Tool Box Talks and Newsletters;
- Work Permits;
- Emails; and
- Safety Interactions.

3.18.2 External Communications

Communications between WCPL and external stakeholders include, but are not limited to:

- Regular meetings and consultation with relevant Government agencies;
- Local communities (including Newsletters and 'Have a Chat' meetings);
- Providing information on the Peabody website:
- <https://www.peabodyenergy.com/Operations/Australia-Mining/New-South-Wales-Mining/Wilpinjong-Mine/Approvals,-Plans-Reports>

- The Community Consultative Committee (CCC)⁶;
- Aboriginal Heritage Meetings; and
- Neighbouring mining operations (e.g. UCML and MCO).

Contact details for key personnel responsible for environmental management at the Mine are in **Table 6**.

Table 6 Mine Contact Details

Name	Position	Contact Details
Blair Jackson	General Manager	Email: bjackson@peabodyenergy.com
Kieren Bennetts	Environment & Community Manager	Email: kbennetts@peabodyenergy.com
Clark Potter	Senior Environmental Advisor	Email: cpotter@peabodyenergy.com
Karin Fogarty	Environmental Advisor	Email: kfogarty@peabodyenergy.com

The street and contact telephone numbers for the Mine are as follows:

- **Street Address:** 1434 Ulan-Wollar Road, Wollar NSW 2850
- **Phone:** (02) 6370 2500

⁶ As required by Condition 7, Schedule 5 of Development Consent (SSD-6764) WCPL has established a Community Consultative Committee (CCC). This CCC is operated in accordance with the *Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects* (Department of Planning, 2007, or its latest version).

Notes:

The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent. In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the Applicant, Council, recognised environmental groups and the local community.

4 Implementation and Monitoring

Table 7 summarises WCPL’s implementation and monitoring processes for the EMS on site and identifies where these processes are also included in individual EMPs.

Table 7: Implementation and Monitoring Processes for the EMS

Element	Aspect	Commitment	Reference	Section
Policy and Commitment	Environmental Policies	Peabody maintains an ‘Environmental Policy’ to guide the strategic environmental direction for the Wilpinjong Mine.	Environmental Management Strategy	2.0
Planning	Life of Mine Planning	WCPL maintain a current MOP which details the rehabilitation planning objectives and commitments for the Mine.	MOP	All
	Hazard Identification	WCPL maintains a GDP process as a risk management tool to prevent unauthorised disturbance or disturbance to sensitive ecological values and cultural heritage. WCPL maintains BBRA and associated risk register. The GDP will be completed by the relevant Project Manager and requires sign off by an Environmental Representative prior to any disturbance on undisturbed land.	Environmental Management Strategy Biodiversity Management Plan	3.5 & 3.6.1 7.8
	Baseline Data	The preparation of WCPL’s environmental management plans (EMP) considers, where applicable, historical data relative to each specific EMP.	EMPs	3.0
Implementation	Training and Awareness	WCPL will provide adequate environmental training and awareness to all employees and contractors working at the Mine.	Noise Management Plan	11.0
			Blast Management Plan	5.2.2, 5.3.2 & 11.0
			Air Quality Management Plan	11.0
			Water Management Plan	5.0
			Aboriginal Cultural Heritage Management Plan	3.4, 5.5 & 10.0
			Historic Heritage Management Plan	9.0

Element	Aspect	Commitment	Reference	Section
			Social Impact Management Plan	TBA ¹
	Management and Reporting of Incidents and Non Compliances	<p>WCPL will manage and report all environmental incidents at the Mine in accordance with WCPL's Incident Management Procedure and Pollution Incident Response Management Plan (WI-ENV-MNP-0009).</p> <p>All incidents that cause, or threaten to cause, material harm to the environment (as defined by law) will be reported in accordance with the PIRMP. All other incidents and non-compliances with the Impact Assessment Criteria will be reported to DP&E and EPA, and any other relevant agencies as specified in the relevant management plan</p> <p>Within seven days of the date of a reportable incident or non-compliance, WCPL will provide a detailed report to the DP&E and EPA in accordance with the requirements of the Project Approval and EPL 12425. Where monitoring results show an exceedance of the relevant Impact Assessment Criteria, WCPL will notify affected landowners as specified in relevant management plan.</p> <p>If a non-compliance of any approval or licence condition is identified, WCPL will investigate the non-compliance and implement corrective actions as soon as required.</p>	Noise Management Plan	9.1
			Blast Management Plan	9.1
			Blast Fume Management Strategy	4.0
			Air Quality Management Plan	9.1
			Water Management Plan	9.1
			Aboriginal Cultural Heritage Management Plan	8.1
			Historic Heritage Management Plan	5.2
			Social Impact Management Plan	TBA ¹
			Community and Consultation	Internal and external communications are undertaken as described in Section 3.17 to ensure all relevant stakeholders are informed regularly (or as required).
	Complaints Response	<p>WCPL have implemented a Complaint Response Protocol to respond to all community concerns.</p> <p>WCPL will continue to operate a Community Information and community hotline (ph:1300 606 625) for the purpose of receiving complaints from members of the public in relation to mining activities at the Mine.</p> <p>Records of all complaints will be kept for at least four years. Records will be provided to any authorised officer who asks to see them.</p>	Noise Management Plan	8.0
			Blast Management Plan	8.0
			Air Quality Management Plan	8.0
			Water Management Plan	5.0
			Aboriginal Cultural Heritage Management	7.0

Element	Aspect	Commitment	Reference	Section
			Plan	
			Historic Heritage Management Plan	6.0
			Social Impact Management Plan	TBA ¹
	Dispute Resolution	The dispute resolution process will be followed in the event of a disagreement between WCPL and a member of the community as described in the relevant EMP. Disputes in relation to the acquisition of property or property. Inspections/investigations (that cannot be resolved between WCPL and the affected resident) will be referred to the Secretary of DP&E for resolution.	Noise Management Plan	4.3
			Blast Management Plan	4.6
			Air Quality Management Plan	4.6
	Document and Record Control	WCPL's maintains a document control system that accurately records, stores and enables retrieval of all necessary environmental documents and data. WCPL will maintain a copy of all monitoring results for at least four years. All records will be kept in a legible form. Records will be provided to any authorised officer if requested.	Noise Management Plan	6.6
			Blast Management Plan	6.4
			Air Quality Management Plan	6.6
			Water Management Plan	6.2
			Aboriginal Cultural Heritage Management Plan	6.4
			Historic Heritage Management Plan	6.0
			Social Impact Management Plan	TBA ¹
	Operations Control	Controls on activities conducted at the Mine will be undertaken in accordance with WCPL's EMPs, applicable environmental procedures, and programmes. Allocation of financial resources for achieving WCPL environmental objectives and targets will be documented within the Mine's annual budgeting process. This includes resources to maintain effective environmental resources, equipment and	Noise Management Plan	5.0 & 11.0
			Blast Management Plan	5.0 & 11.0
			Air Quality Management Plan	5.0 & 11.0

Element	Aspect	Commitment	Reference	Section
		controls in a proper and efficient condition.	Surface Water Management Plan	5.2.4
			Aboriginal Cultural Heritage Management Plan	5.0
			Historic Heritage Management Plan	4.5
			Social Impact Management Plan	TBA ¹
	Emergency Response	<p>WCPL's Emergency Procedures Manual (WI-SAH-PRO-004) contains procedures for dealing with a range of health, safety and environmental emergency scenarios.</p> <p>WCPL's Pollution Incident Response Management Plan (WI-ENV-MNP-0009) details the emergency response procedures that will be implemented in the event of a pollution incident occurring on site.</p> <p>WCPL maintains a dedicated emergency response team who undergo regular training and operational drills involving identified high risk activities.</p>	Pollution Incident Response Management Plan	3.2
Exploration	All exploration activities and reporting will be undertaken in accordance with the conditions of ML 1573, ELs 6169 and 7091, bore licence conditions (where applicable) and the Mining Operations Plan (MOP).	MOP Groundwater Management Plan	2.0 5.0	
Measurement and Evaluation	Environmental Measurement and Monitoring	Environmental monitoring will be undertaken in accordance with the relevant EMPs and programmes prepared in accordance with SSD-6764 or lease, licence, permit or agreement. A clear plan depicting WCPL's environmental monitoring locations is contained in Appendix 2 .	Noise Management Plan	6.0
			Blast Management Plan	6.0
			Air Quality Management Plan	6.0
			Surface Water Management Plan	8.0
			Groundwater Management Plan	6.0
			Biodiversity Management Plan	9.0

Element	Aspect	Commitment	Reference	Section
			Aboriginal Cultural Heritage Management Plan	6.0
			Historic Heritage Management Plan	4.2
			Social Impact Management Plan	TBA ¹
	Contingency Plan	The preparation of WCPL's environmental management plans (EMP) outline specific measures to address unpredicted impacts.	Noise Management Plan	7.0
			Blast Management Plan	7.0
			Air Quality Management Plan	7.0
			Water Management Plan	7.0
			Biodiversity Management Plan	10.0
			Historic Heritage Management Plan	5.2
			Social Impact Management Plan	TBA ¹
	Audits and Inspections	WCPL will undertake both Independent Compliance Audits as required by SSD-6764 and internal environmental audits and inspections of the Mine site and mine owned lands to assess ongoing environmental performance and compliance with statutory approvals. Corrective or preventative actions will be implemented as required.	Noise Management Plan	9.3
			Blast Management Plan	9.3
			Air Quality Management Plan	9.3
			Water Management Plan	9.3
			Aboriginal Cultural Heritage Management Plan	8.3
Historic Heritage Management Plan			8.0	

Element	Aspect	Commitment	Reference	Section
			Social Impact Management Plan	TBA ¹
Management Review	Document Review	WCPL will undertake relevant reviews of its EMS including all strategies, plans, and programs to ensure the EMS remains current and opportunities for continuous improvement are identified as required by Condition 4, Schedule 5 of PA05-0021.	Noise Management Plan	10.0
			Blast Management Plan	10.0
			Air Quality Management Plan	10.0
			Water Management Plan	10.0
			Biodiversity Management Plan	14.0
			Aboriginal Cultural Heritage Management Plan	9.0
			Historic Heritage Management Plan	8.0
			Social Impact Management Plan	TBA ¹

Notes: ¹ To be developed within 12 months of Development Consent (SSD-6764) approval.

5 Review and Improvement

5.1 EMS Review

Within three months of the submission of:

- a) The Annual Review;
- b) A blast incident (exceedance) report;
- c) An Independent Environmental Audit;
- d) The approval of any modification to the conditions of this consent; and
- e) A direction of the Secretary.

WCPL will review, and if necessary revise, this EMS and/or any relevant EMP/s to the satisfaction of the Secretary.

WCPL will also review, and if necessary revise, this EMS and/or any relevant EMP/s when there are changes to the EPL and in response to a relevant change in technology, legislation, or operations.

WCPL will comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of:

- a) Any reports, strategies, plans, programs, reviews, audits or correspondence that are submitted in accordance with the Development Consent (SSD-6764); and
- b) The implementation of any actions or measures contained in these documents.

Where the review of the EMS leads to a revision, then within 4 weeks of the review the revised EMS will be submitted to the Secretary for approval, unless otherwise agreed with the Secretary.

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, WCPL may submit revised strategies, plans or programs required under this Development Consent (SSD-66764) at any time. With the agreement of the Secretary, WCPL may also submit any strategy, plan or program required by this consent on a staged basis.

The Secretary may approve a revised strategy, plan or program required under this consent, or the staged submission of any of these documents, at any time. With the agreement of the Secretary, WCPL may prepare the revised or staged strategy, plan or program without undertaking consultation with all parties nominated under the applicable condition in this consent.

Notes:

- *While any strategy, plan or program may be submitted on a progressive basis, WCPL will need to ensure that the existing operations on site 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 to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.*
- *For the avoidance of doubt, existing approved management plans, strategies or monitoring programs for the Wilpinjong Coal Project will continue to apply until the approval of a similar plan, strategy or program under this consent.*

5.2 Independent Review Procedure

If an owner of privately-owned land considers the development to be exceeding the relevant criteria in Schedule 3 of Development Consent (SSD-6764), then he/she may ask the Secretary in writing for an independent review of the impacts of the development on his/her land.

If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision then WCPL will:

- (a) Commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to:
 - Consult with the landowner to determine his/her concerns;
 - Conduct monitoring to determine whether the development is complying with the relevant criteria in Schedule 3; and
 - If the development is not complying with these criteria, then identify the measures that could be implemented to ensure compliance with the relevant criteria; and
- (b) Give the Secretary and landowner a copy of the independent review.

Note: Where the independent review finds that the development is not complying with applicable criteria, the Department may take enforcement action under the EP&A Act to ensure compliance with the consent.

5.3 Audits and Inspections

WCPL will undertake both Independent Compliance Audits as required by Development Consent (SSD-6764) and internal environmental audits and inspections of the Mine site and mine owned lands to assess ongoing environmental performance and compliance with statutory approvals. Corrective or preventative actions will be tracked in PCAT and implemented as required.

Within a year of commencing development under (SSD-6764), and every three years thereafter (unless the Secretary directs otherwise) WCPL will commission an Independent Environmental Audit (IEA) of the Mine. This audit will:

- a) Be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General;
- b) Include consultation with the relevant agencies;
- c) Assess the environmental performance of the project and assess whether it is complying with the requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals);
- d) Review the adequacy of strategies, plans or programs required under the abovementioned approvals; and
- e) Recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under the abovementioned approvals; and
- f) Be conducted and reported to the satisfaction of the Secretary.

Within three months of commissioning this audit, or as otherwise agreed by the Secretary, WCPL will submit a copy of the audit report to the Secretary, together with its response to any recommendation contained in the audit report and a timetable for the implementation of



these recommendations as required. WCPL must implement these recommendations, to the satisfaction of the Secretary.

A copy of the audit report (and WCPL's response to any recommendations) will be made publicly available on the WCPL website.

6 Reporting

The following external reporting will be undertaken by WCPL in accordance with the conditions of the Development Consent (SSD-6764), EPL 12425 and Mining Leases:

- Exceedance and Non-Compliance reporting;
- Annual Review;
- Independent Environmental Audit;
- EPL Annual Return; and
- Website updates.

6.1 Non-compliance Reporting

A non-compliance of the relevant performance criteria as identified in Schedule 3 of Development Consent (SSD-6764) will be notified immediately upon confirming the exceedance to DP&E and EPA.

As soon as practicable after obtaining monitoring results showing an exceedance with any relevant criteria WCPL will notify affected landowners in writing of the exceedance, and provide regular monitoring results to each affected landowner until the project is again complying with the relevant criteria.

Within seven days of the date of an exceedance, WCPL will provide a detailed report to the DP&E, EPA and NSW Health (if its air quality related) that:

1. Describes the date, time, and nature of the exceedance or non-compliance;
2. Identifies the cause (or likely cause) of the exceedance or non-compliance;
3. Describes what action (**Section 6.2**) has been taken to date to remedy the exceedance or non-compliance; and
4. Describes the proposed measures (**Section 6.2**) to address the exceedance or non-compliance.

6.2 Adaptive Management

WCPL will assess and manage development-related risks to ensure that there are no exceedances⁷ of the criteria and/or performance measures in Schedule 3 of Development Consent (SSD67-64).

Where any exceedance of these criteria and/or performance measures has occurred, the WCPL will, at the earliest opportunity:

- Take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur;
- Consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and
- Implement reasonable remediation measures as directed by the Secretary.

⁷ Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.

6.3 Pollution Incident Response Management Plan

WCPL have developed and implemented a Pollution Incident Response Management Plan (PIRMP), to ensure that operational activities at WCPL that have the potential to cause harm or pose a threat to the environment are clearly identified and that adequate response processes are identified and implemented in the event of an incident.

The PIRMP was developed to meet WCPL's obligations under *Part 5.7A of the Protection of the Environment Operations Act 1997 (POEO Act) and Chapter 7, Part 3A of the Protection of the Environment Operations (General) Regulation 2009 (POEO(G) Regulation)*.

If a Pollution Incident occurs in the course of an activity at the Mine so that material harm to the environment is caused or threatened (i.e. likely to be caused), WCPL will immediately implement the PIRMP (refer to Section 1.1 of the PIRMP as to the meaning of Pollution Incident).

All Pollution Incidents are to be immediately notified in accordance with the Pollution Incident Response Process. To determine whether material harm to the environment has been caused or threatened, WCPL will immediately notify the incident in accordance with Pollution Incident Response Process in Figure 4 of the PIRMP.

6.4 Annual Review

At the end of March each year, WCPL will review the environmental performance of the Mine and submit an Annual Review report to the DP&E. This report will:

- 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;
- b) Include a comprehensive review of the monitoring results and complaints records of the project over the past year, which includes a comparison of these results against the:
 - Relevant statutory requirements, limits or performance measures/criteria;
 - Monitoring results of previous years; and
 - Relevant predictions in the EIS⁸;
- c) Identifying any exceedance over the last year, and describe what was the extrinsic cause(s);
- d) Identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;
- e) Identify any trends in the monitoring data over the life of the project;
- f) Identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and
- g) Describe what measures will be implemented over the next year to improve the environmental performance of the project.

A copy of the Annual Review will be made publicly available on the WCPL website.

⁸ EIS 2015 for the Wilpinjong Extension Project (WEP)

6.5 EPL Reporting

WCPL will prepare and submit an Annual Return comprising a certified Statement of Compliance and a signed Monitoring and Complaints Summary to the EPA at the end of each EPL reporting period.

The Annual Return for the reporting period will be supplied to the EPA by registered post not later than 60 days after the end of each reporting period. WCPL will retain a copy of the Annual Return for a period of at least four years after the Annual return was due to be supplied to the EPA.

6.6 Access to Information

From the commencement of development under this Development Consent (SSD-6764), WCPL will ensure that any information relevant to this EMS and relevant EMPs is uploaded to the website (and kept up to date). This includes:

- (a) Make copies of the following information publicly available on its website:
 - The WEP EIS;
 - Current statutory approvals for the development;
 - Approved strategies, plans or programs required under the conditions of this consent;
 - A comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - A complaints register, which is to be updated monthly;
 - Minutes of CCC meetings;
 - The last five annual reviews;
 - Any independent environmental audit, and the Applicant's response to the recommendations in any audit;
 - Any other matter required by the Secretary; and
- (b) Keep this information up to date.

7 Responsibilities

Table 8 lists the key responsibilities of personnel under this EMS. Additional responsibilities for environmental management are listed in the relevant EMP's.

Table 8: Environmental Management Strategy Responsibilities

Responsibility	Task	Timing
General Manager	Ensure that adequate resources are available to effectively implement requirements of this EMS and EMPs.	Ongoing and during budget planning
	Participate in Dispute Resolution process as required	As required
Senior Leadership Team	Support the Environmental Department in the effective implementation of this EMS and EMPs.	At all times
	Develop and review Annual Business Plan, LOM Plan and Mine Closure Plan.	Annually
	Participate in Environment and Community Broad Brush Risk Assessment	Annually
Environment and Community Manager (ECM)	Ensure that all employees and contractors are given adequate training in the EMS, environmental and cultural awareness and legal responsibilities.	Within 3 months of approval of this EMS, and as required
	Undertake internal and external communication and consultation.	As required
	Ensure that all incidents are entered into PIMS (or PCAT) and corrective actions assigned	Following an incident
	Notify immediately DP&E and EPA (and other relevant regulatory authorities) of any incidents or non-compliances as required by Section 6.0 .	In accordance with this EMS, Development Consent (SSD67-64) and EPL
	Ensure that all regulatory reporting is undertaken in relation to this EMS and EMPs.	As required
	Ensure that all complaints are responded to in accordance with the Complaints Response Protocol	Following a complaint
	Participate in Dispute Resolution Process as required.	As required
	Coordinate relevant reviews of this EMS and the EMPs in accordance with Section 5	As required
	Ensure audits are undertaken as required, in accordance with Section 5.3	As required
	Commission a suitably qualified, experienced and independent expert to undertake an independent review of mine impacts on affected landowners, if requested by the Secretary, as per Section 5.2	When requested by the Secretary of DP&E
	Drive continuous improvement for the Mine.	As required
	Review the performance of the monitoring programs and effectiveness of this EMS and EMPs.	As required

Responsibility	Task	Timing
	Coordinate emergency response for environmental incidents, in accordance with PIRMP.	Immediately following an incident
Environmental Representative	Maintain the environmental monitoring and management systems	As required
	Ensure monitoring is undertaken in accordance with the monitoring programs detailed in the respective EMPs.	As required
	Regularly review monitoring data to ensure compliance with relevant Development Consent (SSD-6764) assessment Criteria as outlined in Schedule 3.	As required
	Ensure all records relating to the EMS are managed in accordance with the EPL.	As required
	Prepare all statutory reports relating to this EMS and EMPs.	As required
	Report on Continuous Improvement opportunities in the Annual Review when identified.	Annually (Annual Review)
	Ensure the WCPL website is maintained in accordance with Condition 12 of Schedule 5 of Development Consent (SSD67-64)	As required
	Maintain all machinery and plant used on site in a proper and efficient condition	As required
Maintenance Manager	Operate all machinery and plant used on site in a proper and efficient manner	As required
All employees and contractors	Report all incidents to Environmental Department as soon as practicable	As soon as practicable

8 References

- Arb Group Ltd 2011, Ulan Road Strategy, for Ulan Coal Mine Limited, December 2011*
- Peabody Energy Australia Pty Ltd 2012, Environmental Mission Policy No. 400.00*
- UCML 2011, Confirmation of Blasting Notification Protocols, Letter to WCPL dated 11 March 2011*
- WCPL 2006, Wilpinjong Coal Project Environmental Impact Statement*
- WCPL 2013, Wilpinjong Coal Mine Modification Environmental Assessment*
- WCPL Risk Management Plan (WI-SAH-MNP-0007)*
- WCPL Hazard Identification and Risk Management Standard (PEA-S&H-STD-001.3)*
- WCPL Incident Management Procedure*
- WCPL Change Management Procedure (WI-SAH-PRO-001)*
- WCPL Emergency Procedures Manual (WI-SAH-PRO-004)*
- WCPL Noise Management Plan (WI-ENV-MNP-0002)*
- WCPL Blast Management Plan (WI-ENV-MNP-0003)*
- WCPL Air Quality Management Plan (WI-ENV-MNP-0004)*
- WCPL Waste Management Plan (WI-ENV-MNP-0005)*
- WCPL Water Management Plan (WI-ENV-MNP-0006)*
- WCPL Aboriginal Cultural Heritage Management Plan (WI-ENV-MNP-0007)*
- WCPL Biodiversity Management Plan (WI-ENV-MNP-0008)*
- WCPL Pollution Incident response Management Plan (WI-ENV-MNP-0009)*
- WCPL Rehabilitation Management Plan/Mining Operations Plan (2014-2019)*
- Wilpinjong Extension Project - Environmental Impact Statement (January 2016)*

9 Appendices

9.1 Appendix 1: Environmental Management Strategy Requirements

Schedule 2 of Development Consent (SSD-6764)

Approval/Licence	Condition	Requirement	Section
Development Consent	Schedule 2 Condition 1	In addition to meeting the specific performance criteria established under this consent, the Applicant must 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.	4
Development Consent	Schedule 2 Condition 2	The Applicant must carry out the development: (a) generally in accordance with the EIS and the Wilpinjong Coal Project EIS; and (b) in accordance with the conditions of this consent. <i>Note: The general layout of the development is shown in Appendix 2.</i>	3.1
Development Consent	Schedule 2 Condition 3	If there is any inconsistency between documents listed in condition 2(a) above, 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.	3.1
Development Consent	Schedule 2 Condition 4	The Applicant must comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: (a) any strategies, plans, programs, reviews, reports, audits or correspondence that are submitted in accordance with this consent (including any stages of these documents); (b) any reviews, reports or audits commissioned by the Department regarding compliance with this consent; and (c) the implementation of any actions or measures contained in these documents.	5.1
Development Consent	Schedule 2 Condition 9	Within 6 months of the commencement of development under this consent, or as otherwise agreed by the Secretary, the Applicant must surrender the existing project approval (MP 05-0021) for the Wilpinjong Coal Project in accordance with Section 8P of the EP&A Regulation. Following the commencement of development under this consent, and prior to the surrender of the project approval (MP 05-0021), the conditions of this consent shall prevail to the extent of any inconsistency with the conditions of MP 05-0021. <i>Notes:</i> <input type="checkbox"/> • Any existing management and monitoring plans/strategies/programs/protocols/committees under the existing approval for the Wilpinjong Coal Project will continue to apply until the approval of the comparable plan/strategy/program/protocol/committee under this consent. <input type="checkbox"/> • This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under Part 4A of the EP&A Act. Surrender of a consent should not be understood as implying that works legally constructed under a valid consent can no longer be legally maintained or used.	3.0

Approval/ Licence	Condition	Requirement	Section
Development Consent	Schedule 2 Condition 13	The Applicant must ensure that all plant and equipment used on site, or to monitor the performance of the development, is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	7

Schedule 3 of Development Consent (SSD-6764)

Approval/ Licence	Condition	Requirement	Section
Development Consent	Schedule 3 Condition 55	The Applicant must make contributions towards the implementation of the Ulan Road Strategy (ARRB Group, December 2011). If there is any dispute about the implementation of the strategy, then any of the parties involved may refer the matter to the Secretary for resolution	3.12
Development Consent	Schedule 3 Condition 56	Prior to carrying out any development under this consent, the Applicant shall write to the owners of the residences that are entitled to additional road noise mitigation works under the Ulan Road Strategy (ARRB Group, December 2011) who have not sought these mitigation measures yet, and remind them that they are entitled to additional road noise mitigation works under the strategy.	3.12
Development Consent	Schedule 3 Condition 52	The Applicant must: a) Schedule shift changes on site to occur outside of school bus hours; and b) co-ordinate the shift changes on site with the shift changes of the adjoining Moolarben and Ulan mines to minimise the potential cumulative traffic impacts of shift changes of the three mines.	3.13

Schedule 4 of Development Consent (SSD-6764)

Approval/ Licence	Condition	Requirement	Section
Development Consent	Schedule 4 Condition 3	<p>As soon as practicable after obtaining monitoring results showing:</p> <p>(a) an exceedance of any relevant criteria in schedule 3, the Applicant must notify affected landowners in writing of the exceedance, and provide regular monitoring results to each affected landowner until the development is again complying with the relevant criteria; and</p> <p>(b) an exceedance of the relevant air quality criteria in schedule 3, the Applicant must 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).</p>	4
Development Consent	Schedule 4 Condition 4	<p>If an owner of privately-owned land considers the development to be exceeding the relevant criteria in schedule 3, then he/she may ask the Secretary in writing for an independent review of the impacts of the development on his/her land.</p> <p>If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision the Applicant must:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to:</p> <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 in schedule 3; and • if the development is not complying with these criteria, then identify the measures that could be implemented to ensure compliance with the relevant criteria; and <p>(b) give the Secretary and landowner a copy of the independent review.</p> <p><i>Note: Where the independent review finds that the development is not complying with applicable criteria, the Department may take enforcement action under the EP&A Act to ensure compliance with the consent.</i></p>	5.2

Schedule 5 of Development Consent (SSD-6764)

Approval/ Licence	Condition	Requirement	Section
Development Consent	Schedule 5 Condition 2	<p>The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.</p> <p>Where any exceedance of these criteria and/or performance measures has occurred, the Applicant must, at the earliest opportunity:</p> <ul style="list-style-type: none"> (a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur; (b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and (c) implement reasonable remediation measures as directed by the Secretary. 	3.3, 3.4, 4 and 6.2
Development Consent	Schedule 5 Condition 4	<p>By the end of March each year, the Applicant must submit a review of the environmental performance of the development for the previous calendar year to the satisfaction of the Secretary. This review must:</p> <ul style="list-style-type: none"> (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; (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; (c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance; (d) identify any trends in the monitoring data over the life of the development; (e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and (f) describe what measures will be implemented over the next year to improve the environmental performance of the development. <p>Note: The “Post Approval Requirements for State Significant Developments - Annual Review Guideline 2015, NSW Government, October 2015” (or its latest version) provides a reporting framework to integrate the reporting requirements of the Annual Review required by the Department under the development consent and the Annual Environment Management Report (AEMR) required under the Mining Lease.</p>	6.3

Approval/ Licence	Condition	Requirement	Section
Development Consent	Schedule 5 Condition 5	<p>Within 3 months of:</p> <ul style="list-style-type: none"> (a) the submission of an annual review under condition 4 above; (b) the submission of an incident report under condition 8 below; (c) the submission of an audit under condition 10 below; and (d) the approval of any modification to the conditions of this consent; or (e) a direction of the Secretary under condition 4 of schedule 2; <p>the Applicant must review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Secretary.</p> <p>Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted to the Secretary for approval, unless otherwise agreed with the Secretary.</p> <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.</i></p>	5.1
Development Consent	Schedule 5 Condition 6	<p>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, the Applicant may submit revised strategies, plans or programs required under this consent at any time. 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>The Secretary may approve a revised strategy, plan or program required under this consent, or the staged submission of any of these documents, at any time. With the agreement of the Secretary, the Applicant may prepare the revised or staged strategy, plan or program without undertaking consultation with all parties nominated under the applicable condition in this consent.</p> <p>Notes:</p> <ul style="list-style-type: none"> • <i>While any strategy, plan or program may be submitted on a progressive basis, the Applicant will need to ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times.</i> • <i>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 to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.</i> • <i>For the avoidance of doubt, existing approved management plans, strategies or monitoring programs for the Wilpinjong Coal Project will continue to apply until the approval of a similar plan, strategy or program under this consent (see condition 9 of schedule 2).</i> 	5.0

Approval/ Licence	Condition	Requirement	Section
Development Consent	Schedule 5 Condition 7	<p>The Applicant must operate a Community Consultative Committee (CCC) for the project to the satisfaction of the Secretary. This CCC must be established and 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).</p> <p>Notes: The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent; and</p> <p>The CCC should be comprised of an independent chair and appropriate representation from the Proponent, Council, recognised environmental groups and the local community.</p>	3.17.2
Development Consent	Schedule 5 Condition 8	<p>The Applicant must immediately notify the Secretary and any other relevant agencies of any incident. Within 7 days of the date of the incident, the Applicant must provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.</p>	6.1
Development Consent	Schedule 5 Condition 9	<p>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.</p>	4, 6
Development Consent	Schedule 5 Condition 10	<p>Within a year of commencing development under this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <ul style="list-style-type: none"> (a) be conducted by a suitably qualified lead auditor and suitably qualified, experienced and independent team of experts in any field specified by the Secretary, whose appointment has been endorsed by the Secretary; (b) include consultation with the relevant agencies; (c) assess the environmental performance of the development and assess 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 approvals); (d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; (e) 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; and (f) be conducted and reported to the satisfaction of the Secretary. <p><i>Note: The "Post Approval Requirements for State Significant Developments - Independent Audit Guideline, NSW Government, October 2015" (or its latest version) provides an audit and reporting framework for the independent audit that will guide compliance with this condition.</i></p>	5.3

Approval/ Licence	Condition	Requirement	Section
Development Consent	Schedule 5 Condition 11	Within 3 months of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of these recommendations as required. The Applicant must implement these recommendations, to the satisfaction of the Secretary.	5.3
Development Consent	Schedule 5 Condition 12	<p>From the commencement of development under this consent, the Applicant shall:</p> <p>(a) Make copies of the following information publicly available on its website:</p> <ul style="list-style-type: none"> • the EIS; • current statutory approvals for the development; • approved strategies, plans or programs required under the conditions of this consent; • a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; • a complaints register, which is to be updated monthly; • minutes of CCC meetings; • the last five annual reviews; • any independent environmental audit, and the Applicant's response to the recommendations in any audit; • any other matter required by the Secretary; and <p>(b) keep this information up to date.</p>	6.5

Approval/ Licence	Condition	Requirement	Section
EPL	O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	7
EPL	M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer who asks to see them.	3, 4, 6 and 7
EPL	M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	
EPL	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.	4
EPL	M5.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; 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; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	4
EPL	M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	4
EPL	M5.4	The record must be produced to any authorised officer who asks to see them.	4
EPL	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.	4
EPL	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.	4
EPL	R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: a) a Statement of Compliance; and	4

Approval/ Licence	Condition	Requirement	Section
		b) a Monitoring and Complaints Summary. At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.	
EPL	R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.	6
EPL	R1.5	The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	6
EPL	R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA	6
EPL	R1.7	Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder.	6
EPL	R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	6
EPL	R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred. Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.	6

9.2 Appendix 2: Summary of Approvals, Licences and Agreements

Mine approvals, Leases and Licences

Relevant Authority	Instrument	Approval/Licence No.	Expiry Date
DP&E	Development Consent	SSD-6764	28 years from commencement of Project Approval (i.e. 2033)
DRG	Mining Lease	ML 1573	February 2027
	Mining Lease Application	MLA 510	Section 3.15
	Mining Lease Application	MLA 515	Section 3.15
	Mining Lease Application	MLA 3 (yet to be lodged)	Section 3.15
	Exploration Licence	EL 6169	28/11/2017
		EL 7091	03/03/2019
	Mine within Wilpinjong B Notification Area	ML 1573	Endorsed DSC 19 February 2013 Approved 24 January 2014
	Mining Operations Plan (MOP)	This MOP	30 June 2019
	Tailings Emplacement	Section 101 – TD1 and TD2 (approv. No. 07/1226)	February 2006 (Facility decommissioned)
	Tailings Emplacement	TD3 and TD4 (High Risk Activity Notification)	December 2011 (Facility decommissioned)
	Tailings Emplacement	TD5 (High Risk Activity Notification)	December 2013 (Facility decommissioned)
	Tailings Emplacement	Section 100 – TD6 (approv. No. 08/9006)	31 January 2016
	Tailings Emplacement	Section 101 - Decommission TD2 (approv. No. 09/2396)	29 April 2009 (Facility decommissioned)
Tailings Emplacement	Section 101 - Decommission TD1 (approv. No. 09/2396)	28 October 2011 (Facility decommissioned)	
EPA	Environment Protection Licence (EPL)	EPL 12425	Until the licence is surrendered, suspended or revoked. The licence is subject to review every 3 years
	NSW Radiation Control Act 1990 Registration	Licence Number 5061384	02 January 2016 (Renewal Submitted)
Work Cover NSW	Explosives Licence	NSW Explosives Act 2003 Part 3 Licence (Licence Number XSTR200024)	24 March 2018
DPI-Water	Water Licences	Refer to Table 6	Refer to Table 6

Note: Copies of the Development Consent (SSD-6764), EPL 12425 and ML 1573 are available on the Peabody Energy website (<http://www.peabodyenergy.com.au>)

Water Licence Summary

Licence Number	Description	Valid to	Entitlement (ML/annum)
Licences under the <i>Water Management Act, 2000</i> (Alluvial Aquifer)			
WAL 21499 ¹	Alluvial Aquifer Licence	Current	474 units ²
Licences under the <i>Water Act, 1912</i> (Porous Rock Aquifer)			
20BL173517	Pit 1 Licence	10 June 2020	2021
20BL173516	Pit 2 Licence	10 June 2020	
20BL173514	Pit 3 Licence	10 June 2020	
20BL173515	Pit 4 Licence	10 June 2020	
20BL173513	Pit 5 Licence	10 June 2020	
20BL173973	Pit 6 Licence	22 December 2021	
20BL170147	Dewatering	30 March 2021	770
20BL170148	Dewatering	30 March 2021	
20BL170149	Dewatering	30 March 2021	
20BL170150	Dewatering	30 March 2021	
20BL170151	Dewatering	30 March 2021	
20BL170152	Dewatering	30 March 2021	
20BL170153	Dewatering	30 March 2021	
20BL170063	Water Supply Bore (GWs10)	18 December 2016 ³	110
20BL170062	Water Supply Bore (GWs11)	18 December 2011 ⁴	110
20BL170061	Water Supply Bore (GWs12)	18 December 2011 ⁴	110
20BL170059	Water Supply Bore (GWs14)	18 December 2016 ³	110
20BL170058	Water Supply Bore (GWs15)	18 December 2011 ⁴	110

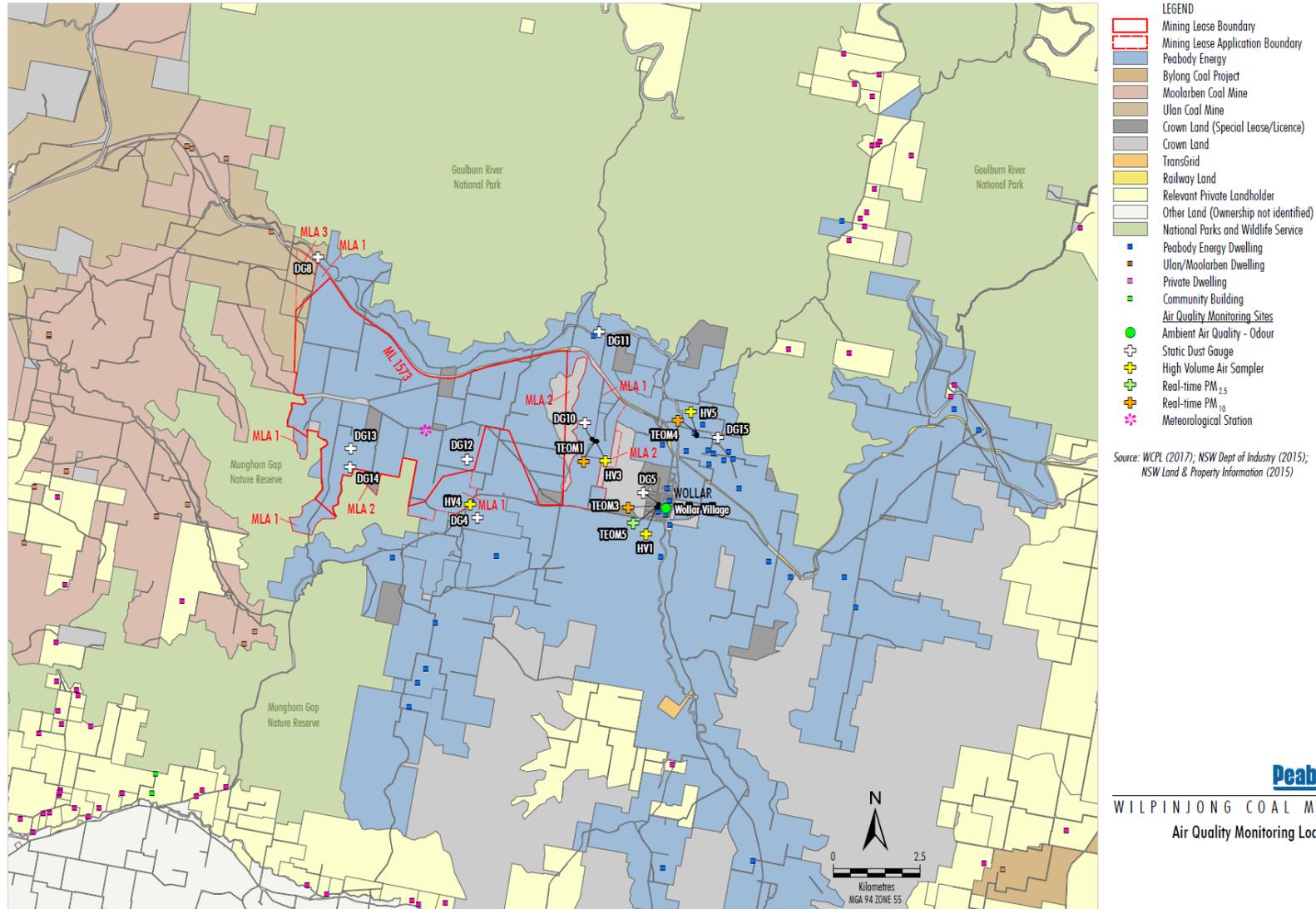
Notes: HydroSimulations (2016) ¹ Assigned to the Wollar Creek Water Source. ² One unit is currently equivalent to 1.0 ML as per the *Available Water Determination Order for Various NSW Unregulated and Alluvial Water Sources (No. 1) 2013*.³ Under the *Water Management Act 2000* and will convert as of 1 July 2016 in line with the commencement of the *Water Sharing Plan for the North Coast Fractured and Porous Rock Groundwater Sources 2016*. ⁴ Renewal Application lodged with DPI-Water on the 25 June 2016.

Agreements and Other Licences

Type	Approval	Number	Approval Authority	General Description	Date Granted/Signed	Expiry/ Renewal Date
Licences						
LIC	Radiation Licence	5061384	NSW Office of Environment and Heritage	Licence to sell, possess, store or give away regulated material - for the operation of a radiation device on site (CHPP dense medium circuit)	Licence under renewal	02/01/2018
LIC	Explosives Licence	XSTR200024	Workcover NSW	Licence to possess and store explosives on site		24/03/2018
LIC	Apparatus Licence	1188904/1	Australian Communication and Media Authority	Licence for the operation of communication stations on site	07/04/2014	19/04/2015
Agreements						
AGR	Voluntary Planning Agreement (and variations)		Mid-Western Regional Council	Planning Agreement under Section 93F of the Environmental Planning & Assessment Act 1979. Development Contributions payable to MWRC for development of Mine and subsequent project modifications	10 February 2006 14 June 2011 December 2012 October 2016	Ongoing
AGR	Voluntary Conservation Agreement		NSW Minister for the Environment	Conservation Agreement under Part 4, Division 12 of the National Parks and Wildlife Act 1974. Applies to Enhancement and Conservation Areas (ECAs) A, B and C, comprising approx. 514 ha of land.	27/06/2010	Ongoing
AGR	Voluntary Conservation Agreement – Variation		NSW Minister for the Environment	Variation to Conservation Agreement signed on 27/06/2010. Variation to ECA areas – now includes 4 ECAs i.e. A, B, C and D.	09/07/2012	Ongoing
AGR	Ancillary Deed		Native Title Party	Agreement between WCPL and the Native Title Party to enable mining over Crown Land.	12 December 2005	Upon surrender of all MLs

9.3 Appendix 3: Environmental Monitoring Locations

Air Quality Monitoring Stations



Air Quality Monitoring Stations (Wollar)

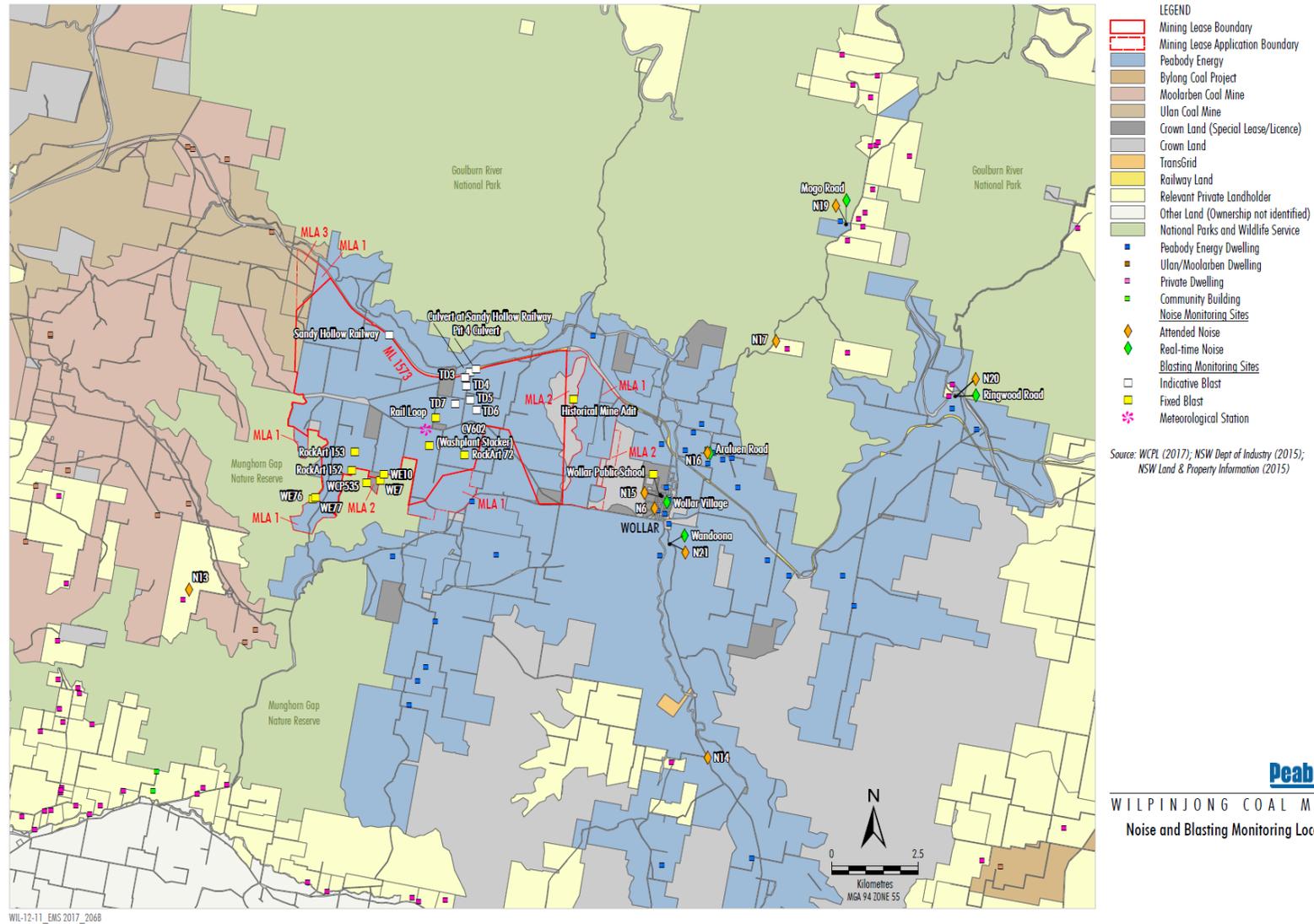


LEGEND	
	Peabody Energy
	Crown Land (Special Lease/Licence)
	Crown Land
	Railway Land
	Relevant Private Landholder
	Landholder Reference Number
	Peabody Energy Dwelling
	Community Building
	Private Dwelling
	Special Lease/Licence Holder
Noise Monitoring Sites	
	Attended Noise
	Real-time Noise
Blasting Monitoring Sites	
	Fixed Blast
Air Quality Monitoring Sites	
	Ambient Air Quality - Odour
	Static Dust Gauge
	High Volume Air Sampler
	Real-time PM _{2.5}
	Real-time PM ₁₀

Source: WCPL (2017); NSW Dept of Industry (2015); NSW Land & Property Information (2016)

Peabody
 WILPINJONG COAL MINE
 Wollar Environmental Monitoring Sites

Blast Monitoring Locations



WIL-12-11_EMS 2017_2068

Blast Monitoring Locations (Wollar)



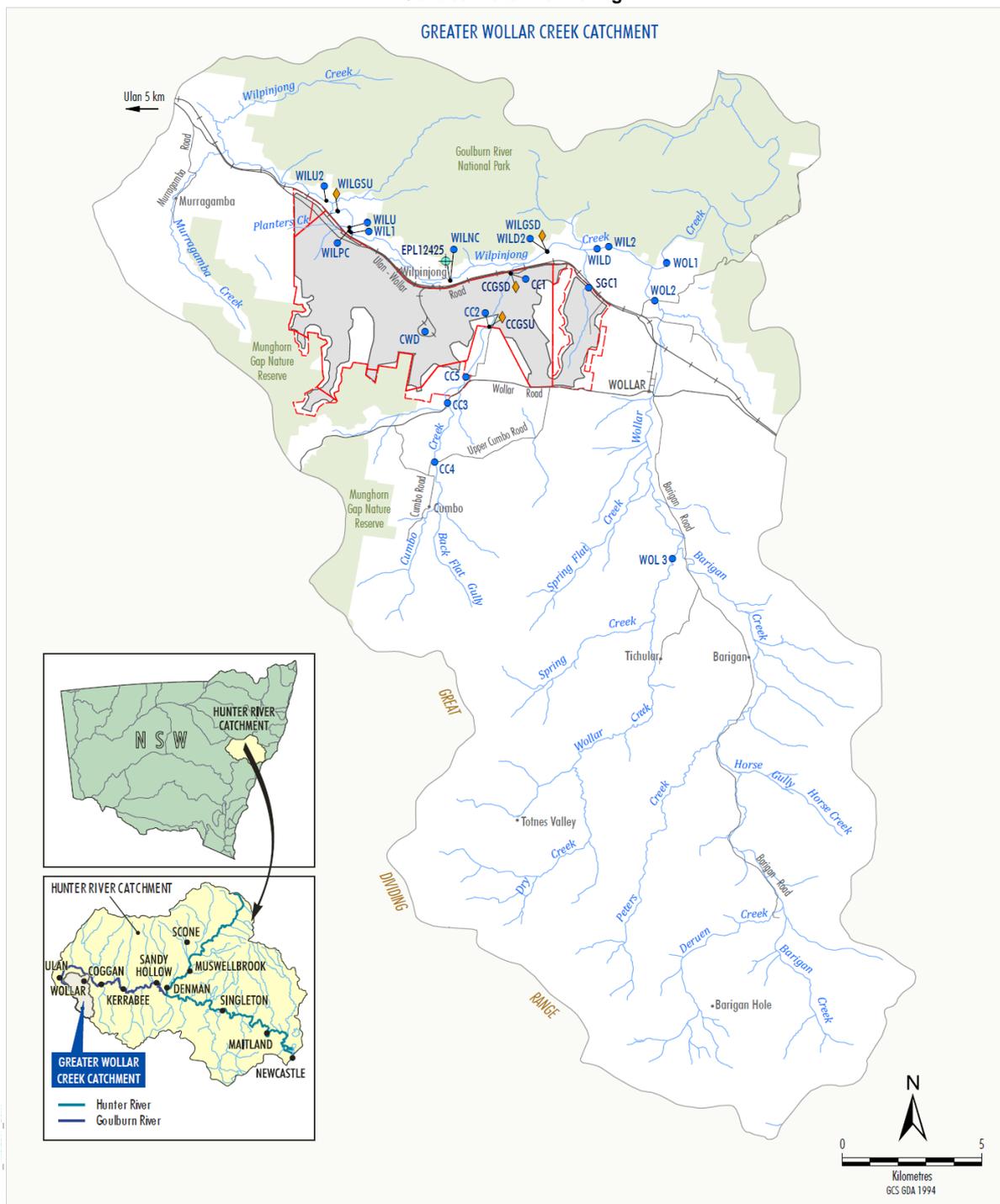
LEGEND	
	Peabody Energy
	Crown Land (Special Lease/Licence)
	Crown Land
	Railway Land
	Relevant Private Landholder
1	Landholder Reference Number
	Peabody Energy Dwelling
	Community Building
	Private Dwelling
#	Special Lease/Licence Holder
Noise Monitoring Sites	
	Attended Noise
	Real-time Noise
Blasting Monitoring Sites	
	Fixed Blast
Air Quality Monitoring Sites	
	Ambient Air Quality - Odour
	Static Dust Gauge
	High Volume Air Sampler
	Real-time PM _{2.5}
	Real-time PM ₁₀

Source: WCPL (2017); NSW Dept of Industry (2015);
NSW Land & Property Information (2016)

Peabody
WILPINJONG COAL MINE
Wollar Environmental Monitoring Sites

Surface Water Monitoring

GREATER WOLLAR CREEK CATCHMENT

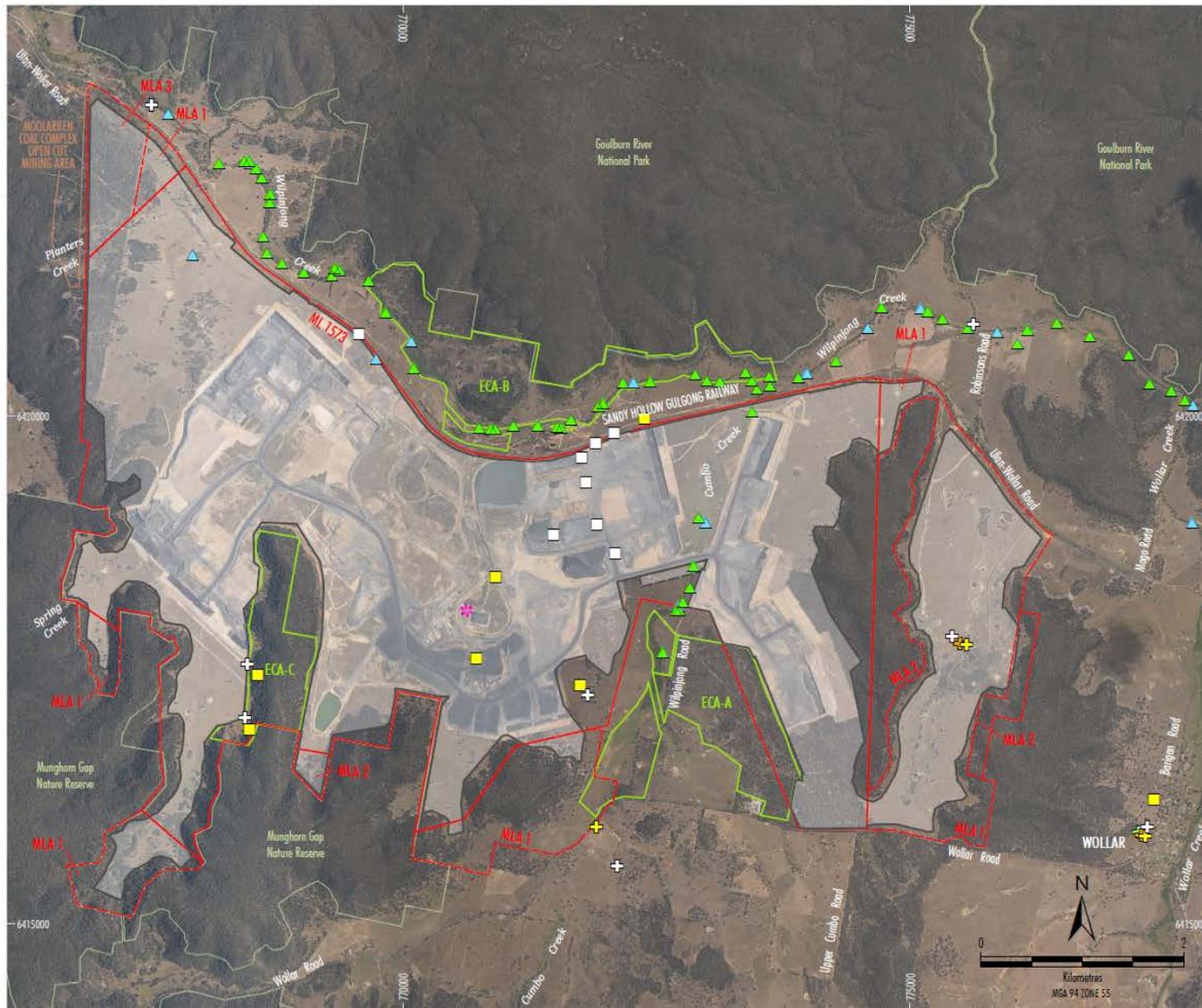


- LEGEND**
- Mining Lease Boundary
 - Mining Lease Application Boundary
 - Approved/Existing Open Cut and Contained Infrastructure Area
 - WCPL Monitoring Site
 - Surface Water Monitoring Site
 - ◆ WCPL Gauging Station
 - ⊕ EPL 12425 Licensed Discharge and Monitoring Point

Source: WCPL (2017); After DIPNR (2003); DPI Water (2015); NSW Land & Property Information (2013)


WILPINJONG COAL MINE
 Wilpinjong Coal Mine
 Surface Water Monitoring Network

Channel Stability & Stream Health Monitoring Locations

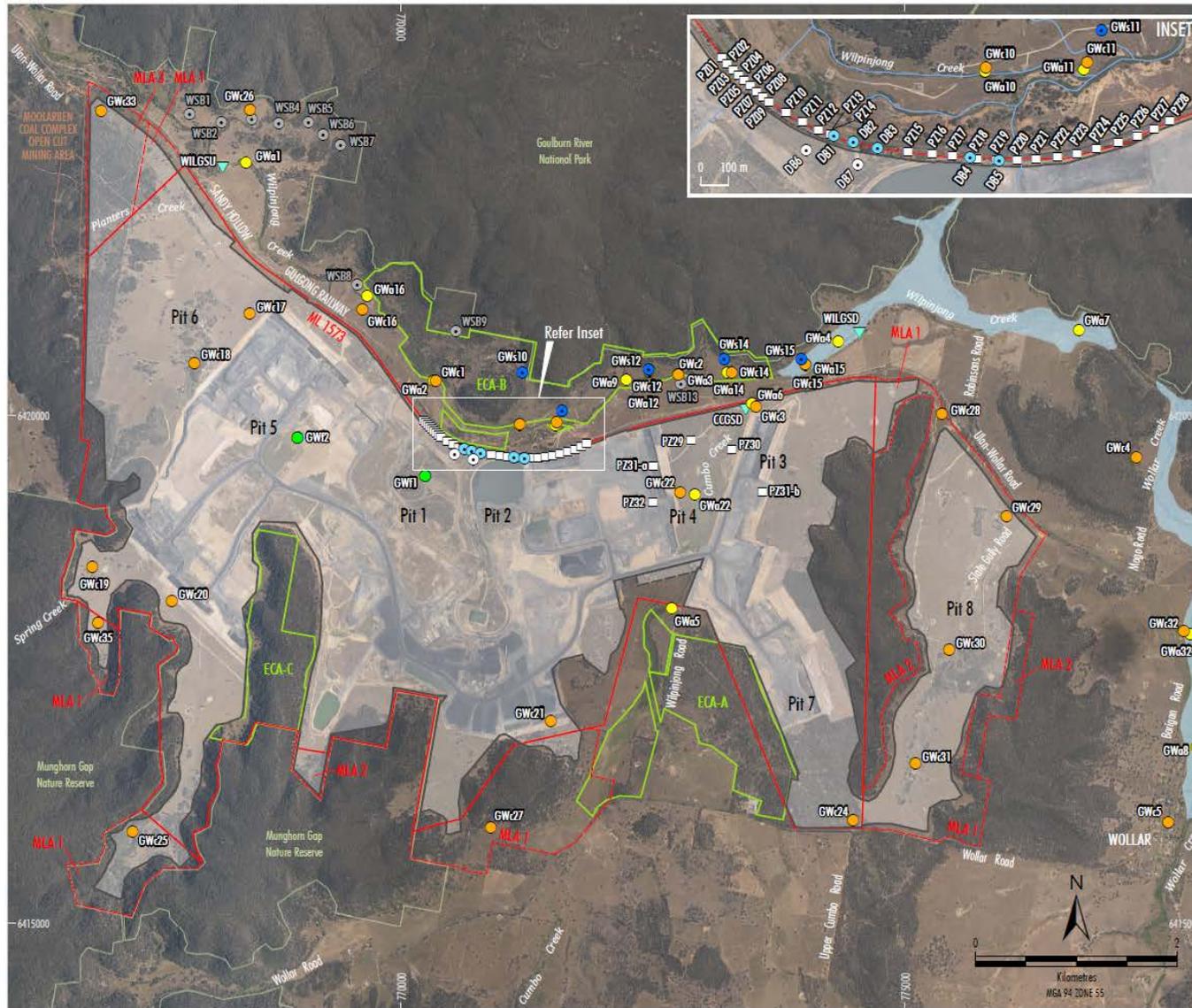


- LEGEND**
- Mining Lease Boundary
 - Mining Lease Application Boundary
 - Approved/Existing Open Cut and Contained
 - Infrastructure Area
 - Relocated Block Bank and Cumbo Creek
 - Disturbance Area
 - Enhancement and Conservation Area
 - Environmental Monitoring Sites
 - + Static Dust Gauge
 - + High Volume Air Sampler
 - + Real-time PM_{2.5}
 - + Real-time PM₁₀
 - Indicative Blast
 - Fixed Blast
 - * Meteorological Station
 - ▲ Channel Stability
 - ▲ Stream Health

Source: WCPL (2017); NSW Dept of Industry (2015)
 Orthophoto: WCPL (Dec 2015)

Peabody ENERGY
WILPINJONG COAL MINE
 Environmental Monitoring Sites
 Air Quality, Blasting, Meteorology,
 Stream Health and Channel Stability

Groundwater Monitoring Locations

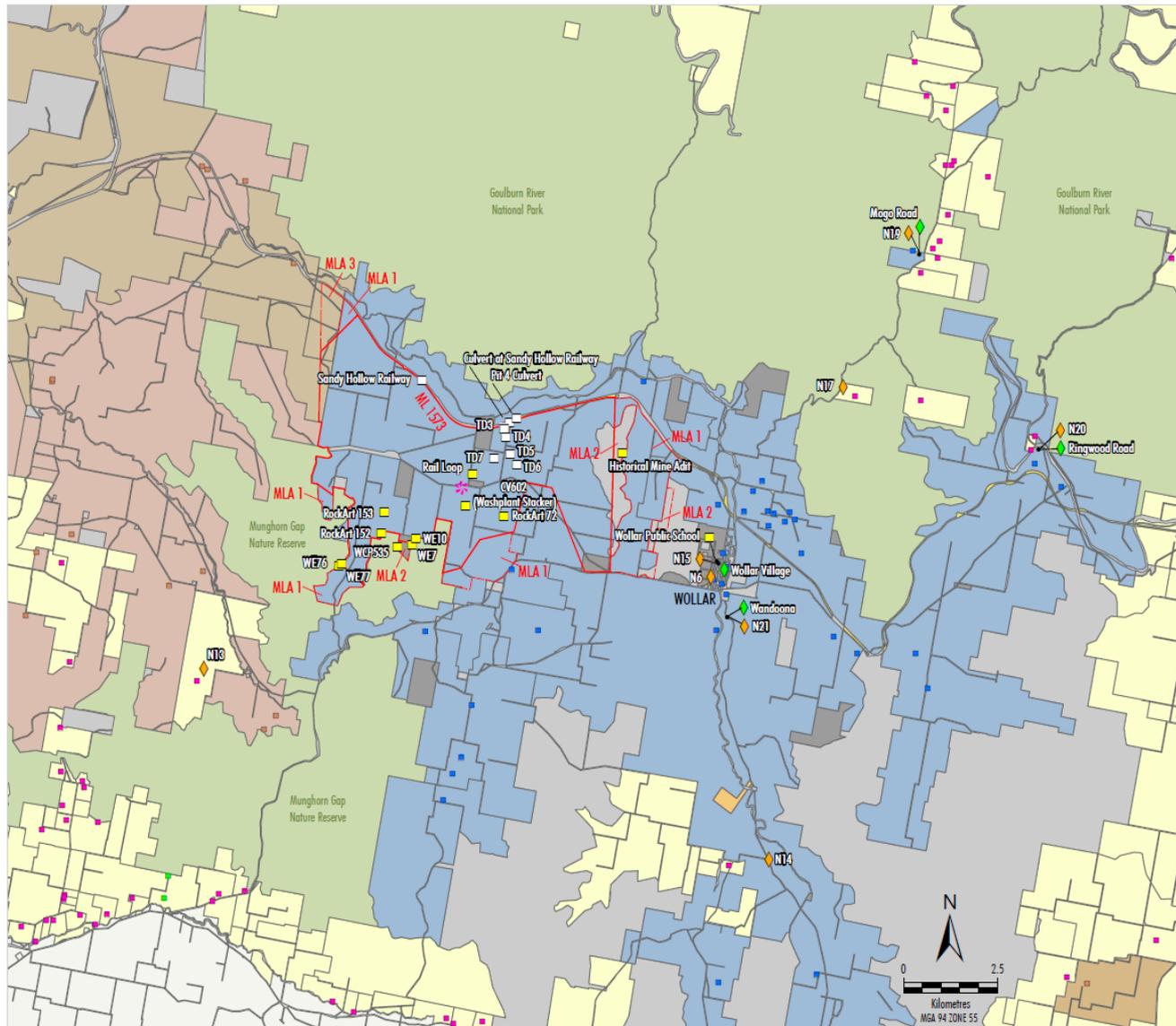


- LEGEND**
- Mining Lease Boundary
 - Mining Lease Application Boundary
 - Approved/Existing Open Cut and Contained Infrastructure Area
 - Relocated Black Bank and Cumbo Creek Disturbance Area
 - Enhancement and Conservation Area
 - DPI Water - Mapped Highly Productive Alluvial Aquifer
- Groundwater Monitoring Sites**
- Alluvial Groundwater Monitoring
 - Hard Rock Groundwater Monitoring
 - Spoil Monitoring
 - Water Supply Bore
 - Dewatering Bore
 - Dewatering Bore - Never used, now a Monitoring Bore
 - Water Supply Bore - Never used
 - Piezometer
- Surface Water Monitoring Sites**
- ▼ Surface Water Gauging Station

Source: WCPL (2017); DPI Water (2015); NSW Dept of Industry (2015)
 Orthophoto: WCPL (Dec 2015)

Peabody ENERGY
WILPINJONG COAL MINE
 Key Groundwater Related Monitoring and Data Locations at Wilpinjong Coal Mine

Noise Monitoring Locations



- LEGEND**
- Mining Lease Boundary
 - Mining Lease Application Boundary
 - Peabody Energy
 - Bylong Coal Project
 - Moolarben Coal Mine
 - Ulan Coal Mine
 - Crown Land (Special Lease/Licence)
 - Crown Land
 - TransGrid
 - Railway Land
 - Relevant Private Landholder
 - Other Land (Ownership not identified)
 - National Parks and Wildlife Service
 - Peabody Energy Dwelling
 - Ulan/Moolarben Dwelling
 - Private Dwelling
 - Community Building
 - Noise Monitoring Sites
 - ◆ Attended Noise
 - ◆ Real-time Noise
 - Blasting Monitoring Sites
 - Indicative Blast
 - Fixed Blast
 - ✱ Meteorological Station

Source: WCPL (2017); NSW Dept of Industry (2015);
NSW Land & Property Information (2015)

Noise Monitoring Locations (Wollar)

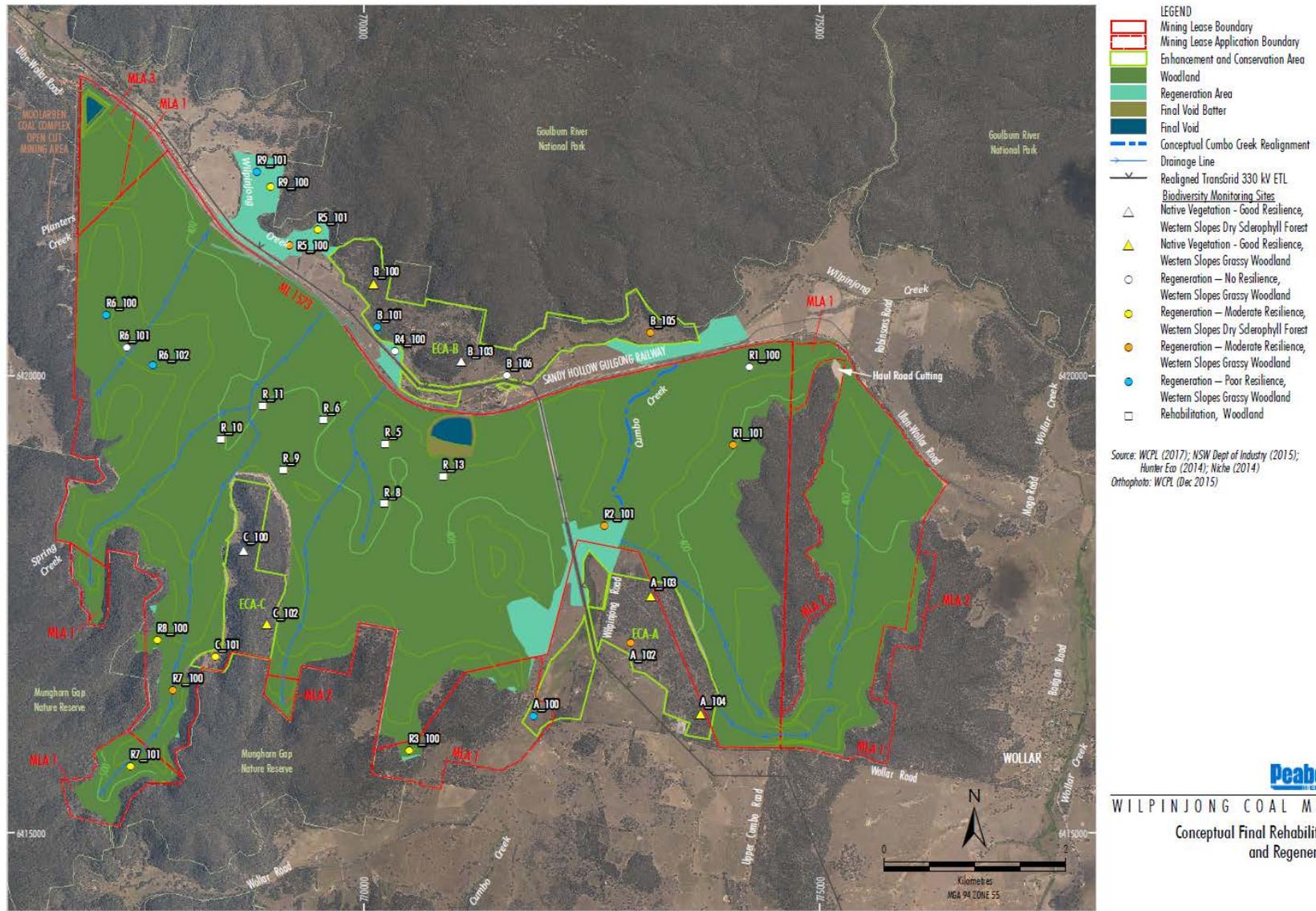


LEGEND		Noise Monitoring Sites	
	Peabody Energy		Attended Noise
	Crown Land (Special Lease/Licence)		Real-time Noise
	Crown Land	Blasting Monitoring Sites	
	Railway Land		Fixed Blast
	Relevant Private Landholder	Air Quality Monitoring Sites	
	Landholder Reference Number		Ambient Air Quality - Odour
	Peabody Energy Dwelling		Static Dust Gauge
	Community Building		High Volume Air Sampler
	Private Dwelling		Real-time PM _{2.5}
			Real-time PM ₁₀
# Special Lease/Licence Holder			

Source: WCPL (2017); NSW Dept of Industry (2015);
NSW Land & Property Information (2016)

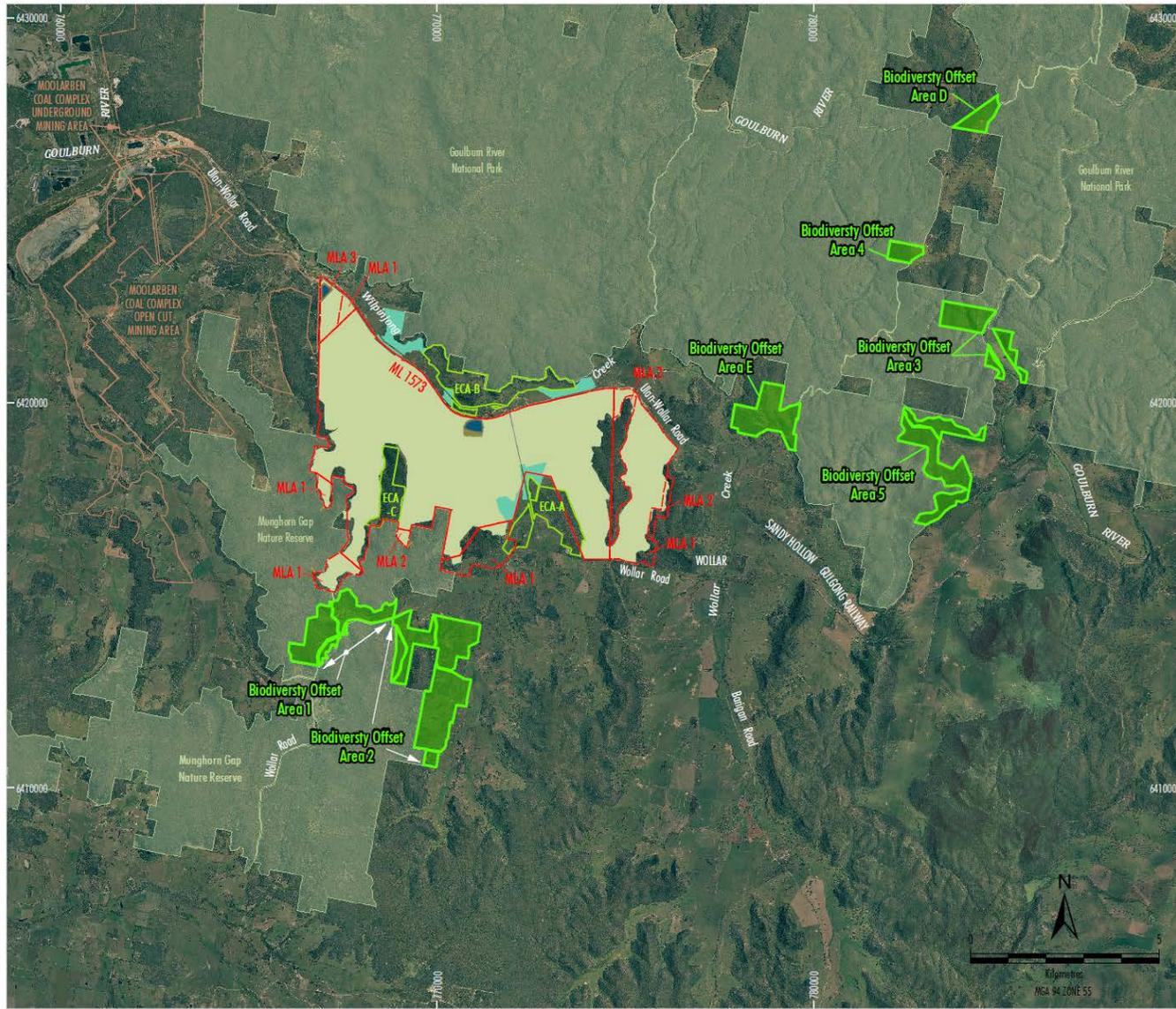
Peabody
WILPINJONG COAL MINE
Wollar Environmental Monitoring Sites

Biodiversity Monitoring Locations



Peabody ENERGY
 WILPINJONG COAL MINE
 Conceptual Final Rehabilitation and Regeneration

Biodiversity Offset Strategy



- LEGEND
- Mining Lease Boundary
 - Mining Lease Application Boundary
 - Final Void
 - Rehabilitation Area
 - Regeneration Area
 - Enhancement and Conservation Area
 - Biodiversity Offset Area
 - National Park/Nature Reserve

Source: WCPL (2016); NSW Dept of Industry (2015)
 Orthophoto: WCPL (Jun 2015, 2011)

WILPINJONG COAL MINE
 Project Area and
 Biodiversity Offset Strategy

9.4 Appendix 4: Consultation



Planning Services
Resource Assessments
Contact: Matthew Riley
Phone: 9274 6339
Email: matthew.riley@planning.nsw.gov.au

Mr Kieren Bennetts
Environment and Community Manager
Wilpinjong Coal
Locked Bag 2005
Mudgee NSW 2850

Dear Mr Bennetts

Wilpinjong Coal Mine (05_0021) Management Plans

I refer to the revised management plans submitted to the Department following approval of the recent modification application for the Wilpinjong Coal Project (05_0021).

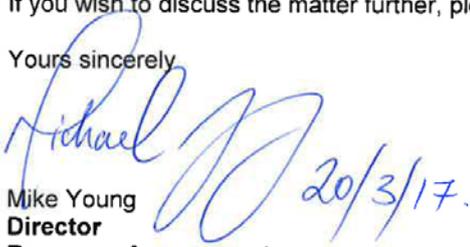
The Department has reviewed the management plans and is satisfied that the following plans are adequate:

- Noise Management Plan;
- Blast Management Plan;
- Air Quality Management Plan;
- Site Water Management Plan;
- Biodiversity Management Plan;
- Aboriginal Cultural Heritage Management Plan;
- Waste Management Plan;
- Spontaneous Combustion Management Plan; and
- Environmental Management Strategy.

Consequently, the Secretary approves the above mentioned plans.

If you wish to discuss the matter further, please contact Matthew Riley on 9274 6339.

Yours sincerely


Mike Young
Director
Resource Assessments
As nominee of the Secretary

Kieren Bennetts –
Environment and Community Manager
Wilpinjong Coal Mine
Peabody Energy Australia
Locked Bag 2005
Mudgee NSW 2850

Dear Mr Bennetts

**Wilpinjong Coal – PA 05_0021
Environmental Management Strategy**

I refer to the revised *Wilpinjong Coal Environmental Management Strategy* (EMS), May 2016 (WI-ENV-MNP-0001) received by the Department via email dated 27 May 2016.

The Department has reviewed the revised EMS and is satisfied that it generally addresses the requirements set out in Schedule 5 Condition 1 of PA 05_0021 (as modified). Accordingly the Secretary has approved the EMS.

The Department acknowledges that the EMS has been written with consideration of the previously provided review comments by the Department issued for the previous revision.

The following comments are provided on the document submitted:

- a) Table 5 – as per the comments provided for the previous revision, it was suggested that any reference to ‘*authorised EPA officer*’ should be changed to include authorised officer only, and not restrict it to the EPA. Under the element of *Implementation* and aspect of *Document and Record Control*, update the commitment accordingly;
- b) Table 5 – it is suggested that the commitment for the element of *Measurement and Evaluation* and aspect of *Environmental Measurement Monitoring* is updated to indicate that Appendix 2 contains environmental monitoring location plans, rather than environmental monitoring requirements. In addition, it should be noted that Appendix 2 does not include a plan for the blast monitoring locations or a plan for Aboriginal heritage (it is assumed that the latter may be due to the potential sensitivity of the information and therefore a statement to this effect should be included);
- c) the table of contents should be updated to include page numbering; and
- d) the listed appendices in the table of contents do not correlate with the numbering of the actual appendices. The table of contents titles are to match the titles of the appendices and any cross-referencing throughout the document is to be accurate and consistent.

It is requested that the issues raised in points a) to d) are addressed either prior to the publishing of the EMS on the website or in the next revision of the document.

A copy of the EMS is to be placed on the website in accordance with Schedule 5 Condition 11 of the approval within one month of the date of this letter.

Should you wish to discuss the above matter, please contact me on 02 4224 9478 or Christopher.Schultz@planning.nsw.gov.au.

Yours sincerely



Chris Schultz
Acting Team Leader Compliance Southern Region
as nominee of the Secretary