



Australian Government

Department of Climate Change, Energy,
the Environment and Water

Variation of conditions attached to approval

Russell Vale Colliery Revised Underground Expansion Project, Russell Vale, NSW (EPBC 2020/8702)

This decision to vary conditions of approval is made under section 143(1)(a) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).


Approved action

approval holder	Wollongong Resources Pty Ltd ABN: 28 111 244 896
approved action	The extension of mining operations at the existing Russell Vale Colliery in Russell Vale, approximately 8 km north of Wollongong, NSW as described in the Assessment documentation [as described in EPBC referral 2020/8702].
Period for which the approval has effect	This approval has effect until 31 December 2067

Variation

variation of conditions attached to approval	The variation is: Add conditions 14A, 14B and 14C as specified in the table below. Add the definitions of De-silt and Stormwater Control Dam as specified in the table below. <u>Add Attachment E</u> as specified below.
date of effect	This variation has effect on the date this instrument is signed.

Person authorised to make decision

name and position	Graeme Grosse Branch Head Compliance and Enforcement
signature	
date of decision	08 January 2025

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John Gorton Building - King Edward Terrace, Parkes ACT 2600 Australia

GPO Box 3090 Canberra ACT 2601 ABN: 63 573 932 849

NOT 571 v2.2

Date of decision	Conditions attached to the approval
Part A – Conditions specific to the action	
Original dated 31/08/21	<p>Water Resources</p> <p>The objective of conditions 1 to 14 is to minimise the impacts of the action on a water resource.</p> <p>1. For the protection of water resources, the approval holder must comply with State development consent conditions B12-B20, C1-C3, and C10-C11.</p>
Original dated 31/08/21	<p>2. The approval holder must ensure there is no adverse effect on the function of a water resource as a result of the mining activities of the action.</p>
Original dated 31/08/21	<p>3. The approval holder must notify the Department in writing of any proposed change to the State development consent that may relate to protected matters within two business days of formally proposing a change or within five business days becoming aware of any proposed change.</p>
Original dated 31/08/21	<p>4. The approval holder must notify the Department in writing of any change to the State development consent conditions that may relate to protected matters within 10 business days of a change to conditions being finalised.</p>
Original dated 31/08/21	<p>5. The approval holder must provide the Department with the final version of the Plans within 10 business days of their approval by the NSW Planning Secretary.</p>
Original dated 31/08/21	<p>6. The approval holder must notify the Department, in writing, within two business days of proposing to the NSW Planning Secretary any changes to a version of the Plan/s, explaining what changes are requested and any implications for protected matters if the proposed changes are made. If the NSW Planning Secretary approves a revised version of the Plan/s, the approval holder must provide the Department with the approved revised Plan/s within 10 business days of its approval by the NSW Planning Secretary, explaining what changes have been made and any implications for protected matters.</p>
Original dated 31/08/21	<p>7. In addition to the monitoring requirements specified in and/or required under condition B17 and condition C10 of the State development consent, the approval holder must:</p> <p>a. establish, at least 12 months prior to any potential impact at each proposed monitoring site, and then maintain, a network of groundwater monitoring bores across the Development Application Area designed to detect changes in groundwater levels in all potentially impacted aquifers, including shallow aquifers used by Coastal Upland Swamps, and any changes in connectivity between aquifers;</p> <p>Note: This does not apply to bores installed to inform the management of post closure adit discharges as required under the Adit Discharge Water Management Plan required under condition B19 of the State development consent.</p> <p>b. monitor groundwater levels as each monitoring bore (established as required</p>

under condition 7.a) at least once every three months, from installation until:

- i. 12 months after the **cessation of mining** for all monitoring bores within **Coastal Upland Swamps**;
 - ii. five years after the **cessation of mining** for other monitoring bores excepting those required to monitor groundwater recovery and potential discharge from adits; and
 - iii. for the period for which the approval has effect for any other monitoring site required to monitor groundwater recovery and potential discharge from adits.
- c. within 20 **business days** of the end of the three-month monitoring period, publish on the **website** and submit to the **Department**, all **monitoring data** collected in accordance with condition 7.b, updated at least once every three months to include the most recent **monitoring data**. Maintain the data on the **website** for:
- i. at least five years after the cessation of mining for all monitoring bores within Coastal Upland Swamps;
 - ii. at least five years after the cessation of mining for other monitoring bores excepting those required to monitor groundwater recovery and potential discharge from adits; and
 - iii. the period for which the approval has effect for any monitoring site required to monitor groundwater recovery and potential discharge form adits.

The **monitoring data** must include hydrographs for all bores and be accompanied by an explanation of what the data means in relation to meeting and maintenance of the **performance measures** relevant to groundwater specified in the **State development consent**;

- d. establish, at least 12 months prior to **second workings** being within 350 m (horizontal distance from the closest boundary) of each **Coastal Upland Swamp**, and maintain, in all **potentially impacted Coastal Upland Swamps**, and in multiple reference swamps that demonstrate baseline condition, monitoring capable of determining individual water balances for each **potentially impacted Coastal Upland Swamp**;
- e. monitor all components of the network established as required under 7.d, at least once every three months from installation until at least 12 months after the **cessation of mining**;
- f. within 20 **business days** of the end of the three-monthly monitoring period, publish on the **website** and submit to the **Department** all **monitoring data** collected in accordance with condition 7.e, updated at least once every three months to include the most recent **monitoring data**. Maintain the data on the **website** for at least five years after the monitoring program has been completed. Include an evaluation of what the data means in relation to meeting and maintenance of the **performance measures** relevant to **water resources** specified in the **State development consent**; and

	<p>g. include, in each compliance report, the monitoring data collected in accordance with condition 7.b and 7.e, in relation to the period covered by each compliance report. Include an evaluation of performance against the performance measures relevant to water resources specified in the State development consent.</p>
<p>Variation dated 22 May 2024</p>	<p>8. In addition to the requirements specified in and/or required under condition B19 of the State development consent, the approval holder must:</p> <p>a. from the commencement of second workings, ensure that all water discharges to Bellambi Gully do not result in water quality within Bellambi Gully at point 11 (as shown at Attachment D) exceeding the <i>Australian and New Zealand guidelines for fresh and marine water quality (2018)</i>, (or any subsequent version) default guideline values for relevant metals and metalloids, as identified at Attachment C unless otherwise agreed in writing by the Minister;</p> <p>Note: the approval holder can request that the Minister agree to site-specific water quality limits for water discharges to Bellambi Gully. Such a request must be submitted to the department accompanied by a peer-reviewed analysis of monitoring data from the monitoring site point 12 located upstream of the mine site as shown in Attachment D. Any other monitoring sites used in this analysis must have comparable catchment characteristics and must not be impacted by discharges or runoff from current or historic coal mines, coal storage/stockpile facilities or industrial activities. The analysis must provide data and evidence to justify the request.</p> <p>b. monitor any discharges to Bellambi Gully at least once every week, unless otherwise agreed in writing by the Minister at least six months after commencement of the action, starting within one week of the commencement of the action and continuing until at least 12 months after the cessation of all discharges to Bellambi Gully;</p> <p>Note: the approval holder can request that the Minister agree to change the frequency of the monitoring required in condition 8.b after at least six months of weekly monitoring data has been collected. Such a request must be submitted to the department accompanied by a peer-reviewed analysis of monitoring data justifying the request.</p> <p>c. within 20 business days of the end of the three-month monitoring period, publish on the website and submit to the Department the monitoring data collected in accordance with condition 8.b, updated to include the most recent monitoring data and presented graphically and compared to the limits identified at Attachment C or, if site-specific water quality limits for water discharges to Bellambi Gully have been approved by the Minister in writing, the latter.</p> <p>cA. Maintain the data on the website for at least five years after the cessation of all discharges to Bellambi Gully.</p> <p>d. include, in each compliance report, the monitoring data collected in accordance with condition 8.b, in relation to the period covered by each compliance report. Include an evaluation of performance in achieving the currently approved water quality limits for water discharges to Bellambi Gully.</p>

<p>Original dated 31/08/21</p>	<p>9. In addition to the requirements specified in and/or required under condition B19 of the State development consent, the approval holder must:</p> <ul style="list-style-type: none"> a. provide to the Department, for written approval by the Minister, water quality limits, including numerical values for relevant metals and metalloids, pH, electrical conductivity, total suspended solids, and dissolved oxygen, for adit water discharges which will ensure that the requirement of condition 2 of this approval is achieved throughout the period for which the approval has effect. The suitability of the water quality limits must be justified by providing analysis of baseline data (from relevant locations in the receiving environment) and comparison with Australian and New Zealand guidelines for fresh and marine water quality (2018), or (any subsequent version) default guideline values for slightly to moderately disturbed aquatic ecosystems; b. not undertake any second workings more than 30 months after the date of commencement of the action unless the water quality limits for adit water discharges have been approved by the Minister in writing; c. monitor all adits at least once every month so as to detect any discharges, starting within one week of the commencement of the action, and monitor all adit water discharges at least once every week that discharge occurs for the period for which the approval has effect, unless otherwise agreed by the Minister in writing after at least six months of weekly monitoring data has been collected for each adit; <ul style="list-style-type: none"> Note: the approval holder can request to vary the frequency of the monitoring of adit discharge required in condition 9.c after at least six months of weekly monitoring data for each adit has been collected Such a request must be accompanied by a peer-reviewed analysis of monitoring data justifying the request. d. publish on the website and submit to the Department the monitoring data collected in accordance with condition 9.c, updated at least once every three months to include the most recent monitoring data, presented graphically compared to the approved water quality limits for adit water discharges. Maintain the data on the website for the period for which the approval has effect; e. include, in each compliance report, the monitoring data collected in accordance with condition 9.c, in relation to the period covered by each compliance report. Include an evaluation of performance in achieving the approved water quality limits for adit water discharges.
<p>Original dated 31/08/21</p>	<p>10. If, at any time the period for which the approval has effect, the approval holder detects that any water quality limit identified at Attachment C, approved site-specific water quality limit for water discharges to Bellambi Gully, or approved water quality limit for adit water discharge has been reached or exceeded the approval holder must notify the Department of the exceedance within two business days of detecting the exceedance.</p>
<p>Variation dated 22 May 2024</p>	<p>11. If, after 1 July 2024, the approval holder detects an exceedance of any limit specified in the centre column of <u>Attachment C</u> in respect of the metal or metalloid named in the adjacent cell in the left hand column of <u>Attachment C</u>, or any site-specific water</p>

	<p>quality limit for water discharges to Bellambi Gully approved for that purpose by the Minister, the approval holder must, within two business days of detecting any such exceedance, cease all discharge to Bellambi Gully of any liquid from any part of the Action and take appropriate measures to prevent any possible further discharge of liquid to Bellambi Gully.</p>
Original dated 31/08/21	<p>12. If the approval holder has been required to cease discharges to Bellambi Gully pursuant to condition 11, discharges must not recommence until the approval holder provides monitoring data which demonstrates, and the Minister agrees in writing, that the water quality limits at <u>Attachment C</u> or the approved site-specific water quality limits for water discharges to Bellambi Gully are no longer being reached or exceeded, or it can be demonstrated that new or increased impacts will not occur.</p>
Original dated 31/08/21	<p>13. The approval holder must prevent any adit water discharge that reaches or exceeds any approved water quality limit for adit water discharge from entering any waterway within two business days of detecting an exceedance of any approved water quality limit for adit water discharge and commence treatment of all adit discharge water to bring it within the approved water quality limits for adit water discharge.</p>
Original dated 31/08/21	<p>14. If adit water discharge must be prevented from entering a waterway pursuant to condition 13, the adit water discharge must not be discharged to a waterway until the approval holder provides monitoring data which demonstrates, and the Minister agrees in writing, that the approved water quality limits for adit water discharge are no longer being reached or exceeded.</p>
As varied on the date this instrument is signed	<p>14A. The approval holder must, by 31 March 2025, de-silt the Stormwater Control Dam.</p>
As varied on the date this instrument is signed	<p>14B. The approval holder must not deposit any material excavated or otherwise removed as part of desilting the Stormwater Control Dam where it can be washed by floodwaters into, any watercourse or lake.</p>
As varied on the date this instrument is signed	<p>14C. The approval holder must ensure that, the Storm Water Control Dam has sufficient unfilled capacity to retain the inflow during 95 millimetres of rainfall in the catchment of Bellambi Gully over any consecutive five-day period.</p>
	<p>Listed threatened species and ecological communities</p> <p>The objective of conditions 15 to 18 is to minimise, and if necessary, compensate for, the impacts of the action on Listed threatened species and ecological communities.</p> <p>15. In addition to the monitoring requirements specified in and/or required under condition C10 of the State development consent, the approval holder must:</p> <ol style="list-style-type: none"> a. undertake surveys prior to the commencement of the action, using a method consistent with the requirements of condition C2 of the State development consent, to determine the baseline condition in relation to subsidence at each potentially impacted Coastal Upland Swamp;

	<p>b. monitor for, and measure any, vertical subsidence using an approach consistent with the requirements of condition C2 of the State development consent, at least weekly at any potentially impacted Coastal Upland Swamp when second workings are within 350 m (horizontal distance from the closest boundary) of the particular Coastal Upland Swamp, starting at least one week prior to the commencement of second workings within 350 m of the particular Coastal Upland Swamp and continuing until at least 12 months after the cessation of mining;</p> <p>c. publish on the website and submit to the Department the monitoring data collected in accordance with condition 15.b, updated at least once every three months to include the most recent monitoring data, and accompanied by an evaluation of the risk of the subsidence limit being reached or exceeded. Maintain the data and evaluation on the website for at least 5 years after the cessation of mining;</p> <p>d. include, in each compliance report, the monitoring data collected in accordance with condition 15.b, in relation to the period covered by each compliance report. Include an evaluation of the risk of any subsidence limit being reached or exceeded.</p>
<p>Original dated 31/08/21</p>	<p>16. If, at any time during the period for which the approval has effect, the approval holder detects that any subsidence limits have been reached or exceeded the approval holder must cease second workings and notify the Department of this within two business days of detecting the exceedance.</p>
<p>Original dated 31/08/21</p>	<p>17. If the approval holder has been required to cease second workings pursuant to condition 16, the approval holder must not recommence second workings until it can be demonstrated that new or increased impacts will not occur and the Minister approves, in writing, the recommencement of second workings.</p>
<p>Original dated 31/08/21</p>	<p>18. If the approval holder exceeds the performance measure required by State development consent condition C1, and the NSW Planning Secretary determines that an offset is required under State development consent condition C4, the approval holder must provide the Department with details of the offset(s) approved by the NSW Planning Secretary within 10 business days of the approval by the NSW Planning Secretary</p>
<p>Part B – Standard administrative conditions</p>	
<p>Original dated 31/08/21</p>	<p>Notification of date of commencement of the action</p> <p>19. The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.</p>
<p>Original dated 31/08/21</p>	<p>20. The approval holder must notify the Department in writing, within 10 business days of cessation of mining.</p>
<p>Original dated 31/08/21</p>	<p>Compliance records</p> <p>21. The approval holder must maintain accurate and complete compliance records.</p>

Original dated 31/08/21	<p>22. If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request.</p> <p>Note: Compliance records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the Department's website or through the general media.</p>
Original dated 31/08/21	<p>Submission and publication of plans</p> <p>23. The approval holder must:</p> <ol style="list-style-type: none"> a. submit any plans required by these conditions electronically to the Department within 10 business days of being approved by the NSW Planning Secretary; b. publish each plan on the website within 20 business days of the date the plan is approved by the NSW Planning Secretary, unless otherwise agreed to in writing by the Minister; c. exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and d. keep plans published on the website until the end date of this approval.
Original dated 31/08/21	<p>24. The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under a plan or conditions of this approval, is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the Department in accordance with the requirements of the plan or within 10 business days.</p>
Original dated 31/08/21	<p>Annual compliance reporting</p> <p>25. The approval holder must by the end of each 12-month period following the date of commencement of the action, or as otherwise agreed to in writing by the Minister prepare a compliance report. The approval holder must:</p> <ol style="list-style-type: none"> a. publish each compliance report on the website within 60 business days following the end of the 12-month period for which that compliance report is prepared; b. notify the Department by email that each compliance report has been published on the website and provide the weblink for the compliance report within five business days of the date of publication of each compliance report; c. keep all compliance reports publicly available on the website until this approval expires; d. exclude or redact sensitive ecological data from compliance reports published on the website; and e. where any sensitive ecological data has been excluded from the

	<p>version published, submit the full compliance report to the Department within 5 business days of publication on the website.</p> <p>Note: This approval decision requires that a compliance report be submitted every year until the end date of this approval because data from monitoring of discharge from adits must be submitted until at least 2067. Compliance report may be published on the Department's website.</p>
Original dated 31/08/21	<p>Reporting non-compliance</p> <p>26. The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <ol style="list-style-type: none"> any condition which has been or may have been in breach; a short description of the incident and/or non-compliance; and the location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.
Original dated 31/08/21	<p>27. The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:</p> <ol style="list-style-type: none"> any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future; the potential impacts of the incident or non-compliance; and the method and timing of any remedial action that will be undertaken by the approval holder.
Original dated 31/08/21	<p>Independent audit</p> <p>28. The approval holder must ensure that an independent audit of compliance with the conditions is conducted for the three-year period from the date of this approval and subsequently for every three-year period for the life of the approval, or as otherwise requested in writing by the Minister.</p>
Original dated 31/08/21	<p>29. For each independent audit, the approval holder must:</p> <ol style="list-style-type: none"> provide the name and qualifications of the independent auditor and the draft audit criteria to the Department; only commence the independent audit once the audit criteria have been approved in writing by the Department; and submit an audit report to the Department within the timeframe specified in the approved audit criteria.
Original dated 31/08/21	<p>30. The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.</p>

Original dated 31/08/21	<p>Completion of the action</p> <p>31. Within 20 business days prior to the period for which the approval has effect the approval holder must submit all completion data to the Department.</p>
<p>Part C – Definitions</p> <p>In these conditions, except where contrary intention is expressed, the following definitions are used:</p>	
Original dated 31/08/21	<p>Adverse effect means the occurrence of impacts greater than those predicted in the assessment documentation and is represented by the exceedance of an approved limit.</p>
Original dated 31/08/21	<p>Approval holder means the person to whom the approval is granted as identified on the approval notice for EPBC 2020/8702 or to whom the approval is transferred under s 145B of the EPBC Act, or a person who may take the action in accordance with section 133(2A) of the EPBC Act.</p>
Original dated 31/08/21	<p>Aquatic GDEs means groundwater dependent ecosystems dependent on the surface expression of groundwater, including:</p> <ul style="list-style-type: none"> • River baseflow systems, aquatic and riparian ecosystems that exist in or adjacent to streams (including the hyporheic zone (subsurface interface between surface and groundwater bodies)) which are fed by groundwater; and • Wetlands (aquatic communities and fringing vegetation dependent on groundwater- fed lakes and wetlands), including palustrine (non-tidal wetlands dominated by vegetation) and lacustrine (lake) wetlands that receive groundwater discharge, and can include spring and swamp ecosystems.
Original dated 31/08/21	<p>Assessment documentation means the Final Public Environment Report, Russell Vale Colliery Revised Underground Expansion Project (EPBC 2020/8702) prepared by Umwelt (Australia) PTY Ltd dated April 2021 and attachments.</p>
Original dated 31/08/21	<p>Associated user means groundwater supply bores, aquatic GDEs, terrestrial GDEs and subterranean GDEs</p>
Original dated 31/08/21	<p>Bord and pillar workings means a mining method comprising of a series of self-supporting roadways (or bards) within the coal seam leaving a grid of pillars of unmined coal which are designed to remain stable for the long term.</p>
Original dated 31/08/21	<p>Business day means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.</p>

<p>Original dated 31/08/21</p>	<p>Cessation of mining means the completion of second workings and the placement of waste rock in mine workings.</p>
<p>Original dated 31/08/21</p>	<p>Coastal Upland Swamp/s means the EPBC Act listed Coastal Upland Swamps in the Sydney Basin Bioregion.</p>
<p>Original dated 31/08/21</p>	<p>Commencement of the action means the first instance of any specified activity associated with the action. Commencement of the action does not include minor physical disturbance necessary to</p> <ul style="list-style-type: none"> i. install signage and /or temporary fencing to prevent unapproved use of the project area; ii. protect environmental and property assets from fire, weeds, and pests, including the erection of construction of fencing, and maintenance of existing surface access tracks; iii. install temporary site facilities for persons undertaking pre-commencement activities so long as these are located where they have no impact on the protected matters; iv. monitoring programs; and v. undertaking geotechnical investigation if it causes only minor physical disturbance and is required well in advance of most of the site works to inform design.
<p>Original dated 31/08/21</p>	<p>Completion data means an environmental report and spatial data clearly detailing how the conditions of this approval have been met. The Department's preferred spatial data format is shapefile.</p>
<p>Original dated 31/08/21</p>	<p>Compliance records means all documentation or other material in whatever form required to demonstrate compliance with the conditions of approval in the approval holder's possession or that are within the approval holder's power to obtain lawfully.</p>
<p>Original dated 31/08/21</p>	<p>Compliance reports mean a written report of compliance with and fulfilment of the conditions attached to the approval. Each compliance report must be consistent with the Department's Annual Compliance Report Guidelines (2014) and separately report the following in respect of:</p> <ul style="list-style-type: none"> a. the 12-month period at the end of which that compliance report is prepared: <ul style="list-style-type: none"> i. accurate and complete details of compliance, incidents, and non-compliance with the conditions and the plans; ii. a schedule of all plans prepared and in existence in relation to the conditions during the 12-month period at the end of which the compliance report is prepared. b. the period from the date of commencement of the action, until the end of the 12-month period at the end of which that compliance report is prepared: OFFICIAL

	<p>i. accurate and complete details of compliance, incidents, and non-compliance with the conditions and the plans</p> <p>ii. a schedule of all plans in existence in relation to the conditions.</p>
Original dated 31/08/21	Department means the Australian Government agency responsible for administering the EPBC Act .
Original dated 31/08/21	Development Application Area means the area enclosed by the red line labelled 'UEP Application Area' in <u>Attachment A</u> .
As varied on the date this instrument is signed	De-silt means to remove accumulated sediment from a waterbody to increase its capacity.
Original dated 31/08/21	EPBC Act means the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth).
Original dated 31/08/21	First Workings means development of mains headings, gate roads, related cut througs and other workings for mine access and ventilation only.
Original dated 31/08/21	Function means the ecosystem components, processes and benefits or services that characterise the associated user , including support for biological diversity or species composition.
Original dated 31/08/21	Impacted means having any measurable direct or indirect disturbance or harmful change as a result of any activity associated with the action.
Original dated 31/08/21	Incident means any event which has the potential to, or does, impact on one or more protected matter except as permitted by this approval.
Original dated 31/08/21	Independent means a person who does not have any individual, or by employment or family affiliation, conflicting or competing interests with the approval holder ; the approval holder's staff, representatives or associated persons; or the project, including any personal, financial, business or employment relationship, other than receiving payment for undertaking the role for which the condition requires an independent person.

Original dated 31/08/21	Independent audit: means an audit conducted by an independent and suitably qualified person as detailed in the <i>Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines (2019)</i> .
Original dated 31/08/21	Independent suitably qualified water resources expert means an independent person with at least a postgraduate degree (or equivalent) in a suitable area (such as hydrology or hydrogeology) and a minimum of 10 years relevant experience in water resources assessment, include at least one year of experience in Australia.
Original dated 31/08/21	Limit means a specified numerical value that, should it be reached or exceeded, means impacts greater than those predicted in the assessment documentation will occur or are occurring.
Original dated 31/08/21	Listed threatened species and ecological communities means Macquarie Perch (<i>Macquaria australasica</i>), Silver Perch (<i>Bidyanus bidyanus</i>), Prickly Bush-pea (<i>Pultenaea aristata</i>), Giant Burrowing Frog (<i>Heleioporus australiacus</i>), Littlejohn's Tree Frog (<i>Litoria littlejohni</i>), Stuttering Frog (<i>Mixophyes balbus</i>), Broad headed snake (<i>Hoplocephalus bungaroides</i>), Large-eared pied bat (<i>Chalinolobus dwyeri</i>) and Coastal Upland Swamps in the Sydney Basin Bioregion endangered ecological community listed under the EPBC Act .
Original dated 31/08/21	Monitoring data means the data required to be recorded under the conditions of this approval.
Original dated 31/08/21	Minister means the Australian Government Minister administering the EPBC Act including any delegate thereof.
Original dated 31/08/21	New or increased impacts means a new or increased environmental impact or risk relating to Coastal Upland Swamps or aquatic ecosystems, resulting from the action, when compared to the likely impacts of the action as assessed in the assessment documentation .
Original dated 31/08/21	NSW Planning Secretary means the Planning Secretary under the <i>Environment Planning and Assessment Act 1979</i> (NSW), or nominee.
Original dated 31/08/21	Plan/s means the Water Management Plan required under condition B17, Adit Discharge Water Management Plan required under condition B19 and Extraction Plan required under condition C10 of the State development consent and approved by the NSW Planning Secretary .
Original dated 31/08/21	Peer-reviewed means a review carried out by an independent suitably qualified water resources expert .

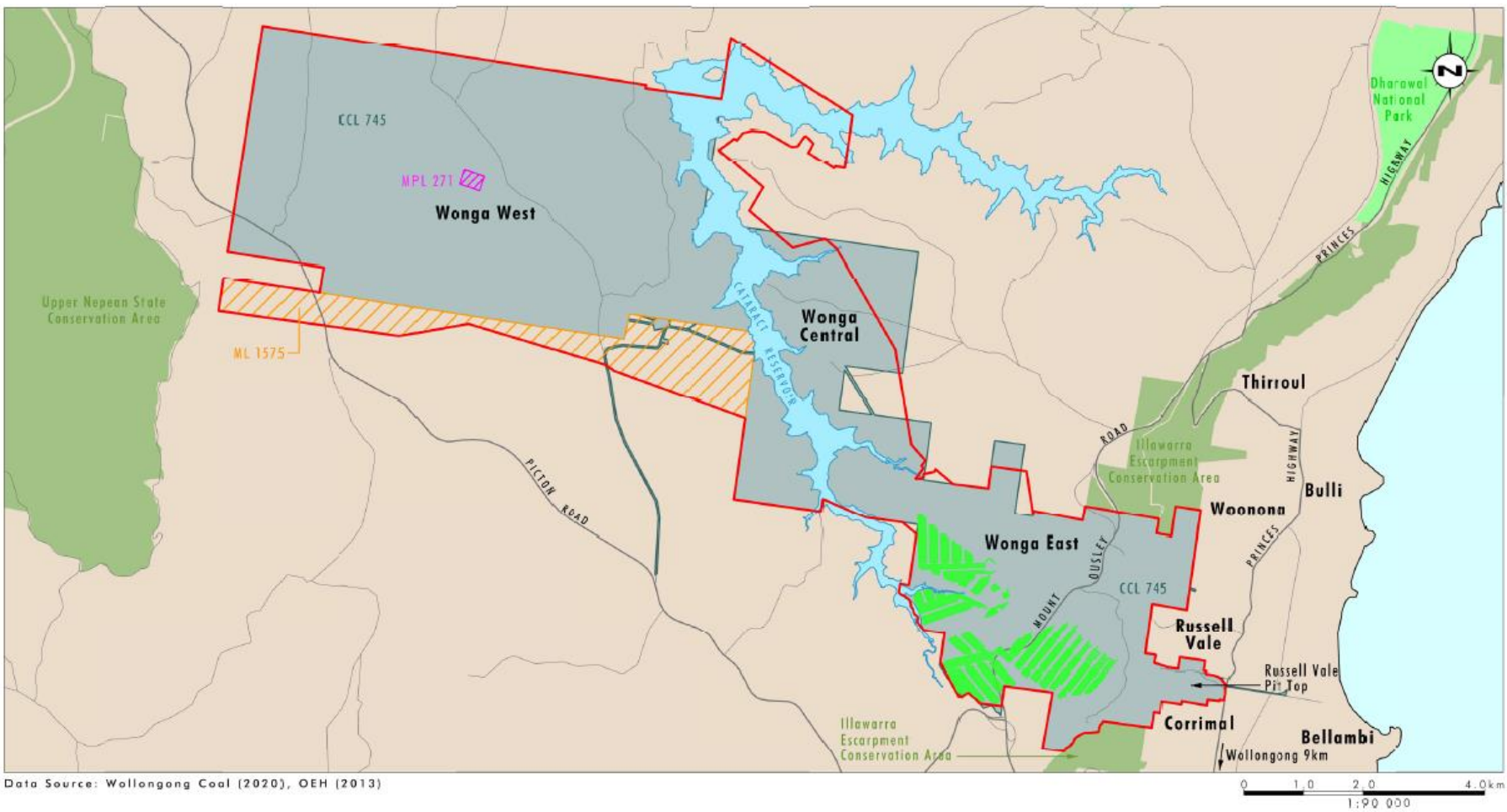
Original dated 31/08/21	Performance measure means as specified in Tables 4 and 6 of the State development consent and as defined in the Water Management Plan and Extraction Plan approved by the NSW Government.
Original dated 31/08/21	Potentially impacted means, in relation to Coastal Upland Swamps , those located partially or wholly within 350 metres, measured horizontally, from any underground mining activity. This refers to any swamp (shaded in burgundy designated 'Swamps'), part or all of which is shown inside the yellow dashed line designated as '350 m Offset from Bord and Pillar workings', in the map at <u>Attachment B</u> .
Original dated 31/08/21	Protected matter means a matter protected under a controlling provision in Part 3 of the EPBC Act for which this approval has effect, being water resources and listed threatened species and ecological communities .
Original dated 31/08/21	Sensitive ecological data means data as defined in the Australian Government Department of the Environment (2016) <i>Sensitive Ecological Data -Access and Management Policy VI.O</i> , or as subsequently officially revised.
Original dated 31/08/21	Shapefile means location and attribute information of the action provided in an Esri shapefile format. Shapefiles must contain '.shp', '.shx', '.dbf' files and a '.prj' file that specifies the projection/geographic coordinate system used. Shapefiles must also include an '.xml' metadata file that describes the shapefile for discovery and identification purposes.
Original dated 31/08/21	Second workings means extraction of coal from bord and pillar workings but does not include first workings .
Original dated 31/08/21	State development consent means the Development Consent issued by the Independent Planning Commission of New South Wales for application number MP09_0013 dated 8 December 2020.
As varied on the date this instrument is signed	Stormwater Control Dam means the waterbody used to limit peak stormwater flows located where represented in <u>Attachment E</u> by the dark grey coloured zone labelled 'Stormwater Control Dam'.
Original dated 31/08/21	Subsidence limit means a vertical subsidence of 100 mm at any Coastal Upland Swamp when compared to the baseline condition determined under condition 15.a.
Original dated 31/08/21	Subterranean GDEs means groundwater dependent ecosystems partially or wholly dependent on aquifer ecosystems, including stygofauna.
Original dated 31/08/21	Suitably qualified person means a person who has professional qualifications, training, skills and/or experience related to the nominated subject matter and can give authoritative independent assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods and/or literature.

Original dated 31/08/21	Terrestrial GDEs means land-based groundwater dependent ecosystems that are partially or wholly dependent on the subsurface presence of groundwater.
Original dated 31/08/21	Water Resource has the same meaning as in the Commonwealth <i>Water Act 2007</i> .
Original dated 31/08/21	Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

ATTACHMENTS

Date of decision	<u>Attachments to the conditions</u>
Original dated 31/08/21	Attachment A – Development application area is outlined in red and identified as UEP application area
Original dated 31/08/21	Attachment B – Coastal Upland Swamps shaded in burgundy
Original dated 31/08/21	Attachment C – Water quality limits for Bellambi Gully (based on ANZG 2018 default guideline values).
Original dated 31/08/21	Attachment D - Location of monitoring points 11 and 12, identified by red asterisk and number (source EPL 12040, dated 6 May 2019).
As varied on the date this instrument is signed	Attachment E - Location of Stormwater Control Dam

Attachment A – Development application area is outlined in red and identified as UEP application area



- Legend**
- UEP Application Area
 - Proposed Action Mine Plan
 - CCL 745
 - ML 1575
 - MPL 271

FIGURE 2.1
Russell Vale Colliery Mining Lease Areas

Attachment B – Coastal Upland Swamps shaded in burgundy

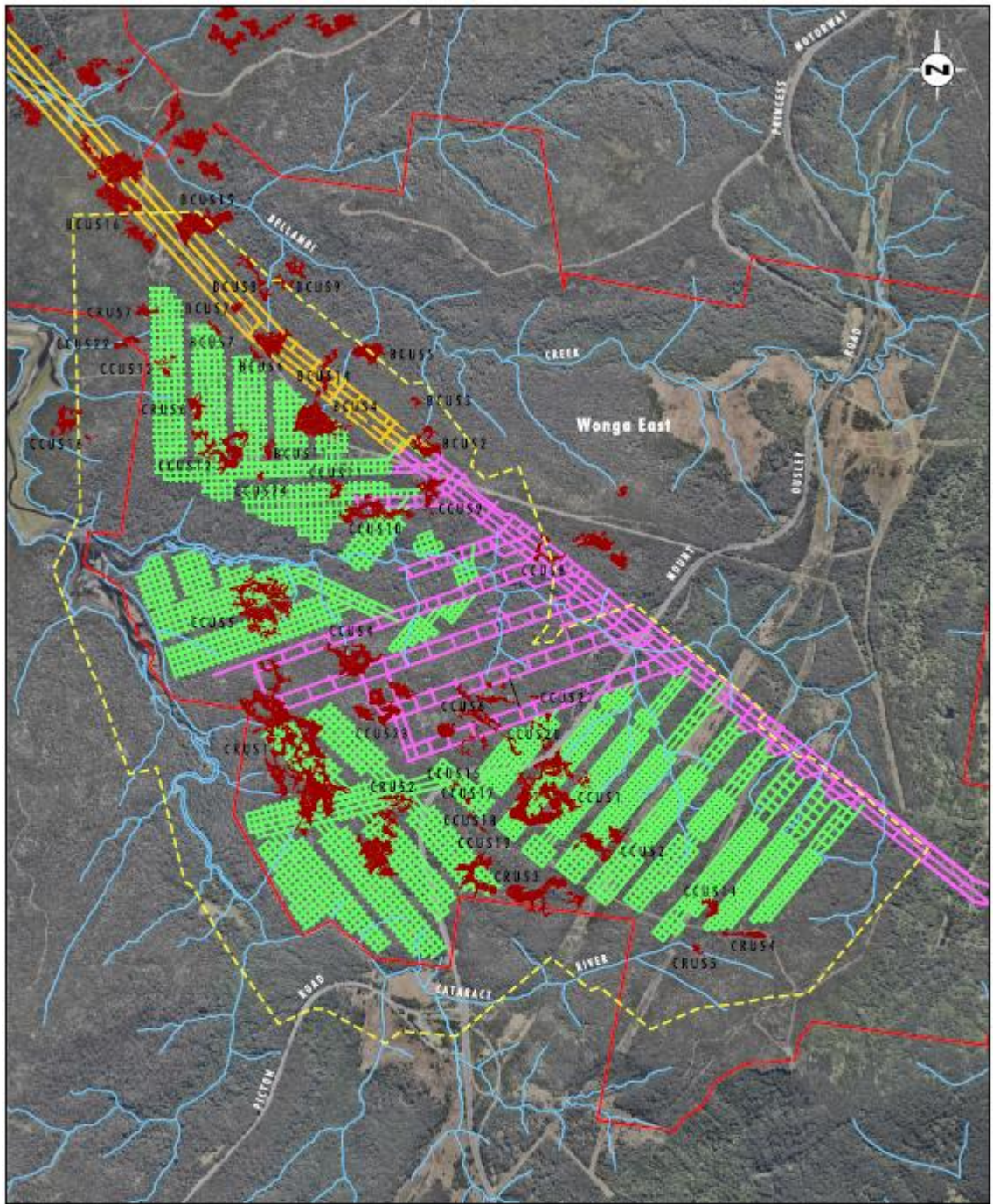


Image Source: Nearmap [Oct 2016]
Data Source: Wollongong Coal (2020), SCT Operations (2020)

0 0.25 0.5 1.0km

Legend

- ▭ UEP Application Area
- ▭ Proposed Active Mine Plan
- ▭ Existing Wongawilli Seam Workings
- ▭ Approved Wongawilli Seam Development Holes
- ▭ 350m Offset from Bord and Pillar Workings
- ▭ Swamps
- Drainage Line

Coastal Upland Swamps within 350m of
Proposed Bord and Pillar Workings
in Wongawilli Seam

Attachment C – water quality limits for Bellambi Gully (based on ANZG 2018 default guideline values).

Metal/metalloid	Limit (mg/L)	Level of protection
Aluminium (Al) pH>6.5	0.150	80%
Aluminium (Al) pH <6.5	0.0008	Unknown
Antimony (Sb)	0.009	Unknown
Arsenic (As)¹	0.140	80%
Boron (B)	1.300	80%
Cadmium (Cd)	0.0008	80%
Chromium (Cr)²	0.0033	Unknown
Cobalt (Co)	0.150	80%
Copper (Cu)	0.0025	80%
Lead (Pb)	0.0094	80%
Manganese (Mn)	3.600	80%
Molybdenum (Mo)	0.0340	Unknown
Mercury (Hg)	0.0054	80%
Nickel (Ni)	0.0170	80%
Selenium (total) (Se)	0.0340	80%
Silver (Ag)	0.0002	80%
Thallium (Tl)	0.00003	Unknown
Vanadium (V)	0.006	Unknown
Zinc (Zn)	0.031	80%

¹total As concentration if speciation not determined. If speciation undertaken As (III) limit is 0.360 mg/L and As (V) limit is 0.140 mg/L.

²total Cr concentration if speciation not determined. If speciation undertaken Cr (III) limit is 0.0033 mg/L and Cr (VI) limit is 0.040 mg/L.

Attachment D - Location of monitoring points 11 and 12, identified by red asterisk and number (source EPL 12040, dated 6 May 2019).



Attachment E - Location of Stormwater Control Dam.

