

**TABLE A3-3**  
**Compliance Review – ML 1563**

<b>Relevant Condition</b>	<b>Conditional Requirement</b>	<b>Compliance</b>	<b>Comments</b>
1	Notice in writing to be served to each landholder that lease has been granted.	Yes	
2 (1)	Conduct mining operations in accordance with a MOP.	Yes	Operations have been carried out generally in accordance with MOP. Current MOP ratified April 2005. MOP amendment Rehabilitation Plan 5 Resubmitted with covering letter and stat dec 17/8/2006. MOP amendment Re-instatement of Western Pit Boundary 4/7/07. MOP Amendment accepted 04/042008 extending current MOP Period and northern MOP boundary by one strip width 01/09/2008.
2 (2 & 3)	Prepare and submit a MOP in accordance with DG's guidelines.	Yes	Initial MOP lodged 05/04/2005.
2 (4)	Include a schedule in MOP of proposed mine development for a period up to 7 years.	No	The current MOP (dated 5 April 2005) relates to development over a period of 3 years.
3 (1 & 2)	Submit AEMR to DG and prepare AEMR in accordance with DG's guidelines.	Yes	This document has been prepared in satisfaction with this condition. Content of AEMR follows guidelines.
4	Prepare Subsidence Management Plan prior to commencing operations.	Not Applicable	
5	Ensure minimum 28 people employed on lease are each week day and no less than \$490,000 expenditure per annum.	Yes	
7	Provide Exploration Report within 28 days after each anniversary of lease date to satisfaction of DG.	Yes	
11 (a)	Ensure ground vibration peak particle velocity does not exceed 10mm/second & does not exceed 5 mm/second in more than 5% of total number of blasts over 12 month period.	Yes	
11 (b)	Ensure blast overpressure noise level generated does not exceed 120 dB(linear) & does not exceed 115dB (linear) in more that 5% of total number of blasts over 12 month period.	No	15/05/2007 & 03/07/2007 overpressure exceedances reported to EPA.

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12	Conduct operations in a manner not causing danger to persons or stock.	Yes	
13	Land disturbed must be rehabilitated to stable and permanent form suitable for subsequent land use in accordance with MOP and acceptable to DG.	Ongoing	
14	Comply with any direction given by DG regarding stabilisation and revegetation of mine residues, tailings or overburden dumps in lease area.	Yes	No Directions.
15 (1 & 2)	28 days prior to commencement of drilling operations leaseholder to notify Dep. of Infrastructure, Planning and Natural Resources of intention to drill exploratory drill holes. Exploratory drill holes must be drilled to satisfaction of DG.	No	This was an oversight that was corrected for next drilling operation.
16	Operations to be carried out in manner that does not cause air pollution, water pollution, soil contamination or erosion.	Yes	Refer Section 3.3.2.
17	Operations must not interfere or impair stability or efficiency of any transmission line, communication line, pipeline on lease area without approval of DG.	Yes	
18	Ensure no interference with fences.	Yes	
19	Operations must not affect any road unless in accordance with MOP or with prior written approval of DG.	Yes	
20	Access tracks kept to minimum and positioned to not cause unnecessary damage to land.	Yes	
21	Leaseholder to not fell trees, strip bark or cut timber on lease without consent of landholder.	Yes	

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24	Leaseholder to indemnify the Crown from and against all actions, suits, claims and demands which may be brought against leaseholder.	Yes	
25	Provide and maintain Security to the Minister.	Yes	
29	Leaseholder not to mine within a 50 metre barrier of former Werris Creek Colliery.	Yes	Barrier is approximately 100metres. Identified and surveyed in the field until work is completed in identifying more accurately the location of underground workings.
30	Ensure operations on lease area are conducted in manner consistent with EIS.	Yes	
31	Ensure 53 hectares of rehabilitated landform is revegetated with species from White Box Yellow Box Blakley's Red Gum Endangered Ecological Community and stock are excluded from 200 hectares shown in Figure 4.15 of EIS.	In Progress	Advice Received from Department of Planning 18/10/2007 accepting WCC's proposed alternate BOS offset area. Pending modifications to DA Consent.

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