



**NSW
Resources
Regulator**

APO0001235

APPROVAL TO UNDERTAKE ASSESSABLE PROSPECTING OPERATIONS

EL9399 Exploration Program

2 AUGUST 2022

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Summary

DETAIL	APPLICATION
Reference	APO0001235
Date of approval	2 August 2022
Title	EL 9399 (1992)
Contact	[REDACTED]
Project name	EL9399 Exploration Program
Project location	Wilpinjong
Activity type	Complying Exploration Activity

Important note

The Regulator may make the information in your application and any supporting information (including this approval) available for inspection by members of the public, including by publication on its website or by displaying the information at any of its offices. If you consider any part of your application to be confidential, please communicate this to the Regulator via the message function on this application within the Portal.

Project

Project details

Assessable prospecting activity APO0001235 relates to the EL9399 Exploration Program at Wilpinjong.

The project has the following approved characteristics.

DETAIL	PROPOSAL
<p>Activity description</p>	<p>Activities will involve: drilling exploration holes to define; the coal seam structure, coal quality testing, gas desorption testing and composition analysis, coal quality sizing, geotechnical testing of seam roof and floor and to define weathered coal.</p> <p>The program would be approximately 9 months (drilling only) assuming the continuous availability of three drill rigs and favorable weather conditions. Works will be limited to the hours of 6:30am am to 6:30 pm on a 7 day roster, with 3 crews rotating.</p> <p>Drilling will be undertaken by three UDR 650 Type Drill Rigs or equivalent, each with a service truck, water truck and/or light vehicles & a vacuum truck. Above ground sumps will be employed at all sites.</p> <p>Surface disturbance would be limited to the drill hole only (approximately 2.5m by 2.5m), with an approx. 40m x 40m area slashed at each drill site to maintain safe access to the exploration activities, this slashing would not include direct surface disturbance. The location nominated for drilling within each slashed area is only indicative and will be subject to relocation within the slashed area assessed under this APO. In the event of a failed drill hole due to technical difficulties or hole collapse, re-drills will be conducted within the slashed area. A predetermined number of re-drills have been accounted for in the RCE. Additionally, the RCE allows for some disturbance associated with unplanned events, i.e. bogging. Access to the proposed exploration activities will be via existing local landholder access tracks and across previously cleared paddocks. No new formed access tracks are anticipated to be required.</p> <p>All proposed drill hole sites would be decommissioned, sealed and rehabilitated consistent with the Exploration Codes of Practice: Rehabilitation (Version 5) (Resources Regulator, 2022) and Exploration</p>

Code of Practice: Environmental Management (Version 4) (Resources Regulator, 2021).

Further detail is provided in the attachment to this application

<p>Earthworks or vegetation clearing</p>	<p>Direct surface disturbance for the construction and installation of drill holes would be limited to a 2.5 m x 2.5 m area for each of the 89 drill holes (total of 0.06 hectares [ha] of direct surface disturbance for the proposed exploration activities in EL 9399 relevant to this application).</p> <p>An approximate 40 m x 40 m area would be slashed at each drill hole to maintain safe access to the drill hole and immediate surrounds, however this slashing would not involve earthworks, vegetation removal or direct surface disturbance. Slashing activities would avoid established trees.</p>
<p>Access to exploration activities</p>	<p>Existing tracks would be used where possible, and other tracks would be slashed to allow for access to exploration activities. Note, vehicles with tires would be utilised for the exploration activities to reduce the potential for direct surface disturbance. Sites located away from existing tracks would be accessed across previously cleared paddocks. No new formed access tracks are anticipated to be required.</p>
<p>Ancillary activities</p>	<p>Ancillary infrastructure to be erected at a laydown area in the village of Wollar. Includes tanks for temporary water storage, drilling materials and a parking area. All located on Peabody land. Some bores to be retained for groundwater monitoring</p>
<p>Start date</p>	<p>1 August 2022</p>
<p>Duration</p>	<p>43</p>
<p>Rehabilitation completion</p>	<p>31 May 2023</p>
<p>Proposed hours of operation</p>	<p>Continuous work hours (24 hours a day, 7 days a week).</p>
<p>On-site employee or contractor numbers</p>	<p>18</p>

Exempted areas

The EL9399 Exploration Program has not proposed prospecting in an exempted area.

State Conservation Areas

The EL9399 Exploration Program has not proposed prospecting in a State Conservation Area.

Exploration activities

The following exploration activities have been approved.

Drill holes

ID / REGULATOR NO.	TYPE	SURFACE DISTURBANCE (m ²)	VEG. CLEARING (m ²)	EXCAVATIONS(m ³)	PRODUCED WATER (ML)	DEPTH (m)	BLOCK NUMBER	UNIT LETTERS
SGN034 EDH0005913	DDH drill hole	6.25				84.99	288	R
SGN028 EDH0005909	DDH drill hole	6.25				77.54	288	Q
SGS029 EDH0005922	DDH drill hole	6.25				58.16	288	B
SGS025 EDH0005918	DDH drill hole	6.25				93.86	288	B
TRN030 EDH0005926	DDH drill hole	6.25				81.27	360	J
TRN095 EDH0005929	DDH drill hole	6.25				91.38	360	C
SGS024 EDH0005917	DDH drill hole	6.25				82.86	288	B
SGN033 EDH0005912	DDH drill hole	6.25				72.89	288	V
SGS028 EDH0005921	DDH drill hole	6.25				85.75	288	B
TRN027 EDH0005925	DDH drill hole	6.25				56	360	J
SGS027 EDH0005920	DDH drill hole	6.25				76.67	288	B
SGS023 EDH0005916	DDH drill hole	6.25				73.98	288	B
SGN030	DDH drill hole	6.25				67.1	288	Q

ID / REGULATOR NO.	TYPE	SURFACE DISTURBANCE (m ²)	VEG. CLEARING (m ²)	EXCAVATIONS(m ³)	PRODUCED WATER (ML)	DEPTH (m)	BLOCK NUMBER	UNIT LETTERS
EDH0005911	hole							
TRN092 EDH0005928	DDH drill hole	6.25				88.82	360	C
TRN019 EDH0005924	DDH drill hole	6.25				102.8	360	B
SGS026 EDH0005919	DDH drill hole	6.25				92.31	288	B
SGN035 EDH0005914	DDH drill hole	6.25				102.61	288	V
SGN037 EDH0005915	DDH drill hole	6.25				83.82	288	B
SGN026 EDH0005908	DDH drill hole	6.25				72.16	288	Q
SGN029 EDH0005910	DDH drill hole	6.25				85.1	288	Q
TRN018 EDH0005923	DDH drill hole	6.25				55.51	360	D
TRN032 EDH0005927	DDH drill hole	6.25				100.77	360	C

Other exploration activities

ID / REGULATOR NO.	TYPE	SURFACE DISTURBANCE (m ²)	VEG. CLEARING (m ²)	EXCAVATIONS(m ³)	PRODUCED WATER (ML)	BLOCK NUMBER	UNIT LETTERS
SGS004 EA0002185	Air core drilling	6.25				360	B
SGS021 EA0002169	Air core drilling	6.25				360	B

ID / REGULATOR NO.	TYPE	SURFACE DISTURBANCE (m ²)	VEG. CLEARING (m ²)	EXCAVATIONS(m ³)	PRODUCED WATER (ML)	BLOCK NUMBER	UNIT LETTERS
SGS013 EA0002177	Air core drilling	6.25				360	B
TRN043 EA0002147	Air core drilling	6.25				360	J
TRS070 EA0002160	Air core drilling	6.25				360	O
SGS002 EA0002187	Air core drilling	6.25				360	B
SGS019 EA0002171	Air core drilling	6.25				360	B
SGS011 EA0002179	Air core drilling	6.25				360	B
TRN066 EA0002149	Air core drilling	6.25				360	C
TRS084 EA0002162	Air core drilling	6.25				360	P
LOX028 EA0002212	Air core drilling	6.25				360	H
SGN036 EA0002189	Air core drilling	6.25				288	V
TRN008 EA0002165	Air core drilling	6.25				360	C
SGS017 EA0002173	Air core drilling	6.25				360	B
SGS009 EA0002181	Air core drilling	6.25				360	B
TRN090 EA0002151	Air core drilling	6.25				360	C
SGN025 EA0002191	Air core drilling	6.25				360	C
TRN004 EA0002167	Air core drilling	6.25				360	C

ID / REGULATOR NO.	TYPE	SURFACE DISTURBANCE (m ²)	VEG. CLEARING (m ²)	EXCAVATIONS(m ³)	PRODUCED WATER (ML)	BLOCK NUMBER	UNIT LETTERS
SGS015 EA0002175	Air core drilling	6.25				360	B
SGS006 EA0002183	Air core drilling	6.25				360	B
SGN023 EA0002193	Air core drilling	6.25				360	B
SGN015 EA0002201	Air core drilling	6.25				288	V
SGN003 EA0002209	Air core drilling	6.25				288	Q
SGN021 EA0002195	Air core drilling	6.25				288	W
SGN012 EA0002203	Air core drilling	6.25				288	V
SGN019 EA0002197	Air core drilling	6.25				288	V
SGN010 EA0002205	Air core drilling	6.25				288	R
SGN017 EA0002199	Air core drilling	6.25				288	V
SGN008 EA0002207	Air core drilling	6.25				288	Q
TRN042 EA0002146	Air core drilling	6.25				360	D
TRS037 EA0002156	Air core drilling	6.25				360	N
TRS047 EA0002158	Air core drilling	6.25				360	N
TRN093 EA0002152	Air core drilling	6.25				360	C
TRN037 EA0002164	Air core drilling	6.25				360	D

ID / REGULATOR NO.	TYPE	SURFACE DISTURBANCE (m ²)	VEG. CLEARING (m ²)	EXCAVATIONS(m ³)	PRODUCED WATER (ML)	BLOCK NUMBER	UNIT LETTERS
TRN096 EA0002154	Air core drilling	6.25				360	C
SGN027 EA0002190	Air core drilling	6.25				288	Q
TRN003 EA0002166	Air core drilling	6.25				360	C
SGS016 EA0002174	Air core drilling	6.25				360	B
SGS007 EA0002182	Air core drilling	6.25				360	B
SGS005 EA0002184	Air core drilling	6.25				360	B
SGS022 EA0002168	Air core drilling	6.25				360	B
SGS014 EA0002176	Air core drilling	6.25				360	B
SGS003 EA0002186	Air core drilling	6.25				360	B
SGS020 EA0002170	Air core drilling	6.25				360	B
SGS012 EA0002178	Air core drilling	6.25				360	B
TRN044 EA0002148	Air core drilling	6.25				360	J
TRS074 EA0002161	Air core drilling	6.25				360	O
LOX043 EA0002211	Air core drilling	6.25				360	N
SGS001 EA0002188	Air core drilling	6.25				360	B
SGS018 EA0002172	Air core drilling	6.25				360	B

ID / REGULATOR NO.	TYPE	SURFACE DISTURBANCE (m ²)	VEG. CLEARING (m ²)	EXCAVATIONS(m ³)	PRODUCED WATER (ML)	BLOCK NUMBER	UNIT LETTERS
SGS010 EA0002180	Air core drilling	6.25				360	B
TRN070 EA0002150	Air core drilling	6.25				360	C
TRS108 EA0002163	Air core drilling	6.25				360	P
SGN018 EA0002198	Air core drilling	6.25				288	W
SGN009 EA0002206	Air core drilling	6.25				288	Q
SGN024 EA0002192	Air core drilling	6.25				360	B
SGN016 EA0002200	Air core drilling	6.25				288	V
SGN007 EA0002208	Air core drilling	6.25				288	Q
SGN022 EA0002194	Air core drilling	6.25				360	B
SGN013 EA0002202	Air core drilling	6.25				288	V
SGN002 EA0002210	Air core drilling	6.25				288	W
SGN020 EA0002196	Air core drilling	6.25				288	V
SGN011 EA0002204	Air core drilling	6.25				288	W
TRN094 EA0002153	Air core drilling	6.25				360	C
TRS002 EA0002155	Air core drilling	6.25				360	H
TRS038 EA0002157	Air core drilling	6.25				360	H

ID / REGULATOR NO.	TYPE	SURFACE DISTURBANCE (m ²)	VEG. CLEARING (m ²)	EXCAVATIONS(m ³)	PRODUCED WATER (ML)	BLOCK NUMBER	UNIT LETTERS
TRS053 EA0002159	Air core drilling	6.25				360	H

Sensitivity of the land to be disturbed

QUESTION	YES/NO
Conservation areas	
Land reserved under the <i>National Parks and Wildlife Act 1974</i> ?	No
Land acquired by the Minister for Energy and Environment under Part 11 of the <i>National Parks and Wildlife Act 1974</i> ?	No
Land subject to a 'conservation agreement' under the <i>National Parks and Wildlife Act 1974</i> ?	No
Land declared as an aquatic reserve under the <i>Marine Estate Management Act 2014</i> ?	No
Land declared as a marine park under the <i>Marine Estate Management Act 2014</i> ?	No
Land within State Forests set aside under the <i>Forestry Act 2012</i> for conservation values, including Flora Reserves or Special Management (and other) Zones?	No
Land reserved or dedicated under the <i>Crown Lands Act 1989/Crown Lands Management Act 2016</i> (as applicable) for the preservation of flora, fauna, geological formations or other environmental protection purposes?	No
Land identified as wilderness or declared a wilderness area under the <i>Wilderness Act 1987</i> ?	No
Land subject to a Biodiversity Banking and Offsets Scheme under the <i>Biodiversity Conservation Act 2016</i> ?	No
Drinking water catchment protection areas	
Land declared to be a 'controlled area' or a 'special area' under the <i>Water NSW Act 2014</i> ?	No
Land declared to be a 'special area' under the <i>Water Management Act 2000</i> or <i>Hunter Water Act 1997</i> ?	No
Sensitive areas	
Land declared as area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i> or critical habitat under Part 7A of the <i>Fisheries Management Act 1994</i> ?	No
Wetlands of international significance listed under the Ramsar Wetlands Convention?	No
Land designated as a nationally important wetland in the Directory of Important Wetlands?	No
Coastal wetlands mapped under <i>State Environmental Planning Policy (Coastal Management) 2018</i> ?	No
Littoral rainforests mapped under <i>State Environmental Planning Policy (Coastal Management) 2018</i> ?	No
Coastal zone as defined in the <i>Coastal Management Act 2016</i> ?	No
Land identified in an environmental planning instrument as being of biodiversity significance or zoned for environmental conservation?	No

Waterfront land defined under the <i>Water Management Act 2000</i> ?	No
Land with a slope greater than 18 degrees measured from the horizontal?	No
Land with potential for soil and water contamination	
Land mapped as Actual Acid Sulfate Soils (AASS) or Potential Acid Sulfate Soils (PASS) on the Acid Sulfate Soils Risk Maps for NSW?	No
Heritage protection areas (Aboriginal and European)	
Land declared as an Aboriginal place under the <i>National Parks and Wildlife Act 1974</i> ?	No
Land listed on the World Heritage List, National Heritage List or Commonwealth Heritage List?	No
Land, places, buildings or structures listed on the NSW State Heritage Register?	No
Land identified in an environmental planning instrument (such as a State Environmental Planning Policy, Regional Environment Plan or Local Environment Plan) as being of Aboriginal or European heritage significance?	No
Critical industry clusters	
Land identified as Critical Industry Cluster under <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i> ?	No
Community land	
Public land classified as community land under the <i>Local Government Act 1993</i> ?	No
Other areas	
Land identified on the authority as environmentally sensitive land?	No
Ecology	
Will the activity have a significant effect on threatened species or their habitats?	No
Will the activity have a significant effect on threatened ecological communities or their habitats?	No
Will vegetation be removed as part of access track upgrade works in waterfront land?	No
Aboriginal heritage	
Will the activity harm Aboriginal objects?	No
Will the activity damage heritage items?	No

Attachment 1 – Statement of Commitments

ITEM	COMMITMENT
<p>Activity type</p>	<p>Exploration activity comprising:</p> <ul style="list-style-type: none"> • 22 diamond drill holes • 0 reverse circulation drill holes • 0 cubic metres of bulk sampling • 0 square metres of new access tracks.
<p>Activity location</p>	<p>Wilpinjong, within EL 9399 (1992).</p>
<p>Activity scope (including any ancillary activities)</p>	<p>Activities will involve: drilling exploration holes to define; the coal seam structure, coal quality testing, gas desorption testing and composition analysis, coal quality sizing, geotechnical testing of seam roof and floor and to define weathered coal.</p> <p>The program would be approximately 9 months (drilling only) assuming the continuous availability of three drill rigs and favorable weather conditions. Works will be limited to the hours of 6:30am am to 6:30 pm on a 7 day roster, with 3 crews rotating.</p> <p>Drilling will be undertaken by three UDR 650 Type Drill Rigs or equivalent, each with a service truck, water truck and/or light vehicles & a vacuum truck. Above ground sumps will be employed at all sites.</p> <p>Surface disturbance would be limited to the drill hole only (approximately 2.5m by 2.5m), with an approx. 40m x 40m area slashed at each drill site to maintain safe access to the exploration activities, this slashing would not include direct surface disturbance. The location nominated for drilling within each slashed area is only indicative and will be subject to relocation within the slashed area assessed under this APO. In the event of a failed drill hole due to technical difficulties or hole collapse, re-drills will be conducted within the slashed area. A predetermined number of re-drills have been accounted for in the RCE. Additionally, the RCE allows for some disturbance associated with unplanned events, i.e. bogging. Access to the proposed exploration activities will be via existing local landholder access tracks and across previously cleared paddocks. No new formed access tracks are anticipated to be required.</p> <p>All proposed drill hole sites would be decommissioned, sealed and rehabilitated consistent with the Exploration Codes of Practice: Rehabilitation (Version 5) (Resources Regulator, 2022) and Exploration Code of Practice: Environmental Management (Version 4) (Resources Regulator, 2021).</p> <p>Further detail is provided in the attachment to this application</p> <p>Ancillary infrastructure to be erected at a laydown area in the village of Wollar. Includes tanks for temporary water storage, drilling materials and a parking area. All located on Peabody land. Some bores to be retained for groundwater monitoring</p>

ITEM	COMMITMENT
Hours of operation	Continuous work hours (24 hours a day, 7 days a week).
Activity duration	43
Proposed commencement date	1 August 2022 (pending approvals)
Proposed completion date (rehabilitation)	Estimated 31 May 2023
Maximum area of disturbance	556.25 square metres
Air quality	The titleholder must implement all measures to prevent, so far as practicable, pollution caused by dust and other air pollutants.
Protection of water sources	Prospecting operations must be carried out in a manner that does not cause or aggravate air pollution, water (including groundwater) pollution, soil contamination or erosion, unless otherwise authorised by an approval under this exploration licence.
Erosion and sediment controls	The titleholder must prevent erosion and pollution of watercourses resulting from the conduct of prospecting operations by implementing effective erosion and sediment control measures.
Noise and vibration	The titleholder must implement all practicable noise management measures to ensure that noise levels meet acceptable noise criteria for sensitive receivers
Use of chemicals, fuels and lubricants	The titleholder must implement all measures to prevent, so far as is practicable, causing contamination of the environment by the release of chemicals, fuels, lubricants and other potential pollutants.
Waste	The titleholder must manage all waste in a manner which does not cause harm to the environment.
Ecology	Vegetation clearing and vegetation disturbance must be limited to the minimum extent necessary to facilitate the conduct of prospecting operations authorised by this exploration licence.
Aboriginal and other cultural heritage	The titleholder must implement all measures to prevent, so far as practicable, harm to Aboriginal cultural heritage and non-indigenous cultural heritage.
Weeds/Flora	The titleholder must implement all practicable measures to prevent the introduction and spread of weeds, pest animals and animal and plant diseases.
Rehabilitation commitments	The activity will be undertaken in accordance with the rehabilitation objectives and targets provided for this project.
Incident management	The NSW Resources Regulator will be notified of all incidents in accordance with the requirements of EL 9399 (1992).

ITEM	COMMITMENT
Reporting	Reporting to the NSW Resources Regulator and Mining, Exploration and Geoscience – Department of Regional NSW will be in accordance with the conditions of EL 9399 (1992).
Codes of Practice	EL9399 Exploration Program will be operated in accordance with: <ul style="list-style-type: none"> • Exploration Code of Practice: Environmental Management • Exploration Code of Practice: Rehabilitation
Other (as applicable)	1. No additional terms specified.

Attachment 2 – Definitions

To search for NSW legislation, visit www.legislation.nsw.gov.au. Commonwealth legislation can be found at www.legislation.gov.au

WORD	DEFINITION
Aboriginal object	Has the same meaning as it has in the <i>National Parks and Wildlife Act 1974</i> .
Aboriginal place	Has the same meaning as it has in the <i>National Parks and Wildlife Act 1974</i> .
Acid Sulfate Soils	Sediments and soils containing iron sulfides which, when exposed to oxygen, generate sulfuric acid. Acid sulfate soils include actual acid sulfate soils (AASS) or potential acid sulfate soils (PASS).
Activity	Any activity carried out in connection with exploration, including: <ul style="list-style-type: none"> • the use of land • means of accessing land • the carrying out of a work.
Activity approval	An approval to carry out assessable prospecting operations granted under the <i>Mining Act 1992</i> .
Actual Acid Sulfate Soils (AASS)	Sediments and soils containing highly acidic soil horizons or layers resulting from the aeration of sediments and soils that are rich in iron sulfides, primarily sulphide.
Applicant	In relation to an exploration activity, the person proposing to carry out the exploration activity
Aquatic reserve	Has the same meaning as it has in the <i>Marine Estate Management Act 2014</i> .
Areas of Outstanding Biodiversity Value (AOBVs)	Has the same meaning as it has in the <i>Biodiversity Conservation Act 2016</i> . Note: Areas of declared critical habitat under the now repealed <i>Threatened Species Conservation Act 1995</i> have become Areas of Outstanding Biodiversity Value (AOBVs) under the <i>Biodiversity Conservation Act 2016</i> .
Assessable prospecting operation	Any prospecting operation that is not exempt development within the meaning of clause 10 of <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i> .
Clearing of vegetation	Any one or more of the following: <ul style="list-style-type: none"> • cutting down, felling, thinning, lopping, logging or removing vegetation, or • killing, destroying, poisoning, ringbarking, uprooting or burning vegetation.
Complying exploration activities (CEA)	Exploration activities that are considered unlikely to significantly affect the environment as set out in <i>Assessment Requirements for Exploration Activities</i> .

Critical habitat	<p>Has the same meaning as it has in the <i>Fisheries Management Act 1994</i>.</p> <p>Areas of declared critical habitat under the now repealed <i>Threatened Species Conservation Act 1995</i> have become Areas of Outstanding Biodiversity Value (AOBVs) under the <i>Biodiversity Conservation Act 2016</i>.</p>
Drill hole	<p>A hole made by drilling or boring, but excludes:</p> <ul style="list-style-type: none"> • sampling and coring using handheld equipment • petroleum wells.
Drilling	<p>The perforation of the earth's surface crust by mechanical means to form a hole, whether the hole caused by the perforation is vertical, inclined or horizontal, and includes all operations for preventing collapse of the sides of such hole or for preventing it from being filled with extraneous materials including water</p>
Environment	<p>Has the same meaning as it has in the <i>Mining Act 1992</i>.</p>
Environmentally sensitive area of State significance	<p>Has the same meaning as it has in <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>.</p>
Excavation	<p>The removal of the surface layer to a depth greater than 500 mm from the natural surface level.</p>
Exempt development	<p>Has the same meaning as it has in <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>.</p>
Exploration	<p>Has the same meaning as it has in <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>.</p>
Fauna	<p>Has the same meaning as it has in the <i>National Parks and Wildlife Act 1974</i>.</p>
Groundwater	<p>Water that occurs beneath the ground surface in the saturated zone</p>
Habitat	<p>Has the same meaning as it has in <i>the Biodiversity Conservation Act 2016</i> or the <i>Fisheries Management Act 1994</i> (as relevant).</p>

Harm	<p>In relation to matters of national environmental significance, has the same meaning as 'significant impact' as provided by the 'Significant Impact Guidelines' used to determine whether assessment and approval is required under the <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>.</p> <p>In relation to the environment, has the same meaning as it has in the <i>Protection of the Environment Operations Act 1997</i>.</p> <p>In relation to threatened species or ecological communities, has the same meaning as:</p> <ul style="list-style-type: none"> • 'harm an animal' in the <i>National Parks and Wildlife Act 1974</i> • 'pick a native plant' in the <i>National Parks and Wildlife Act 1974</i> • 'harm' in the <i>Fisheries Management Act 1994</i>. <p>In relation to an aquifer or waterfront land, has the same meaning as it has in the <i>Water Management Act 2000</i>.</p> <p>In relation to Aboriginal places or Aboriginal objects has the same meaning as it has in the <i>National Parks and Wildlife Act 1974</i>.</p> <p>In relation to items of heritage significance, has the same meaning as it has in the <i>Heritage Act 1977</i>.</p> <p>In relation to protected marine vegetation, has the same meaning as it has in the <i>Fisheries Management Act 1994</i>.</p>
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Items of heritage significance

- Means:
- any heritage items listed in one or more of the following:
 - the Commonwealth Heritage List
 - the World Heritage List
 - the National Heritage List
 - the State Heritage Register
 - an Environmental Planning Instrument
 - any relic (being any deposit, object or material evidence which relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and which is 50 or more years old), or
 - within State Conservation Areas:
 - items that are listed on the DECC Historic Heritage Information Management System, or
 - any deposit, object or material evidence relating to the settlement or occupation of New South Wales or a part of New South Wales (not being Aboriginal settlement or occupation) if the deposit, object or material evidence is more than 25 years old at the date of the interference or removal

Land	<p>Includes:</p> <ul style="list-style-type: none"> • the sea or an arm of the sea • a bay, inlet, lagoon, lake or body of water, whether inland or not and whether tidal or non-tidal • a river, stream or watercourse, whether tidal or non-tidal, and • a building erected on the land
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Marine vegetation

Has the same meaning as it has in the *Fisheries Management Act 1994*.

Matters of national environmental significance	'Matters of national environmental significance' protected under the <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i> .
Minister	The Minister administering the <i>Mining Act 1992</i> .
Native vegetation	Has the same meaning as it has in the <i>Local Land Services Act 2013</i> .
Potential acid sulphate soils (PASS)	Sediments and soils that contain iron sulfides or sulfidic material which have not been exposed to air and oxidised
Produced water	Any form of groundwater that is actively extracted from a borehole or excavation, excluding incidental groundwater mixed with drilling fluids.
Rehabilitation	Has the same meaning as it has in the <i>Mining Act 1992</i> .
Seismic survey	The use of shock waves (generated in the ground using either small explosive charges detonated below the surface, hand-held mechanical hammers or vehicle-mounted hammers) and an array of geophones, which are connected to measuring instruments, to differentiate the geophysical properties of the subsurface of the earth.
Sensitive receiver	Includes: <ul style="list-style-type: none"> • dwellings • libraries • educational and research institutions (including schools, colleges and universities) • childcare centres • kindergartens • hospitals, surgeries and other medical institutions • places of worship • milking sheds and holding yards associated with dairies • animal boarding or training establishments • aquaculture • intensive livestock agriculture
Site	The land on which an activity is located.
State Conservation Area	Has the same meaning as it has in the <i>National Parks and Wildlife Act 1974</i> .
Surface disturbance	Means: <ul style="list-style-type: none"> • disturbance or exposure of the soil or surface rock layer, or • degradation or deterioration in any manner of the physical surface of land
Terms	In relation to activity approvals, the terms imposed by the decision-maker on the grant of an activity approval.
Threatened species or ecological communities	Has the same meaning as it has in the <i>Biodiversity Conservation Act 2016</i> or <i>Fisheries Management Act 1994</i> (as relevant).

Title	An authority under the <i>Mining Act 1992</i> .
Titleholder	A person or company to whom a title has been issued.
Track	All unsealed routes that will be traversed multiple times, but does not include single pass (ingress and egress) routes or seismic shot and receiver lines.
Waste	Has the same meaning as it has in the <i>Protection of the Environment Operations Act 1997</i> .
Water source	Has the same meaning as it has in the <i>Water Management Act 2000</i> .
Water land	Has the same meaning as it has in the <i>Fisheries Management Act 1994</i> .
Waterfront land	Has the same meaning as it has in the <i>Water Management Act 2000</i> .
Wetlands	Has the same meaning as it has in the <i>Fisheries Management Act 1994</i> .
Wilderness	Lands identified as wilderness under the <i>Wilderness Act 1987</i> .
Wilderness area	Lands (including subterranean lands) declared to be a wilderness area under the <i>Wilderness Act 1987</i> or the <i>National Parks and Wildlife Act 1974</i> .

Attachment 3 – List of Supporting Documents

- 220721_Wilpinjong mine_Change of Operator Rep_Jacques du Toit.pdf
- Attachment 1_Site plan and location details.pdf
- Attachment 1_Site plan and location details.pdf
- Attachment 2_Aquatic habitat species record search.pdf
- Attachment 3_Threatened species record search.pdf
- Attachment 4_Historic cultural or natural heritage items.pdf
- Attachment 5_Aboriginal heritage sites.pdf
- Drilling Location Photos.zip
- image001.png
- image006.png
- Nominated Drilling Location Photos.zip
- RE: APO0001235 | APO0001235 - Wilpinjong Coal - EL9399 Exploration Program28 Jul 2022 RFI.eml
- Site Plan & Location Details.zip
- Wilpinjong APO Form (Additional Details).pdf
- Wilpinjong Complying Exploration Activities Form (RES01135746).docx