



Independent Environmental Audit 2021




Canyon Coal Mine

13 December 2021

Project No: 0616390

Independent Audit Certification Form

Independent Audit Certification Form	
Development Name	Canyon Coal Mine
Development Consent No.	DA 8-1-2005
Description of Development	Open cut mine
Development Address	Hoads Lane, Boggabri NSW 2382
Operator	Whitehaven Coal Mining Ltd
Operator Address	Hoads Lane, Boggabri NSW 2382
Independent Audit	
Title of Audit	Canyon Coal Mine Independent Environmental Audit 2021
<p>I certify that I have undertaken the independent audit and prepared the contents of the attached independent audit report and to the best of my knowledge:</p> <ul style="list-style-type: none">• The audit has been undertaken in accordance with relevant approval condition(s) and in accordance with the auditing standard AS/NZS ISO 19011:2018 and Post Approval Requirements – Independent Audits• The findings of the audit are reported truthfully, accurately and completely;• I have exercised due diligence and professional judgement in conducting the audit;• I have acted professionally, in an unbiased manner and did not allow undue influence to limit or over-ride objectivity in conducting the audit;• I am not related to any owner or operator of the development as an employer, business partner, employee, sharing a common employer, having a contractual arrangement outside the audit, spouse, partner, sibling, parent, or child;• I do not have any pecuniary interest in the audited development, including where there is a reasonable likelihood or expectation of financial gain or loss to me or to a person to whom I am closely related (i.e. immediate family);• Neither I nor my employer have provided consultancy services for the audited development that were subject to this audit except as otherwise declared to the lead regulator prior to the audit; and• I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from fair payment) from any owner or operator of the development, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so. <p>Note.</p> <p>a) The Independent Audit is an 'environmental audit' for the purposes of section 122B(2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.</p> <p>b) The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty 2 years imprisonment or \$22,000, or both).</p>	
Signature	
Name of Lead / Principal Auditor	Heather McKay
Address	Level 4, 201 Leichhardt Street, Brisbane QLD 4000
Email Address	Heather.McKay@erm.com
Auditor Certification (if relevant)	N/A
Date	13 December 2021

Document details	
Document title	Independent Environmental Audit 2021
Document subtitle	Canyon Coal Mine
Project No.	0616390
Date	13 December 2021
Version	2.0
Author	Heather McKay
Client Name	Whitehaven Coal Limited

Document history

Version	Revision	Author	Reviewed by	ERM approval to issue		Comments
				Name	Date	
Draft	00	Heather McKay	Oliver Moore	Oliver Moore	22/11/21	
Final	2.0	Heather McKay	Oliver Moore	Oliver Moore	13/12/21	

Signature Page

13 December 2021

Independent Environmental Audit 2021

Canyon Coal Mine



Heather McKay
Lead Auditor



Oliver Moore
Partner in Charge

Environmental Resources Management Australia Pty Ltd
Level 15, 309 Kent St
Sydney NSW 2000

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EXECUTIVE SUMMARY

Environmental Resources Management Australia Pty Ltd (ERM) was commissioned to perform an Independent Environmental Audit (IEA) of the Canyon Coal Mine ('CCM') on behalf of Whitehaven Coal Limited ('WHC'). The primary purpose of the audit was to satisfy the Department of Planning, Industry and Environment (DPIE) Ministers' Conditions of Approval (CoA) Development Consent number DA 8-1-2005, which requires completion of an independent audit every three years from the date of the approval. The audit period assessed in this IEA is 22 February 2019 to 15 November 2021 (the date of the desktop audit). The scope of the audit was agreed following discussion between Lynden Cini of WHC and DPIE.

The audit included a review of:

- DPIE, Ministers Conditions of Approval DA 8-1-2005 (including Modifications); and
- Implementation of Management Plans developed as part of the Ministers' Conditions of Approval.

Mining ceased at the Canyon mine in 2009 and the mine is currently in closure. Extensive rehabilitation has been undertaken and the majority of surface infrastructure has been removed. Whitehaven Coal has established the control systems generally required for the stage of development i.e. closed.

A qualitative risk assessment was also completed on the findings, consistent with AS/NZS ISO31000:2018 and as described in the Department of Planning & Environment publication "Post Approval Requirements – Independent Audit" issued May 2020. The number of non-conformances with the statutory conditions and implementation of the management plans is summarised in *Table E.1* below.

Table E.1 Summary of Audit Findings

Review	Non-compliances (NC)	Administrative non-compliances (ANC)	Observations (Obs NC)	Observations (Obs C)
Statutory Instruments	-	1	-	-
Implementation of Plans	-	-	-	-

An action table addressing all findings of the audit has been developed by Whitehaven Coal and will be issued separately to this report.

1. INTRODUCTION

Environmental Resources Management Australia Pty Ltd (ERM) was commissioned to perform an Independent Environmental Audit (IEA) of the Canyon Coal Mine ('CCM') on behalf of Whitehaven Coal Limited ('WHC'). The primary purpose of the audit was to satisfy the Department of Planning, Industry and Environment (DPIE) Ministers' Conditions of Approval (CoA) Development Consent number DA 8-1-2005, which requires completion of an independent audit every three years from the date of the approval. The audit period assessed in this IEA is 22 February 2019 to 15 November 2021 (the date of the remote audit). The scope of the audit was agreed following discussion between Lynden Cini of WHC and DPIE.

The audit must:

- be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
- be consistent with ISO 19011:2002 – Guidelines for Quality and/or Environmental Systems auditing, or equivalent updated versions of these guidelines;
- assess the environmental performance of the development, and its effects on the surrounding environment;
- assess whether the development is complying with the relevant standards, performance measures and statutory requirements;
- review the adequacy of the Applicant's Environmental Management Strategy and Environmental Monitoring Program; and
- if necessary, recommend measures or actions to improve the environmental performance of the development, and/or the environmental management and monitoring systems.

The Proponent shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.

1.1 Overview of Operations and Approvals

The Canyon Coal Mine was originally approved by the Minister for Infrastructure and Planning under Development Consent DA 8-1-2005 on 30 June 2005. DA 8-1-2005 MOD 3 was approved in September 2015 to extend the expiry date of the consent.

Canyon Mine lies within mining leases (MLs) 1464 and 1471. The mine is wholly owned and managed by Whitehaven Coal.

Mining ceased in July 2009 and the site has been extensively rehabilitated since that time. The only remaining infrastructure on the site comprises a machinery shed and laydown which is used for storage of old plant and materials, and the former magazine and laydown which is disused.

Activities carried out at the site during the audit period comprise maintenance of access tracks, inspections, environmental monitoring and pest control.

The Vickery Extension Project is an adjacent Whitehaven Coal project that has been approved to utilise the Canyon site for waste rock emplacement, including backfilling the void. The Vickery Extension Project was approved by the Independent Planning Commission NSW in August 2020 and by the Federal Environment Minister in September 2021, however the project is yet to commence.

1.1.1 Mining operations

No mining was conducted at the site during the audit period.

1.2 Waste management

Limited waste was generated at the site during the audit period. Records indicate that 2.2 tonnes of scrap steel was removed by Namoi Waste on 10 May 2021.

1.3 Water management

Water management at Canyon Mine is undertaken in accordance with the approved Water Management Plan. Site water management is limited to surface water monitoring of the void and receiving environment locations during wet weather. Groundwater is also monitored on a six monthly basis. No discharge from the site has occurred during the audit period.

1.4 Rehabilitation

Rehabilitation was completed prior to the audit period. Annual rehabilitation monitoring has been undertaken by Ecological Australia and reported in the Annual Reviews. The 2020 monitoring report indicates that flora ecological health is generally moderate to good. Increases in groundcover species richness and exotic species richness were reported. Rehabilitation monitoring indicates that rehabilitation has been progressed in accordance with the Rehabilitation Management Plan (Closure MOP) and is progressing towards the completion criteria,

1.5 Audit Objectives

The primary objectives of the audit included:

- assess the environmental performance of the project and assess whether it is complying with the requirements in the approval relevant to the current status of the mine;
- review environmental monitoring and assess measures taken to minimise environmental impacts;
- review of supporting plans developed as part of the CoA and assessment of their adequacy towards effective environmental performance as applicable to the current status of the mine;
- review rehabilitation activities and performance; and
- recommend measures or actions to improve the environmental performance of the project and/or any relevant strategy, plan or program required under the approval.

The scope of works in order to complete the Audit includes the following:

- the audit to be carried out in accordance with DP&E's Guidelines for Independent Audits and AS/NZS ISO 19011:2018: Guidelines for auditing management systems;
- review of compliance against the documentation identified in CoA (as it relates to the current activities at the Canyon Coal Mine) which included;
 - document review of compliance against the CoA, statement of commitments, and any other relevant consents/approvals;
 - review of supporting plans developed as part of the CoA and assessment of their adequacy towards effective environmental performance;
- review of monitoring results and trends with comparison of monitoring results against regulatory limits and CoA limits (where applicable);
- confirmation if any additional monitoring required for identified trends;
- community complaints with review completed for any trends and identifying the source of an established trend;
- review of any regulatory actions including any letters, penalty notices and prosecutions;
- review of previous Independent Environment Report audit report to verify close-out of actions;

- consultation with the relevant agencies such as Department of Planning, Industry and Environment (DPIE) (various divisions: planning and post approvals, compliance, biodiversity and conservation), Narrabri Shire Council (NSC) Gunnedah Shire Council (GSC) and Canyon Vickery Coal Mine Community Consultative Committee (CCC);
- draft report with results of compliance assessment to be issued for comment to Whitehaven Coal; and
- final report issued for submission to the DPIE.

The audit covers the period 22 February 2019 to 15 November 2021 and is limited to assessing the activities completed during the audit period.

1.6 Audit Criteria

The audit covered the following specifications and standards, with a particular focus on activities associated with the current stages of operation. The documents relevant to this audit included:

- CoA of Development Consent DA 8-1-2005 (including modifications); and
- Management plans - the commitments in the management plans developed as part of the CoA have been implemented as relevant to the current status of the mine.

1.7 Limitations of this Report

This disclaimer, together with any limitations specified in the report, applies to this report and its use.

This report was prepared in accordance with the contracted scope of services for the specific purpose stated and subject to the applicable cost, time and other constraints. In preparing this report, ERM relied on:

- a. client/third party information which was not verified by ERM except to the extent required by the scope of services, and ERM do not accept responsibility for omissions or inaccuracies in the client/third party information; and
- b. information taken at or under the particular times and conditions specified, and ERM do not accept responsibility for any subsequent changes.

This report has been prepared solely for use by, and is confidential to, the client and ERM accepts no responsibility for its use by other persons. This report is subject to copyright protection and the copyright owner reserves its rights. This report does not constitute legal or financial advice.

2. AUDIT METHODOLOGY

2.1 Methodology and Process

The audit comprised a desktop audit conducted on 15 November 2021, including interviews with key personnel, and review of records and other related documentation.

The audit process included the following primary components:

- development of a Terms of Reference developed which included:
 - audit scope and objectives
 - date and location of audit
 - members of audit team
 - list of people to be audited
 - list of reference documents and audit criteria
- a project inception meeting was held on 12 October 2021 to confirm details of the Terms of Reference, and request for documentation required prior to the site inspection component of the audit;
- Desktop audit conducted on 15 November 2021;
- Preparation of the audit report (this report).

2.2 Agency and Community Consultation

ERM consulted with the agencies and stakeholders as required including Department of Planning, Industry and Environment (DPIE) (including its various departments such as Compliance, Post approvals and Biodiversity and Conservation Division), CCC, as well as Gunnedah and Narrabri Councils. Emails were issued on 20 October 2021, with a follow up email submitted on 10 November 2021 to those that had not yet replied. Responses are outlined in *Table 2.1*.

In each case, an email was sent to representatives of each agency requesting feedback on those issues considered most relevant by their Department at the time of the audit. The consultation outlining the terms of reference was provided prior to the site inspection to obtain feedback and draw attention to any key issues, within the agreed scope of the audit. The Departmental correspondence is provided in Appendix B.

Responses received required the audit to focus on compliance against CoA as well as rehabilitation, water balance, waste and security. These areas are captured in the audit findings.

Table 2.1 Agency and Stakeholder Consultation Summary

Agency/Stakeholder	Method	Consultation summary	Response	Location Addressed in Report
Department of Planning, Industry and Environment (DPIE) – Compliance	Email on 20 October 2021	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	<ul style="list-style-type: none"> ■ Erosion and sediment control ■ Water balance 	Refer Table A1, Sch 3.20 and 3.21
Department of Planning, Industry and Environment (DPIE) – Biodiversity and Conservation	Email on 20 October 2021	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	<ul style="list-style-type: none"> ■ No concerns raised 	N/A
Narrabri Shire Council	Email on 20 October 2021	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	<ul style="list-style-type: none"> ■ Waste management <ol style="list-style-type: none"> 1. Historical tyre disposal and onsite management on coal mining sites has recently emerged as an item of community interest. It is acknowledged that the disposal of waste heavy vehicle tyres is a long-standing industry practice, and is therefore likely to have occurred at the Canyon Mine site over the life of its operation. Accordingly, it would be appreciated if this particular element could be reviewed to ascertain/confirm that no commensurate unmanaged environmental impacts are 	<ol style="list-style-type: none"> 1. This audit covers the period from 22 February 2019 to 15 November 2021. There is no evidence of burial of any waste at the site during the audit period. Groundwater monitoring is currently limited to field parameters, EC, sodium, chloride and oil and grease. It is noted that Whitehaven has

Agency/Stakeholder	Method	Consultation summary	Response	Location Addressed in Report
			<p>occurring, particularly in respect to groundwater quality.</p> <ul style="list-style-type: none"> ■ Rehabilitation and Mine closure <p>2. An assessment on the general performance against the approved Rehabilitation Plan.</p> <p>3. Advice of whether exclusion fencing has been installed, and details on the performance/integrity of such fencing.</p>	<p>approval to bury waste tyres at some operational mines.</p> <p>2. Refer Section 1.4</p> <p>3. Livestock exclusion fencing is provided around the perimeter of the site and the main entrance is gated and locked. Management advised there has been no reported breaches of security.</p>
Gunnedah shire Council	Email on 20 October 2021 and follow-up email on 10 November 2021	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	No response received	N/A
Community Consultation Committee (CCC)	Email on 20 October 2021 and follow-up email on 10 November 2021	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	No response received.	N/A

2.3 Classification of Audit Findings

Findings resulting from an assessment of audit evidence were divided into six categories as follows:

- **Compliant (C):** the intent and all elements of the audit criteria requirements have been complied with within the scope of the audit.
- **Non-compliant (NC):** Failure to meet the audit requirements, failure to achieve the field performance outcomes identified in documentation, or ineffective environmental management of the activity.
- **Administrative non-compliance (ANC):** technical conformance with audit requirements that would not impact on performance and is considered minor in nature (e.g. report submitted but not on the due date, failed monitor or late monitoring session). This would not apply to performance-related aspects (e.g. exceedance of a noise limit) or where a requirement had not been met at all (e.g. noise management plan not prepared and submitted for approval). Only to be applied where the non-compliance does not result in any risk of environmental harm (e.g. submitting a report to government later than required under approval conditions).
- **Not Triggered (NT):** A regulatory approval requirement has an activation or timing trigger that had not been met at the time of the audit inspection, and therefore a determination of compliance could not be made.
- **Note:** A statement or fact, where no assessment of compliance is required.
- **Obs:** Observations are recorded where the audit identified issues of concern which do not strictly relate to the scope of the audit or assessment of compliance.

A qualitative risk assessment was also completed on the findings, consistent with AS/NZS 4360:2004 Risk management and HB 436:2004 Risk Management Guidelines Companion to AS/NZS 4360:2004 and as described in the DPIE publication "Post Approval Requirements – Independent Audit" issued May 2020.

The overall level of risk was estimated by combining the likelihood of harm occurring with the estimated level of harm associated with each finding. Risk levels have been assigned as follows:

- **High:** Non-compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence;
- **Medium:** Non-compliance with:
 - potential for serious environmental consequences, but is unlikely to occur; or
 - potential for moderate environmental consequences, but is likely to occur;
- **Low:** Non-compliance with:
 - potential for moderate environmental consequences, but is unlikely to occur; or
 - potential for low environmental consequences, but is likely to occur.

3. AUDIT FINDINGS

3.1 Previous Audit Follow Up

The last audit was conducted by ERM for the period 24 March 2016 to 21 February 2019. A summary of the 2018 audit findings and their status is summarised below in *Table 3.1*.

Table 3.1 Summary of 2018 Audit Findings

Item No	Assessment Requirement	Comment	2018 Audit Classification	NCO Response/Action	2021 Status
<i>Minister's Conditions of Approval DA 8-1-2005</i>					
3.3	The Applicant shall carry out the development in a way that prevents and/or minimises the air pollution generated by the development.	Consider stabilising the gravel pit area until the Vickery Project commences and permanent soil stabilisation works are completed.	NC	The gravel pit area consists of a disturbed and exposed areas where coarse sandy and rocky material has been quarried for use in construction. The area is non-contaminated and is only susceptible to very minor mobilisation of material from site through wind and water erosion. The area will be covered by the Vickery extension project that is currently going through the approval process. The gravel pits also a valuable resource for future planned Vickery project work. Interim stabilisation works will consist of placing a 400mm containment bund around the site in areas that may be susceptible to water runoff.	Deemed as Compliant during this audit.
3.20	The Applicant shall: (a) prepare a detailed site water balance for all the development site; (b) measure water use on site; (c) review the site water balance for the development annually; and (d) report the results of this review in the AEMR, to the satisfaction of the Secretary	Water balance to be reviewed annually or condition altered to reflect current state of the site.	ANC	Water balance was undertaken in 2018 the form of water model for the void water use. No prior water balance has been undertaken as site was considered to have nil water usage. Two site bores have not been used since closure in 2009. The water model will continue to be updated and refined using the regularly surveyed water levels and installed flow meters as part of void water extraction.	Deemed as Compliant during this audit.
3.21	The Applicant shall implement a range of erosion and sediment controls at the site, in general accordance with the requirements of the Department of Housing's Managing Urban Stormwater: Soils and Construction manual, to minimise erosion and the discharge of sediment from the site.	Erosion and sediment controls to be implemented, though the auditor notes that the pending approval of the Vickery Extension Project is a factor in the decision making process likely stalling the rectification works.	NC	Gravel pit erosion is addressed in item 3.3 above. Erosion on inside walls of the void, has minimal environmental impact as any eroded material would be contained in the void. Previous erosion control works undertaken in the void have been unsuccessful in creating stable slopes at specific locations within the void. Local redesign of landform within the void is required. Works to fill the void or redesign the landform for portions of the void's internal batters will be undertaken after a decision on the Vickery extension project. Vickery project plan would see the area backfilled. Potential impact to the environment is considered very minimal.	Deemed as Compliant during this audit.
5.10	Within 1 month of the approval of any management plan/strategy or monitoring program required under this consent (or any subsequent revision of these management plans/strategies or monitoring programs), the completion of the independent audits required under this consent (see conditions 30 of schedule 3 and condition 6 of schedule 5), or the completion of the AEMR (see condition 5 of schedule 5), the Applicant shall: (a) (a) provide a copy of the approved document/s to NSC, GSC, relevant agencies and the CCC; and (b) (b) ensure that a copy of the relevant documents is made publicly available at NSC and GSC offices, (c) to the satisfaction of the Secretary.	WHC to ensure future ARs and updates to plans, strategies and monitoring programs are sent to the relevant agencies.	ANC	Due to the age of the approval conditions which were prior to electronic document access, conditions required hard copies of documents be submitted to various local Councils and State agencies. Documents are uploaded to Company web page. Recent discussion with local shire council indicate they don't want copies of the documents, but hyperlinks of where the document are stored on the Whitehaven Coal web server/s, can be emailed to them. Going forward links to the documents when uploaded will be emailed to all required agencies and councils.	Deemed as an Administrative non-compliance in this audit. Evidence of submission of the 2020 Annual Review to the Councils and the CCC could not be provided.

3.2 Complaints Summary

Complaints registers for the auditing period were available online and/or for review. No complaints have been received during the audit period.

3.3 Environmental Monitoring Performance

3.3.1 Noise

Noise monitoring is no longer required at the site.

3.3.2 Air quality

The following exceedance of assessment criteria were reported for the audit period:

- 2019 – mean annual PM10 particulate level was exceeded the criteria;
- 2019 – the mean annual average deposited dust exceeded the criteria at location D12;
- 2019 - the 24 hour average PM10 particulate level was exceeded on 54 occasions; and
- 2020 – the 24-hour average PM10 level was exceeded on 18 occasions.

All exceedances were investigated and found to be associated with regional events including dust storms and bushfires.

3.3.3 Blasting

No blasting has occurred during the audit period.

3.3.4 Water management

3.3.4.1 Surface water

There was no wet weather or other discharge from the site during the audit period. Surface water monitoring is conducted of void water and receiving environment up and down stream locations. Surface water sampling does not indicate any significant impact from the mine to receiving environment.

3.3.4.2 Groundwater

Five groundwater bores are monitored on a six monthly basis for water table levels and water quality. Water quality is measured by field parameters including pH, electrical conductivity, temperature and samples analysed for electrical conductivity, sodium and chloride and oil and grease are measured at two bores. Water quality parameters measured across all bores were generally stable or reducing over the audit period.

3.4 Management Plan Adequacy

The Management Plans for the site were reviewed and the adequacy in meeting the relevant approval requirements was assessed in view of current operations at the site. In general, Management Plans were considered to be appropriate for the site's operations at the time of the audit.

3.5 Compliance with Regulatory Instruments

A compliance check of the CoA conditions as well as management plan review has been completed and is provided in *Appendix A*. Non-compliances and observations for each component are summarised in *Table 3.2*.

As discussed in *Section 2.3*, a qualitative risk assessment was also completed on the findings as follows:

- non-compliance assessed as 'high' have been colour coded red;
- non-compliance assessed as 'moderate' have been colour coded orange;
- non-compliance assessed as 'low' have been colour coded yellow; and
- administrative non-compliance has been colour coded blue.

Table 3.2 Summary of 2021 Audit Findings

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
Minister's Conditions of Approval DA 8-1-2005				
5.10	<p>Within 1 month of the approval of any management plan/strategy or monitoring program required under this consent (or any subsequent revision of these management plans/strategies or monitoring programs), the completion of the independent audits required under this consent (see conditions 30 of schedule 3 and condition 6 of schedule 5), or the completion of the AEMR (see condition 5 of schedule 5), the Applicant shall:</p> <p>(a) provide a copy of the approved document/s to NSC, GSC, relevant agencies and the CCC; and</p> <p>(b) ensure that a copy of the relevant documents is made publicly available at NSC and GSC offices, to the satisfaction of the Secretary.</p>	<p>Records of submission of the 2019 Annual Review to the councils and CCC were available. No records were available for submission of the 2020 annual Review.</p>	ANC	<p>Ensure the Annual Review is submitted to the local Councils and CCC and records are maintained.</p>

4. CONCLUSION

An audit of CoA conditions has been completed as well as a check against commitments made in the management plans developed as part of CoA conditions for the site.

Overall, compliance was generally achieved with the audit documents that were reviewed. The number of non-compliances with the statutory conditions and implementation of the management plans is summarised in *Table 4.1* below.

Table 4.1 Summary of Audit Findings

Review	Non-compliances (NC)	Administrative non-compliances (ANC)	Observations (Obs NC)	Observations (Obs C)
Statutory Instruments	-	1	-	-
Implementation of Plans	-	-	-	-

An action response table has been developed by Whitehaven Coal addressing all audit findings and will be submitted separately to this report.

APPENDIX A CONDITIONS OF APPROVAL

Document details	
Document title	Table A1 - Project Approval
Document subtitle	Compliance with Project Approval DA 8-1-2005
Project No.	0616390
Date	13 December 2021
Version	2.0
Author	Heather McKay
Client Name	Whitehaven Coal

TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval DA 8-1-2005

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
SCHEDULE 2 – ADMINISTRATIVE CONDITIONS					
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT					
1	The Applicant shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the development.	This audit	Refer to the findings of this audit.	C	
TERMS OF APPROVAL					
2	The Applicant shall carry out the development: (a) generally in accordance with the EIS; and (b) in accordance with the conditions of this consent.		Note	Noted	
3	If there is any inconsistency between the above documents, the later document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.	Noted	Note	Noted	
4	The Applicant shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: (a) any reports, plans or correspondence that are submitted in accordance with this consent; and (b) the implementation of any actions or measures contained in these reports, plans or correspondence.	Interview with Group Environment Superintendent and Group Environmental Officer - Compliance	No requests have been received during the audit period	NT	
Surrender of Consent					
5	Within 6 months of the date of this consent, the Applicant shall surrender all previous development consents for the Whitehaven mine to the satisfaction of the Secretary.		Completed prior to audit period	NT	
LIMITS ON APPROVAL					
6	The Applicant may carry out mining operations on the site until 7 September 2015.		Mining ceased in July 2009.	NT	
7	The Applicant shall not extract more than 1.25 million tonnes of ROM coal a year from the Whitehaven mine.	Annual Reviews - 2019, 2020	No ROM coal was extracted during the audit period.	NT	
8	The Applicant shall not transport more than 1.25 million tonnes of material (coal and gravel) a year from the Whitehaven mine by public road, without the written approval of the Secretary.	Annual Review s - 2019, 2020	No material was removed during the audit period.	NT	
Structural Adequacy					
9	The Applicant shall ensure that all new buildings and structures, and any alterations and additions to existing buildings and structures are carried out in accordance with the relevant requirements of the BCA. <i>Note: • Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.</i> <i>• Part 8 of the EP&A Regulation sets out the requirements for the certification of development.</i>	Interview with Group Environment Superintendent and Group Environmental	No new buildings and structures, or alterations and additions have been carried out during the audit period.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		Officer – Compliance Annual Reviews – 2019, 2020			
Demolition					
10	The Applicant shall ensure that all demolition work is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.	Interview with Group Environment Superintendent and Group Environmental Officer - Compliance	No demolition has been carried out during the audit period.	NT	
Operation of Plant and Equipment					
11	The Applicant shall ensure that all plant and equipment used at the site, or to transport material off-site, are: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Novecom Met Station service reports – 9/9/21, 10/3/21, 2/9/20 Novecom TEO service reports – 15/11/19, 30/4/19, 29/7/19, 08/10/20, 23/3/20, 22/6/20, 02/9/20, 21/10/20, 13/1/21, 10/3/21, 19/5/21, 21/7/21, 07/10/21	No permanent mobile plant is used at the site. Equipment such as dozers used for grading works are brought on to site and operated by contractors as required and are subject to mining design guidelines. The site weather station are serviced and calibrated by Novecom on a six monthly and 12 monthly basis. The air quality monitor is serviced and maintained by Novecom on a three monthly, six monthly and annual basis.	C	

SCHEDULE 3 – SPECIFIC ENVIRONMENTAL CONDITIONS

AIR QUALITY

Impact Assessment Criteria

1	<p>The Applicant shall ensure that dust emissions generated by the development do not cause additional exceedances of the air quality criteria listed in Tables 1, 2 and 3 at any residence on, or on more than 25 percent of, any privately-owned land.</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td>90 µg/m³</td> </tr> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>Annual</td> <td>30 µg/m³</td> </tr> </tbody> </table> <p><i>Table 1: Long-term Impact Assessment Criteria for Particulate Matter</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Pollutant	Averaging period	Criterion	Total suspended particulate (TSP) matter	Annual	90 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	Annual	30 µg/m ³	Pollutant	Averaging period	Criterion				<p>Dust DD results.xls for 2019, 2020 and 2021</p> <p>PM10 daily data – 2019, 2020 and 2021 (YTD)</p> <p>Annual review 2019</p> <p>Annual review 2020</p>	<p>2019</p> <p>Mean annual PM10 particulate level was 31.61 µg/m³ which exceeded the criteria by 1.61 µg/m³.</p> <p>This value is consistent with the predicted mean annual PM10 particulate levels in the EIS (between 15 µg/m³ and 35 µg/m³).</p> <p>The 24 hour average PM10 particulate level was exceeded on 54 occasions during 2019. However, these exceedances are not due to the development as the site remains in closure and the measurements correlate with regional dust storms and the prolonged drought conditions. Total suspended particulate matter was within target criteria during the year with a value of 63 µg/m³.</p> <p>The mean annual average deposited dust was measured at 5.97g/m²/month at monitoring location D12. The result was determined to be attributable to regional dust events.</p>	C	
Pollutant	Averaging period	Criterion																		
Total suspended particulate (TSP) matter	Annual	90 µg/m ³																		
Particulate matter < 10 µm (PM ₁₀)	Annual	30 µg/m ³																		
Pollutant	Averaging period	Criterion																		

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations											
	<table border="1"> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>24 hour</td> <td>50 µg/m³</td> </tr> </table> <p>Table 2: Short-term Impact Assessment Criterion for Particulate Matter</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Maximum increase in deposited dust level</th> <th>Maximum total deposited dust level</th> </tr> </thead> <tbody> <tr> <td>Deposited dust</td> <td>Annual</td> <td>2 g/m²/month</td> <td>4 g/m²/month</td> </tr> </tbody> </table> <p>Table 3: Long-term Impact Assessment Criteria for Deposited Dust</p> <p>Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 1991, AS 3580.10.1-1991: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.</p>	Particulate matter < 10 µm (PM ₁₀)	24 hour	50 µg/m ³	Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level	Deposited dust	Annual	2 g/m ² /month	4 g/m ² /month		<p>2020</p> <p>The 24 hour average PM10 particulate level was exceeded on 18 occasions during 2020. However, these exceedances were assessed as not attributable to the development as the site remains in closure and the measurements correlate with regional dust storms and the prolonged drought conditions.</p>		
Particulate matter < 10 µm (PM ₁₀)	24 hour	50 µg/m ³														
Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level													
Deposited dust	Annual	2 g/m ² /month	4 g/m ² /month													

Land Acquisition Criteria

13.	<p>If the dust emissions generated by the development exceed the criteria in Tables 4, 5 and 6 at any residence on, or on more than 25 percent of, any privately-owned land, the Applicant shall, upon receiving a written request for acquisition from the landowner, acquire the land in accordance with the procedures in conditions 6-8 of schedule 4.</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td>90 µg/m³</td> </tr> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>Annual</td> <td>30 µg/m³</td> </tr> </tbody> </table> <p>Table 4: Long-term Land Acquisition Criteria for Particulate Matter</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Criterion</th> <th>Percentile¹</th> <th>Basis</th> </tr> </thead> <tbody> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>24 hour</td> <td>150 µg/m₃</td> <td>99²</td> <td>Total³</td> </tr> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>24 hour</td> <td>50 µg/m₃</td> <td>98.6</td> <td>Increment⁴</td> </tr> </tbody> </table> <p>Table 5: Short-term Land Acquisition Criteria for Particulate Matter</p> <p>¹Based on the number of block 24 hour averages in an annual period.</p> <p>²Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity agreed by the Secretary in consultation with the EPA.</p> <p>³Background PM10 concentrations due to all other sources plus the incremental increase in PM10 concentrations due to the mine alone.</p> <p>⁴Incremental increase in PM10 concentrations due to the mine alone.</p>	Pollutant	Averaging period	Criterion	Total suspended particulate (TSP) matter	Annual	90 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	Annual	30 µg/m ³	Pollutant	Averaging period	Criterion	Percentile ¹	Basis	Particulate matter < 10 µm (PM ₁₀)	24 hour	150 µg/m ₃	99 ²	Total ³	Particulate matter < 10 µm (PM ₁₀)	24 hour	50 µg/m ₃	98.6	Increment ⁴	<p>Interview with Group Environment Superintendent and Group Environmental Officer - Compliance</p>	<p>No written requests for acquisition have been received during the audit period.</p>	<p>NT</p>	
Pollutant	Averaging period	Criterion																											
Total suspended particulate (TSP) matter	Annual	90 µg/m ³																											
Particulate matter < 10 µm (PM ₁₀)	Annual	30 µg/m ³																											
Pollutant	Averaging period	Criterion	Percentile ¹	Basis																									
Particulate matter < 10 µm (PM ₁₀)	24 hour	150 µg/m ₃	99 ²	Total ³																									
Particulate matter < 10 µm (PM ₁₀)	24 hour	50 µg/m ₃	98.6	Increment ⁴																									

No	Assessment Requirement				Reference/ Evidence	Comments	Compliance Status	Recommendations
	Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level				
	Deposited dust	Annual	2 g/m ² /month	4 g/m ² /month				
<p><i>Table 6: Long-term Land Acquisition Criteria for Deposited Dust</i></p> <p><i>Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 1991, AS 3580.10.1-1991: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.</i></p>								

¹Operating Conditions

3.	The Applicant shall carry out the development in a way that prevents and/or minimises the air pollution generated by the development.	Interview with Group Environment Superintendent and Group Environmental Officer - Compliance Complaints Register	The site is in closure and extensively rehabilitated. Dust emissions from the site are minimal. Maintenance to the void slopes, gravel pit and access tracks is undertaken as required. No complaints related to dust emissions	NT	
4.	The Applicant shall: (a) ensure any visible air pollution generated by the development is assessed regularly, and that mining operations are relocated, modified, and/or stopped as required to minimise air quality impacts on privately-owned land; (b) ensure that trucks entering and leaving the site carrying loads are covered at all times; and (c) implement all practicable measures to minimise the off-site odour and fume emissions generated by any spontaneous combustion or blasting at the development, to the satisfaction of the Secretary.				

²Monitoring

5.	Within 6 months of this consent, the Applicant shall prepare and implement a detailed Air Quality Monitoring Program in consultation with the EPA, and to the satisfaction of the Secretary. This program shall include an air quality monitoring protocol for evaluating compliance with the air quality impact assessment and land acquisition criteria in this consent. <i>Note: Initially, this program should concentrate on monitoring the dust deposition impacts of the development. However, in time, it may be expanded to include other pollutants.</i>	WCL_PLN_CAN_Air Quality Monitoring Program, 22/6/2018	The AQMP was approved by DPIE in June 2018, prior to the current audit period.	NT	
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³NOISE

Noise Impact Assessment Criteria

6.	The Applicant shall ensure that the noise generated by the development does not exceed the noise impact assessment criteria presented in Table 7 at any residence on, or on more than 25 percent of, any privately-owned land.	WHC_PLN_CAN_Noise Monitoring Program, 18/5/18	Noise monitoring is no longer required by the Monitoring Program.	NT					
7.	<table border="1"> <thead> <tr> <th>Day/Evening/Night L_{Aeq}(15 minute)</th> <th>Night L_{A1}(1 minute)</th> </tr> </thead> <tbody> <tr> <td>35</td> <td>4 5</td> </tr> </tbody> </table>	Day/Evening/Night L _{Aeq} (15 minute)	Night L _{A1} (1 minute)	35	4 5	WHC_PLN_CAN_Noise Monitoring Program, 18/5/18	Noise monitoring is no longer required by the Monitoring Program.	NT	
Day/Evening/Night L _{Aeq} (15 minute)	Night L _{A1} (1 minute)								
35	4 5								
<p><i>Table 7: Noise Impact Assessment Criteria dB(A) Notes:</i></p>									

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> Noise from the development is to be measured at the most affected point or within the residential boundary, or at the most affected point within 30 metres of a dwelling (rural situations) where the dwelling is more than 30 metres from the boundary. To determine compliance with the $L_{Aeq}(15 \text{ minute})$ noise limits in the above table, where it can be demonstrated that direct measurement of noise from the development is impractical, the EPA may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable. Noise from the development is to be measured at 1 metre from the dwelling façade to determine compliance with the $L_{A1}(1 \text{ minute})$ noise limits in the above table. The noise emission limits identified in the above table apply under meteorological conditions of: <ul style="list-style-type: none"> wind speeds of up to 3 m/s at 10 metres above ground level; or temperature inversion conditions of up to 3°C/100m, and wind speeds of up to 2 m/s at 10 metres above ground level. 				

Land Acquisition Criteria

8.	<p>If the noise generated by the development exceeds the criteria in Table 8 at any residence on, or on more than 25 percent of any privately-owned land, the Applicant shall acquire the land in accordance with the procedures in conditions 6-8 of schedule 4.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;">Day/Evening/ Night $L_{Aeq}(15 \text{ minute})$</td> </tr> <tr> <td style="text-align: center;">40</td> </tr> </table> <p><i>Table 8: Land Acquisition Criteria dB(A)</i> <i>Note: Noise generated by the development is to be measured in accordance with the notes presented below Table 7.</i></p>	Day/Evening/ Night $L_{Aeq}(15 \text{ minute})$	40	WHC_PLN_CAN_ Noise Monitoring Program, 18/5/18	Noise monitoring is no longer required by the Monitoring Program.	NT	
Day/Evening/ Night $L_{Aeq}(15 \text{ minute})$							
40							

Operating Hours

9.	<p>The Applicant:</p> <p>(a) shall carry out the development at the site between 7 am to 10 pm Monday to Saturday, excluding public holidays;</p> <p>(b) may undertake overburden and interburden removal and emplacement operations below natural ground level, and the dust suppression activities associated with these operations, between 7am and midnight, Monday to Saturday and midnight and 2 am, Tuesday to Saturday;</p> <p>(c) may undertake highwall mining operations at any time, excluding public holidays; and</p> <p>(d) shall only transport coal or gravel on public roads between 7 am and 10pm Monday to Saturday, excluding public holidays.</p> <p><i>Note: Operating hours do not apply to blasting (see conditions 14 & 15)</i></p>	Interview with Group Environment Superintendent and Group Environmental Officer - Compliance	The site was non-operational during the audit period.	NT	
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Operating Conditions

TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval DA 8-1-2005

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
10.	The Applicant shall ensure that all reversing alarms fitted to vehicles on the site are of a mid-high frequency broadband type.	Interview with Group Environment Superintendent and Group Environmental Officer - Compliance	No operational mobile plant in use at the site.	NT	

Monitoring

10.	Within 6 months of this consent, the Applicant shall prepare a Noise Monitoring Program for the development in consultation with the EPA, and to the satisfaction of the Secretary. This program shall include a noise monitoring protocol for evaluating compliance with the noise impact assessment and land acquisition criteria in this consent.	WHC_PLN_CAN_ Noise Monitoring Program, 18/5/18	Noise monitoring is no longer required by the Monitoring Program.	NT	
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METEOROLOGICAL MONITORING

11.	Within 6 months of this consent, the Applicant shall ensure that there is a suitable meteorological station operating in the vicinity of the development in accordance with the requirements in Approved Methods for Sampling of Air Pollutants in New South Wales, and to the satisfaction of the EPA and the Secretary.	Novecom service reports – 9/9/21, 10/3/21, 2/9/20	The weather station is present on site and is serviced and calibrated by Novecom.	C	
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BLASTING & VIBRATION

Airblast Overpressure Limits

12.	<p>The Applicant shall ensure that the airblast overpressure level from blasting at the development does not exceed the criteria in Table 9 at any residence on privately-owned land.</p> <table border="1"> <thead> <tr> <th>Airblast overpressure level (dB(Lin Peak))</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td>115</td> <td>5% of the total number of blasts in a 12 month period</td> </tr> <tr> <td>120</td> <td>0%</td> </tr> </tbody> </table> <p>Table 9: Airblast Overpressure Impact Assessment Criteria</p> <p><i>Note: The overpressure values in Table 9 apply when the measurements are performed with equipment having a lower cut-off frequency of 2 Hz or less. If the instrumentation has a higher cut-off frequency a correction of 5 dB should be added to the measured value. Equipment with a lower cut-off frequency exceeding 10 Hz should not be used.</i></p>	Airblast overpressure level (dB(Lin Peak))	Allowable exceedance	115	5% of the total number of blasts in a 12 month period	120	0%	Interview with Group Environment Superintendent and Group Environmental Officer - Compliance	No blasting has taken place during the audit period.	NT	
Airblast overpressure level (dB(Lin Peak))	Allowable exceedance										
115	5% of the total number of blasts in a 12 month period										
120	0%										

Ground Vibration Impact Assessment Criteria

13.	<p>The Applicant shall ensure that the ground vibration level from blasting at the development does not exceed the criteria in Table 10 at any residence on privately-owned land</p> <table border="1"> <thead> <tr> <th>Peak particle velocity (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td>5</td> <td>5% of the total number of blasts in a 12 month period</td> </tr> </tbody> </table>	Peak particle velocity (mm/s)	Allowable exceedance	5	5% of the total number of blasts in a 12 month period	Interview with Group Environment Superintendent and Group Environmental	No blasting has taken place during the audit period.	NT	
Peak particle velocity (mm/s)	Allowable exceedance								
5	5% of the total number of blasts in a 12 month period								

TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval DA 8-1-2005

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	10	0%	Officer - Compliance		
	<i>Table 10: Ground Vibration Impact Assessment Criteria</i>				
Blasting Hours					
14.	The Applicant shall only carry out blasting at the development between 9 am and 5 pm Monday to Saturday. No blasting is allowed on Sundays, public holidays, or any other time without the written approval of the EPA.	Interview with Group Environment Superintendent and Group Environmental Officer - Compliance	No blasting has taken place during the audit period.	NT	
Blasting Frequency					
15.	The Applicant shall not carry out more than 1 blast a day at the site without the written approval of the EPA.	Interview with Group Environment Superintendent and Group Environmental Officer - Compliance	No blasting has taken place during the audit period.	NT	
Monitoring					
16.	Within 6 months of this consent, the Applicant shall prepare and implement a detailed Blasting Monitoring Program for the development in consultation with the EPA, and to the satisfaction of the Secretary.	WHC_PLN_CAN_ Blasting Monitoring Program, 18/5/2018	The Blasting Monitoring Program was approved by DPIE in May 2018.	NT	
Public Notice					
17.	During the life of the development, the Applicant shall: (a) operate a blasting notification system agreed to by the Secretary, to provide the public with up-to-date information on blasting operations at the development; and (b) notify the landowner/occupier of any privately-owned land within 4 km of the development about this system on an annual basis.	Interview with Group Environment Superintendent and Group Environmental Officer - Compliance	No blasting has taken place during the audit period.	NT	
Property Investigations					
18.	If any landowner within a 2 km of the development, or any other landowner nominated by the Secretary, claims that his/her property, including infrastructure such as water supply or	Interview with Group Environment	No claims have been made during the audit period.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>underground irrigation mains, has been damaged as a result of blasting at the development, the Applicant shall within 3 months of receiving this request:</p> <p>(a) commission a suitably qualified person whose appointment has been approved by the Secretary to investigate the claim; and</p> <p>(b) give the landowner a copy of the property investigation report.</p> <p>If this independent investigation confirms the landowner's claim, and both parties agree with these findings, then the Applicant shall repair the damages to the satisfaction of the Secretary.</p> <p>If the Applicant or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Secretary for resolution.</p> <p>If the matter cannot be resolved within 21 days, the Secretary shall refer the matter to an Independent Dispute Resolution Process (see Appendix 2).</p>	Superintendent and Group Environmental Officer - Compliance			

4SURFACE & GROUND WATER

Discharge Limits

19.	<p>Except as may be expressly provided by a EPA Licence, the Applicant shall ensure that the discharges from any licensed discharge point comply with the limits in Table 11.</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>50 percentile concentration limit</th> <th>90 percentile concentration limit</th> <th>100 percentile concentration limit</th> </tr> </thead> <tbody> <tr> <td>pH</td> <td></td> <td></td> <td></td> <td>6.5 ≤ pH ≤ 8.5</td> </tr> <tr> <td>Total Suspended Solids</td> <td>mg/L</td> <td>20</td> <td>35</td> <td>50</td> </tr> <tr> <td>Grease & Oil</td> <td>mg/L</td> <td></td> <td></td> <td>10</td> </tr> </tbody> </table> <p><i>Table 11: Discharge Limits</i></p> <p><i>Note: This condition does not authorise the discharge or emission of any other pollutants.</i></p>	Pollutant	Units of measure	50 percentile concentration limit	90 percentile concentration limit	100 percentile concentration limit	pH				6.5 ≤ pH ≤ 8.5	Total Suspended Solids	mg/L	20	35	50	Grease & Oil	mg/L			10	Canyon Wet Weather Discharge Data	There is no licensed discharge from the site. Wet weather sampling was undertaken during the audit period at the upstream and downstream receiving environment, however there was no discharge from the site.	NT	
Pollutant	Units of measure	50 percentile concentration limit	90 percentile concentration limit	100 percentile concentration limit																					
pH				6.5 ≤ pH ≤ 8.5																					
Total Suspended Solids	mg/L	20	35	50																					
Grease & Oil	mg/L			10																					

Site Water Balance

20.	<p>The Applicant shall:</p> <p>(a) prepare a detailed site water balance for all the development site;</p> <p>(b) measure water use on site;</p> <p>(c) review the site water balance for the development annually; and</p> <p>(d) report the results of this review in the AEMR, to the satisfaction of the Secretary.</p>	Canyon Water Surface Data	The site water balance was reviewed for the 2019/2020 and 2020/2021 reporting years. No water is currently used on site.	C	
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Erosion and Sediment Control

21.	<p>The Applicant shall implement a range of erosion and sediment controls at the site, in general accordance with the requirements of the Department of Housing's Managing Urban Stormwater: Soils and Construction manual, to minimise erosion and the discharge of sediment from the site.</p>	<p>Monthly inspection reports</p> <p>Action log for gravel pit works and photos (12/8/19)</p>	<p>The pit void acts as the main sediment control on the site and there is no discharge from the void. Monthly inspections are conducted which include identification of erosion and assessment of erosion and sediment controls.</p> <p>Works were undertaken during the audit period to maintain erosion and sediment controls which included installation of a 400mm containment</p>	C	
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TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval DA 8-1-2005

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		Contractor engagement email (23/4/20) and photos	bund on the gravel pit and regrading work to the void walls to manage erosion.		
Surface Water Monitoring					
22.	The Applicant shall monitor: (a) the volume and quality of water discharged from the site; and (b) report the results of this monitoring in the AEMR.	Canyon Wet Weather Discharge Data	No discharges during the audit period.	NT	
Groundwater Monitoring					
23.	The Applicant shall regularly monitor: (a) groundwater levels and quality at bores and piezometers which are representative of the areas that are likely to be impacted within and around the development; (b) impacts of groundwater movement from the final void of the Canyon extension on the adjacent groundwater and surface water resources; and (c) post-mining water table levels and water quality.	Canyon Groundwater Data, 28/10/21	Five groundwater bores are monitored on a six monthly basis for water table levels and water quality. Water quality is measured by field parameters including pH, electrical conductivity, temperature and samples analysed for electrical conductivity, sodium and chloride and oil and grease are measured at two bores. Water quality parameters measured across all bores were generally stable or reducing over the audit period.	C	
Water Management Plan					
24.	Within 6 months of this consent, the Applicant shall prepare and implement a Water Management Plan for the mine, to the satisfaction of the Secretary. This plan must include: (a) the site water balance; (b) an Erosion and Sediment Control Plan; (c) a Groundwater Monitoring Program; (d) a Surface and Groundwater Response Plan to address any potential adverse impacts associated with the development; and (e) provision for a review of collected data and monitoring requirements 5 years after the cessation of mining, or as otherwise agreed by the Secretary.	WCL_PLN_CAN_ Water Management Plan, 2/2/2016	The Water Management Plan was approved by DPIE in 2016. It is noted that the WMP was reviewed in 2018 and 2019 and last submitted to DPIE on 24/10/19 and is awaiting a response.	C	
24A.	Prior to 30 November 2008, the Applicant shall review, and subsequently implement any revision of the mine's Site Water Management Plan required by condition 24, in consultation with DPI Water and EPA and to the satisfaction of the Secretary.		Outside audit period.	NT	
Final Void Management					
25.	At least 6 months before the cessation of mining, the Applicant shall prepare and implement a final Void Management Plan for the site, in consultation with the DPI, and to the satisfaction of the Secretary. This plan must: (a) investigate options for the future use of the final void; (b) assess the potential interactions between the final void and the adjacent groundwater and surface water resources; and (c) describe what actions and measures would be implemented to:	Closure Mining Operations Plan, 7 September 2015 – 6 September 2022	Void management is included in the closure MOP which was approved by DPIE in 2016.	C	

TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval DA 8-1-2005

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> • minimise any potential adverse impacts with the final void; and • manage and monitor the potential impacts of the final void over time. 				
FAUNA & FLORA					
Offset Strategy					
26.	The Applicant shall implement the offset strategy described in section 2.4.8 and depicted in Figure 2.4 of the SEE for the proposed Canyon extension, or a refined version of this offset strategy that has been approved by the Secretary, to the satisfaction of the Secretary.		Outside audit period.	NT	
26A.	Prior to 30 June 2008, the Applicant shall, in addition to the measures described in condition 26, identify and implement a vegetation offset equivalent to 30 hectares of Bimble Box/Pilliga Grey Box vegetation community, in consultation with the OEH and to the satisfaction of the Secretary.		Outside audit period.	NT	
27.	Within 12 months of this consent, the Applicant shall implement suitable arrangements to provide long-term security for the offset, to the satisfaction of the Secretary.		Outside audit period.	NT	
Flora and Fauna Management Plan					
28.	<p>Within 6 months of this consent, the Applicant shall prepare and implement a detailed Flora and Fauna Management Plan for the site, to the satisfaction of the Secretary. This plan must include:</p> <p>(a) a description of the offset strategy in broad terms, including its objectives and its relationship to the rehabilitation of the mine over time;</p> <p>(b) completion criteria for the offset strategy;</p> <p>(c) a description of what actions and measures will be implemented over the next 3 years;</p> <p>(d) a flora and fauna monitoring program that is based on sound statistical principles; and</p> <p>(e) a description of the procedures that would be implemented to:</p> <ul style="list-style-type: none"> • salvage and reuse material from the site; • clear vegetation on site; • collect and propagate seed from the local area; • control weeds and feral pests (particularly fox control); and • control access to the offset area. 		Outside audit period.	NT	
Review and Reporting					
29.	<p>The Applicant shall:</p> <p>(a) review the performance of the offset strategy and Flora and Fauna Management Plan annually; and</p> <p>(b) report on this review in the AEMR;</p> <p>to the satisfaction of the Secretary.</p>	<p>Annual Reviews 2019 and 2020</p> <p>Regional Biobank Offset Area:2019 Monitoring Report, Ecological, 26/3/20</p> <p>Regional Biobank Offset Area, 2020 Monitoring</p>	<p>Review of offset and rehab monitoring program is reported in the annual reviews.</p> <p>In the 2019 reporting period works undertaken at the Yarrari and Belah properties included:</p> <ul style="list-style-type: none"> • Ground preparation works undertaken in February and March, revegetation over 138 ha at Yarrari and Belah properties (1532 trees) in April and June, and routine tree watering and maintenance throughout the year, • Infrastructure maintenance and removal, • Exclusion of grazing activity, • Fencing of 34 known Aboriginal heritage sites, 	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		Report, Ecoplanning, 27/7/21 Email confirming fieldworks schedule for 2021 monitoring	<ul style="list-style-type: none"> Maintenance of fire breaks, and Feral animal control program resulting in the management of foxes, pigs, hares, goats and a rabbit. <p>Monitoring of the biobank area completed by Ecological in 2019 found that 13 out of 34 sites met or exceeded the performance criteria.</p> <p>Works undertaken at the Yarrari and Belah properties in 2020 included:</p> <ul style="list-style-type: none"> Ground preparation works undertaken in February and March, revegetation over 93 ha at Yarrari and Belah properties (1759 trees) in April and June, and routine tree watering and maintenance throughout the year, Infrastructure maintenance and removal, Exclusion of grazing activity, Fencing inspections of 34 known Aboriginal heritage sites, Feral animal control program resulting in the management of foxes, pigs, wild dogs and Kangaroos. <p>Ecological monitoring completed by Bioplanning recorded native plant species richness increased from 6 sites to 16 out of 34.</p> <p>Monitoring of the offsets area for 2021 was commenced in October.</p>		

Audit

30.	At least 6 months prior to the cessation of mining, unless the Secretary directs otherwise, the Applicant shall commission, and pay the full cost of, an Independent Audit of the offset strategy. This audit shall: (a) be conducted by a suitably qualified, experienced, and independent person whose appointment has been approved by the Secretary; (b) assess the performance of the offset strategy and Flora and Fauna Management Plan; and if necessary (c) recommend actions or measures to improve the performance of the offset strategy.		Outside audit period	NT	
31.	Within 3 months of commissioning this audit, the Applicant shall submit a copy of the audit report to the Secretary, with a response to any of the recommendations contained in the audit report.		Outside audit period.	NT	

CULTURAL HERITAGE

Archaeology and Cultural Heritage Management Plan

32.	Within 6 months of this consent, the Applicant shall review the approved Archaeology and Cultural Management Plan for the site in consultation with the Red Chief Local Aboriginal Land Council and OEH, and to the satisfaction of the Secretary.		Outside audit period.	NT	
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TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval DA 8-1-2005

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
TRAFFIC & TRANSPORT					
33.	<p>The Applicant shall ensure:</p> <p>(a) coal from the mine is only transported along Hoads Lane, Blue Vale Road, and the Kamilaroi Highway to the Whitehaven Siding coal handling and preparation plant, unless an alternate route is approved by the Secretary;</p> <p>(b) trucks travelling to and from the mine do not exceed 40 kilometres per hour when the school bus is operating on Hoads Lane;</p> <p>(c) appropriate warning signs are in place advising of the turning movements of heavy vehicles at the intersection of the mine access road and Hoads Lane, to the satisfaction of NSC;</p> <p>(d) an investigation of road safety and traffic management is undertaken for the Kamilaroi Highway and junctions with Blue Vale and Whitehaven Siding Access Roads, within 6 months of this consent, to the satisfaction of the Roads and Traffic Authority; and</p> <p>(d) spillage from coal haulage vehicles is minimised and that sediment-laden runoff from roads is effectively managed to prevent harm to the environment.</p>	Interview with Group Environment Superintendent and Group Environmental Officer - Compliance	No coal was extracted during the audit period.	NT	
Road Noise Management Plan					
34.	Within 6 months of this consent, the Applicant shall review (and implement any approved changes to) the Road Noise Management Plan for traffic associated with the development, in consultation with NSC and GSC, and to the satisfaction of the Secretary.		Road Noise Management Plan is no longer required.	NT	
Road Maintenance					
35.	Within 6 months of this consent, the Applicant shall review (and implement any approved changes to) the road maintenance agreements between the Applicant and NSC and GSC for roads within Narrabri and Gunnedah Shires respectively, that are used by traffic associated with the development, to the satisfaction of the respective Council. If agreement cannot be reached the matter shall be referred to the Secretary for resolution.		Outside audit period.	NT	
Monitoring					

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
36.	The Applicant shall: (a) keep records of the: • amount of gravel transported from the site each year; • amount of coal transported from the site each year; • destination of coal and gravel transported from the site each year; and • number of truck movements generated by the development; and (b) include these records in the AEMR.	Interview with Group Environment Superintendent and Group Environmental Officer - Compliance	No coal or gravel extracted during the audit period.	NT	
VISUAL IMPACT					
37.	The Applicant shall carry out the development in a way that prevents and/or minimises the visual impacts of the development, including the design and construction of infrastructure in a manner that minimises visual contrasts, to the satisfaction of the Secretary.	Complaints register	The audit was completed as a desktop exercise and as such no site inspection was carried. No complaints have been received related to visual impact.	C	
Lighting Emissions					
38.	The Applicant shall: (a) take all practicable measures to mitigate off-site lighting impacts from the development; and (b) ensure that all external lighting associated with the development complies with Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting, to the satisfaction of the Secretary.	Interview with Group Environment Superintendent and Group Environmental Officer - Compliance	No lighting plant has been used at the site during the audit period. No complaints have been received related to lighting emissions.	NT	
GREENHOUSE GAS EMISSIONS					
39.	The Applicant shall: (a) monitor the greenhouse gas emissions generated by the development; (b) investigate ways to reduce greenhouse gas emissions generated by the development; and (c) report on greenhouse gas monitoring and abatement measures in the AEMR, to the satisfaction of the Secretary.	Interview with Group Environment Superintendent and Group Environmental Officer - Compliance	There were no greenhouse gas emissions for the site during the audit period.	NT	
WASTE MANAGEMENT					
40.	The Applicant shall: (a) monitor the amount of waste generated by the development; (b) investigate ways to minimise waste generated by the development; (c) implement reasonable and feasible measures to minimise, reuse and/or recycle waste generated by the development; and (d) report on waste management and minimisation in the AEMR, to the satisfaction of the Secretary.	Email from Namoi waste, 11/11/21 Interview with Group Environment Superintendent and Group Environmental Officer - Compliance	Namoi waste conducted one pick up of 2.2 t scrap steel on 10/5/21. No other waste is generated at the site. No waste has been buried at the site during the audit period.	C	

TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval DA 8-1-2005

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
BUSHFIRE MANAGEMENT					
41.	The Applicant shall: (a) ensure that the development is suitably equipped to respond to any fires on-site; and (b) assist the Rural Fire Service and emergency services as much as possible if there is a fire on-site during the development.	WHC_PLN_CAN_Bushfire Management Plan, 11/08/2016 Monthly inspection reports Interview with Group Environment Superintendent and Group Environmental Officer - Compliance	No bushfire incidents have been reported in the audit period. Fire fuel loads are assessed during the monthly inspections in accordance with the Bushfire Management Plan.	C	
42.	Within 6 months of the consent, the Applicant shall review (and implement any approved changes) the Bushfire Management Plan for the site, to the satisfaction of GSC and NSC.		Outside audit period.	NT	
MINE CLOSURE STRATEGY					
43.	At least 6 months prior to the cessation of mining, the Applicant shall prepare a Mine Closure Strategy for the development, in consultation with the DRE, GSC and NSC, and to the satisfaction of the Secretary.		The Closure MOP was approved in 2015.	NT	
REHABILITATION AND MINE CLOSURE					
44.	The Applicant shall rehabilitate the site to the satisfaction of DRE. This rehabilitation must be consistent with the approved Mine Closure Strategy required under condition 43 above.	Canyon Mine Rehabilitation Monitoring Report 2020, Ecological , 27/4/21 Aspect Ecology, Revised costing – 2021 Rehabilitation Monitoring, 30/8/21	Rehabilitation has progressed across the site in accordance with the domains identified in the mine closure strategy. Rehabilitation is monitored on an ongoing basis through monthly inspections and annual rehabilitation monitoring reports prepared by Ecological. 2020 Ecological report indicates that overstorey and mid-storey was noted to be in moderate to good health indicating that tree health within the rehabilitation zone is stable. Significant differences in woodland structure including tree height and maturity indicates that the rehabilitation area is still maturing. Three points of erosion were observed in the rehabilitation area in 2020. Ecological recommended repair of these points should be considered in 2021. WHC advised that the erosion points will continue to be monitored during rehabilitation monitoring and six monthly checks, in conjunction with monthly inspections. Any further risk to rehabilitation surface will be assessed as required. WHC is in the process of engaging a contractor to prepare the monitoring report for 2021.	C	

SCHEDULE 4 – ADDITIONAL PROCEDURES FOR AIR QUALITY & NOISE MANAGEMENT

Notification of Landowners

TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval DA 8-1-2005

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
1.	<p>If the results of the air quality and/or noise monitoring required in schedule 3 identify that the air pollution and/or noise generated by the development is greater than any of the air quality and/or noise criteria in schedule 3, then the Applicant shall notify the Secretary and the affected landowners and/or existing or future tenants (including tenants of mine-owned properties) accordingly, and provide quarterly monitoring results to each of these parties until the results show that the development is complying with the air quality and/or noise criteria in schedule 3.</p>	<p>Interview with Group Environment Superintendent and Group Environmental Officer - Compliance</p>	<p>No notification has been made during the audit period.</p>	<p>NT</p>	
Independent Review					
2.	<p>If a landowner considers the development to be exceeding the air quality and/or noise criteria in schedule 3, then he/she may ask the Applicant in writing for an independent review of the air pollution and/or noise impacts of the development on his/her land.</p> <p>If the Secretary is satisfied that an independent review is warranted, the Applicant shall within 3 months of the Secretary advising that an independent review is warranted:</p> <p>(a) consult with the landowner to determine his/her concerns;</p> <p>(b) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to conduct air quality and/or noise monitoring on the land, to determine whether the development is complying with the relevant air quality and/or noise criteria in schedule 3, and identify the source(s) and scale of any air quality and/or noise impact on the land, and the development's contribution to this impact;</p> <p>(c) give the Secretary and landowner a copy of the independent review.</p>	<p>Interview with Group Environment Superintendent and Group Environmental Officer - Compliance</p>	<p>Independent review has not been requested during the audit period.</p>	<p>NT</p>	
3.	<p>If the independent review determines that the development is complying with the relevant air quality and/or noise criteria in schedule 3, then the Applicant may discontinue the independent review with the approval of the Secretary.</p>	<p>Interview with Group Environment Superintendent and Group Environmental Officer - Compliance</p>	<p>Not triggered</p>	<p>NT</p>	
4.	<p>If the independent review determines that the development is not complying with the relevant air quality and/or noise criteria in schedule 3, and that the development is primarily responsible for this non-compliance, then the Applicant shall:</p> <p>(a) take all practicable measures, in consultation with the landowner, to ensure that the development complies with the relevant air quality and/or noise criteria; and</p> <p>(b) conduct further air quality and/or noise monitoring to determine whether these measures ensure compliance; or</p> <p>(c) secure a written agreement with the landowner to allow exceedances of the air quality and/or noise criteria in schedule 3, to the satisfaction of the Secretary.</p> <p>If the additional monitoring referred to above subsequently determines that the development is complying with the relevant air quality and/or noise criteria in schedule 3, then the Applicant may discontinue the independent review with the approval of the Secretary.</p> <p>If the measures referred to in (a) do not achieve compliance with the air quality and/or noise land acquisition criteria in schedule 3, and the Applicant cannot secure a written agreement with the landowner to allow these exceedances within 3 months, then the Applicant shall, upon receiving a written request from the landowner, acquire the landowner's land in accordance with the</p>	<p>Interview with Group Environment Superintendent and Group Environmental Officer - Compliance</p>	<p>Not triggered</p>	<p>NT</p>	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	procedures in conditions 6-8 below.				
5.	<p>If the landowner disputes the results of the independent review, either the Applicant or the landowner may refer the matter to the Secretary for resolution.</p> <p>If the matter cannot be resolved within 21 days, the Secretary shall refer the matter to an Independent Dispute Resolution Process.</p>	Interview with Group Environment Superintendent and Group Environmental Officer - Compliance	Not triggered	NT	

Land Acquisition

6.	<p>Within 3 months of receiving a written request from a landowner with acquisition rights, the Applicant shall make a binding written offer to the landowner based on:</p> <p>(a) the current market value of the landowner's interest in the property at the date of this written request, as if the property was unaffected by the development the subject of the DA, having regard to the:</p> <ul style="list-style-type: none"> • existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and • presence of improvements on the property and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date; <p>(b) the reasonable costs associated with:</p> <ul style="list-style-type: none"> • relocating within the Narrabri or Gunnedah local government areas, or to any other local government area determined by the Secretary; • obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is required; and <p>(b) reasonable compensation for any disturbance caused by the land acquisition process.</p> <p>However, if at the end of this period, the Applicant and landowner cannot agree on the acquisition price of the land, and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Secretary for resolution.</p> <p>Upon receiving such a request, the Secretary shall request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer or Fellow of the Institute, to consider submissions from both parties, and determine a fair and reasonable acquisition price for the land, and/or terms upon which the land is to be acquired.</p> <p>If either party disputes the independent valuer's determination, then the independent valuer should refer the matter back to the Secretary.</p> <p>Upon receiving such a referral, the Secretary shall appoint a panel comprising the:</p> <ul style="list-style-type: none"> (i) appointed independent valuer; (ii) Secretary and/or nominee/s; and (iii) President of the Law Society of NSW or nominee, <p>to consider submissions from both parties, including meeting with the parties individually if requested, and to determine a fair and reasonable acquisition price for the land, and/or the terms upon which the land is to be acquired.</p> <p>Within 14 days of receiving the panel's determination, the Applicant shall make a written offer to purchase the land at a price not less than the panel's determination.</p>	Interview with Group Environment Superintendent and Group Environmental Officer - Compliance	No written requests have been received during the audit period.	NT	
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TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval DA 8-1-2005

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	If the landowner refuses to accept this offer within 6 months of the date of the Applicant's offer, the Applicant's obligations to acquire the land shall cease, unless otherwise agreed by the Secretary.				
7.	The Applicant shall bear the costs of any valuation or survey assessment requested by the independent valuer, panel, or the Secretary and the costs of determination referred above.		Not triggered	NT	
8.	If the Applicant and landowner agree that only part of the land shall be acquired, then the Applicant shall pay all reasonable costs associated with obtaining Council approval for any plan of subdivision, and registration of the plan at the Office of the Registrar-General.		Not triggered	NT	

SCHEDULE 5 – ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING AND REPORTING

ENVIRONMENTAL MANAGEMENT STRATEGY

1.	<p>Within 6 months of this consent, the Applicant shall prepare and subsequently implement an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:</p> <p>(a) provide the strategic context for environmental management of the development;</p> <p>(b) identify the statutory requirements that apply to the development;</p> <p>(c) describe in general how the environmental performance of the development would be monitored and managed during the development;</p> <p>(d) describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"> • keep the local community and relevant agencies informed about the operation and environmental performance of the development; • receive, handle, respond to, and record complaints; • resolve any disputes that may arise during the course of the development; • respond to any non-compliance; • manage cumulative impacts; and • respond to emergencies; and <p>(e) describe the role, responsibility, authority, and accountability of all the key personnel, involved in environmental management of the development.</p>		Outside audit period.	NT	
2.	Within 3 months of the completion of the Independent Environmental Audit (see condition 6 below), the Applicant shall review, and if necessary revise, the Environmental Management Strategy to the satisfaction of the Secretary.	Management Plan Review Table, 14/10/21	The Environmental Management Strategy was reviewed in August 2019 following endorsement of the 2018 IEA in May 2019.	C	

ENVIRONMENTAL MONITORING PROGRAM

3.	Within 7 months of the date of this consent, the Applicant shall prepare an Environmental Monitoring Program for the development in consultation with relevant agencies, and to the satisfaction of the Secretary. This program must consolidate the various monitoring requirements in schedule 3 of this consent into a single document.		Outside audit period.	NT	
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TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval DA 8-1-2005

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
4.	Within 3 months of the completion of the Independent Environmental Audit (see condition 6 below), the Applicant shall review, and if necessary revise, the Environmental Monitoring Program to the satisfaction of the Secretary.	Management Plan Review Table, 14/10/21	The Environmental Monitoring Program was reviewed in August 2019 following endorsement of the 2018 IEA in May 2019.	C	

ANNUAL REPORTING

5.	<p>Each year, the Applicant shall prepare an AEMR to the satisfaction of the Secretary. This report must:</p> <p>(a) identify the standards and performance measures that apply to the development;</p> <p>(b) include a summary of the complaints received during the past year, and compare this to the complaints received in the previous 5 years;</p> <p>(c) include a summary of the monitoring results on the development during the past year,</p> <p>(d) include an analysis of these monitoring results against the relevant:</p> <ul style="list-style-type: none"> • limits/criteria in this consent; • monitoring results from previous years; and • predictions in the EIS and SEEs prepared for the development; <p>(e) identify any trends in the monitoring over the life of the development;</p> <p>(f) identify and discuss any non-compliance during the previous year; and</p> <p>(g) describe what actions were, or are being, taken to ensure compliance.</p>	Annual Reviews 2019 and 2020	Annual reviews that comply with this condition have been completed during the audit period.	C	
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INDEPENDENT ENVIRONMENTAL AUDIT

6.	<p>By the end of September 2006, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <p>(a) be conducted by a suitably qualified, experienced, and independent person, or team, whose appointment has been endorsed by the Secretary;</p> <p>(b) be consistent with ISO 19011:2002 – Guidelines for Quality and/or Environmental Systems Auditing, or equivalent updated versions of these guidelines;</p> <p>(c) assess the environmental performance of the development, and its effects on the surrounding environment;</p> <p>(d) assess whether the development is complying with the relevant standards, performance measures, and statutory requirements;</p> <p>(e) review the adequacy of the Applicant’s Environmental Management Strategy and Environmental Monitoring Program; and</p> <p>(f) if necessary, recommend measures or actions to improve the environmental performance of the development, and/or the environmental management and monitoring systems.</p>		This audit satisfies this condition.	C	
7.	Within 3 months of commissioning this audit, the Applicant shall submit a copy of the audit report to the Secretary, with a response to any of the recommendations contained in the audit report.		Noted	Note	

COMMUNITY CONSULTATIVE COMMITTEE

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
8.	<p>The Applicant shall ensure that there is a Community Consultative Committee to oversee the environmental performance of the development. This committee shall:</p> <p>(a) be comprised of:</p> <ul style="list-style-type: none"> • 2 representatives from the Applicant, including the person responsible for environmental management at the mine; • 1 representative each from GSC and NSC; and • 4 representatives from the local community, <p>whose appointment has been approved by the Secretary in consultation with the GSC and NSC;</p> <p>(b) be chaired by the representative from either GSC or NSC, as agreed by the Councils;</p> <p>(c) meet at least four times a year, or as determined by the Secretary; and</p> <p>(d) review and provide advice on the environmental performance of the development, including any construction or environmental management plans, monitoring results, audit reports, or complaints.</p>	<p>CCC meeting minutes:</p> <ul style="list-style-type: none"> • May 2019 • October 2019 • June 2020 • November 2020 • August 2021 	<p>The Canyon Mine CCC is combined with the Vickery CCC as endorsed by DPIE in 2015. The CCC meets twice per year.</p> <p>The Canyon and Vickery Environmental Report is shared at each CCC meeting and includes a review of biodiversity, air quality, groundwater and surface water at Canyon Mine.</p>	C	
9.	<p>The Applicant shall, at its own expense:</p> <p>(a) ensure that 2 of its representatives attend the committee's meetings;</p> <p>(b) provide the committee with regular information on the environmental performance and management of the development;</p> <p>(c) provide meeting facilities for the committee;</p> <p>(d) arrange site inspections for the committee, if necessary;</p> <p>(e) take minutes of the committee's meetings;</p> <p>(f) make these minutes available at GSC and NSC within 14 days of the committee meeting, or as agreed to by the committee;</p> <p>(g) respond to any advice or recommendations the committee may have in relation to the environmental management or performance of the development; and</p> <p>(h) forward a copy of the minutes of each committee meeting, and any responses to the committee's recommendations to the Secretary within a month of the committee meeting.</p>	<p>CCC meeting minutes:</p> <ul style="list-style-type: none"> • May 2019 • October 2019 • June 2020 • November 2020 • August 2021 	<p>The Canyon and Vickery Environmental Report is shared at each CCC meeting and includes a review of biodiversity, air quality, groundwater and surface water at Canyon Mine.</p> <p>No site visits have been undertaken during the audit period.</p>	C	

ACCESS TO INFORMATION

10.	<p>Within 1 month of the approval of any management plan/strategy or monitoring program required under this consent (or any subsequent revision of these management plans/strategies or monitoring programs), the completion of the independent audits required under this consent (see conditions 30 of schedule 3 and condition 6 of schedule 5), or the completion of the AEMR (see condition 5 of schedule 5), the Applicant shall:</p> <p>(a) provide a copy of the approved document/s to NSC, GSC, relevant agencies and the CCC; and</p> <p>(b) ensure that a copy of the relevant documents is made publicly available at NSC and GSC offices,</p> <p>to the satisfaction of the Secretary.</p>	<p>Annual review submission records for 2019 and 2020.</p> <p>Interview with Group Environment Superintendent and Group Environmental Officer - Compliance</p>	<p>All current plans, Annual Reviews and IEA reports are made available on the WHC website.</p> <p>Evidence could not be provided to confirm submission of the 2020 Annual Review to the local Councils and the CCC.</p>	ANC	Ensure the Annual Review is submitted to the local Councils and CCC and records are maintained.
11.	<p>During the life of the development, the Applicant shall;</p>	<p>Interview with Group Environment</p>	<p>Monitoring results are available on the WHC website as agreed with Council.</p>	C	

TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval DA 8-1-2005

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>(a) make the results of the monitoring required under this consent publicly available at NSC and GSC offices; and</p> <p>(b) update these results on a regular basis, to the satisfaction of the Secretary.</p>	<p>Superintendent and Group Environmental Officer - Compliance</p>			
REVISION OF STRATEGIES AND PLANS					
12.	<p>Within 3 months of:</p> <p>(a) the submission of an AEMR under condition 5 above;</p> <p>(b) the submission of an audit under condition 6 above; or</p> <p>(c) any approved modification to the conditions of the consent (unless the conditions require otherwise),</p> <p>the Applicant shall review, and if necessary revise, the strategies, plans and programs required under this consent to the satisfaction of the Secretary. Where this review leads to revisions of any plan then within four weeks of the review the revised document must be submitted to the Secretary for approval.</p> <p>Note: This is to ensure the plans are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.</p>	<p>Management Plan Review Table, 14/10/21</p>	<p>Review of the management strategies and plans has taken place on an annual basis following submission of the Annual Review. A formal review will be undertaken following completion of this IEA.</p>	C	

APPENDIX B DEPARTMENTAL CORRESPONDENCE



Mr Lynden Cini
Group Superintendent – Environment
Whitehaven Coal Limited
PO Box 600
Gunnedah New South Wales 2380

17/09/2021

Dear Mr Cini

Canyon Coal Extension - IEA Auditor Endorsement (DA8-1-2005)

I refer to your request (DA8-1-2005-PA-4) submitted to the Department of Planning, Industry and Environment (the Department) on 14 September 2021 by Whitehaven Coal Limited (Whitehaven) for the Secretary's endorsement of suitably qualified persons to prepare the Independent Environmental Audit (IEA) for the Canyon Coal Extension in accordance with Schedule 5 Condition 6 of DA 8-1-2005 (the approval) as modified.

The Department has reviewed the nominations and information you have provided and is satisfied that these experts are suitably qualified and experienced. Consequently, I can advise that the Secretary endorses the appointment of the following audit team:

- Heather McKay (Lead Auditor);
- Oliver Moore (Technical Review);
- Joanne Woodhouse (Ecologist); and
- Brigitte Healey (Support Auditor)

Please ensure this correspondence is appended to the IEA Report.

The IEA must be prepared, undertaken and finalised in accordance with the Department's *Independent Audit Guideline* (October 2015). Failure to meet these requirements will require revision and resubmission.

Additionally, the Department has reviewed Whitehaven's request to undertake the audit in a reduced capacity, to a desktop audit focused on the Development Consent conditions. The Department accepts this request due to both COVID19 travel restrictions and the current status of the project as a closed mine under care and maintenance.

If you wish to discuss the matter further, please contact James Epstein, Senior Compliance Officer, on (02) 6575 3419 or via email compliance@planning.nsw.gov.au

Yours sincerely

A handwritten signature in black ink that reads 'H Watters'.

Heidi Watters
Team Leader Northern
Compliance

As nominee of the Planning Secretary

Heather McKay

From: Donna Ausling <donnaa@narrabri.nsw.gov.au>
Sent: Thursday, 28 October 2021 8:53 AM
To: Heather McKay
Cc: Michelle Henry; Cara Stoltenberg; Landon Brady; Andrew Brown
Subject: Canyon Coal Mine Programmed Independent Environmental Audit (Our Ref: 1899138)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Heather

Thank you for your recent advice of your intention to conduct an Independent Environmental Audit (IEA) on the conditions of approval issued in respect of the Canyon Coal Mine, under Development Approval No. DA 8-1-2005.

The following advice is provided In response to your request:

1. Waste Management (Condition 40):

- Historical tyre disposal and onsite management on coal mining sites has recently emerged as an item of community interest. It is acknowledged that the disposal of waste heavy vehicle tyres is a long-standing industry practice, and is therefore likely to have occurred at the Canyon Mine site over the life of its operation. Accordingly, it would be appreciated if this particular element could be reviewed to ascertain/confirm that no commensurate unmanaged environmental impacts are occurring, particularly in respect to groundwater quality.

2. Rehabilitation and Mine Closure (Conditions 43 and 44):

- An assessment on the general performance against the approved Rehabilitation Plan.
- Advice of whether exclusion fencing has been installed, and details on the performance/integrity of such fencing.

I trust that this advice assists. Happy to provide any additional information or clarification as required.

Thank you.

Kind regards

Donna Ausling

Manager Strategic Planning

Phone: 02 6799 6866

Email: donnaa@narrabri.nsw.gov.au

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DISCOVER THE POTENTIAL



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safe. | **safe.** | **safe.**

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Heather McKay

From: James Epstein <James.Epstein@planning.nsw.gov.au>
Sent: Friday, 22 October 2021 12:23 PM
To: Heather McKay
Cc: Lynden Cini; Heidi Watters; Jemma Gooley; Oliver Moore; Brigitte Healey; Joel Curran
Subject: RE: Whitehaven Canyon Mine - Independent Environmental Audit

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Good morning Heather

Thank you for your email regarding the upcoming Independent Environmental Audit of the Canyon Coal Mine.

The Department requests that the audit pay particular attention to the following:

- Erosion and sediment control; and
- Water balance

If you would like to discuss I can be contacted on the details provided below.

Regards

James Epstein
Senior Compliance Officer

Energy, Industry and Compliance | Planning & Assessment
Department of Planning, Industry and Environment
T 02 6575 3419 | M 0429 395 691 | E james.epstein@planning.nsw.gov.au
PO Box 3145, Singleton NSW 2330

www.dpie.nsw.gov.au



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Environment**

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If you are submitting a compliance document or request as required under the conditions of consent or approval, please note that the Department is no longer accepting lodgement via compliance@planning.nsw.gov.au.

The Department has recently upgraded the Major Projects Website to improve the timeliness and transparency of its post approval and compliance functions. As part of this upgrade, proponents are now requested to submit all post approval and compliance documents online, via the Major Projects Website. To do this, please refer to the instructions available [here](#).

 Please consider the environment before printing this e-mail.

From: Heather McKay <Heather.McKay@erm.com>
Sent: Wednesday, 20 October 2021 11:13 AM
To: James Epstein <James.Epstein@planning.nsw.gov.au>; heidi.watters@planning.gov.au; DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>
Cc: Lynden Cini <lcini@whitehavencoal.com.au>; Jemma Gooley <JGooley@whitehavencoal.com.au>; Oliver Moore <Oliver.Moore@erm.com>; Brigitte Healey <Brigitte.Healey@erm.com>
Subject: Whitehaven Canyon Mine - Independent Environmental Audit

Dear James and Heidi,

I am currently completing the Independent Environmental Audit (IEA) on the Conditions of Approval issued to Canyon Coal Mine, Development Consent DA 8-1-2005.

One of the requirements of the audit is that it is to be undertaken in consultation with relevant agencies. To that end, this email invites you to raise any questions or concerns regarding this project from an environmental management aspect.

The attached Terms of Reference outlines the audit process, and also introduces the approved team of suitably qualified, experienced and independent experts who will be undertaking the audit. The site inspection will be completed on 15 November 2021, therefore it would be appreciated if there are any concerns, areas of focus etc., they are raised by 8 November 2021.

I can be contacted at the details outlined below to discuss further.

Kind regards,
Heather

Heather McKay
Principal ESG Consultant

ERM
Level 4, 201 Leichhardt St | Spring Hill | QLD 4000
PO Box 1400 | Spring Hill | QLD 4004
T +61 (0)7 3007 8486 **M** +61 (0)420 532 113
E Heather.McKay@erm.com | **W** www.erm.com



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Heather McKay

From: Renee Shepherd <Renee.Shepherd@environment.nsw.gov.au>
Sent: Wednesday, 20 October 2021 11:47 AM
To: Heather McKay
Cc: Lynden Cini; Jemma Gooley; Oliver Moore; Brigitte Healey; Samantha Wynn
Subject: RE: Whitehaven Canyon Mine - Independent Environmental Audit

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Hi Heather,

Thank you for your email.

There is nothing further that BCS would like to add to the scope of the audit.

All the best with the audit – we look forward to reading the final audit report.

Regards,
Renee.

Renee Shepherd
Principal Project Officer – Special Projects, North West

Biodiversity, Conservation and Science Directorate | Department of Planning, Industry and Environment
T 02 6883 5355 | **M** 0488 444 953 | **E** renee.shepherd@environment.nsw.gov.au
48-52 Wingewarra Street, Dubbo NSW 2830
www.dpie.nsw.gov.au



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From: Heather McKay <Heather.McKay@erm.com>
Sent: Wednesday, 20 October 2021 11:13 AM
To: Renee Shepherd <Renee.Shepherd@environment.nsw.gov.au>
Cc: Lynden Cini <lcini@whitehavencoal.com.au>; Jemma Gooley <JGooley@whitehavencoal.com.au>; Oliver Moore <Oliver.Moore@erm.com>; Brigitte Healey <Brigitte.Healey@erm.com>
Subject: Whitehaven Canyon Mine - Independent Environmental Audit

Dear Renee,

I am currently completing the Independent Environmental Audit (IEA) on the Conditions of Approval issued to Canyon Coal Mine, Development Consent DA 8-1-2005.

One of the requirements of the audit is that it is to be undertaken in consultation with relevant agencies. To that end, this email invites you to raise any questions or concerns regarding this project from an environmental management aspect.

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Kind regards,
Heather

Heather McKay
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ERM
Level 4, 201 Leichhardt St | Spring Hill | QLD 4000
PO Box 1400 | Spring Hill | QLD 4004
T +61 (0)7 3007 8486 M +61 (0)420 532 113
E Heather.McKay@erm.com | W www.erm.com



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ERM's Sydney Office

Level 15, 309 Kent Street
Sydney NSW 2000

T: +61 2 8584 8888

F: +61 2 9299 7502

www.erm.com