

# **APPENDICES**

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# Appendix 1

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## COMPLIANCE REVIEW

- DA 72-03-2000 (Table A1-1)
- Environment Protection Licence  
No 10094 (Table A1-2)
- MLs 1464 and 1471 (Table A1-3)

**TABLE A1.1**  
**Compliance Review – DA 72-03-2000 (as amended)**

Condition	Conditional Requirement	Compliance	Comments
1.1 (a)	Development is to be carried out generally in accordance with EIS, additional information dated 5 May 2000, 17 May 2000, and additional reports on noise/blasting (9 March 2000) and Soil Survey and Land Capability (Feb 2000); Modification Application MOD-8-2-2003-1 and additional information unless modified by consent conditions.	Yes	The activities on site were generally being undertaken in accordance with the nominated documents. WCM had, through modifications to Management Plans and variations documented in AEMRs, kept the relevant agencies informed about the minor variations to the development. Approved production increase not initiated during Reporting Period.
1.1 (aa)	Out-of-pit overburden dumps not to be increased in aerial extent from that approved in DA 72-03-2000.	Yes	Out-of-pit overburden dump developed to-date is less than that approved.
1.1 (b)	Cease activities if ordered by DG if he/she becomes aware of activities that pose serious environmental concerns.	Yes	No orders received.
1.1 (c)	WCM is to undertake work specified by any relevant agency if conditions are breached.	Not Yet Applicable	No work specified to date by any agency.
1.2 (i)	Approval granted for 15 years from 15 September 2000 i.e. the date of grant of the Mining Lease 1471.	Not Yet Applicable	The development has only been operational approximately 4 years since the grant of ML1471.
1.2 (ii)	Submit to DG a compliance report confirming compliance with all relevant conditions (that apply prior to commencement) – i.e. 2 weeks prior to commence of mining.	Yes	Correspondence dated 14/09/00 sent to DIPNR (then PNSW) confirming all relevant conditions have been complied with.
1.2 (iii)	Notify date of proposed commencement of construction and mining to DG, NSC & GSC at least 2 week prior to commencing.	Yes	Correspondence dated 30/08/00 to DG, NSC and GSC notifying authorities of intention to commence operations on 14/09/00
1.2 (iv)	Stage 2 construction activities are not to start until completion of trial mine phase.	Yes	The trial mine phase concluded mid 2000 i.e. approximately 3 months prior to the commencement of mining (14/09/00).
1.2 (v)	Notify DG, NSC & GSC of proposed commencement of any highwall campaign (at least 2 weeks notice).	Not Yet Applicable	No highwall campaigns undertaken to date.
1.2 (vi)	Notify DG, NSC & GSC of proposed commencement of road haulage (at least 2 weeks notice).	Yes	Correspondence dated 07/09/00 notifying all authorities of WCM's intention to commence road haulage on 01/10/00.
2.1 (a)	WCM is not to commence mining until a MOP is submitted and accepted by the DMR.	Yes	Activities commenced on site on 14/09/00 following the submission of the MOP on 12/09/00. The MOP was formally accepted by DPI (DMR) on 12/10/00. However, the DMR supported the commencement of Stage 2 activities given a MOP was still in force over the area relating to the Stage 1 activities.

**TABLE A1.1**  
**Compliance Review – DA 72-03-2000 (as amended)**

Condition	Conditional Requirement	Compliance	Comments
2.1 (c)	WCM to consult with service authorities when compiling MOP.	Not Applicable	No services are present within the approved area of disturbance.
2.1 (d)	Forward copy of DMR-accepted MOP to DG, NSC, and GSC.	Yes	MOP circulated to PNSW GSC, NSC on 25/09/00.
2.2	Submit an application for the approval of a designated coal preparation plant once coal to be washed reaches 200 000 tpa.	Yes	Development Application submitted to GSC on 13/06/02 accompanied by an EIS - Development Consent issued by GSC on 01/10/02.
2.2 (a)	ROM coal transportation not to exceed 1.25 Mtpa.	Yes	
3.1 (a) (b)	WCM to appoint Environmental Officer for life of mine (responsibilities listed).	Yes	Advice to DUAP (30/08/00) and to nominated authorities (22/09/00) advising appointment of S. Clark as the Environmental Officer for Stage 2 with change in appointment to R Corbett provided January 2002.
3.2 (a)	Prepare Environmental Management Strategy in consultation with relevant authorities and CCC.	Yes	Strategy prepared and circulated to Government Agencies. Approved by DUAP (13/09/00).
3.2 (b)	Contents of Environmental Management Strategy nominated.	Yes	Nominated contents covered in document.
3.2 (c)	Circulate Environmental Management Strategy to nominated authorities and CCC with 14 days of approval by DG.	Yes	
3.2 (d)	Prepare 14 separate management plans (titles of plans listed).	Yes	See Table 2.
3.2 (e)	Update management plans as necessary or within five years.	Yes	Five management plans have been updated since initial submission, namely Flora and Fauna; Soil Stripping; Land Management; Site Water and Road Noise.
3.2 (f)	Update management plans prior to increasing production beyond 750000 tpa.	Yes	Subsequent advice required updating of Road Noise and Site Water Management Plans only (see 3.2(e)).
3.3 (a)	Prepare an Archaeological and Cultural Management Plan.	Yes	Plan prepared August 2000 and approved by DUAP (13/08/00).
3.3 (b)	Cease work if cultural heritage material is located during site activities.	Not Yet Applicable	Monitors from the Red Chief LALC are in attendance during all soil stripping campaigns – no need to cease work to date.
3.3 (c)	Consult regularly with Red Chief Local Aboriginal Land Council and document outcomes in AEMR.	Yes	WCM requires the soil stripping contractor to liaise with the Red Chief LALC to arrange for Aboriginal monitors to be present during all soil stripping campaigns.
3.3 (d)	Monitor the effectiveness of the Archaeological and Cultural Management Plan and include in AEMR	Yes	No cultural material of significance identified during Reporting Period.

**TABLE A1.1**  
**Compliance Review – DA 72-03-2000 (as amended)**

Condition	Conditional Requirement	Compliance	Comments
3.4 (a)	Prepare and implement Flora and Fauna Management Plans (contents of plan nominated).	Yes	Plan prepared August 2000. Revised plan approved October 2002.
3.4 (b)	Revegetate 2 ha for every 1 ha of native vegetation disturbed.	In Progress	
3.4 (c)	Re-establish all drainage patterns as far as practicable.	In Progress	Landform reconstruction activities to date are progressing towards re-establishing former drainage patterns.
3.4 (d)	Implement strategies to manage surface water, soils, flora and fauna.	Yes	Overall mine design and day-to-day activities are effective strategies.
3.4 (e)	Minimise clearing of existing native vegetation by adopting the alternative southern dump option as identified following review.	Yes	Southern dump not developed to date.
3.4 (f)	Document progress of Flora and Fauna Management Plan in AEMR.	Yes	
3.4 (g)	Monitor revegetation by experienced qualified ecologist.	Yes	Commenced Autumn 2004.
3.4 (h)	Include monitoring program for habitat areas in AEMR.	Yes	Commenced Summer 2004.
3.5 (a)	Prepare Erosion and Soil Control Plan (contents of Plan nominated).	Yes	Plan prepared August 2000 and approved by DUAP (13/08/03)
3.5 (c)	Prepare Soil Stripping Management Plan (contents of Plan nominated).	Yes	Initial plan prepared August 2000. A revised plan was submitted for reference to PNSW and other nominated authorities on 08/08/03. The revised Plan was approved by DMR (04/08/03) and DLWC (31/07/03).
3.6 (a)	Progressively rehabilitate all mine areas in accordance with DMR requirements and to satisfaction of DLWC.	In Progress	Rehabilitation is undertaken on a progressive basis. DPI - DMR inspect the progress of rehabilitation on a biannual basis. Soil Services personnel are regularly on site – invariably involved with supervision of and/or undertaking the rehabilitation work. The site is also periodically inspected by DLWC staff.
3.6 (b)	Restore any disturbed areas immediately upon finishing mining.	In Progress	Mining areas that have been fully back-filled have been rehabilitated – an ongoing process – use of term “immediately” in condition is inappropriate.
3.7 (a)	Prepare of Landscape & Revegetation Management Plan (contents of Plan nominated).	Yes	Plan prepared August 2000 and approved by DUAP (13/09/00).
3.8 (a)	Prepare a Bushfire Management Plan, to the satisfaction of NSC and GSC.	Yes	Plan prepared August 2000 and approved by DUAP (05/09/00).
3.8 (b)	Provide adequate fire protection works including one emergency fire fighting unit to be kept on site.	Yes	Fire fighting unit (trailer with water tank and fire extinguishers) on site. In addition, one water truck is maintained on site full time. A series of fire breaks are maintained on site.
3.9 (a)	Prepare a Land Management Plan (contents of Plan nominated).	Yes	Revised plan submitted 21/10/02 and approved 08/11/02.
3.9 (b)	Minimise the removal of trees and other vegetation.	Yes	Observed activities to date have satisfied this requirement.

**TABLE A1.1**  
**Compliance Review – DA 72-03-2000 (as amended)**

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Condition	Conditional Requirement	Compliance	Comments
4.1 (a)	Prepare a Site Water Management Plan to the satisfaction of the DG and DLWC (contents of Plan nominated).	Yes	Plan prepared August 2000 and approved by DUAP (13/09/00). Revised Plan approved March 2004.
4.1 (b)	Liaise with groundwater users and provide replacement water supply and quantity, in the event that groundwater is adversely affected.	Not Yet Applicable	Monitoring of groundwater has established no adverse impacts upon local groundwater users to date.
4.1 (c)	Comply with Section 120 of the POEO Act 1997 prohibiting the pollution of waters (except as provided in Licence).	Yes	Two compliant discharges only since the mine commenced operations.
4.1 (d)	Comply with water discharge concentration limits i.e. TSS <50mg/L, pH 6.5 – 8.5, Oil and Grease <10 mg/L.	Yes	Discharges compliant with EPL.
4.1 (e)	Measure the quantity of water extracted and/or diverted as required by DLWC.	Yes	Bore 90BL249901 (Expiry – 04/10/05) is metered to record quantity of water extracted.
4.1 (f) (i)	Maintain all water measuring equipment and test equipment when required by DLWC.	Yes	Requested information provided to DLWC (15/06/00).
4.1 (f) (ii)	Report and record the extraction and use of water if required by DLWC.	Yes	WCM records the quantity of water pumped annually from Bore 90BL249901. It is noted Annual Returns are no longer required to be submitted to DLWC.
4.1 (f) (iii)	Ensure that the use of water extracted under the water licence is used for the purpose of industrial water supply and for no other purposes.	Yes	All water extracted from Bore 90BL249901 was used solely for dust suppression.
4.1 (h)	Notify DLWC should a supply of useable water be obtained.	Yes	WCM converted an exploration bore to a production bore after advising the DLWC of useable water.
4.1 (i)	Provide DLWC with a plan of the location of the works and the results of any pumping tests, water analyses and other details as are specified in the water licence from DLWC.	Yes	Provided to DLWC 15/06/00.
4.1 (j) (i)	Provide full and free access for officers of DLWC for inspection and testing.	Yes	Access provided when requested – Mr G. Bailey of DIPNR (DLWC) inspected bores in April 2003.
4.1 (j) (ii)	Construct and maintain all works to properly control water extracted and undertake any necessary repairs or alterations.	Yes	Bore 90BL249901 operational and maintained by WCM.
4.1 (j) (iii)	Notify DLWC should a bore cease to be productive and seal the aquifer.	Not Yet Applicable	Bore 90BL249901 remains productive.
4.1 (j) (iv)	Do not discharge any water extracted by the works into any watercourse or groundwater if it would pollute that water.	Not Yet Applicable	Water is only extracted from Bore 90BL249901 for dust suppression purposes.

**TABLE A1.1**  
**Compliance Review – DA 72-03-2000 (as amended)**

Condition	Conditional Requirement	Compliance	Comments
4.1 (j) (v)	Do not extract in excess of the volume of groundwater determined by DLWC in any 12 month period.	Yes	
4.1 (l)	Record and report pumping and non-pumping water levels at intervals requested by DLWC.	Yes	Agreement with DIPNR (DLWC) to only undertake groundwater level monitoring on GW-10 (nearby).
4.1 (m)	Obtain an approval under Part 5 of the Water Act 1912 from DLWC, prior to obtaining a water supply from groundwater.	Yes	WCM initially approached DIPNR (DLWC) for the bore to be a test bore. Once proven, WCM applied to DIPNR (DLWC) for use as a water supply.
4.1 (n)	Consult landholders and DLWC if significant adverse impacts on neighbouring landholders are identified.	Not Yet Applicable	No significant adverse impacts identified to date.
4.2 (a) (i)	Construct and locate surface and groundwater monitoring positions at least three months prior to the commencement of mining works.	Yes	WCM placed reliance upon use of existing groundwater bores on "Whitehaven" and surrounding properties. These were in existence prior to the commencement of mining.
4.2 (a) (ii)	Prepare a monitoring program in respect of ground and surface water quality (requirements listed).	Yes	Included in initial Site Water Monitoring Plan prepared August 2000. The groundwater monitoring component of the program was amended in consultation with DIPNR (DLWC) following consideration of the 2001/2002 AEMR.
4.2 (b)	Report the results and interpretation of all surface and groundwater monitoring results in the AEMR.	Yes	
5.1	Construct and manage the overburden emplacements as set out in the EIS and document dated 17 May 2000 (and to the approval of DMR).	Yes	The overburden emplacement construction has proceeded generally in accordance with the 17 May 2000 documents and subsequent MOPs.
5.2 (a)	Do not receive or dispose of waste at the premises, except as permitted in a licence.	Yes	No wastes are received on sites. Furthermore, most wastes generated on site are taken off site.
5.2 (b)	Store and dispose of hazardous or industrial waste in a manner to minimise its impact on the environment (i.e. appropriate segregation and disposal by a waste transporter licensed by the EPA).	Yes	Waste oil is stored on site within the bunded fuel farm and removed by a licenced contractor (Northern Lubequip), Licence No. 6143. All other Hazchem materials on site are not required to be licenced given the low volume of these materials stored on site.
6.1 (a)	Prepare Air Quality Management Plan.	Yes	Plan prepared August 2000 and approved by DUAP (13/08/00).
6.1 (b) - (h)	Undertake air monitoring at locations specified by EPA (requirements nominated in DC). Report monitoring results in AEMR.	Yes	Deposited dust monitoring initially undertaken at twelve (12) locations and reduced to nine (9). Results presented in Section 1.7.6.4.
6.2 (a)	Ensure prompt and effective rehabilitation to minimize dust generation.	Yes	Progressive rehabilitation is being undertaken to limit dust lift-off from exposed areas on the final landform.
6.2 (b)	Keep roads and stockpiles sufficiently damp to minimise dust generation.	Yes	A water tanker is dedicated on site for road dust suppression.

**TABLE A1.1**  
**Compliance Review – DA 72-03-2000 (as amended)**

Condition	Conditional Requirement	Compliance	Comments
6.2 (c)	Cover loads on trucks entering and leaving the mine, and secure tailgates.	Yes	No complaints have been received relating to any aspect of the mine's activities since 2002.
6.2 (d)	Maintain premises in a condition that minimises or prevents the emission of dust from premises.	Yes	WCM undertakes regular dust suppression on site. Much of the site access road from Hoads Lane is sealed.
6.2 (e)	Do not incinerate or openly burn any materials, except as specifically authorised by EPA.	Yes	Use of incinerators or open burning has not occurred on site.
6.3 (a)	Do not exceed blasting overpressure levels: <ul style="list-style-type: none"> <li>• 115dBL for more than 5% of total number of blasts over 12 months.</li> <li>• 120dBL at any time.</li> </ul>	Yes	See Section 1.7.5.4.
		Yes	See Section 1.7.5.4.
6.3 (b)	Do not exceed ground vibration peak particle velocity levels: <ul style="list-style-type: none"> <li>• 5mm/s for more than 5% of total number of blasts over 12 months.</li> <li>• 10mm/s at any time.</li> </ul>	Yes	All ground vibration levels at non-project-related residences were less than 5mm/s.
6.3 (c)	Carry out blasting only between the hours of 9am and 5pm Monday to Saturday inclusive.	Yes	
6.3 (e)	Prepare and implement a Blasting/Vibration Management Plan to the satisfaction of the DG prior to blasting (contents of Plan nominated).	Yes	Plan prepared September 2000 and approved by DUAP (13/08/00).
6.3 (f)	Give notification of blasting in writing to residents 2 weeks prior and verbal confirmation on day of blast.	Partial	Residents are given approximately 4 days notice of a blast. The 14 day requirement is recognised to be inappropriate and WCM's current practice is accepted as reasonable.
6.3 (g)	Arrange on request an inspection of residences within 2 km of a blast to be undertaken by a suitably qualified structural expert	Yes	Inspections carried out on seven residences.
6.3 (h)	No blasting within 500 m of a public road.	Yes	No public roads are present within 500m of existing or proposed mine areas requiring blasting.
6.3 (i)	Monitor ground vibration and overpressure of all blasts at locations agreed to by the EPA.	Yes	See Section 1.7.5.4.
6.3 (j)	Monitor ground vibration and airblast overpressure at noise sensitive sites (e.g. residences, schools).	Yes	See Section 1.7.5.4.
6.4.1 (a)	Ensure noise levels at non project-related residences does not exceed 35dB(A) day or night.(Including under adverse weather conditions.) .	Yes	See Section 1.7.4.3.
6.4.1 (b)	Ensure noise affection does not exceed 40dB(A) day or night	Yes	See Section 1.7.4.3.



**TABLE A1.1**  
**Compliance Review – DA 72-03-2000 (as amended)**

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Condition	Conditional Requirement	Compliance	Comments
6.4.1 (c)	Carry out actions as specified in DC, in the event that a landowner or occupier considers the noise levels are exceeding limits.	Yes	“Bungalow” purchased in 2003 in accordance with this requirement.
6.4.1 (d)	Acquire the relevant property at the written request of the landowner, in the event that noise limits are being exceeded.	Yes	WCM acquired the “Bungalow” property on 31/07/03 in accordance with this condition.
6.4.2 (a)- (b)	Carry out construction work and activities (except highwall mining) between the hours of 7am to 10pm Monday to Saturday inclusive, and not on Sundays.	Yes	No construction work was required to commence the mine. Highwall mining has not yet commenced.
6.4.2 (c)	Carry out highwall mining at any time subject to complying with all conditions of the Environment Protection licence.	Not Yet Applicable	Highwall mining has not yet commenced on site.
6.4.2 (f)	Carry out road haulage between 7.00am to 9.30pm Monday to Saturday. No road haulage on Sunday or public holidays.	Yes	Haulage undertaken between 7.00 am and 10.00 pm in accordance with approval from EPA.
6.4.3 (a)	Prepare a noise monitoring programme and Noise Management Plan (contents of Plan nominated).	Yes	Plan prepared August 2000 and approved by DUAP (13/08/00).
6.4.3 (b)	Prepare a Construction Noise Management Plan prior to construction activities on site (contents of Plan nominated).	Yes	Plan incorporated with Noise Management Plan prepared in August 2000 and approved by DUAP (13/08/00).
6.4.4 (c)	Prepare a Road Noise Management Plan in consultation with NSC and GSC to the satisfaction of the DG prior to road haulage (contents of Plan nominated).	Yes	Plan prepared September 2000 and approved by DUAP (20/09/00). Amended plan approved March 2004.
6.4.5 (d)	Make copies of the Road Noise Management Plan to EPA, NSC, GSC and CCC within 14 days of approval. Include noise monitoring results in the AEMR.	Yes	Plan distributed to nominated recipients. Noise monitoring results are included in AEMRs.
6.5 (ii)	Screen or direct all on site light away from residences and roadways.	Yes	See Section 1.6.6.
7.1 (a)	Ensure no movement of heavy vehicles on Hoads Lane while the school bus is using Hoads Lane until the lane is sealed. (Note: Hoads Lane sealed May 2001)  Ensure trucks do not exceed 40kph speed limit during periods when school bus is using Hoads Lane.	Yes  Yes	  Company management regularly travel along the transport route and check truck speeds. The requirement is written into the transport contract. The periodic consultation with the school bus driver confirms no adverse interaction with coal trucks.
7.1 (b)	Submit a 6 monthly report to DG on quantity and destination of road haulage from the commencement of haulage.	Yes	

**TABLE A1.1**  
**Compliance Review – DA 72-03-2000 (as amended)**

Condition	Conditional Requirement	Compliance	Comments
7.1 (c)	Provide a written report to DG, within 3 months of consent and then every 3 months, outlining investigations into alternative haulage methods.	No longer Applicable	The requirement to report to DUAP quarterly effectively disappeared when WCM purchased the former Vickery Siding. Compliance with this condition is no longer necessary.
7.1 (d)	Ensure installation of 'Turning Trucks' warning signs at the intersection of the access road / Hoads Lane and Hoads Lane / Blue Vale Road.	Yes	Signs in place at nominated intersections.
7.1 (e)	Truck transport to minimize use of Quia Road.	Yes	Quia Road no longer used to transport coal from mine to CHPP.
7.2 (a)	Submit specifications and design engineering plans for roadworks to NSC for approval. Supply executed construction plans to NSC when design plans are approved.	Yes	
7.2 (b)	Make application under s138 of the Roads Act 1993 to GSC for approval of all roadworks and submit design plans, specifications and construction plans (when design plans approved).	Yes	
7.3 (a)	Seal the portion of Hoads Lane within 12 months in accordance with NSC.	Yes	The entire 7km of Hoads Lane (and site entrance road) was widened (to 10m) and sealed (to 8m) by May 2001, i.e. well ahead of the nominated 12 month's requirements.
7.3 (b)	Upgrade the intersection of Kamilaroi Highway / Quia Road prior to coal haulage.	Yes	Completed.
7.3 (c)	Widen Hoads Lane within 12 months in accordance with GSC.	Yes	The entire 7km of Hoads Lane (and site entrance road) was widened (to 10m) and sealed (to 8m) by May 2001, i.e. well ahead of the nominated 12 month's requirements.
7.3 (d)	Obtain consent from DLWC prior to disturbance of any Crown Roads.	Not Applicable	The only section of Crown Road relevant to the mine was transferred to NSC and subsequently leased to WCM for use as the site access road.
7.3 (e)	Construct the turnout to the mine access road from Hoads Lane in accordance with intersection type "BAL" (refer Road Design Guide 1991).	Yes	Executed construction plans for Hoads Lane Roadworks supplied to NSC.
7.4 (a)	Submit maintenance schedule to NSC's for roads that form part of the haulage route.	Yes	
7.4 (b) (c)	Enter a road maintenance agreement with NSC and GSC.	Yes	Agreements in place and operational.
7.4 (d)	Ensure Crown road restoration, lodge a security deposit and erect security fencing as directed by DLWC.	Not Applicable	The only section of Crown Road relevant to the mine was transferred to NSC and subsequently leased to WCM for use as the site access road.  The section of Crown Road Reserve continuing westward from the site access road lies within the part of the mine area.

**TABLE A1.1**  
**Compliance Review – DA 72-03-2000 (as amended)**

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Condition	Conditional Requirement	Compliance	Comments
7.5 (a)	Prepare and implement a Heavy Vehicle Rail Crossing Risk Assessment Plan (contents of Plan nominated).	Yes	Plan prepared September 2000 and approved by DUAP (20/09/00).
7.5 (b)	WCM shall incur all costs associated with any required upgrading of the rail crossing that is identified in the Management Plan.	Yes	WCM contributed to the upgrading of the underpass beneath the railway line. This alternative arrangement was agreed to in consultation with RTA, RIC and GSC. The rail crossing was subsequently removed following the upgrading of the underpass.
8 (a)	Make available publicly all monitoring programmes at NSC and GSC within 2 weeks of approval.	Yes	WCM provided copies of the various management plans to NSC and GSC with a note identifying that they are to be made publicly available.
8 (b)	Prepare a QA/QC plan and obtain approval from the relevant agencies.  All labs must be accredited. (Type of accreditation not noted).	Yes  Yes	  Ecowise Environmental Pty Ltd holds a certificate of registration from QSA. Sampling strategies supplied to relevant agencies. Laboratory maintains QC and QA Certification. Company to prepare / collate QA / QC plan during 2003 / 2004 Reporting Period.
8.1 (a)&(b)	Conduct an environmental audit by a qualified independent person every 3 years and as specified in DC.	Yes	First audit conducted by RW Corkery & Co Pty Ltd in accordance with this condition, ie for the period 10/08/00 to 10/08/03.
8.1 (c)	Comply with reasonable requirements after relevant government authorities submit requirements arising from the audit report to the DG.	Not Yet Applicable	No requirements provided to date.
8.2	Install a meteorological station in accordance with AS 2922-1987 and AS 2923-1987 capable of recording wind direction, speed, temperature and sigma theta.	Yes	A station was established on "Whitehaven" in December 2000.
9.1	Report on mine operations in accordance with the Mine Operations Plan.	Yes	Reports on mine operations included in AEMR.
9.2	Complete an AEMR each year, the first within 12 months of consent and include all points noted in this condition. Send AEMR to DG, DMR, EPA, DLWC, NPWS, NSC, GSC and CCC and make publicly available at GSC and NSC.	Yes	
9.3	Record and retain any monitoring required as set out in the EPA licence.	Yes	Record retained by Environmental Officer.
10.1	Establish a Community Consultative Committee and Trust fund according to the DC.	Yes	A Community Consultative Committee was established prior to mine commencement.
10.2	Environment Officer to record complaints and provide a report of complaints received to DG, EPA, NSC, GSC, DMR, CCC every 6 months and summarise in the AEMR.	Yes	

**TABLE A1.1**  
**Compliance Review – DA 72-03-2000 (as amended)**

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Condition	Conditional Requirement	Compliance	Comments
11.1	The owner of any dwelling or land may request WCM to purchase their property if noise/dust criteria are exceeded.	Yes	WCM acquired the “Bungalow” property on 31/07/03 on the basis that the noise criteria were exceeded.
11.2	Negotiate with other coal companies to address issues relating to cumulative impacts.	Not Yet Applicable	No noise or dust related issues involving cumulative impacts with other coal mines have arisen: there are no other coal mines operating at present in the Gunnedah area.
11.3	Ensure payment of contributions to GSC in accordance with Section 94 Contributions Plan.	Yes	
12.1	Ensure all statutory requirements nominated in the DC are fully met.	Yes	The Independent Environmental Audit established that WCM was essentially meeting the relevant statutory requirements. Areas of identified non-compliance rectified.

**TABLE A1.2**  
**Compliance Review – Environmental Protection Licence 10094**

Condition	Conditional Requirement	Compliance	Comments
A1.2	Carry out coal mining and crushing at specified premises at a scale not exceeding >500 000 – 2 000 000t. Coal loading 0-2 000 000t.	Yes	
A4.1	Carry out works and activities in accordance with proposal contained in licence application.	Yes	Activities carried out generally in accordance with EIS which accompanied licence application – any modifications have been documented in the subsequent MOPs/AEMRs.
L1.1	Comply with Section 120 of the POEO Act 1997 (re water quality).	Yes	Water management practices on site are well designed and managed. Monitoring data confirms compliance with discharge criteria. (One only discharge event in the past three years).
L3.1	Comply with concentration limits: Oil and Grease 10 mg/L pH 6.5 – 9.0 TSS 50 mg/L	Yes	
L5.1	Ensure no waste receipt or disposal at premises, except as permitted by licence.	Partial	No wastes are received at the site and virtually all wastes are removed and not buried on site. It is understood that some equipment tyres are buried at depth under advancing overburden backfill.
L6.1	Ensure noise compliance: (a) $L_{Aeq(15min)}$ criterion of 35dB(A) (7am-10pm) Mon-Friday, & (7am-1pm) Sat; and (b) $L_{Aeq(15min)}$ criterion of 35dB(A) (6pm-10pm) Mon-Friday; and (c) $L_{Aeq(15min)}$ criterion of 35dB(A) at all other times.	Yes	See Section 1.7.4.3.
L6.2	To determine compliance, measure noise within 30m of noise sensitive residences or receptors.	Yes	All monitoring is conducted within 30m of each residence.
L7.1	Carry out production and processing activities (except highwall mining) between 7am-10pm Monday-Saturday, and not on Sunday or public holidays.	Yes	Operations within the nominated hours as amended (See Section 1.5.1).
L8.1	Carry out blasting between 9am-5pm, Monday-Saturday, and not on Sundays or public holidays.	Yes	
L8.3	Do not exceed blasting overpressure levels: <ul style="list-style-type: none"> <li>115dBL for more than 5% of total number of blasts over 12 months.</li> <li>120dBL at any time.</li> </ul>	Yes Yes	See Section 1.7.5.4. See Section 1.7.5.4.

**TABLE A1.2**  
**Compliance Review – Environmental Protection Licence 10094**

Condition	Conditional Requirement	Compliance	Comments
L8.4	Do not exceed vibration particle velocity from blasting by: (a) 5mm/s for more than 5% of total blasts during reporting period; and (b) 10mm/s at any time; At any point within 30m of any affected residential boundary or noise sensitive location.	Yes	All ground vibration levels at non-project-related residences were less than 5mm/s.  All blast monitors positioned within 30m to the nominated residences (typically 5m to 20m).
O1.1	Carry out licensed activities in a competent manner, i.e. (a) processing, handling, movement and storage of materials and substances; and (b) treatment, storage, processing, reprocessing, transport and disposal of generated waste.	Yes  Yes	Only equipment tyres are buried on site within the floor of the open cut mine and covered by the advancing overburden backfill.
O2.1	Maintain and operate all plant and equipment at premises in proper and efficient condition.	Yes	All plant and equipment is closely monitored and regularly serviced by Roche Mining/WCM.
O3.1	Minimise or prevent emission of dust from the premises.	Yes	Dust emissions are successfully minimised (unable to “prevent” dust emission) principally through watering and progressive rehabilitation.
O4	Ensure no burning of any materials, except when authorised by EPA.	Yes	None undertaken.
O5	Cover trucks immediately after loading and maintain until immediately before unloading.	Yes	Standard practice at loading bin whereby the truck cover is drawn over the load once filling is complete.
O6	Securely fix tailgates prior to loading or immediately after unloading.	Yes	A standard practice and no complaints noted from this activity.
O7.1	Prepare and implement Erosion and Sediment Control Plan.	Yes	Plan prepared in August 2000 and approved by DUAP (13/08/00).
O8	Store hazardous or industrial waste to minimise impacts, including segregation and disposal by a licensed EPA waste transporter.	Yes	The only industrial waste stored on site is waste oil (within bund in fuel farm). Records of despatch retained on site.
O9	Restore disturbed areas to a stable, safe revegetated condition immediately after mining ceases.	Yes	The areas disturbed by mining are being progressively rehabilitated (not restored) – Note: inappropriate in licence requiring “immediately...”
M1.1	Record and retain monitoring results required as per this licence.	Yes	Monitoring record documented in the AEMR’s and held on internal databases.
M1.2	Keep all monitoring records associated with this licence: (a) in a legible form; (b) for at least 4 years; for production to any EPA authorised officer.	Yes	Monitoring record documented in the AEMR’s and held on internal databases.

**TABLE A1.2**  
**Compliance Review – Environmental Protection Licence 10094**

Condition	Conditional Requirement	Compliance	Comments
M1.3	Keep the following records in respect to samples required: (a) sampling date; (b) sampling time; (c) sampling location; and (d) sample collector's name.	Yes Yes Yes Yes	This information is held on chain-of-custody documentation compiled to accompany samples to the laboratory.
M2.1	Monitor each monitoring point for pollutants as specified in licence (see P1.1 and P1.3).	Yes	Air quality and dust monitoring parameters are consistent with licence.
M3.1	Monitor air pollutants in accordance with the Approved Methods publication or as approved by EPA.	Yes	Test method used (AS3580-10-1991) meets EPA requirements.
M3.2	Monitor pollutants discharged to waters in accordance with the Approved Methods publication or as approved by EPA.	Yes	Discharges are monitored in accordance with EPA requirements.
M4.1	Keep a legible record of all complaints re pollution arising from licenced activity.	Yes	Complaints register maintained by Environmental Officer.
M4.2	Keep the following records of complaints. (a) date and time of complaint; (b) method complaint made; (c) any personal details of complainant; (d) nature of complaint; (e) licensee's action in response, any follow-up contact; and (f) if no action – reason why.	Yes Yes Yes Yes Yes Yes	Complaints records are compiled in accordance with the condition.
M4.3	Keep records of complaints for 4 years.	Yes	All records have been kept to date.
M4.4	Present records to EPA upon request.	Yes	All records would be made available to the EPA upon request.
M5.1	Operate telephone complaints line for receipt of complaints from the public.	Yes	WCM operates a complaints hotline on telephone No. (0438) 726735.
M5.2	Notify the public of the complaints telephone line number.	Yes	Advertisement placed in Namoi Valley Independent 12 September 2000 re complaints hotline. Re-advertised in July 2002.
R1.1	Complete and supply Annual Return to EPA comprising: (a) Statement of Compliance; (b) Monitoring & Complaints Summary.	Yes	
R1.5	Provide EPA with Annual Return no later than 60 days after end of each reporting period.	Yes	Returns submitted within the nominated 60 day period.

**TABLE A1.2**  
**Compliance Review – Environmental Protection Licence 10094**

Condition	Conditional Requirement	Compliance	Comments
R1.7	Retain copy of Annual Return for 4 years.	Yes	All annual returns kept on file.
R1.8	Certify the Statement of Compliance within the Annual Return and sign the Monitoring and Complaints Summary by: (a) licence holder; or (b) approved person.	Yes	Documents certified and signed by a Director and the Company Secretary.
R2.1	Notify EPA of threatening or harmful incidents as soon as practicable by phoning EPA's Pollution Line service.	Yes	
R2.2	Provide written details of the incident to EPA within 7 days of incident.	Yes	
R3.1	Upon an EPA officer suspecting that an event is causing or likely to cause environmental harm: (a) at the premises; or (b) in connection with vehicles or plant associated with the licenced activities; a request may be made for a written report of the event.	Not Yet Applicable	No requests received by WCM to date.
R3.2	WCM to make inquiries in relation to the event and supply the report to the EPA within the time specified.	Yes	No requests received by WCM to date.
R3.3	The report may be required to include: (a) event cause, time and duration; (b) type, volume and concentration of every pollutant discharged; (c) contact details of employees or agents of licensee who witnessed event; (d) contact details of any other persons witnessing the event; (e) the action taken and follow-up contact with complainants in relation to event; (f) mitigation measures proposed to prevent recurrence; (g) any other relevant matters.	Not Yet Applicable	No requests received by WCM to date.
R3.4	EPA may request further details – must be supplied within specified time.	Yes	No requests received by WCM to date.
G1.1	Retain a copy of this licence at premises to which the licence applies.	Yes	Retained in the Roche Mining Site Office.



**TABLE A1.2**  
**Compliance Review – Environmental Protection Licence 10094**

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<b>Condition</b>	<b>Conditional Requirement</b>	<b>Compliance</b>	<b>Comments</b>
G1.2	Produce licence to EPA officer upon request.	Not Yet Applicable	WCM personnel would be pleased to produce the licence upon request.
G1.3	Make licence available for inspection by any employee or agent of licensee working at premises.	Yes	Licence is located in Roche Mining Office if required. WCM personnel would be pleased to produce the licence upon request.

**TABLE A1.3**  
**Compliance Review – MLs 1464 and 1471**

Page 1 of 2

Relevant Condition	Conditional Requirement	Compliance	Comments
1	Conduct mining operations in accordance with a MOP.	Yes	Operations have been carried out generally in accordance with MOP. Most recent MOP ratified 25/03/03.
2&3	Prepare and submit a MOP in accordance with DG's guidelines.	Yes	Initial MOP lodged with DMR 12/09/2000 (Accepted 12/10/2000). (Note: Stage 2 operations started 14/09/00). The MOP was amended 31/05/01 (accepted 13/08/01) and 28/02/03 (accepted 28/03/03).
3 (1)	Submit AEMR to DG and prepare AEMR in accordance with DG's guidelines.	Yes	This document has been prepared in satisfaction with this condition. Content of AEMR follows guidelines.
4	Include a schedule in MOP of proposed mine development for a period up to 7 years.	Yes	The most current MOP (dated 28 February 2003) relates to development over a period of 4.5 years.
14	Conduct operations in a manner not causing danger to persons or stock.	Not Applicable	No shafts, drifts adits on site.
15, 16	Comply with dump management at the direction of DMR.	Not Yet Applicable	No directions issued by any inspector or Minister.
17	Undertake necessary precautions to control dust.	Yes	
18	Ensure no interference with fences.	Not Applicable	This requirement is not applicable given WCM is also the landowner.
19	Observe instructions given from Minister re public inconvenience / damage.	Not Yet Applicable	No instructions received during Reporting Period or to date.
20	Carry out surveys of structures, buildings and pipelines if directed by Minister.	Not Yet Applicable	No directions received during Reporting Period or to date.
21	Rehabilitate any disturbed areas if directed by the Minister.	Not Yet Applicable	No directions received during Reporting Period or to date.
22, 23	Rehabilitate area on expiry of lease.	Not Yet Applicable	Lease has not yet expired.
24	Prevent fire outbreak.	Yes	Annual maintenance of fire breaks around the perimeter of ML 1471 and external boundaries of WCM's property.
25	Prevent water pollution.	Yes	Water management/controls are in place to ensure that all potential sediment-laden water is maintained on site.
26	Monitor noise and vibration in accordance with AS-2187-1993 and ANZECC Guidelines.	Yes	All blasts have been monitored as required. During Reporting Period there were no exceedances of ground vibration or airblast overpressure at non-project-related residences.
27	Ensure minimal disturbance to flora and fauna if directed by the Minister.	Not Yet Applicable	No direction received from the Minister.

**TABLE A1.3**  
**Compliance Review – MLs 1464 and 1471**

Page 2 of 2

Relevant Condition	Conditional Requirement	Compliance	Comments
29	Maintain an arboreal screen to the satisfaction of the Minister.	Not Yet Applicable	No screening required.
30	Minimise or prevent soil erosion.	Yes	All activities on site are undertaken in accordance with the approved Erosion and Soil Control Plan. The larger soil management works are carried out by Soil Services and smaller soil stabilisation works elsewhere are carried out by the former landholder (Keith Blanche).
31	Pay NSC and GSC for any road damage caused by operations.	Yes	WCM has agreements with NSC and GSC to maintain the roads used by trucks travelling to and from the mine (see DC Conditions 7.4(b)&(c))
32	Provide an alternative road, track, or fire trail at the direction of Minister.	Not Yet Applicable	No direction received from the Minister..
33	Prevent pollution of Namoi River catchment.	Yes	The surface water management system constructed has controlled surface water on site.
41	Ensure no interference with transmission lines, communications lines or pipelines.	Not Applicable	No transmission lines, connection lines, pipeline traverse the areas of disturbance
43	Prevent damage to any Aboriginal place or relic.	Yes	The known cultural material is located beyond the boundary of approved mining activity. The material close to the western boundary of ML1471 is signposted. Representatives of Red Chief LALC are present during each soil stripping campaign.
44	Employ a minimum of 18 persons and annual expenditure of a minimum of \$315000 (i.e. combined requirement from both leases).	Yes	Approximately 50 persons are employed by WCM and the various contractors for mining/soil stripping/transportation/processing. Annual expenditure exceeds \$20 million.
45	Provide additional information at direction of Minister.	Not Yet Applicable	No direction received from Minister.
51	Provide security to Minister	Yes	