

# **WILPINJONG COAL ENVIRONMENTAL MANAGEMENT STRATEGY**

WI-ENV-MNP-0001

September 2024

Document Owner				Document Approver	
Environment and Community Manager				General Manager	
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General Description of Changes from Previous Version					
Document No.	Version	Date	Prepared/Reviewed By	Distribution	Description of Change
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.
WI-ENV-MNP-0001	5	June 2019	WCPL	DP&E	Revision required as a result of the AR
WI-ENV-MNP-0001	6	September 2019	WCPL	DPIE	Update mgt plan to include revised disturbance footprint boundary in Pit 8
WI-ENV-MNP-0001	7	August 2020	WCPL	DPIE	Revision of EMS included ML1795, update property ownership, minor amendments and update figures and text accordingly
WI-ENV-MNP-0001	8.1	May 2022	WCPL	DPIE	Revision of EMS included revised disturbance footprint boundary in Pit 6 and relevant figures and updated Section 3.11 Mine Closure Planning, Section 3.12 Ulan Road Strategy and Section 3.14 BOAs 1-5 transfer.
WI-ENV-MNP-0001	9	June 2022	WCPL	DPIE	Revision of EMS included updated figures, new environmental policy, revised organisation chart and contact details, updated EPL licence requirements in Appendix 2 and description of new RMP to replace MOP.
WI-ENV-MNP-0001	10	Sept 2024	WCPL	DPHI	Revision of EMS was in consideration of MOD2, MOD4 and to update all applicable figures displaying recently granted ML1846, EL9399 and update landownership now that property ID959 is now Peabody owned. Address action from IEA 2024.

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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 1-1**). 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.

One private property is located in the Wollar Village approximately 1.5 km to the east of the Mine. Several other private properties are 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.

The existing Environmental Management Strategy (this EMS) was developed in accordance with NSW Project Approval 05-0021.

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.

The Notice of Commencement to the DPHI, as required by Condition 8, Schedule, 2 of SSD-6764 was confirmed by WCPL with its intention to commence the approved development on the 19 September 2017.

Development Consent (SSD-6764) as modified, has superseded the Project Approval (Project Approval 05-0021)<sup>1</sup>.

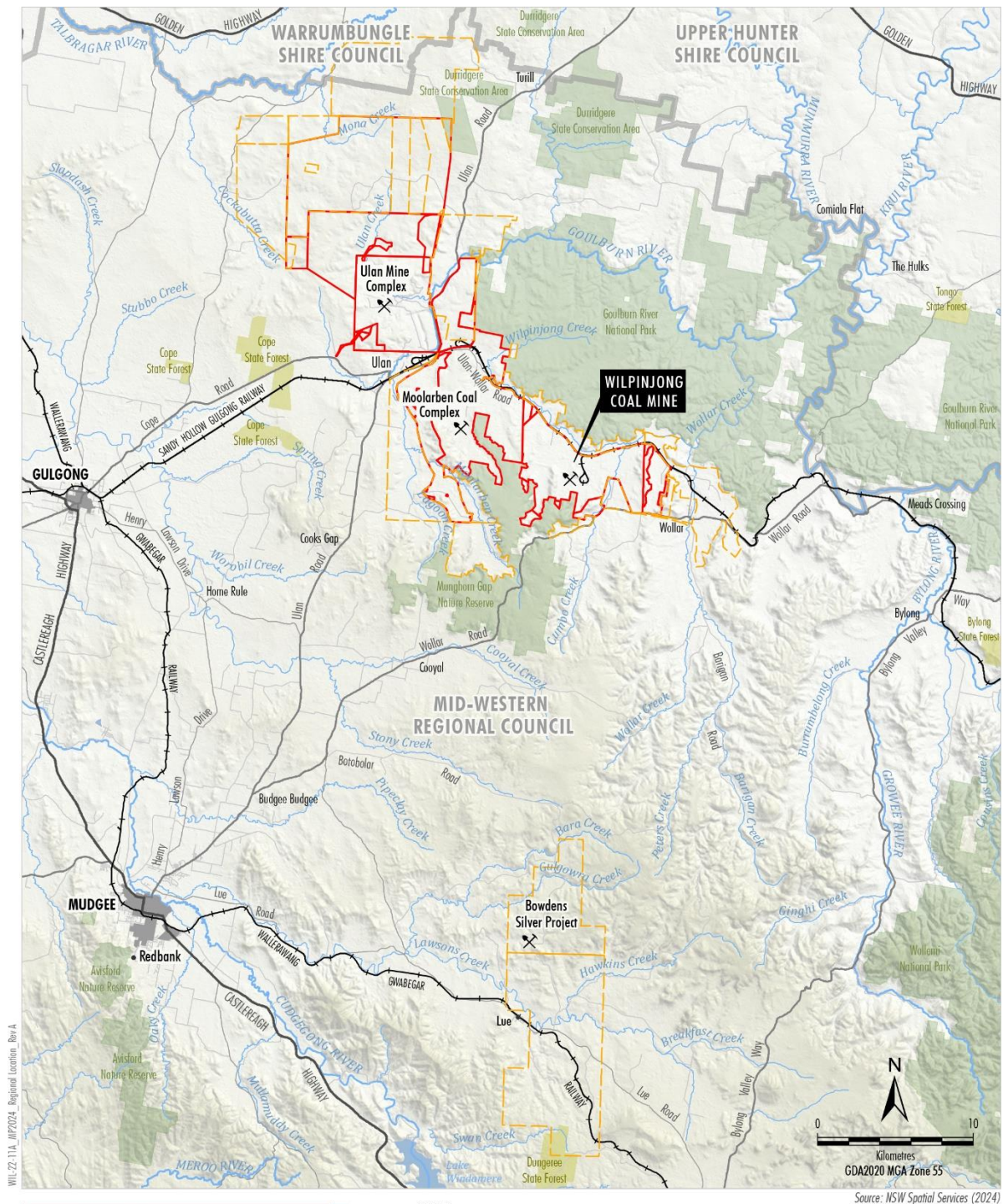
This EMS has been prepared to satisfy the relevant conditions in Development Consent (SSD-6764). Where relevant, this EMS builds on the components of the existing/approved EMS, including previous feedback from government stakeholders and recommendations.

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<sup>1</sup> PA05-0021 was surrendered on the 28 April 2020 as required by Condition 9, Schedule 2 of SSD-6764.



Figure 1-1 Locality Plan



**Peabody**

WILPINJONG COAL MINE

Regional Location

## 1.1 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.

## 1.2 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 1-2**. This EMS relates to works and activities undertaken within:

- The Development Consent (SSD-6764) area, Mining Leases (MLs) 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 1-3**); and
- Exploration Licence (EL) areas EL6169, EL7091 and EL9399.



**Figure 1-2: WCPL Environmental Management Principles**

### 1.3 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**.

On the 8 August 2019, WCPL commenced consultation with the DPHI to request a minor variation to increase the disturbance footprint and open cut boundary to Pit 8, arising from refinement to the Pit 8 detailed design. On the 23 August 2019, WCPL received approval from the DPHI that the proposed minor changes to the footprint area of Pit 8 are generally in accordance with the WEP and project approval. Accordingly, WCPL have updated all relevant management plans required by SSD-6764 to reflect this change, as discussed with the DPHI.

During May 2021, WCPL sought consultation with the DPHI to request a minor variation to increase the disturbance footprint and open cut boundary of Pit 6, arising from refinement to the detailed design allowing access to additional coal reserves at the south-western boundary of Pit 6. On the 07 June 2021, WCPL received approval from the DPHI the proposed minor changes to the footprint area of Pit 6 is generally in general accordance with the WEP and project approval. Noting that minor changes to the disturbance footprint were contemplated following detailed design. Accordingly, WCPL have updated all relevant management plans required by SSD-6764 to reflect this change, as required by the DPHI.

The Rehabilitation Strategy as required by Condition 61, Schedule 3 of the Development Consent SSD-6764 was conditionally approved on 6 December 2022 by the DPE, subject to updating the groundwater model and continued consultation with Moolarben Coal Mine (MCM) regarding an integrated final landform. The revised conceptual landform is displayed in **Appendix 3**.

WCPL were granted approval to modify Development Consent (SSD-6764) to incorporate a temporary on-site accommodation facility and excise four parcels of Crown land from the Development Application area (Modification 2). Modification 2 (MOD 2) was approved by DPHI on the 3 July 2024.

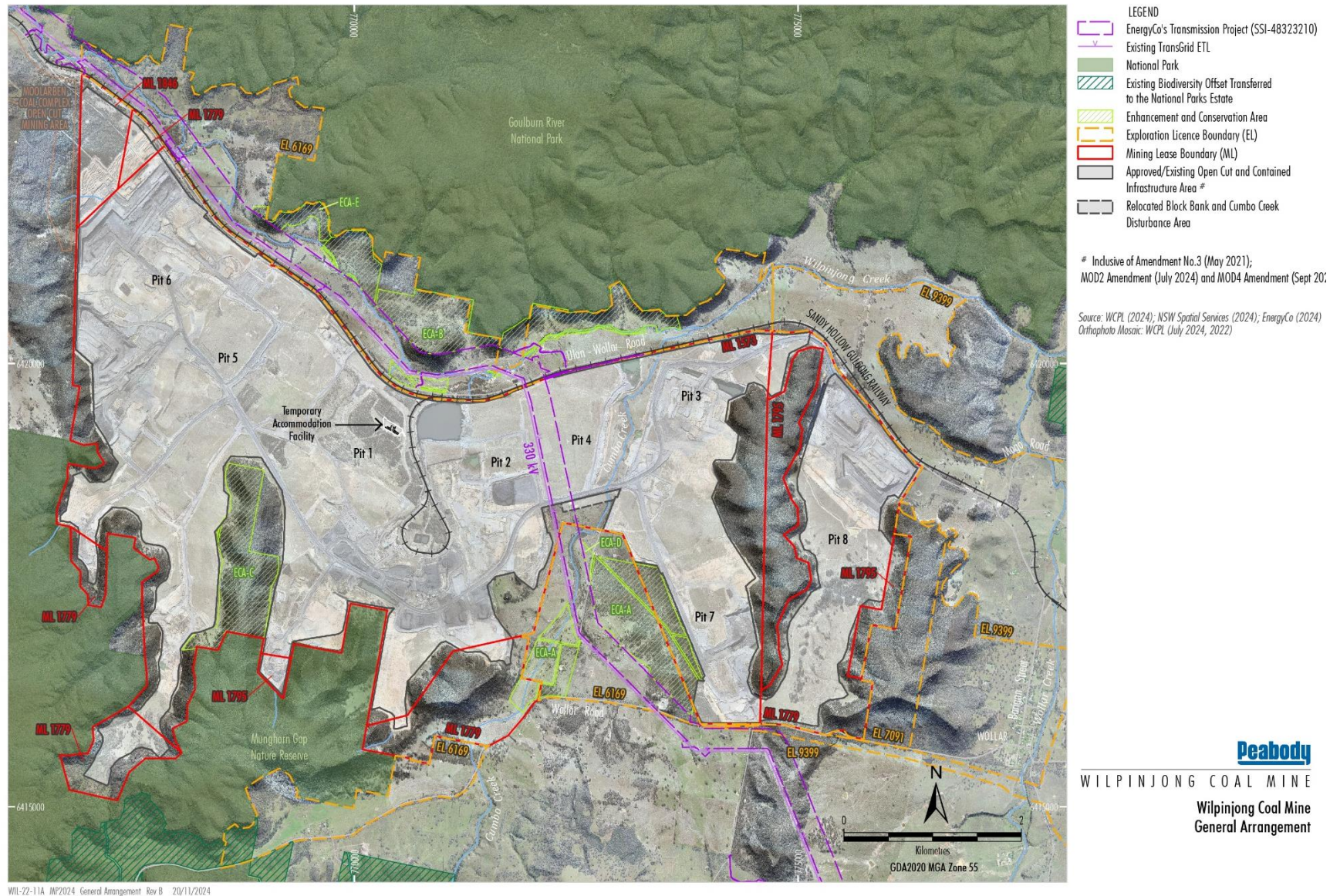
Modification 4 (MOD 4) of SSD-6764 was sought by WCPL to facilitate the changes required for the Central-West Orana Renewable Energy Zone Transmission Project (SSI-48323210) (the CWO transmission line) (**Figure 3-1**), which was approved on the 26 June 2024 by the Minister of Planning. MOD 4 was approved on the 16 September 2024.

WCPL have been in consultation with its Registered Aboriginal Parties' Consultation Committee (RAPCC) since February 2023 to announce that WCPL would not be mining Rocky Hill (a culturally significant complex of sites located in Pit 8). Key heritage and environmental issues that were raised during consultation included summary of mining operations, exploration, review of WCPL's Aboriginal Cultural Heritage Management Plan (ACHMP), management of Aboriginal heritage including rock shelters and salvage works program.

WCPL have made the decision to now adapt/modify the mine plan for Pit 8, leaving a buffer zone around Rocky Hill. Therefore, this EMS, the Biodiversity Management Plan (BMP) and Blast Management Plan (BMgtP) has been revised to include specific blast management and mitigation measures to protect the three rock shelter sites associated with Rocky Hill including sites WCP578, WCP579 and WCP580 (**Appendix 3**).



Figure 1-3 General Arrangement (MOD 4)



WIL-22-11A - MP2024 - General Arrangement - Rev B - 20/11/2024

## 2 Peabody's Environmental Policy

PEABODY POLICY  
Commitment to Health, Safety, Environment & Communities  
March 2020

No. 300.00



We commit to safety and health as a way of life. In addition, we take responsibility for minimising impacts on the environment, providing benefits to our communities and restoring the land for future generations.

Our vision is to operate safe, healthy and environmentally responsible workplaces that are incident free. Safety and health as well as environmental sustainability are core Peabody values and are integrated into all areas of our business. Our goal is to eliminate all workplace incidents, including injuries and occupational illnesses, and mitigate environmental impacts.

The following governing principles apply to our employees, contractors, visitors and vendors at our sites, or any location where Peabody work activities take place and includes all phases of the mining life cycle:

- Management has the overall accountability for safety, health and environmental management, the promotion of risk management, and the sharing of knowledge across the organization;
- Everyone is responsible for their own safety and health, preparation for and fitness for work, as well as looking out for their co-workers and protecting the environment;
- Everyone will be provided training and equipment to perform their jobs in a safe, healthy and environmentally responsible manner;
- Everyone has the authority to stop and challenge activities that could result in injury or unauthorized environmental impacts;
- Everyone must comply with established safety, health and environmental requirements (including lifesaving / cardinal rules), laws and regulations;
- Open, honest and effective incident investigation, followed by corrective actions that address the issues identified is essential;
- Risks and opportunities are identified and monitored to continuously improve safety, health, environmental stewardship, emissions reduction, and resource management;
- Safety, health and environmental objectives will be developed, and applicable performance indicators appropriately reported;
- Areas disturbed by mining will be progressively rehabilitated/reclaimed, monitored and maintained to help ensure desired post-mine land use, landform and environmental outcomes are achieved;
- Successes will be celebrated, and desirable behaviors recognized and reinforced.



## 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 2. Table 3-1** summarises WCPL's current statutory approvals.

**Table 3-1 Summary of Statutory Approvals**

Approval/Licence No.	Description	Expiry Date	Agency
<b>SSD-6764</b>	Development Consent	28 years from commencement of Project Approval (i.e. 31 December 2033)	DPHI
<b>EPL 12425</b>	EPL	Until the licence is surrendered, suspended or revoked. The licence is subject to review every 3 years	EPA
<b>EPBC 2015/7431</b>	EPBC Approval	31 December 2033	DCCEEW
<b>ML1573</b>	Mining Lease	08 February 2027	NSW-RR
<b>ML1779</b>	Mining Lease	20 December 2039	NSW-RR
<b>ML1795</b>	Mining Lease	27 September 2040	NSW-RR
ML1846	Mining Lease	28 February 2044	NSW-RR
EL 6169	Exploration Licence	22 December 2027	NSW-RR
EL 7091	Exploration Licence	03 March 2028	NSW-RR
EL 9399	Exploration Licence	3 May 2028	NSW-RR

PA05-0021 was surrendered on 28 April 2020 in accordance with Condition 9, Schedule 2 of Development Consent SSD-6764.

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.

As required by the Standard Conditions (Schedule 8A, Part 2) of the *Mining Regulation 2016*, should any change occur regarding the nominated person's contact details or the nominated person, WCPL will ensure written notice is provided to the NSW Resources Regulator within 28 days after the change occurs.

#### 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 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 3-2** 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 3-2 Development Consent EMS Requirements**

Development Consent (SSD-6764) Condition	EMS Section
<b>Environmental Management Strategy</b>	
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:	This EMS
(a) be submitted to the Secretary for approval prior to carrying out any development under this consent;	Section 1.3
(b) provide the strategic framework for environmental management of the development;	This EMS
(c) identify the statutory approvals that apply to the development;	Section 3.0 & Appendix 1 & 2
(d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;	Section 7
(e) describe the procedures that would be implemented to:	Section 6.3 & 6.5
• keep the local community and relevant agencies informed about the operation and environmental performance of the development;	Section 6.6
• receive, handle, respond to, and record complaints;	Section 4.0
• resolve any disputes that may arise during the course of the development;	Section 4.0 & 6.1
• respond to any non-compliance;	Section 4.0
• respond to emergencies; and	
(f) include:	
• copies of any strategies, plans and programs approved under the conditions of this consent; and	Section 3.10
• a clear plan depicting all the monitoring required to be carried out under the conditions of this consent.	Appendix 3

## 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 3-3** presents these requirements and indicates where they are addressed within this EMS.

**Table 3-3 General Management Plan Requirements**

Development Consent (SSD-6764) Condition	EMS Section
<b>Management Plan Requirements</b>	
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:	
• incidents	Section 4.0 & 6.1
• complaints	Section 4.0 & 6.6
• non-compliances with statutory requirements; and	Section 4.0 & 6.1
• exceedances of the criteria and/or performance criteria; and	Section 4.0 & 6.1
(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.

WCPL subscribes to Environmental Essentials, a web-based platform that provides current updates to changes in applicable Commonwealth and State legislation and compliance registers against WCPL's Development Consent and management plans obligations.

In addition, WCPL utilises SAP an environment, health and safety incident management system, which enables environmental incidents to be tracked and actioned. WCPL also monitors compliance 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;
- Exploration licences;
- 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);
- Rehabilitation Management Plan and Annual Rehabilitation Report and Forward Program;
- 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. 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. 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.

#### 3.6.1 Ground Disturbance Permit

Risk associated with ground disturbance is managed using the Ground Disturbance Permit (GDP)<sup>2</sup>. 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).

### 3.7 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;
- 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

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<sup>2</sup> Further information regarding the GDP process is provided in the BMP.

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.

### 3.8 Life of Mine Plan

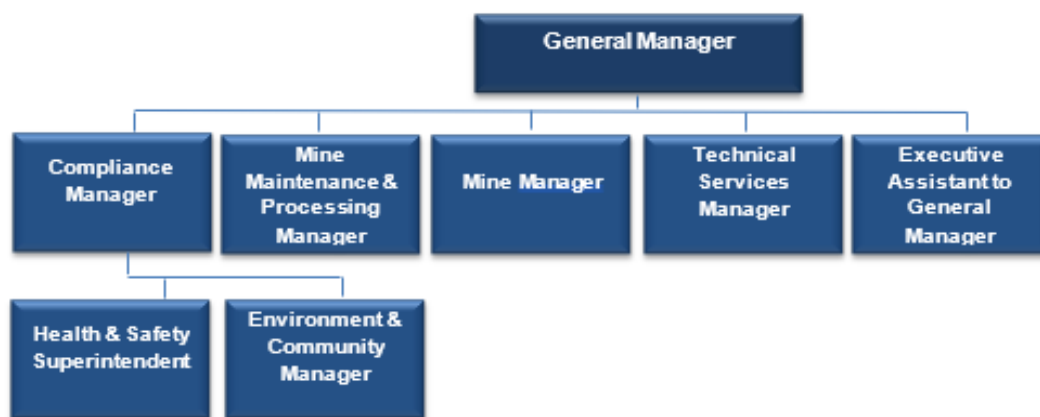
The Life of Mine (LOM) Plan provides WCPL a strategic planning instrument that details the long-term mining activities that are proposed for the Mine. The LOM Plan is an internal document that is primarily orientated to mining operations and provides an indicative timeline to when these activities are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

### 3.9 Organisational Chart

**Figure 3-1** shows the organisational structure of WCPL's Senior Leadership Team.

**Figure 3-1 WCPL Senior Organisational Chart**



### 3.10 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 3-4**);
- 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 3-4 EMPs Required by Development Consent (SSD67-64)**

EMP	Document No	SSD-6764	Consultation	Approval
Noise Management Plan	WI-ENV-MNP-0002	Con 5, Sch 3	EPA	DPHI
Blast Management Plan	WI-ENV-MNP-0003	Con 14, Sch 3	EPA & BCS	DPHI
Air Quality Management Plan	WI-ENV-MNP-0004	Con 20, Sch 3	EPA, NSW Health	DPHI
Spontaneous Combustion Management Plan	WI-ENV-MNP-0010	Con 20(g), Sch 3	EPA, NSW Health	DPHI
Water Management Plan	WI-ENV-MNP-0006	Con 30, Sch 3	EPA & Water Group	DPHI
Site Water Balance	WI-ENV-MNP-0038	Con 30(d)(ii)	EPA & Water Group	DPHI

EMP	Document No	SSD-6764	Consultation	Approval
Surface Water Management Plan	WI-ENV-MNP-0040	Con 30(d)(iii)	EPA & Water Group	DPHI
Groundwater Management Plan	WI-ENV-MNP-0041	Con 30(d)(iv)	EPA & Water Group	DPHI
Aboriginal Cultural Heritage Management Plan	WI-ENV-MNP-0007	Con 47, Sch 3	BCS & RAPs	DPHI
Historic Heritage Management Plan	WI-ENV-MNP-0044	Con 49, Sch 3	HNSW & MWRC	DPHI
Biodiversity Management Plan	WI-ENV-MNP-0008	Con 42, Sch 3	BCS & DCCEEW	DPHI
Rehabilitation Management Plan	WI-ENV-MNP-0033	Con 64, Sch 3	NSW-RR	DPHI
Social Impact Management Plan	WI-ENV-MNP-0047	Con 68, Sch 3	MWRC, Community of Wollar & CCC	DPHI
Bush Fire Emergency Management and Evacuation Plan	Under Development	Con 59B, Sch 3	RFS & DPHI	DHPI

### 3.10.1 Rehabilitation Management Plan

The Rehabilitation Management Plan (RMP) was prepared by WCPL in accordance with the NSW Resources Regulator (NSW RR) *Form and Way-Rehabilitation Management Plan for Large Mines* (NSW RR, July 2021). The RMP was developed to satisfy the requirements of Condition 64, Schedule 3 of Development Consent (SSD-6764). The development of the RMP also satisfies the requirements of Mining Leases (ML) ML1573, ML 1779 and ML1795. The initial RMP was finalised on the 01 July 2022.

A revision to the RMP was completed in December 2022 to align with the approved Rehabilitation Strategy. The revised RMP (Version 1) was approved by the DPHI on the 25/01/2023. The RMP was revised in 2023 to incorporate ML1846.

The former Mining Operations Plan (MOP) 2021-2022 prevailed for rehabilitation requirements until the expiry of the transitional period on 2 July 2022, at which point the MOP was superseded by the RMP and supported by the Annual Rehabilitation Report and Forward Program (ARRFP).

The ARRFP was uploaded to the NSW-RR portal on the 1 July 2022. The indicative three-year mining sequence and rehabilitation sequence within the ARRFP, was based on the financial year period, which involves primarily the rehabilitation of mine waste rock emplacements as they become available within the overburden emplacement area mining domain.

The ARRFP is updated annually and resubmitted by the end of March with a revised three-year mining sequence and rehabilitation sequence based on calendar year to align with existing annual reporting requirements.

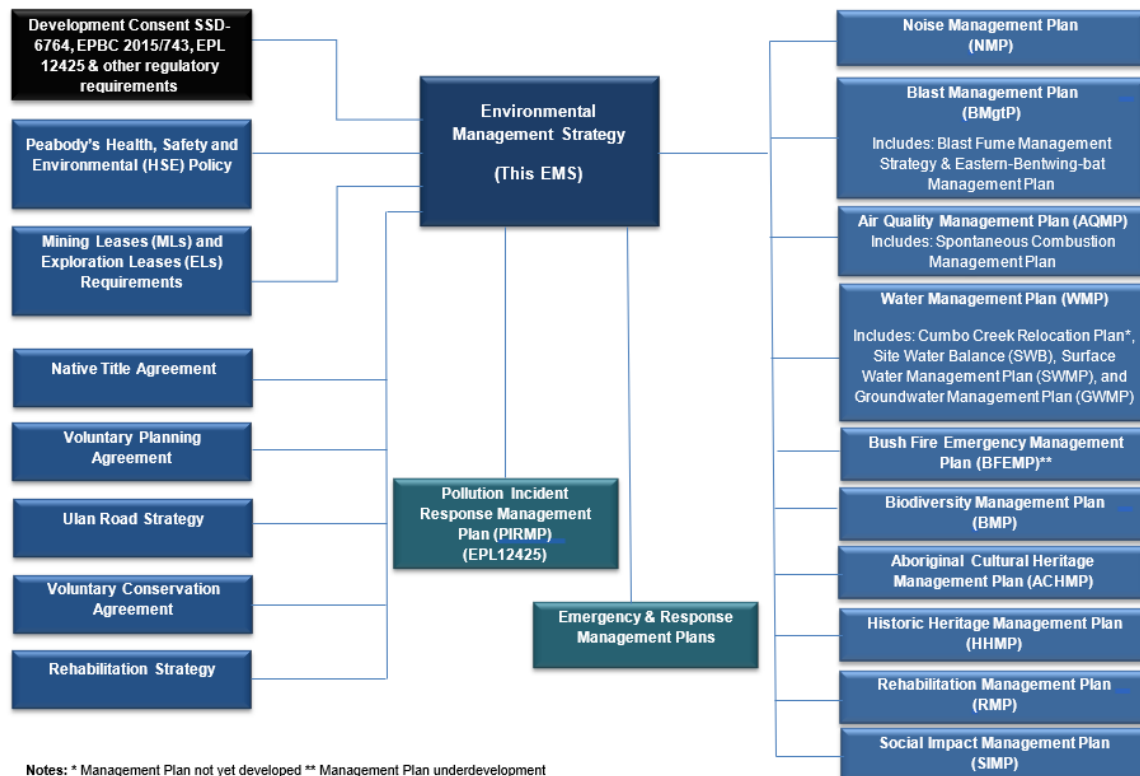
WCPL will ensure evidence is collected internally (for example screen shots) to confirm relevant documents are published on the WCPL website in accordance with *Clause 16(3) of the Standard Conditions (Schedule 8A, Part 2) of the Mining Regulation 2016* regarding the RMP and the ARRFP.

### 3.10.2 EMS Structure

All EMPs have been developed in accordance with the relevant conditions of Development Consent (SSD-6764) as modified, 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.



**Figure 3-2 WCPL EMS Structure**

### 3.11 Mine Closure Planning

Peabody have developed a standard for mine closure planning, known as Standard for Closure Planning and Reclamation (PC-ENV-STD-EN01) as part of a Peabody's initiative to undertake life of mine closure planning for mining operations. The Mine is not planned for closure until 2033. In accordance with WCPL mining leases any disturbance resulting from the activities carried out under this mining lease must be rehabilitated to the satisfaction of the Minister.

WCPL has committed to developing a Mine Closure Plan<sup>3</sup> at least three years prior to 31 December 2033, which is consistent with the MWRC's request in its submission on the Project's EIS. The Mine Closure Plan will be developed in consultation with the MWRC, the DPHI, Wollar community members and interested stakeholders from the Mid-Western Regional LGA. For more information regarding the objectives of closure planning with respect to mitigating the social impacts of closure refer to WCPL's Social Impact Management Plan (SIMP).

The RMP addresses all aspects of rehabilitation including mine closure, final landform and final land use. The RMP has been prepared to address the requirements of Development Consent (SSD-6764). The strategies and planning set out in the RMP, 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 RMP to be used as a dynamic document that can be continually improved

<sup>3</sup> Section 4.5 of the Social Impact Management Plan (SIMP).

over the life of the Mine. As required by Peabody's mine closure standard, WCPL will prepare its mine closure plan during the RMP term.

### 3.12 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 Pty Limited (UCMPL), in conjunction with WCPL and Moolarben Coal Operations Pty Ltd (MCO) and submitted to DPHI for approval in December 2011. The Ulan Road Strategy was amended by the Secretary of DPHI in a letter dated 25 May 2013. As required, WCPL will:

- Work with MWRC and the owners of MCO and UCMPL to develop a detailed plan for the implementation of the strategy;
- Make financial contributions<sup>4</sup> 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 involved<sup>5</sup> 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.

All fifteen properties within the zone for noise mitigation measures had their respective noise mitigation measures completed. The last remaining properties to finalise noise agreements occurred in April and July 2020. One property has declined noise mitigation works and two properties are outside the zone for noise mitigation measures. One property owner completed the outstanding mitigation measures in mid-2023.

All associated works regarding the road capital upgrades for Ulan Road and Cope Road in line with the strategy and managed by MWRC have been 100% completed, with the maintenance period now triggered in accordance with the strategy (maintenance period ongoing for the Wilpinjong Coal Project).

Updates of the Ulan Road Strategy including the noise attenuation works are provided in the Annual Review.

### 3.13 Cooperation with Adjacent Mines

WCPL will continue to work cooperatively with MCO and UCMPL 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 UCMPL to minimise the potential cumulative traffic impacts of shift changes of the three mines. Previously WCPL have altered its shift changes in consultation with MCO and UCMPL to the satisfaction of the Secretary.

WCPL will coordinate blasting activities in conjunction with MCO and UCMPL 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 UCMPL. This agreement allows WCPL access to data from selected monitoring equipment and weather stations owned and operated by these other

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

<sup>5</sup> WCPL, UCML, MCO or MWRC



mines. This data can be used to assist in the investigation of incidents and in general environmental management onsite.

### 3.14 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 3-3**). These parcels, known as Enhancement and Conservation Areas (ECAs) A, B and C, comprise approximately 480 hectares of land, for conservation purposes.

The Biodiversity Offset Strategy comprises a package of Biodiversity Offset Areas (BOAs) 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 3-3** shows the location of BOAs relative to the Project. These BOAs are located on land owned by Peabody.

The BOAs 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 3-3**).

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 BOAs, as well as for the ECAs, rehabilitation areas and residual Regeneration Areas.

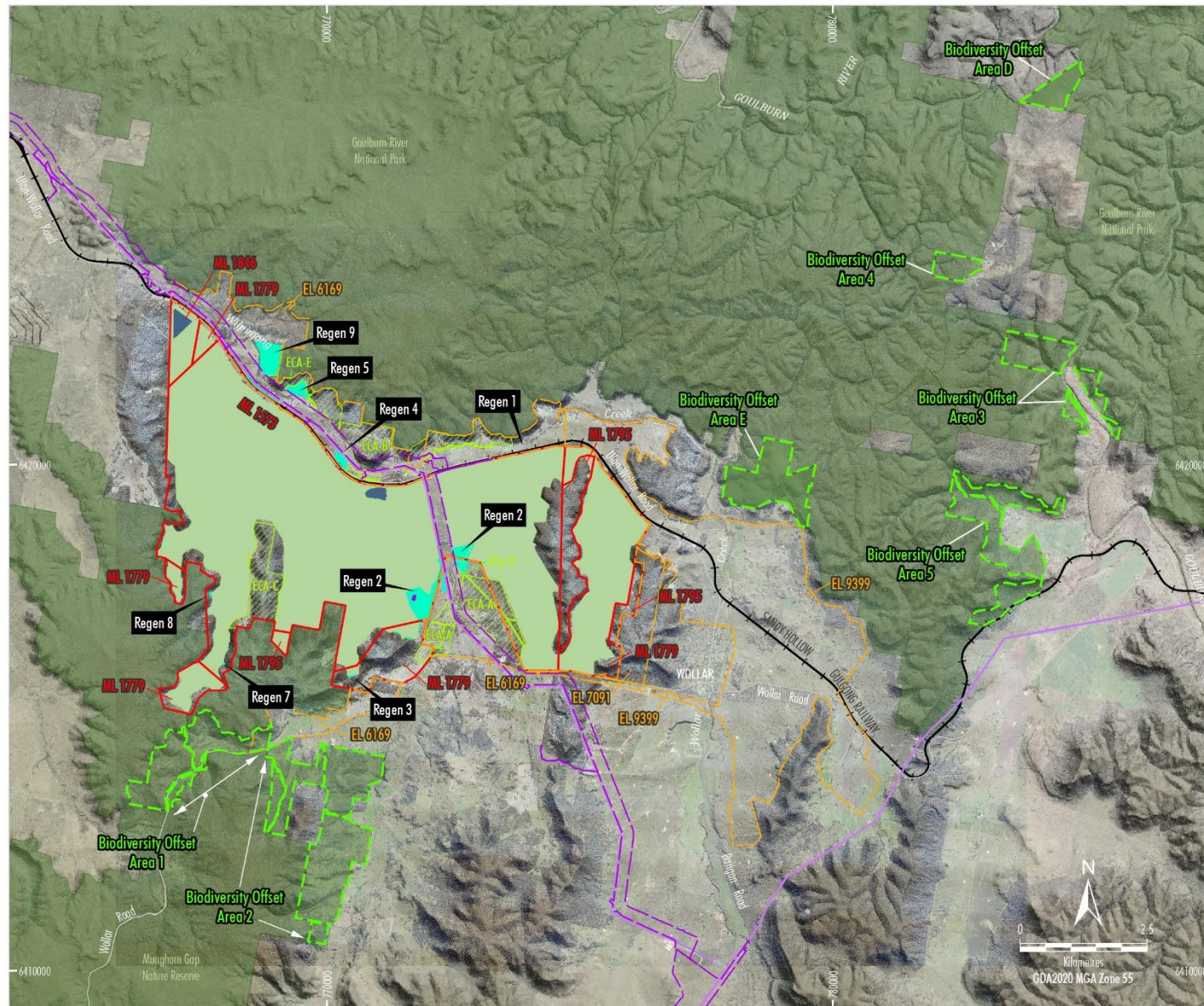
All land within BOAs D and E were transferred to the National Parks Estate on the 13 January 2016. All land within BOAs 1-5 were transferred to the National Parks Estate on the 02 August 2023 (**Figure 3-3**). WCPL have now transferred all BOAs into the National Park Estate as required by Condition 34 and Condition 35, Schedule 3 of Development Consent (SSD-6764), therefore land management activities of the BOAs 1-5 as described in the BMP, will no longer be required.

In accordance with Schedule 3, Condition 44 of the Development Consent, a Conservation Bond was lodged with the Department within 2 years of commencing development, unless otherwise agreed to by the Secretary. The Conservation Bond was accepted by the DPHI on 5 October 2017.

The Conservation Bond will only apply to the ECAs and Biodiversity Offset Areas 1-5 (BOAs now relinquished), however, it is noted existing bonds paid for the ECAs will remain current.

The sum of the bond was calculated to cover management measures prescribed within this Management Plan 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 3-3 Biodiversity Offset Areas and Enhancement and Conservation Areas





### 3.15 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 for ML1573.

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 the ACHMP, in consultation with NEWCO.

The WEP extended into three new Mining Lease Application (MLA) areas within both EL6169 and EL7091. All three MLA's including MLA510, MLA515 and MLA616 have now been granted approval and converted to ML1779, ML1795 and ML1846 respectively. MLA510 and MLA616 did not trigger the Native Title process.

MLA515 was subject to Native Title negotiations. Warrabinga Wiradjuri #6 Native Title Claim are the Native Title Claimants over MLA 515 (now ML1795). 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 08 November 2016 for ML1795

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 (Warrabinga Wiradjuri #6 Native Title Claim). WCPL will continue to implement arrangements detailed in the NTA through the operation of the Aboriginal ACHMP and, external to the ACHMP, in consultation with Warrabinga Wiradjuri #6 Native Title Claimants.

### 3.16 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 from 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 UCMPL, MCO and MWRC (**Section 3.12**).

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.

### 3.17 Consultation and Communication

#### 3.17.1 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 EMS, 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.

#### 3.17.2 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)<sup>6</sup>;
- Aboriginal Heritage Meetings; and
- Neighbouring coal mining operations (e.g. UCMPL and MCO).

Contact details for key personnel responsible for environmental management at the Mine are in **Table 3-5**.

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<sup>6</sup> 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).

**Table 3-5 Mine Contact Details**

Name	Position	Contact Details
<b>Mark Eaglesham</b>	General Manager	Email: <a href="mailto:meaglesham@peabodyenergy.com">meaglesham@peabodyenergy.com</a>
<b>Christian Oosthuizen</b>	Compliance Manager	Email: <a href="mailto:COosthuizen@peabodyenergy.com">COosthuizen@peabodyenergy.com</a>
<b>Kieren Bennetts</b>	Environment & Community Manager	Email: <a href="mailto:kbennetts@peabodyenergy.com">kbennetts@peabodyenergy.com</a>
<b>Clark Potter</b>	Senior Environmental Advisor	Email: <a href="mailto:cpotter@peabodyenergy.com">cpotter@peabodyenergy.com</a>

The street and contact telephone numbers for the Mine are as follows: 1434 Ulan-Wollar Road, Wollar NSW 2850; ph (02) 6370 2500



## 4 Implementation and Monitoring

**Table 4-1** summarises WCPL's implementation and monitoring processes for the EMS on site and identifies where these processes are also included in individual EMPs.

**Table 4-1 Implementation and Monitoring Processes for the EMS**

Element	Aspect	Commitment	Reference	EMP Section
<b>Policy and Commitment</b>	Environmental Policies	Peabody maintains an 'Environmental Policy' to guide the strategic environmental direction for the Wilpinjong Mine.	Environmental Management Strategy	<b>2.0</b>
<b>Planning</b>	Life of Mine Planning	WCPL maintain an RMP which details the rehabilitation planning objectives and commitments for the Mine.	RMP	<b>All</b>
	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	<b>3.5 &amp; 3.6.1</b>  <b>7.8</b>
	Baseline Data	The preparation of WCPL's environmental management plans (EMP) considers, where applicable, historical data relative to each specific EMP.	EMPs	<b>3.0</b>
<b>Implementation</b>	Training and Awareness	WCPL will provide adequate environmental training and awareness to all employees and contractors working at the Mine.	Noise Management Plan	<b>11.0</b>
			Blast Management Plan	<b>5.2.2, 5.3.2 &amp; 11.0</b>
			Air Quality Management Plan	<b>11.0</b>
			Water Management Plan	<b>5.0</b>
			Aboriginal Cultural Heritage Management Plan	<b>3.4, 5.5 &amp; 10.0</b>
			Historic Heritage Management Plan	<b>9.0</b>
			Social Impact Management Plan	<b>4.3.3</b>
	Management and Reporting of Incidents and Non Compliances	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 (PRIMP).  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 DPHI and EPA, and any other relevant agencies as specified in the relevant management plan.  Within seven days of the date of a reportable incident or non-compliance, WCPL will provide a detailed report to the DPHI and EPA in	Noise Management Plan	<b>9.1</b>
			Blast Management Plan	<b>9.1</b>
			Blast Fume Management Strategy	<b>4.0</b>
			Air Quality Management Plan	<b>9.1</b>
			Water Management Plan	<b>9.1</b>
			Aboriginal Cultural Heritage Management Plan	<b>8.1</b>

Element	Aspect	Commitment	Reference	EMP Section
		<p>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>	Historic Heritage Management Plan	<b>5.2</b>
			Social Impact Management Plan	<b>6.1</b>
	Community and Consultation	Internal and external communications are undertaken as described in <b>Section 3.17</b> to ensure all relevant stakeholders are informed regularly (or as required).	Environmental Management Strategy	<b>3.17</b>
	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 (<b>ph:1300 606 625</b>) 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	<b>8.0</b>
			Blast Management Plan	<b>8.0</b>
			Air Quality Management Plan	<b>8.0</b>
			Water Management Plan	<b>5.0</b>
			Aboriginal Cultural Heritage Management Plan	<b>7.0</b>
			Historic Heritage Management Plan	<b>6.0</b>
			Social Impact Management Plan	<b>4.3.4</b>
	Dispute Resolution	<p>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.</p> <p>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 DPHI for resolution.</p>	Noise Management Plan	<b>4.3</b>
			Blast Management Plan	<b>4.6</b>
			Air Quality Management Plan	<b>4.6</b>
	Document and Record Control	<p>WCPL's maintains a document control system that accurately records, stores and enables retrieval of all necessary environmental documents and data.</p> <p>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.</p>	Noise Management Plan	<b>6.6</b>
			Blast Management Plan	<b>6.4</b>
			Air Quality Management Plan	<b>6.6</b>
			Water Management Plan	<b>6.2</b>
			Aboriginal Cultural Heritage Management Plan	<b>6.4</b>
			Historic Heritage Management Plan	<b>6.0</b>
			Social Impact Management Plan	<b>4.3.4</b>
	Operations Control	Controls on activities conducted at the Mine will be undertaken in accordance with WCPL's EMPs,	Noise Management Plan	<b>5.0 &amp; 11.0</b>

Element	Aspect	Commitment	Reference	EMP Section
		applicable environmental procedures, and programmes.	Blast Management Plan	<b>5.0 &amp; 11.0</b>
		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 controls in a proper and efficient condition.	Air Quality Management Plan	<b>5.0 &amp; 11.0</b>
			Surface Water Management Plan	<b>5.2.4</b>
			Aboriginal Cultural Heritage Management Plan	<b>5.0</b>
			Historic Heritage Management Plan	<b>4.5</b>
			Social Impact Management Plan	<b>7.0</b>
	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> <p>WCPL are preparing in consultation with the RFS a Bush Fire Emergency Management and Evacuation Plan for the Temporary Accommodation Facility.</p>	<p>Pollution Incident Response Management Plan</p> <p>Bush Fire Emergency Management and Evacuation Plan</p>	<p><b>3.2</b></p> <p><b>Under Development</b></p>
	Exploration	All exploration activities and reporting will be undertaken in accordance with the conditions of mining leases (MLs), exploration licences (ELs), bore licence conditions (where applicable) and the RMP.	RMP and Groundwater Management Plan	<p><b>2.0</b></p> <p><b>5.0</b></p>
<b>Measurement and Evaluation</b>	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 <b>Appendix</b> .	Noise Management Plan	<b>6.0</b>
			Blast Management Plan	<b>6.0</b>
			Air Quality Management Plan	<b>6.0</b>
			Surface Water Management Plan	<b>8.0</b>
			Groundwater Management Plan	<b>6.0</b>
			Biodiversity Management Plan	<b>9.0</b>
			Aboriginal Cultural Heritage Management Plan	<b>6.0</b>
			Historic Heritage Management Plan	<b>4.2</b>
			Social Impact Management Plan	<b>5.0</b>
	Contingency	The preparation of WCPL's environmental	Noise	<b>7.0</b>

Element	Aspect	Commitment	Reference	EMP Section
	Plan	management plans (EMP) outline specific measures to address unpredicted impacts.	Management Plan	
			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	6.5
	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
			Social Impact Management Plan	6.0
<b>Management Review</b>	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 5 and Condition 6, Schedule 5 of SSD-6764.	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	6.5

## 5 Review and Improvement

### 5.1 EMS Review

WCPL will undertake a review of the EMS within three months of:

- a) The submission of an Annual Review (**Section 6.3**);
- b) The submission of an incident report (**Section 6.1**);
- c) The submission of an audit (**Section 5.3**); and
- d) The approval of any modification to the conditions of SSD-6764; or
- e) A direction of the Secretary.

WCPL must review, and if necessary revise, the strategies, plans, and programs required under Development Consent SSD-6764 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:

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

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.

*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.*

### 5.2 Updating Plans

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.*

### 5.3 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.*

## 5.4 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 SAP<sup>7</sup> 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 Secretary;
- 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.

*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.*

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.

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<sup>7</sup> Systems Application Products (SAP) is computer system utilised by WCPL.

## 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:

- Incident and Non-Compliance reporting;
- Annual Review;
- Independent Environmental Audit;
- EPL Annual Return; and
- Access to Information.

A copy of the EMS will be made available to the on the WCPL website.

### 6.1 Exceedance, Non-compliance and Incident Reporting

As defined by SSD-6764 an incident is a set of circumstances that:

- Causes or threatens to cause material harm to the environment; and/or
- Breaches or exceeds the limits or performance measures/criteria in SSD-6764.

After becoming aware of an incident, WCPL must immediately notify the Secretary and any other relevant agencies of the incident. Within 7 days of the date of the incident, WCPL must provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.

Incident notifications to the Secretary are to be made via the NSW Major Projects Portal or [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) by the ECM (or delegate). All pollution incidents must be reported immediately to the EPA in accordance with the Pollution Incident Response Management Plan (PIRMP). Incident notifications to the EPA will be made by the ECM (or delegate) by telephoning **131 555 (Section 6.2.1)**.

Within seven (7) days of the date of an incident, WCPL will provide a detailed report to the DPHI and EPA and any other relevant agencies of the incident that:

- Describes the date, time, and nature of the exceedance or non-compliance;
- Identifies the cause (or likely cause) of the exceedance or non-compliance;
- Identifies the performance measures/criteria is non-compliant with;
- Describes what action (**Section 6.2**) has been taken to date to remedy the exceedance or non-compliance; and
- Describes the proposed measures (**Section 6.2**) to address the exceedance or non-compliance.

All incidents will be reported in the Annual Review and the EPL Annual Return (as applicable).

For all other non-compliances not defined as an incident, WCPL must notify the DPHI and any other relevant agencies within seven (7) days of becoming aware of a non-compliance. Details of non-compliances not defined as an incident will be reported in the Annual Review. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

As soon as practicable after obtaining monitoring results showing an exceedance with any relevant performance measures/criteria in SSD-6764, 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 performance measures/criteria.

## 6.2 Adaptive Management

WCPL will assess and manage development-related risks to ensure that there are no exceedances<sup>8</sup> 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, 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.

### 6.2.1 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 PRIMP. To determine whether material harm to the environment has been caused or threatened, WCPL will immediately notify the incident in accordance with Figure 4 within the PRIMP.

## 6.3 Annual Review

By the end of March each year, WCPL 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:

- 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:
  - 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;

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<sup>8</sup> 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.

- 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.

**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.

A copy of the Annual Review will be made publicly available on the WCPL website: <https://www.peabodyenergy.com/Operations/Australia-Mining/New-South-Wales-Mining/Wilpinjong-Mine>

## 6.4 EPL Reporting

As required by EPL12425, 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.

## 6.5 Access to Information

From the commencement of development under SSD-6764, WCPL shall:

- a) Make copies of the following information publicly available on its website<sup>9</sup>:
  - 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 WCPL’s response to the recommendations in any audit;
  - Any other matter required by the Secretary; and
- b) keep this information up to date.

WCPL 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 SSD-6764. Results of WCPL’s blast monitoring program will be provided to WCPL’s Community Consultation Committee (CCC) during each meeting.

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<sup>9</sup> <https://www.peabodyenergy.com/Operations/Australia-Mining/New-South-Wales-Mining/Wilpinjong-Mine/Approvals,-Plans-Reports>

## 6.6 Complaints Response Protocol

WCPL operates a Community Hotline (**1300 606 625**) for the purpose of receiving complaints from members of the public in relation to mining activities at the Mine. The hotline number is advertised on the WCPL Website.

WCPL has developed a Complaint Response Protocol to reply to community concerns that potentially relate to the Project and other matters. Response to a community complaint will include:

1. Accurately recording all relevant details regarding the complaint in a Complaints Register, including:
  - The date and time of the complaint;
  - The method by which the complaint was made;
  - Any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
  - The nature of the complaint;
  - The action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and;
  - If no action was taken by the licensee, the reasons why no action was taken;
2. Undertaking investigations into the likely cause of the complaint using relevant information including meteorological conditions, mining activities occurring and air quality monitoring results at the time of the complaint;
3. Assessing and implementing additional air quality control measures, if required; and
4. Monitoring and assessing the effectiveness of the additional controls.

Records of all complaints will be kept for at least four years after the complaint was made. Records will be produced to any authorised officer of the EPA and DPHI who asks to see them.

The Complaints Register will be uploaded to the WCPL website and updated monthly.



## 7 Responsibilities

**Table 7-1-1** lists the key responsibilities of personnel under this EMS. Additional responsibilities for environmental management are listed in the relevant EMP's.

**Table 7-1 Environmental Management Strategy Responsibilities**

Responsibility	Task	Timing
<b>General Manager</b>	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
<b>Senior Leadership Team</b>	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
<b>Environment and Community Manager (ECM)</b>	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 DPHI and EPA (and other relevant regulatory authorities) of any incidents or non-compliances as required by <b>Section 6.1</b> .	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 <b>Section 5</b>	As required
	Ensure audits are undertaken as required, in accordance with <b>Section 5.4</b>	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 <b>Section 5.3</b>	When requested by the Secretary of DPHI
	Drive continuous improvement for the Mine.	As required
	Review the performance of the monitoring programs and effectiveness of this EMS and EMPs.	As required
	Coordinate emergency response for environmental incidents, in accordance with PIRMP.	Immediately following an incident
<b>Environmental Representative</b>	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

Responsibility	Task	Timing
	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
<b>Maintenance Manager</b>	Operate all machinery and plant used on site in a proper and efficient manner	As required
<b>All employees and contractors</b>	Report all incidents to Environmental Department as soon as practicable	As soon as practicable

## 8 Definitions

Table 8-1 provides a list of definitions for particular terms and acronyms used throughout this EMS.

**Table 8-1 Explanation of Acronyms and Terms**

Acronym / Phrase	Explanation
<b>BCS</b>	Biodiversity, Conservation and Science (within the Environment and Heritage Group, part of the DPE)
<b>Continual Improvement</b>	The process of enhancing the environmental management system to achieve improvements in overall environmental performance that are consistent with the Mine Environmental Policy.
<b>Development Consent (SSD-6764)</b>	SSD-6764 granted by the Minister for Planning under Part 4 of the EP&A Act on 24 April 2017.
<b>DPIE-Water</b>	NSW DPIE – Water (formally DPI-Water)
<b>DP&amp;E</b>	NSW Department of Planning and Environment (formally NSW Department of Planning and Infrastructure or DP&I).
<b>DPE</b>	NSW Department of Planning, Industry and Environment (formally The NSW DPIE)
<b>DPHI</b>	Department of Planning, Housing and Infrastructure) (formerly DPE)
<b>DPIE</b>	NSW Department of Planning, Industry and Environment (formally The NSW Department of Planning, Infrastructure and Environment)
<b>DPIE-BCS</b>	NSW DPIE – Biodiversity, Conservation and Science
<b>DPE-RR</b>	NSW DPE – Resource Regulator
<b>DCCEEW</b>	Department of Climate Change, Energy, the Environment and Water (formally DoAWE)
<b>DoAWE</b>	Department of Agriculture, Water and the Environment (formally DoEE)
<b>DoEE</b>	Department of Environment and Energy (now the Department of Agriculture, Water and the Environment)
<b>DRE</b>	NSW Department of Resources and Energy, a division of the NSW Department of Trade and Investment.
<b>DRG</b>	NSW Department of Resources and Geoscience a division of the NSW Department of Planning & Environment (now the NSW Resources Regulator) (formally known as the DRE)
<b>ECM</b>	WCPL Environment and Community Manager.
<b>EL</b>	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.
<b>EMP</b>	Environmental Management Plan.
<b>ISO 14001</b>	Environmental Management System (from ISO 14001).
<b>EMS</b>	WCPL's Environmental Management Strategy as required under Development Consent (SSD-6764)
<b>EMS Audit</b>	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.
<b>Environment</b>	The surroundings in which the Mine operates, including air, water, noise, land, flora, fauna, natural resources, humans and their interaction.
<b>Environmental Aspect</b>	An element of Mine activities, products or services that can interact with the Environment.
<b>Environmental Impact</b>	Any change to the environment, whether adverse or beneficial, wholly or partially resulting from Mine activities, products or services.
<b>Environmental Management Strategy (This EMS)</b>	This document, which has been developed for compliance with and in accordance with Condition 1, Schedule 5 of the Development Consent (SSD-6764).
<b>Environmental Objective</b>	Environmental objectives arising from PEA's Environmental Policies or WCPL's Annual Plan that WCPL aims to achieve, and which is quantified where practicable.
<b>Environmental Performance</b>	Measurable results of the environmental management system, related to WCPL's control of its Environmental Aspects, based on Environmental Policies, Goals and Objectives.
<b>Environmental Policies</b>	PEA's Environmental Mission Policy and Environmental Land Restoration Policy.
<b>Environmental Goals</b>	Environmental goals arising from PEA's Environmental Policies or WCPL's Annual Plan that WCPL aims to achieve.
<b>EPA</b>	NSW Environment Protection Authority.

Acronym / Phrase	Explanation
<b>EPL</b>	Environment Protection Licence 12425 granted by the EPA under the <i>Protection of the Environment Operations Act 1997</i> (POEO Act).
<b>External Stakeholder</b>	Individual or group concerned with or affected by the Environmental Performance of the Mine.
<b>Heritage NSW</b>	Heritage NSW (within the Environment and Heritage Group, part of the DPE)
<b>Incident</b>	An incident that must be notified to an authority (immediately if required) in accordance with the EPL, Development Consent (SSD-6764) and Mining Lease.
<b>Key Performance Indicators (KPIs)</b>	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.
<b>MCO</b>	Moolarben Coal Operations
<b>Material Harm to the Environment</b>	Actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial.
<b>MLA's</b>	Mining Lease Application
<b>MWRC</b>	Mid-Western Regional Council.
<b>Near Hit</b>	An incident that had the potential to cause environmental harm, but harm was avoided.
<b>Non Compliance</b>	A non-compliance of Impact Assessment Criteria that are specified in the various EMPs required under the Development Consent.
<b>NOW</b>	The NSW Office of Water, which is part of the NSW Department of Primary Industries.
<b>OEH</b>	NSW Office of Environment and Heritage
<b>PEA</b>	Peabody Energy Australia Pty Ltd, WCPL's parent company.
<b>Personnel</b>	All staff and contractors that perform work for/at the Mine.
<b>Prevention of Pollution</b>	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.
<b>Private Receiver(s)</b>	A Private Receiver(s) as identified in the Project Approval.
<b>Project Approval</b>	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).
<b>The Secretary</b>	The Secretary of the NSW Department of Planning, Industry and Environment
<b>UCMPL</b>	Ulan Coal Mines Pty Limited
<b>Water Group</b>	NSW Department of Climate Change, Energy the Environment and Water - Water Group (Formally DPIE-Water)
<b>WCPL</b>	Wilpinjong Coal Pty Limited, a subsidiary of PEA.
<b>WCP</b>	The Wilpinjong Coal Project as described in the WCP EIS (WCPL, 2006)
<b>WEP</b>	The Wilpinjong Extension Project as described in the WEP EIS (WCPL, 2016)
<b>WCP EIS</b>	The Wilpinjong Coal Project Environmental Impact Statement (WCPL, 2006).
<b>WEP EIS</b>	The Wilpinjong Extension Project Environmental Impact Statement (WCPL, 2016).

## 9 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 Incident Management Procedure*

*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 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 (Version 1)*

*Wilpinjong Extension Project - Environmental Impact Statement (January 2016)*

*WCPL 2023 Wilpinjong Coal Mine – Onsite Accommodation Facility and Development Application Area Modification (Modification 2) Modification Report*

*Wilpinjong Coal Mine (SSD-6764) – Central West Orana Renewable Energy Zone Transmission Project Modification (MOD4) – Modification Report*



## 10 Appendices

### 10.1 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> <ul style="list-style-type: none"> <li>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.</li> <li>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&amp;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.</li> </ul>	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 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
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

#### Schedule 4 of Development Consent (SSD-6764)

Approval/ Licence	Condition	Requirement	Section
Development Consent	Schedule 4 Condition 3	As soon as practicable after obtaining monitoring results showing: (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 (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).	4
Development Consent	Schedule 4 Condition 4	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.  If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision the Applicant must: (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to:	5.3

Approval/ Licence	Condition	Requirement	Section
		<ul style="list-style-type: none"> <li>consult with the landowner to determine his/her concerns;</li> <li>conduct monitoring to determine whether the development is complying with the relevant criteria in schedule 3; and</li> <li>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</li> </ul> <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&amp;A Act to ensure compliance with the consent.</i></p>	

#### 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&amp;A Act or EP&amp;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"> <li>(a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur;</li> <li>(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</li> <li>(c) implement reasonable remediation measures as directed by the Secretary.</li> </ul>	3.5, 3.6, 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"> <li>(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;</li> <li>(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"> <li>relevant statutory requirements, limits or performance measures/criteria;</li> <li>monitoring results of previous years; and</li> <li>relevant predictions in the EIS;</li> </ul> </li> <li>(c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;</li> <li>(d) identify any trends in the monitoring data over the life of the development;</li> <li>(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</li> <li>(f) describe what measures will be implemented over the next year to improve the environmental performance of the development.</li> </ul> <p><i>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.</i></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"> <li>(a) the submission of an annual review under condition 4 above;</li> <li>(b) the submission of an incident report under condition 8 below;</li> <li>(c) the submission of an audit under condition 10 below; and</li> <li>(d) the approval of any modification to the conditions of this consent; or</li> <li>(e) a direction of the Secretary under condition 4 of schedule 2;</li> </ul> <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"> <li>• <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></li> <li>• <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></li> <li>• <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></li> </ul>	5.0
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><b>Notes:</b> 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>	3.17.2

Approval/ Licence	Condition	Requirement	Section
		The CCC should be comprised of an independent chair and appropriate representation from the Proponent, Council, recognised environmental groups and the local community.	
Development Consent	Schedule 5 Condition 8	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.	6.1
Development Consent	Schedule 5 Condition 9	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.	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"> <li>(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;</li> <li>(b) include consultation with the relevant agencies;</li> <li>(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);</li> <li>(d) review the adequacy of strategies, plans or programs required under the abovementioned approvals;</li> <li>(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</li> <li>(f) be conducted and reported to the satisfaction of the Secretary.</li> </ul> <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
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> <ul style="list-style-type: none"> <li>(a) Make copies of the following information publicly available on its website: <ul style="list-style-type: none"> <li>• the EIS;</li> <li>• current statutory approvals for the development;</li> <li>• approved strategies, plans or programs required under the conditions of this consent;</li> <li>• 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;</li> </ul> </li> </ul>	6.5



Approval/ Licence	Condition	Requirement	Section
		<ul style="list-style-type: none"> <li>• a complaints register, which is to be updated monthly;</li> <li>• minutes of CCC meetings;</li> <li>• the last five annual reviews;</li> <li>• any independent environmental audit, and the Applicant's response to the recommendations in any audit;</li> <li>• any other matter required by the Secretary; and</li> </ul> (b) keep this information up to date.	

## Environmental Protection Licence (EPL)

Approval/ Licence	Condition	Requirement	Section
EPL	<b>O2.1</b>	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.	<b>7</b>
	<b>M1.2</b>	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.	<b>3, 4, 6 and 7</b>
	<b>M1.3</b>	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.	
	<b>M5.1</b>	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.	<b>4</b>
	<b>M5.2</b>	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.	<b>4</b>
	<b>M5.3</b>	The record of a complaint must be kept for at least 4 years after the complaint was made.	<b>4</b>
	<b>M5.4</b>	The record must be produced to any authorised officer who asks to see them.	<b>4</b>
	<b>M6.1</b>	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.	<b>4</b>
	<b>M6.2</b>	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.	<b>4</b>
	<b>R1.1</b>	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 1. a Statement of Compliance; 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee,	<b>4</b>

Approval/ Licence	Condition	Requirement	Section
		5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices. At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.	
EPL	R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.	6
	R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or 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
	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
	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. Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.	6
	R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	6
	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

## 10.2 Appendix 2: Summary of Approvals, Licences and Agreements

### Mine Approvals, Leases and Licences

Relevant Authority	Instrument	Approval/Licence No.	Expiry Date
<b>DPHI</b>	Development Consent	SSD-6764	28 years from commencement of Project Approval (i.e. 2033)
<b>NSW-RR</b>	Mining Lease	ML1573	February 2027
	Mining Lease	ML1779	20 December 2039
	Mining Lease	ML1795	27 September 2040
	Mining Lease	ML1846	28 February 2044
	Exploration Licence	EL 6169	22/12/2027
	Exploration Licence	EL 7091	03/03/2028
	Exploration Licence	EL 9399	3 May 2028 refer to <b>Section 3.4</b>
	Mine within Wilpinjong B Notification Area	ML 1573	Endorsed DSC 19 February 2013 Approved 24 January 2014
	Rehabilitation Management Plan (RMP)	Submitted 1/07/2022	<b>Section 3.5</b>
	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	TD6 (High Risk Activity Notification) 02/09/2016	NA
	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)
<b>EPA</b>	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 2025
	Explosives Licence	<i>NSW Explosives Act 2003</i> Part 3 Licence (Licence Number XSTR200024)	24 March 2028
<b>DCCEEW</b>	EPBC Approval	EPBC 2015/7431	31 December 2033
<b>DPE-Water</b>	Water Licences	Refer to <b>Table 7-1 &amp; Table 7-2</b> in <b>Section 7.1</b>	Refer to <b>Table 7-1 &amp; Table 7-2</b> in <b>Section 7.1</b>

**Note:** Copies of the Development Consent (SSD-6764), EPL 12425 and ML1573, ML1779 ML1795 & ML1846 are available on the Peabody Energy website (<http://www.peabodyenergy.com>)

### Summary of WALs Held by WCPL

WAL <sup>1</sup>	AL #	Water Source	Category	Entitlement <sup>2</sup>	Holder	Work Approval <sup>3</sup>	Expiry date
21499	20AL211215	Wollar Creek	Aquifer	474 Unit shares	Peabody Pastoral Holdings Pty Ltd/Wilpinjong Coal Pty Limited as 100/374 share	20CA211216	31/07/2032
19045	20AL209956	Upper Goulbourn	Unregulated	183 Unit shares	Peabody Pastoral Holdings Pty Ltd	20CA209957	12/11/2032
19055	20AL209954	Upper Goulbourn	Unregulated	50 Unit shares	Peabody Pastoral Holdings Pty Ltd	20CA209955	31/07/2032
19057	20AL209966	Upper Goulbourn	Unregulated	110 Unit shares	Peabody Pastoral Holdings Pty Ltd	20CA209967	7/02/2024
19058	20AL209974	Upper Goulbourn	Unregulated	168 Unit shares	Peabody Pastoral Holdings Pty Ltd	20CA209975	19/11/2032
19426	20AL210793	Wollar Creek	Unregulated	40 Unit shares	Peabody Pastoral Holdings Pty Ltd	20CA210794	31/07/2032
19423	20AL210790	Wollar Creek	Domestic & stock	2 ML	Peabody Pastoral Holdings Pty Ltd	20WA210792	31/07/2032
19425	20AL210795	Wollar Creek	Domestic & stock	1 ML	Peabody Pastoral Holdings Pty Ltd	20WA210796	31/07/2022 <sup>4</sup>
19430	20AL210798	Wollar Creek	Domestic & stock	5 ML	Peabody Pastoral Holdings Pty Ltd	20WA210799	31/07/2032
36398	20AL212799	Wollar Creek	Domestic & stock	1 ML	Peabody Pastoral Holdings Pty Ltd	20WA212768	30/07/2023
-	-	Wollar Creek	Pump Site	-	Peabody Pastoral Holdings Pty Ltd	20WA210801	31/07/2032
9476	80AL701849	Macquarie/Cudgegong	Regulated (General Security)	790 Unit shares	Wilpinjong Coal Pty Limited	No nominated work	N/A

**Notes:** <sup>1</sup>Water entitlement held under NSW *Water Management Act, 2000* is granted in perpetuity. <sup>2</sup>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*. <sup>3</sup>Work Approvals only attract an expiry date, applications to extend Work Approvals due to expire will be undertaken in 2024. <sup>4</sup> Application to extend submitted in 2022.

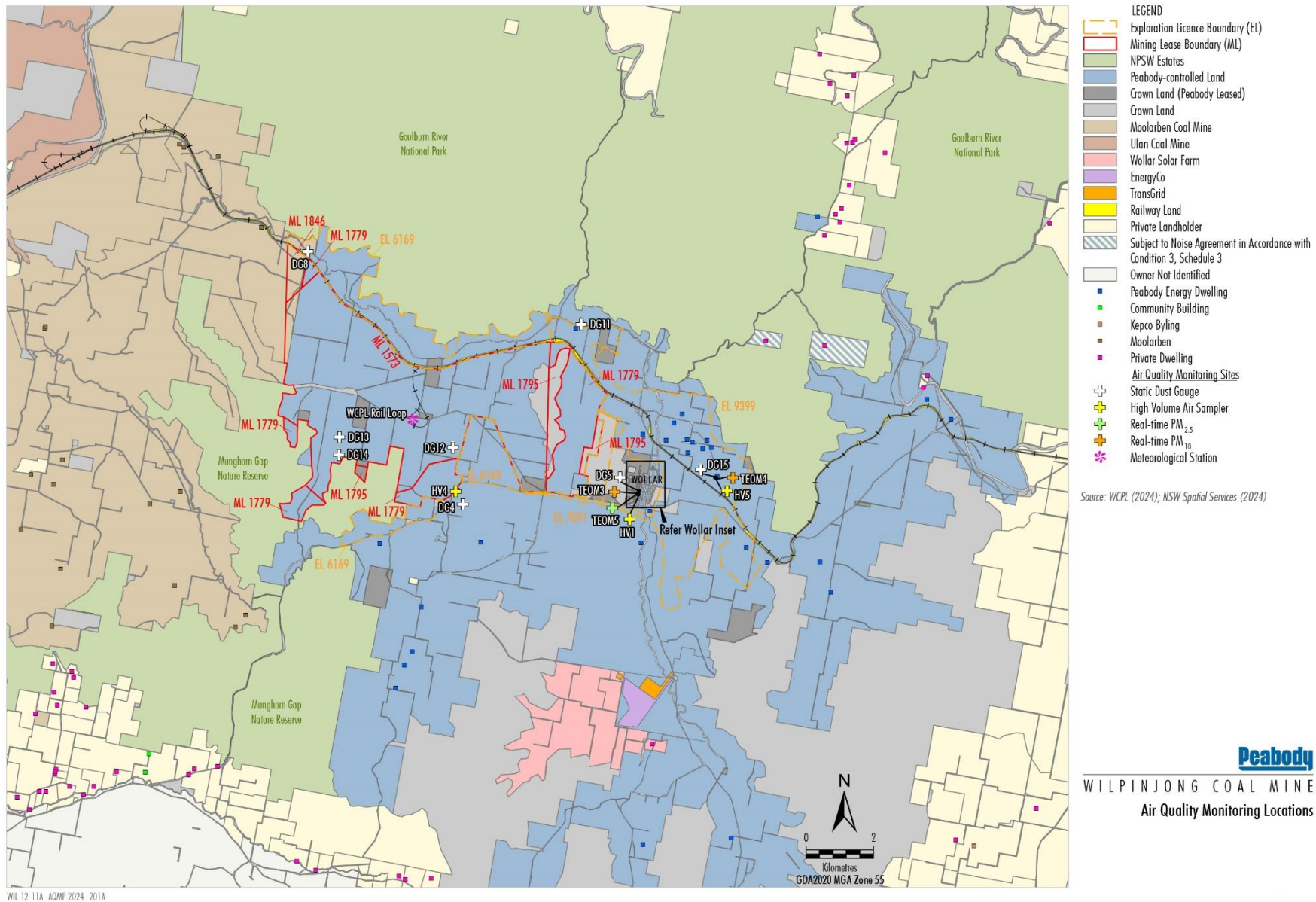


### Agreements and Other Licences

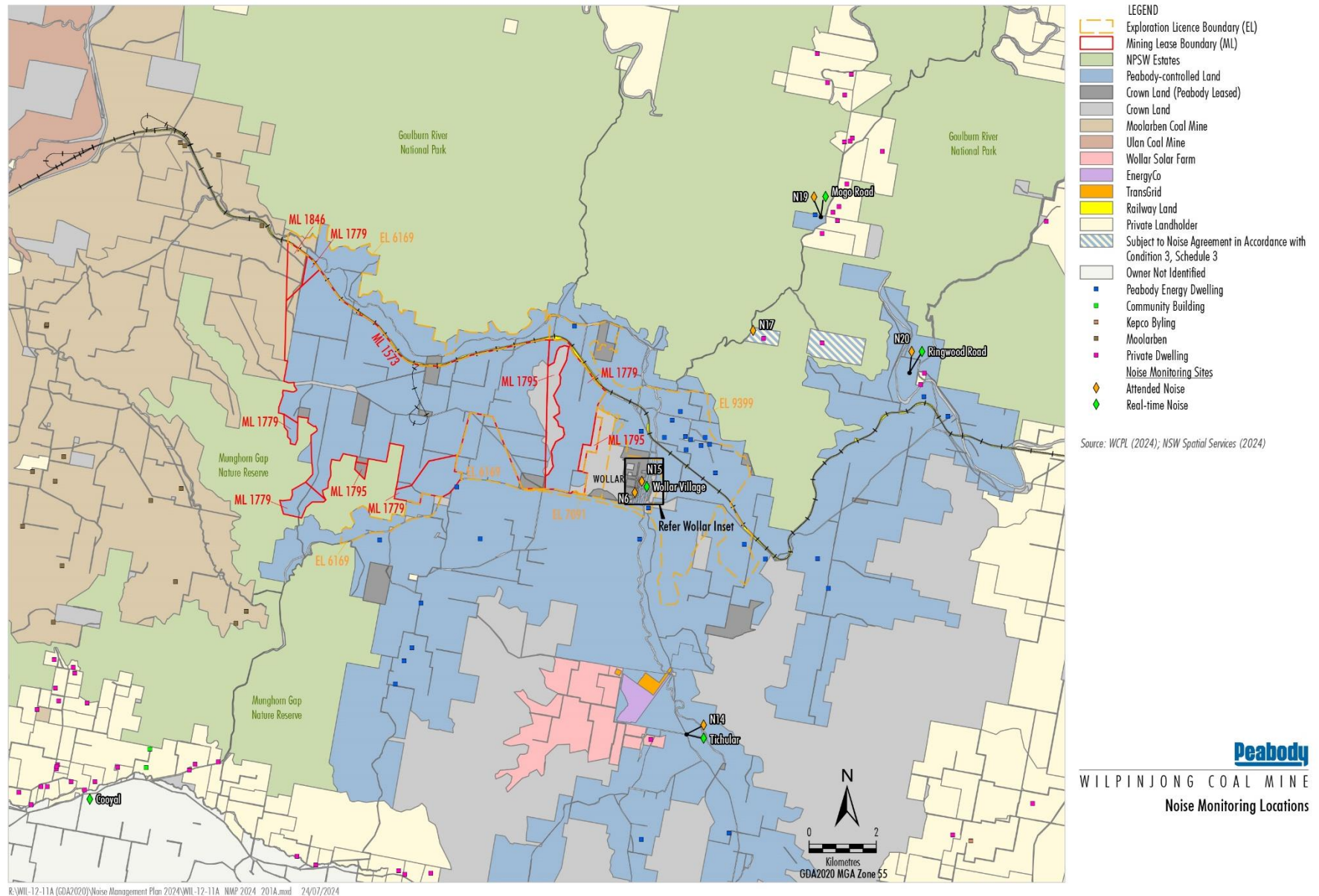
Type	Approval	Number	Approval Authority	General Description	Date Granted/Signed	Expiry/ Renewal Date
<b>Licences</b>						
LIC	Radiation Licence	5061384	NSW Office of Environment and Heritage	Licence to sell, possess, store or give away regulated material - for the operation of a radiation device on site (CHPP dense medium circuit)	Licence renewed annually	Ongoing
LIC	Explosives Licence	XSTR200024	Workcover NSW	Licence to possess and store explosives on site	Licence renewed annually	Ongoing
LIC	Apparatus Licence	1188904/1	Australian Communication and Media Authority	Licence for the operation of communication stations on site	07/04/2014	Ongoing
<b>Agreements</b>						
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/s		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

## 10.3 Appendix 3: Environmental Monitoring Locations

## Air Quality Monitoring Locations

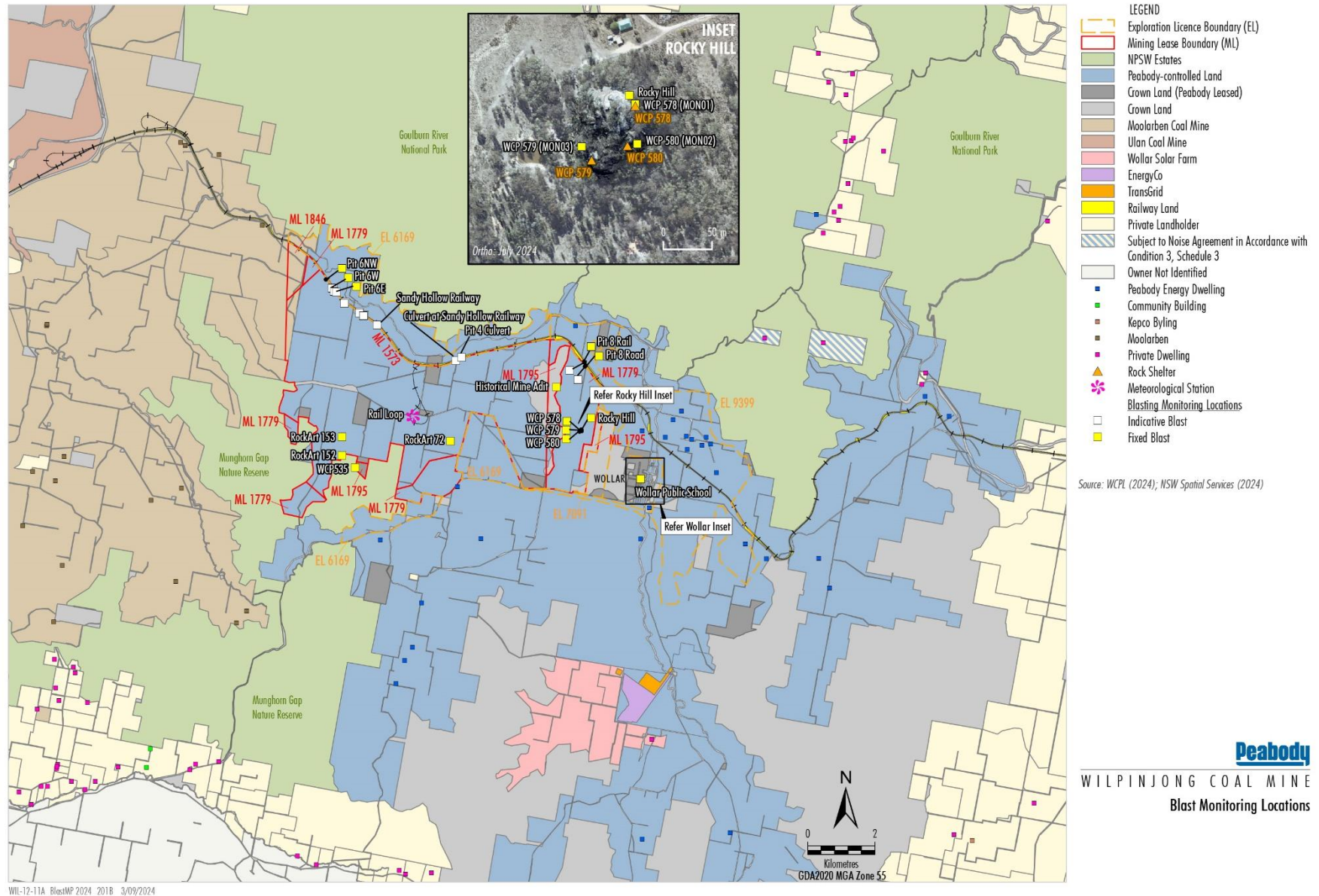


## Noise Monitoring Locations





## Blast Monitoring Locations





## Noise, Blast & Air Quality Monitoring Stations (Wollar)



- LEGEND**
- Peabody-controlled Land
  - Crown Land (Peabody Leased) #
  - Crown Land
  - Railway Land
  - Subject to Noise Agreement in accordance with Condition 3, Schedule 3
  - 1 Landholder Reference Number
  - Peabody Dwelling
  - Community Building
  - Private Dwelling

- Noise Monitoring Sites**
- Attended Noise
  - Real-time Noise
- Blasting Monitoring Sites**
- Fixed Blast
- Air Quality Monitoring Sites**
- Static Dust Gauge
  - High Volume Air Sampler
  - Real-time PM<sub>2.5</sub>
  - Real-time PM<sub>10</sub>

# Special Lease/Licence Holder

Source: WCPL (2024); NSW Spatial Services (2024)

**Peabody**  
WILPINJONG COAL MINE  
Wollar Environmental Monitoring Sites





Kieren Bennetts  
Manager Environment & Community  
Wilpinjong Coal Pty Ltd  
1434 Ulan-Wollar Road  
Wilpinjong NSW 2850

29/01/2025

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Subject: Wilpinjong Extension Project (SSD-6764) – Environmental Management Strategy

Dear Mr Bennetts

I refer to the revised Environmental Management Strategy submitted for the Wilpinjong Extension Project (SSD-6764).

The Department has carefully reviewed the revised document and is satisfied that it meets the requirements of condition 1 of Schedule 5 of the consent.

Accordingly, as nominee of the Planning Secretary, I approve the revised Environmental Management Strategy (Version 10, dated September 2024).

Please ensure you make the document publicly available on the project website at the earliest convenience.

If you wish to discuss the matter further, please contact Vince Di Bono on 02 8217 2089.

Yours sincerely



Gen Lucas  
Team Leader  
Resource Assessments

As nominee of the Planning Secretary



## 10.4 Appendix 4: Consultation

Department of Planning and Environment



Our ref: SSD-6764-PA-66

Kieren Bennetts  
Environment and Community Manager-Wilpinjong Coal  
1434 Ulan-Wollar Road  
Wilpinjong, NSW 2850

14 July 2022

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**Subject: Environmental Management Strategy for Wilpinjong Coal Mine Extension (SSD-6764)**

Dear Mr Bennetts

I refer to the revised Environmental Management Strategy which was submitted in accordance with Condition 1 of Schedule 5 of the Development Consent for the Wilpinjong Coal Mine Extension (SSD-6764).

The Department has carefully reviewed the document and is satisfied that it meets the requirements of the relevant conditions of consent. Accordingly, the Secretary has approved the Environmental Management Strategy (Version 9, dated June 2022), subject to revising the document to ensure all agency names are up to date throughout the document (e.g. DPE rather than DPIE).

Please ensure you make the approved strategy publicly available on the company's website.

If you wish to discuss the matter further, please contact Nima Salek on 292746088 or via email at [nima.salek@dpie.nsw.gov.au](mailto:nima.salek@dpie.nsw.gov.au).

Yours sincerely

**Stephen O'Donoghue**  
**Director**  
**Resource Assessments**  
as nominee of the Planning Secretary



Ian Flood  
Manager Project Developments and Approvals  
Wilpinjong Coal Pty Ltd  
1434 Ulan-Wollar Road  
Wilpinjong, NSW, 2850

09/05/2022

Dear Mr. Flood

**Wilpinjong Coal Mine Extension (SSD-6764)  
Environmental Management Strategy**

I refer to the Environmental Management Strategy which was submitted in accordance with Condition 1 of Schedule 5 of the Development Consent for the Wilpinjong Coal Mine Extension (SSD-6764).

The Department has carefully reviewed the document and is satisfied that it meets the requirements of the relevant conditions of consent.

Accordingly, the Secretary has approved the Environmental Management Strategy (Version 8, dated June 2021). Please ensure that the approved plan is placed on the project website at the earliest convenience.

If you wish to discuss the matter further, please contact Wayne Jones on (02) 6575 3406.

Yours sincerely

A handwritten signature in black ink, appearing to be 'S O'Donoghue'.

Stephen O'Donoghue  
Director  
Resource Assessments

As nominee of the Secretary



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

07/09/2020

Dear Mr Bennetts

**Wilpinjong Coal Mine Extension (SSD-6764-PA-12)  
Various Management Plans**

I refer to the various management plan submitted in accordance with Development Consent for the Wilpinjong Coal Mine Extension (SSD-6764).

The Department has carefully reviewed these documents and is satisfied some of these management plans meet the requirements of the relevant Conditions of Consent.

Accordingly, the Planning Secretary has approved the following documents:

- Blast Management Plan (Version 7, dated August 2020) - Schedule 3 Condition 14
- Blast Fume Management Plan (Version 4, dated August 2020) - Schedule 3 Condition 14
- Biodiversity Management Plan (Version 6, dated August 2020) - Schedule 3 Condition 42
- Noise Management Plan (Version 5, dated August 2020) - Schedule 3 Condition 5
- Spontaneous Combustion Management Plan (Version 6, dated August 2020) - Schedule 3 Condition 20
- Air Quality Management Plan (Version 6, dated August 2020) - Schedule 3 Condition 20
- Environmental Management Strategy (Version 7, dated August 2020) - Schedule 5 Condition 1

Given proposed revisions the following management plans should be resubmitted individually, and consultation undertaken with the appropriate sections of NSW Heritage, either prior to submission, or via the Major Projects portal:

- Historic Heritage Management Plan
- Aboriginal Cultural Heritage Management Plan

Given proposed revisions to groundwater monitoring network, clean water diversions and water balance variations, the following management plans should be provided as one submission following consultation undertaken with DPIE Water and NRAR, either prior to submission, or via the Major Projects portal:

- Water Management Plan
- Groundwater Management Plan
- Surface Water Management Plan
- Site Water Balance

Please ensure that these approved plans are placed on the project website at the earliest convenience.

In future please provide each management plan as a separate submission via the Major Projects portal to allow review and approval.

If you wish to discuss the matter further, please contact Wayne Jones on 6575 3406.

Yours sincerely



Stephen O'Donoghue  
Director  
Resource Assessments  
As nominee of the Planning Secretary



Mr Ian Flood  
Manager – Project Development and Approvals  
Peabody Australia  
1434 Ulan-Wollar Road  
WILPINJONG NSW 2850

Via email: [iflood@peabodyenergy.com](mailto:iflood@peabodyenergy.com)

Dear Mr Flood

**Wilpinjong Coal Mine (SSD-6764)  
Management Plan Review**

I refer to your emails dated 27 September 2019 and 17 April 2020 submitting revised management plans for the Wilpinjong Coal Mine (SSD-6764), including the:

- Aboriginal and Cultural Heritage Management Plan (condition 47 of Schedule 3, version 6 dated September 2019);
- Air Quality Management Plan (condition 20 of Schedule 3, version 5 dated September 2019);
- Biodiversity Management Plan (condition 42 of Schedule 3, version 6 dated September 2019);
- Blast Management Plan (condition 14 of Schedule 3, version 6 dated September 2019);
- Environmental Management Strategy (condition 1 of Schedule 5, version 6 dated September 2019);
- Historical Heritage Management Plan (condition 49 of Schedule 3, version 3 dated September 2019); and
- Noise Management Plan (condition 5 of Schedule 3, version 4 dated September 2019).

The Department has reviewed the above plans and is satisfied that they meet the requirements of the relevant conditions of consent. Accordingly, the Secretary has approved these plans.

I also refer to the revised Water Management Plan which was submitted on 17 April 2020. The Department notes that substantial changes have been made to the site water balance component of this plan.

As such, the Department requests that this plan be submitted through the Major Projects portal for review by the Department and relevant agencies.

If you have any questions, please contact Jack Turner on 02 9995 5387 or [Jack.Turner@planning.nsw.gov.au](mailto:Jack.Turner@planning.nsw.gov.au)

Yours sincerely

A handwritten signature in black ink, appearing to be 'SOD'.

19/6/20

Stephen O'Donoghue  
**Director**  
**Resource Assessments**  
as nominee of the Secretary



**Resource Assessments**

Contact: Stephen Shoesmith  
Phone: 9274 6164  
Email: [stephen.shoesmith@planning.nsw.gov.au](mailto:stephen.shoesmith@planning.nsw.gov.au)

Mr Ian Flood  
Manager Project Development & Approvals –  
Peabody Energy  
Wilpinjong Extension Project

By email to: [IFlood@peabodyenergy.com](mailto:IFlood@peabodyenergy.com)

Dear Mr Flood

**Wilpinjong Extension Project (SSD-6764)  
Approval of Environmental Management Plans**

I refer to the management plans submitted to the Department, seeking the Secretary's review and approval for the Wilpinjong Extension Project (WEP).

The Department has completed a detailed review of the management plans, which were subsequently revised to address the Department's comments including the:

- Noise Management Plan (Version 3, dated August 2017);
- Air Quality Management Plan (Version 3, dated August 2017);
- Blast Management Plan (Version 3, dated August 2017);
- Historic Heritage Management Plan (Version 3, dated August 2017);
- Aboriginal Cultural Heritage Management Plan (Version 3, dated August 2017);
- Biodiversity Management Plan (Version 3, dated August 2017); and
- Environmental Management Strategy (Version 3, dated August 2017).

As part of its review, the Department also considered Peabody's request to submit the Historic Heritage Management Plan on a staged basis in accordance with Condition 6, Schedule 5 of the WEP Development Consent (SSD-9794).

The Department is satisfied that the proposed staging of the Historic Heritage Management Plan, as described in Section 1.4 of the HHMP, is reasonable and that the plans have been prepared in consultation with the relevant agencies and address the requirements of Conditions 5, 14, 20, 42, 47 and 49, in Schedule 2 and Condition 1, in Schedule 5 of SSD-9794. Accordingly, the Secretary approves the revised management plans.

Please ensure that all new monitoring sites proposed for the WEP, where establishment dates have not been nominated with the respective management plan are established within 60 days of the date of this letter and that a copy of the approved plans is placed on your website as soon as possible following the commencement of the WEP.

If you require further information, please contact Stephen Shoesmith on 9274 6164

Yours sincerely

Steve O'Donoghue  
**A/Director**  
**Resource and Energy Assessments**  
As nominee of the Secretary

**Department of Planning & Environment**

Level 22, 320 Pitt Street Sydney NSW 2000 | GPO Box 39 Sydney NSW 2001 | [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)



**Planning &  
Environment**

**Planning Services  
Resource Assessments**  
Contact: Matthew Riley  
Phone: 9274 6339  
Email: [matthew.riley@planning.nsw.gov.au](mailto: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).

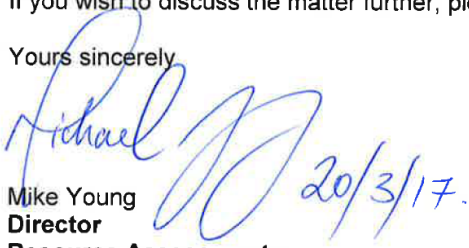
The Department has reviewed the management plans and is satisfied that the following plans are adequate:

- 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





Contact: Chris Schultz  
Phone: 02 4224 9478  
Fax: 02 4224 9470  
Email: [Christopher.Schultz@planning.nsw.gov.au](mailto:Christopher.Schultz@planning.nsw.gov.au)

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](mailto:Christopher.Schultz@planning.nsw.gov.au).

Yours sincerely

*C. Schultz 20/6/16*

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

**Department of Planning & Environment**  
L2, 84 Crown Street Wollongong NSW 2500 | PO Box 5475 Wollongong NSW 2520 | T 02 4224 9478 | F 02 4224 9470 | [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)