Canyon Mine IEA

Conditions of Approval Independent Environmental Audit

30 May 2019

Project No: 0490611
Document details

<table>
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<tr>
<td>Date</td>
<td>30 May 2019</td>
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<td>Version</td>
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<tr>
<td>Author</td>
<td>Oliver Moore, Tim Haydon</td>
</tr>
<tr>
<td>Client Name</td>
<td>Whitehaven Coal</td>
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</tbody>
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Document history

<table>
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<tr>
<th>Version</th>
<th>Revision</th>
<th>Author</th>
<th>Reviewed by</th>
<th>ERM approval to issue</th>
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<td>Oliver Moore / Tim Haydon</td>
<td>Michael Gaggin</td>
<td>Michael Gaggin</td>
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<td>Michael Gaggin</td>
<td>Michael Gaggin</td>
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<tr>
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<td>02</td>
<td>Oliver Moore / Tim Haydon</td>
<td>Michael Gaggin</td>
<td>Michael Gaggin</td>
</tr>
</tbody>
</table>
Signature Page

30 May 2019

Canyon Mine IEA

Conditions of Approval Independent Environmental Audit

Michael Gaggin
Partner In Charge

Oliver Moore
Lead Auditor

Tim Hayden
Environmental Auditor

Environmental Resources Management Australia Pty Ltd
Level 15
309 Kent Street
Sydney NSW 2000
## Independent Audit Certification Form

<table>
<thead>
<tr>
<th>Development Name</th>
<th>Canyon Mine</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Consent No.</td>
<td>DA 8-1-2005 (Modification 3 – 3 September 2015)</td>
</tr>
<tr>
<td>Description of Development</td>
<td>Canyon Coal Mine was a conventional open-cut operation that is now in the rehabilitation phase, with mining concluded in 2009</td>
</tr>
<tr>
<td>Development Address</td>
<td>Hoad Lane, Boggabri NSW 2382</td>
</tr>
<tr>
<td>Operator</td>
<td>Whitehaven Coal Pty Ltd (WHCPL)</td>
</tr>
<tr>
<td>Operator Address</td>
<td>Level 28, 259 George Street, Sydney NSW 2000</td>
</tr>
</tbody>
</table>

### Independent Audit

<table>
<thead>
<tr>
<th>Title of Audit</th>
<th>Canyon Mine Conditions of Approval Independent Environmental Audit</th>
</tr>
</thead>
</table>

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:

- The audit has been undertaken in accordance with relevant approval condition(s) and in accordance with the auditing standard AS/NZS ISO 19011:2014 and Post Approval Guidelines – 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.

Note.

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.

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).

### Signature

Name of Lead / Principal Auditor | Oliver Moore
Address | Level 15, 309 Kent Street, Sydney NSW 2000
Email Address | oliver.moore@erm.com
Auditor Certification (if relevant) | N/A
Date | 27/05/2019
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APPENDIX B DEPARTMENTAL CORRESPONDENCE
EXECUTIVE SUMMARY

Environmental Resources Management Australia Pty Ltd (ERM) was commissioned to perform an independent environmental audit of the Canyon Mine located 15km east of Boggabri, NSW on behalf of Whitehaven Coal Limited (herein referred to as Whitehaven Coal). The primary purpose of the audit was to satisfy the Department of Planning and Environment (DP&E) Ministers’ Conditions of Approval (MCoA) 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 24 March 2016 through 21 February 2019 (the date of the site visit completed as part of the audit).

The audit included a review of:

- DP&E, Ministers Conditions of Approval DA 8-1-2005 (Modification 3) issued 3 September 2015;
- Mining Leases 1464 and 1471;
- Water Access Licence 29458; and
- Implementation of Management Plans developed as part of the Ministers Conditions of Approval.

Whitehaven Coal has established the control systems generally required for the stage of development i.e. rehabilitation. All staff interviewed demonstrated an understanding of requirements and a commitment to the application of the requisite management systems and plans.

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 Department of Planning & Environment publication “Independent Audit Guidelines” issued October 2015. The number of non-conformances with the statutory conditions and implementation of the management plans is summarised in Table E1 below.

<table>
<thead>
<tr>
<th>Review</th>
<th>Non-compliances</th>
<th>Administrative non-compliance</th>
<th>Observations (C)</th>
<th>Observations (NC)</th>
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</thead>
<tbody>
<tr>
<td>Statutory Instruments</td>
<td>5</td>
<td>4</td>
<td>8</td>
<td>6</td>
</tr>
<tr>
<td>Implementation of Plans</td>
<td>5</td>
<td>-</td>
<td>1</td>
<td>-</td>
</tr>
</tbody>
</table>

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 Mine. The mine is located 15 km east of Boggabri, New South Wales (NSW), on behalf of Whitehaven Coal (herein referred to as Whitehaven Coal). The primary purpose of the audit was to satisfy the Department of Planning and Environment (DP&E) Ministers’ Conditions of Approval (MCoA) Development Consent number DA 8-1-2005 (Modification 3), which requires completion of an independent audit every three years from the date of the approval. The audit period assessed in this IEA is 24 March 2016 through 21 February 2019 (the date of the site visit completed as part of the audit). The audit must:

a. be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary of the DP&E;

b. include consultation with the relevant agencies;

c. assess the environmental performance of the project and assess whether it is complying with the requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals);

d. review the adequacy of strategies, plans or programs required under the abovementioned approvals; and

e. recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under the abovementioned approvals.

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. It is noted that a request for extension was submitted by ERM to the DP&E, with the submission date being extended to 12 April 2019 (see Appendix A for correspondence).

1.2 Overview of Operations and Approvals

The development application for Canyon Coal Mine was made in 2000 and a development to extend the mining operations was made in 2005, supported by an Environmental Impact Statement (EIS). The Minister for Infrastructure and Planning and Natural Resources granted Development Consent DA 8-1-2005 to Whitehaven Coal on 30 June 2005. DA 8-1-2005 MOD 3 was approved on the 3rd September 2015, to extend the expiry date of the consent.

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

The site has a Water Access Licence (WAL 29458) and allocation to take groundwater from the underlying aquifer.

The site Environmental Protection Licence (EPL) was surrendered on 11 September 2015.

During operations Canyon Mine produced a low ash, high energy coal that was generally blended with coals from other sources to create semi-soft coking blends for domestic and export markets. Run of mine coal was crushed at Canyon Mine and transported by truck to the Whitehaven Coal Handling and Preparation Plant for processing, and loaded on to trains for transport to the Port of Newcastle.

Mining ceased in 2009 with rehabilitation of the site being undertaken since mine closure. The majority of the coal handling and processing infrastructure has now been removed with the areas rehabilitated with the exception of the former explosives magazine compound and hardstand area, which is still in use as a storage area. A maintenance facility with equipment storage and laydown area was constructed under Narrabri Council approval DA 31/2012.
The Vickery Coal Project is an adjacent Whitehaven Coal project that has been approved to utilise the Canyon site for waste rock emplacement, including backfilling the final void. The Vickery project is awaiting approval of an extension that would allow a larger area than previously proposed to be mined and a larger extraction rate per annum (from 4.5 million tonnes per annum [Mtpa] to 7.2Mtpa) prior to commencing any activities, and subsequent backfilling of the Canyon Mine void. The potential backfilling of the Canyon void is noted where relevant throughout the report as it is an operational consideration in determining what rehabilitation and maintenance activities are planned. Nevertheless, the audit must assess against the current approval requirements in isolation to any pending approvals.

1.2.1 Description of primary processes undertaken during the audit period

As mining ceased in 2009, minimal activities occur on-site, predominately limited to the following:

- Rehabilitation;
- Water Management;
- Whitehaven Maintenance Facility; and
- Waste Management.

The activities listed are described further in the following sections:

1.2.1.1 Whitehaven Maintenance Facility

Maintenance plant and equipment is stored at the Maintenance Facility for use by Whitehaven Coal staff and contractors from nearby operations including Tarrawonga and Rocglen mines.

An office and workshop has been constructed to the southwest of the original maintenance facility and is leased by Hitachi under a licenced agreement.

1.2.1.2 Waste Management

Wastes produced at the site include domestic and hydrocarbon wastes, which are removed from site as required by licenced contractors.

Sewage is treated and discharged on site to an irrigation area under a Notice of Local Determination issued by Narrabri Shire Council.

1.2.1.3 Rehabilitation

Remaining rehabilitation activities required to meet criteria for lease relinquishment include the demolition of the remaining workshop structure and explosives magazine fencing and pad site and, rehabilitation of hardstand areas and the former gravel production area.

There is also additional rehabilitation work required to supplement native vegetation tube stock plantings on the batters of the final void. Backfilling of the void is proposed with waste rock from the Vickery project that is currently pending approval for increased extraction and mining area.

1.2.1.4 Water Management

Water management at Canyon Mine is undertaken in accordance with the approved Water Management Plan. Since rehabilitation of the final void and removal of all coal handling infrastructure, and surrender of the site Environment Protection Licence (EPL), site water management is limited to surface water monitoring of the voids and at surface water monitoring locations during wet weather and managing sediment basins in accordance with the Water Management Plan. Groundwater monitoring is also undertaken on a six monthly basis.

Water is currently being taken from the Canyon void for use in operations at the Rocglen due to Rocglen not having sufficient volumes of water available on-site.
1.3 Audit Objectives

The primary objectives of the audit included:

- assessment of the environmental performance of the site, and its effects on the surrounding environment and sensitive receivers;
- assess whether the site is complying with the requirements in the MCoA, and any other relevant consents/approvals (including any assessment, plan or program required under these consents/approvals);
- review the adequacy of the Whitehaven Coal Environmental Management Strategy and Environmental Monitoring Program required under the abovementioned consents/approvals; and
- identify opportunities for improved environmental management and recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under the abovementioned approvals.

1.4 Audit Scope

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

- the audit to be carried out in accordance with AS/NZS ISO 19011:2003: Guidelines for quality and/or environmental management systems auditing;
- review of compliance against the documentation identified in Schedule 2 Condition 2 (as it relates to the current activities at the Canyon Mine) which included:
  - document review of compliance against the MCoA;
  - a site inspection to assess compliance against field based MCoA;
  - review of supporting plans developed as part of the Consent Conditions and assessment of their adequacy towards effective environmental performance;
  - draft report with results of compliance assessment; issued for comment to Whitehaven Coal; and
  - a final report issued for submission to the DP&E.

The audit covers the period 24 March 2016 to 21 February 2019 and is limited to assessing the activities completed during the audit period.

1.5 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:

- DP&E, MCoA for DA 8-1-2005 issued 3 September 2015 (Modification 3);
- Mining Leases 1464 and 1471;
- Water Access Licence 29458 (replaced 90BL249900 and 90BL252240. 90BL249901 cancelled in 2011 and 90BL252067 cancelled in 2009);
- implementation of Management Plans (rehabilitation phase) developed as Part of the MCoA including:
  - Closure Mining Operations Plan (Sch. 3 Cond. 44) and several other conditions encompassed);
  - Environment Management Strategy (Sch. 5 Cond. 1);
  - Air Quality Monitoring Program (Sch. 3 Cond. 5);
  - Bushfire Management Plan (Sch. 3 Cond 42);
- Water Management Plan (Sch. 3 Cond. 24);
- Aboriginal and Cultural Heritage Management Plan (Sch. 3 Cond 32); and
- Rehabilitation Monitoring Program for Canyon Coal Mine (Sch.3 Cond 28 and 29);

- monitoring results and trends;
- comparison of monitoring results against regulatory limits and MCoA limits (where applicable);
- community complaints with review completed for any trends and identifying the source of an established trend;
- confirmation of any additional monitoring required for identified trends;
- regulatory actions including any letters, penalty notices and prosecutions; and
- review of previous audit report to verify closeout of actions.

1.6 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 site inspection, interviews with key personnel and review of records and other related documentation during the dates 20 to 21 February 2019.

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; and
  - list of reference documents and audit criteria;
- a project inception meeting was held in January 2019 to confirm details of the Terms of Reference, site inspection logistics and request for documentation required prior to the site inspection component of the audit;
- an opening meeting was held on 20 February 2019 at site to confirm the audit objectives and scope for the site inspection. Attendees included:
  - Oliver Moore (ERM Lead Auditor);
  - Tim Haydon (ERM Support Auditor and Water Specialist);
  - Emily Clements (Graduate Environmental Officer);
  - Andrew Raal (Environmental Officer);
  - Matt Sparkes (Operations Manager); and
  - Tony Dwyer (Group Manager – Approvals and Environment).

2.2 Agency and Community Consultation

ERM consulted with the agencies and stakeholders as required including Department of Planning and Environment (DP&E), Office of Environment and Heritage, Department of Primary Industries (DPI), CCC, New South Wales Environment Protection Authority (NSW EPA), the Compliance Team at DP&E and Narrabri Council. Emails were issued on 4 February 2019 and responses are outlined in Table 2.1.
### Table 2.1 Agency and Stakeholder Consultation Summary

<table>
<thead>
<tr>
<th>Agency/Stakeholder</th>
<th>Method</th>
<th>Consultation summary</th>
<th>Response</th>
<th>Location Addressed in Report</th>
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</thead>
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<tr>
<td>Department of Industry – Crown Lands and Water</td>
<td>Email on 4 February 2019</td>
<td>Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.</td>
<td>No response</td>
<td>Not Applicable (N/A)</td>
</tr>
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</table>
| Department of Planning and Environment (DP&E)          | Email on 4 February 2019        | Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment. | DP&E suggested the following Areas of Interest for Canyon Mine:  
  - Biodiversity Management  
  - Rehabilitation  
  - All management plans  
  - Environmental monitoring | Biodiversity Management  
  a. Condition of Approval 3.27 in Appendix A details the offset security.  
  b. The Biodiversity Offset Management Plan (BOMP) meets the requirements of the Flora and Fauna Management Plan. Assessment of the implementation of the BOMP was undertaken. Audit findings against these requirements are outlined in Condition of Approval 3.28 and 3.29 in Appendix A.  
  Rehabilitation  
  a. DPE identified an area of interest as ‘Actual rehabilitation compared to EIS predictions’. Rehabilitation completion criteria is outlined Section 6 of the MOP, including completion status. Numerous flora and fauna surveys are undertaken to assess success/completion against rehabilitation criteria. Rehabilitation has not met all completion requirements as they include long term outcomes and monitoring is on-going.  
  b. Adequacy of rehabilitation monitoring is discussed against Rehabilitation Monitoring Program in Table 3.2, with suggestions to rectify observed non compliances.  
  c. No discharges occurred during the audit period.  
  Management Plans  
  a. Section 3.5 – Management Plan adequacy provides detail on review and adequacy of management plans. Table 3.2 provides a review of management plans during the audit period. | Rehabilitation  
  a. DPE identified an area of interest as ‘Actual rehabilitation compared to EIS predictions’. Rehabilitation completion criteria is outlined Section 6 of the MOP, including completion status. Numerous flora and fauna surveys are undertaken to assess success/completion against rehabilitation criteria. Rehabilitation has not met all completion requirements as they include long term outcomes and monitoring is on-going.  
  b. Adequacy of rehabilitation monitoring is discussed against Rehabilitation Monitoring Program in Table 3.2, with suggestions to rectify observed non compliances.  
  c. No discharges occurred during the audit period.  
  Management Plans  
  a. Section 3.5 – Management Plan adequacy provides detail on review and adequacy of management plans. Table 3.2 provides a review of management plans during the audit period. |
### AUDIT METHODOLOGY

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<th>Consultation summary</th>
<th>Response</th>
<th>Location Addressed in Report</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Office of Environment and Heritage</strong></td>
<td>Email on 4 February 2019.</td>
<td>Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.</td>
<td>No response</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Department of Primary Industries (DPI)</strong></td>
<td>Email on 4 February 2019.</td>
<td>Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.</td>
<td>No response</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>University of Technology Sydney</strong></td>
<td>Email on the 4 February 2019</td>
<td>Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.</td>
<td>No response</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>New South Wales Environment Protection Authority (NSW EPA)</strong></td>
<td>Email on 4 February 2019.</td>
<td>Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.</td>
<td>No response</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**Environmental Monitoring**

- **a.** Monitoring equipment was compliant with Approved methods for sampling of air pollutants in New South Wales (see Appendix A - Conditions of Approval – CoA 3.11).
- **b.** Adequacy of the environmental monitoring programme is addressed in Section 3.4 – Environmental Monitoring performance.

> The DP&E have provided correspondence stating the monitoring plans are redundant, and later that the plans must still be prepared, reflective of the activity taking place on site. Consultation with agencies and stakeholders in review of the management plans is outlined within the management plans and considered sufficient given that the mine is in rehabilitation phase and many activities that require monitoring, such as noise and blast monitoring, are no longer undertaken. Aboriginal Heritage Management Plan included relevant stakeholders.
<table>
<thead>
<tr>
<th>Agency/Stakeholder</th>
<th>Method</th>
<th>Consultation summary</th>
<th>Response</th>
<th>Location Addressed in Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral Resources (MineRes)</td>
<td>Email on 4 February 2019</td>
<td>Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.</td>
<td>No response.</td>
<td>N/A</td>
</tr>
<tr>
<td>Compliance Team – DP&amp;E</td>
<td>February 2019.</td>
<td>Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.</td>
<td>Captured in response from DP&amp;E above.</td>
<td>As per response to DP&amp;E</td>
</tr>
<tr>
<td>Narrabri Council</td>
<td>February 2019.</td>
<td>Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.</td>
<td>No response.</td>
<td>N/A</td>
</tr>
</tbody>
</table>
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 biodiversity management, rehabilitation, management plans and environmental monitoring. These areas are captured in the audit findings.

### 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.
- **Not Verified (NV):** insufficient verifiable evidence to demonstrate that the intent and all elements of the audit criteria 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).
- **Observation (O):** 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.
- **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.


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 September 2012 to 23 March 2016. A summary of the 2016 audit findings and their status is summarised below in Table 3.1 and Table 3.2.
Table 3.1 Summary of 2016 Audit Findings

<table>
<thead>
<tr>
<th>Item No</th>
<th>Assessment Requirement</th>
<th>Comment</th>
<th>2016 Audit Classification</th>
<th>Response/Action</th>
<th>2019 Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.11</td>
<td>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.</td>
<td>Groundwater pumps and associated infrastructure is not currently maintained.</td>
<td>NC</td>
<td>Consider completing maintenance on the groundwater pumps or decommission if no longer required. Consider updating the Whitehaven Coal monthly environmental inspection checklists to reflect checks on the weather station which can be completed by the Environmental Advisor to ensure ongoing operation.</td>
<td>Addressed and deemed Compliant during this audit.</td>
</tr>
<tr>
<td>3.1</td>
<td>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.</td>
<td>WD12 has exceeded the criteria of 4g/m²/month annual average in 2015 with a result of 30.9g/m²/month recorded in December 2015. The ash content for this gauge for the December 2015 monitoring event is 90% confirming the insoluble solids consists primarily of inorganic matter (mineral content such as dirt, sand etc.). The dominant wind directions for this period are from the east, northeast and north, indicating dust is potentially from the site. 51.8mm of rain was received over 12 rain days in December 2015 which is comparative with the annual average at BOM station, Gunnedah resource Centre (055024), for period 1948-2016 of 60.6mm rain received over 6.5 rain days.</td>
<td>NC</td>
<td>Review of previous meteorological monitoring results with comparison to the results at WD-12 should be completed with a review of activities on the site for the corresponding period.</td>
<td>Addressed and deemed Compliant during this audit.</td>
</tr>
<tr>
<td>3.3</td>
<td>The Applicant shall carry out the development in a way that prevents and/or minimises air pollution generated by the development.</td>
<td>The majority of the site was sealed with roads the primary exposed surface. The gravel pit area requires further stabilisation (pending Vickery Project)</td>
<td>NC</td>
<td>Consider stabilising the gravel pit area until the Vickery Project commences and permanent soil stabilisation works are completed.</td>
<td>Remains Non-compliant. The Gravel Pit is recommended to be stabilised</td>
</tr>
<tr>
<td>3.9</td>
<td>The Applicant: (a) shall carry out the development at the site between 7 am to 10 pm Monday to Saturday, excluding public holidays; (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; (c) may undertake highwall mining operations at any time, excluding public holidays; and (d) shall only transport coal or gravel on public roads between 7 am and 10pm Monday to Saturday, excluding public holidays.</td>
<td>No coal or gravel was removed from, or transported to the site during the audit period. Gravel will potentially be transported to the site once the Vickery Project commences.</td>
<td>O</td>
<td>Ensure the transport management plan for the Vickery Project outlines the requirements of this consent condition for any material transported to the Canyon Mine prior to works commencing.</td>
<td>Non-operational site. Deemed Compliant during this audit</td>
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</table>
## CANYON MINE INDEPENDENT ENVIRONMENTAL AUDIT (IEA)

**Conditions of Approval IEA**

### AUDIT FINDINGS

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<tr>
<td>3.20</td>
<td>The Applicant shall:</td>
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<td>(a) prepare a detailed site water balance for all the development site;</td>
<td>Water is not currently used on site with exception of potable water in amenities at the Hitachi lease area. The water use for this site is not currently recorded or reported. In addition, water extracted from the two groundwater pump locations is not currently recorded. Water balance was undertaken in 2018 but not previous years.</td>
<td>NC</td>
<td>Although the lease holder is the current user of water on site, the condition is still relevant and water use should be recorded and reported. In addition, the volume of water extracted from the groundwater wells should be recorded and reported in the AEMR (including nil extraction/water use).</td>
<td>Considered an ANC. Water balance to be reviewed annually or condition altered to reflect current state of the site.</td>
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<td>(b) measure water use on site;</td>
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<td>(c) review the site water balance for the development annually;</td>
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<td>(d) report the results of this review in the AEMR, to the satisfaction of the Secretary.</td>
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<td>3.21</td>
<td>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.</td>
<td>During the site inspection it was noted most of the site is now stabilised with the exception of parts of the void batters and the gravel pit area. Both of these areas are awaiting the Vickery Project to commence.</td>
<td>NC</td>
<td>Consider either stabilising or installing additional controls to prevent erosion and sediment run from the void batters and gravel pit area until the Vickery Project commences and permanent stabilisation works are completed.</td>
<td>Remains Non-compliant. 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.</td>
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<td>3.22</td>
<td>The Applicant shall monitor:</td>
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<td>(a) the volume and quality of water discharged from the site;</td>
<td>There was no wet weather or other discharge from the site during the audit period. The water management plan does not include how flow volumes would be calculated in the event of a wet weather discharge.</td>
<td>O</td>
<td>Consider including the requirement to report volume discharged from site and the method for estimating/calculating the volume of any discharges from site into the Water Management Plan.</td>
<td>Not Triggered</td>
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<td>(b) measure water use on site;</td>
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<td>(c) review the site water balance for the development annually;</td>
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<td>(d) report the results of this review in the AEMR.</td>
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<td>3.23</td>
<td>The Applicant shall regularly monitor:</td>
<td>A review of water quality indicates total metals and major anions and cations are stable. GW11 indicates an increasing conductivity trend with only calcium concentration increasing slightly over the same period with all other monitered parameters consistent. Additional potential sources of this increase could include: leaching of calcium carbonate from fill material/local geological variations; phosphate from agricultural sources or sewage; leaching of additional organic compounds such as hydrocarbons. GW11 is located to the northeast of the site and east of the current contractor work area and historical Whitehaven Coal maintenance facility. The groundwater data does not include elevation (SWL at mAHD) therefore, groundwater flow direction cannot be accurately determined. If the assumption that the groundwater is parallel to ground level is adopted then groundwater flow is to the north. Rainfall impacts on conductivity are considered unlikely, as it would be expected other groundwater bores would be impacted.</td>
<td>NC</td>
<td>Consider determining groundwater flow directions by converting depth to groundwater to mAHD to confirm correct flow direction. Consider expanding testing of analytes next monitoring round in GW11 to include other potential sources of salinity/conductivity such as phosphates, alkalinity, bicarbonate as alkalinity, carbonate, TRH, additional metals/metalloids such as boron.</td>
<td>Observation (compliant). To determine the impacts to groundwater quality, groundwater movement and standing water levels associated with the backfilling of the void with overburden upon the implementation of the Vickery Project, subject to approval. The auditor has not verified if the EIS for the Vickery project confirmed that the pit void was influenced by groundwater.</td>
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<td>3.24A</td>
<td>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.</td>
<td>The Water Management Plan was revised in 2015 – no evidence available that this was completed in consultation with DPI (Water) or EPA and submitted to the DP&amp;E.</td>
<td>NC</td>
<td>NC - Consider submitting the revised plan to DPI (Water), EPA and DP&amp;E requesting comment.</td>
<td>Deemed Compliant during this audit</td>
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<td>O – Consider including evidence of any consultation and liaison into the Annexure of the plan.</td>
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<td>3.25</td>
<td>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:</td>
<td>Monthly inspections are completed by an Environment Advisor however the checklist currently used does not specifically include a formal check of the void area.</td>
<td>O</td>
<td>Consider revising the monthly inspection checklists to include checks on void condition such as batter stability.</td>
<td>Deemed an Observation (compliant). Revision of the Final Void Management Plan may be required to incorporate the activities to occur with the Vickery project, subject to approval.</td>
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<td>(a) investigate options for the future use of the final void;</td>
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<td>(b) assess the potential interactions between the final void and the adjacent groundwater and surface water resources; and</td>
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<td>(c) describe what actions and measures would be implemented to:</td>
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<td>■ minimise any potential adverse impacts with the final void;</td>
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<td>■ manage and monitor the potential impacts of the final void over time.</td>
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<td>3.29</td>
<td>The Applicant shall:</td>
<td>The Flora and Fauna Management Plan have been replaced by the Rehabilitation Monitoring Program, and the approved Biodiversity Offset Management Plan.</td>
<td>ANC</td>
<td>Consider including the Biodiversity Offset Annual Report as an Annexure in the AEMR for the Canyon Mine to fulfil the requirement to review performance of the offset strategy.</td>
<td>Deemed Compliant during this audit</td>
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<td>(a) review the performance of the offset strategy and Flora and Fauna Management Plan annually; and</td>
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<td>(b) report on this review in the AEMR;</td>
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<td>to the satisfaction of the Secretary.</td>
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<td>3.30</td>
<td>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:</td>
<td>An audit of the offset strategy has not been completed.</td>
<td>NC</td>
<td>Considering mining ceased in 2009, this is considered outside of the scope date of the audit. Further, it is noted that the OEH undertakes annual audit of the site and in 2013 Canyon offset liability was transferred to Whitehaven – Regional offset area that is managed through the Bio banking agreement, there no-longer any requirement to do any initial audit of the offset strategy.</td>
<td>Not Triggered</td>
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| 3.33    | The Applicant shall ensure:                                                                                           | (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;  
(b) trucks travelling to and from the mine do not exceed 40 kilometres per hour when the school bus is operating on Hoads Lane;  
(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 the NSW;  
(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  
(d) spillage from coal haulage vehicles is minimised and that sediment-laden runoff from roads is effectively managed to prevent harm to the environment. | IEA Report issued 2007 indicates an investigation on road safety was prepared and with the RTA for approval. Evidence of review completion and acceptance is not available.  
Contractor inductions do not currently outline requirement for trucks to travel on travelling to and from the mine do not exceed 40 kilometres per hour when the school bus is operating on Hoads Lane. Trucks may travel to and from the site from the Hitachi operations area. | NC                        | Consider informing Hitachi of the condition requiring trucks travelling in Hoads Lane to travel at no more than 40km/h when the school bus is operating on Hoads Lane.  
As the site is no longer operational, no further actions are recommended for the acceptance of the Road Safety Plan by the RTA (now Roads and Maritime Services) | Not Triggered              |
| 3.36    | 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. |                                                                                                                                         | O                        | Ensure the transport management plan for the Vickery Project outlines the requirements of this consent condition for any material transported to the Canyon Mine prior to works commencing. | Remains an observation (compliant) with similar recommendation as last audit along with tracking movements if gravel removed from site. |
| 3.39    | 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. |                                                                                                                                         | ANC                      | Canyon is included in Whitehaven Coal’s annual National Greenhouse and Energy Reporting.                                                                                                                   | Deemed Compliant during this audit |
| 3.40    | 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. | Waste is not currently reported in the AEMRs.  
Waste is limited to domestic, sewage and hydrocarbon wastes produced by the Hitachi contractor work area. As this waste is not generated by the development it does not require monitoring and reporting.  
During the site inspection there were some wastes noted on the Canyon Mine site such as tyres next to the gravel borrow pit area and an area of waste tanks, drums and equipment near the northwest boundary. | NC                        | Consider including a description of waste remaining on the mine site and their disposal outcome into the AEMR. If no wastes are generated during the reporting year then consider including a description to that effect to satisfy this condition. | Deemed Compliant during this audit |
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<td>3.41</td>
<td>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.</td>
<td>It is noted the Closure Mining Operations Plan indicates water sources will be the storage dams on site however, these were noted to be effectively dry during the site inspection. The Plan also indicates fuel loads will be monitored and fuel load reduction (back burning, slashing or controlled grazing) completed if required. Monitoring of fuel loads is not currently included in the monthly environment inspection checklist.</td>
<td>O</td>
<td>Consider including checks for fuel loads and adequacy of fire breaks into monthly environment checklist. In addition, identify potential water sources that could be accessed in the event of a fire and update the MOP and/or the Bushfire Management Plan as deemed appropriate.</td>
<td>Deemed Compliant during this audit</td>
</tr>
<tr>
<td>3.42</td>
<td>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.</td>
<td>The audit completed in 2006 did not close this condition with evidence of liaison not provided. A Bushfire Management Plan from 2000 was available for review.</td>
<td>ANC</td>
<td>As the Bushfire Management Plan has not been updated since 2000, consider updating and liaising with GSC and NSC during the update.</td>
<td>Deemed Compliant during this audit</td>
</tr>
<tr>
<td>4.1</td>
<td>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.</td>
<td>The exceedance at D12 has not been reported to DP&amp;E or the relevant landholder as it is considered that the exceedance is not mine related and therefore is to be reported in the AEMR according to the updated Air Quality Monitoring Program. This reporting protocol has changed from the previous Program.</td>
<td>NC</td>
<td>As the updated Air Quality Monitoring Program has not been submitted to the DP&amp;E consider informing the DP&amp;E and potentially impacted residents until the updated plan is accepted by DP&amp;E. Refer also to MCQ 3.17 finding.</td>
<td>Deemed Compliant during this audit</td>
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<td>5.2</td>
<td>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.</td>
<td>Issue date of the EMS is 11/2015. Revision history indicates last revision prior to current version is 2005. Reviews should have been developed for audit completed in 2006. 2009 and 2012 audits not completed.</td>
<td>O</td>
<td>Consider including line items in the revision history table to record any reviews completed of the Environment Management Strategy.</td>
<td>Deemed Compliant during this audit</td>
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<td>5.6</td>
<td>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.</td>
<td>Audits for 2009 and 2012 were not completed as anecdotally the Site was advised that audits were not required as the Site was no longer actively extracting ROM coal. Evidence of this advice is unable to be provided and in lieu of this, it is considered by the DP&amp;E to be unlikely this exemption would have been issued.</td>
<td>NC</td>
<td>No further actions are required.</td>
<td>Deemed an Administrative Non-Compliance during this audit</td>
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<tr>
<td>5.8</td>
<td>The Applicant shall ensure that there is a Community Consultative Committee to oversee the environmental performance of the development. This committee shall: (a) be comprised of: ■ 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, whose appointment has been approved by the Secretary in consultation with the GSC and NSC;</td>
<td>DP&amp;E acknowledged in email that the CCC for Canyon Mine is to be dissolved with the terms of reference to be transferred to the Vickery CCC. It was requested that this be raised in the Vickery CCC with formal notification of the outcome of this communicated to the DP&amp;E so it can be acted upon accordingly.</td>
<td>ANC</td>
<td>Consider forwarding the minutes of the Vickery Project CCC to the DP&amp;E as requested.</td>
<td>Deemed an Observation (Compliant) during this audit. Recommend update of Canyon Environmental Monitoring is presented at all Vickery CCC Meetings.</td>
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<td>(b)</td>
<td>be chaired by the representative from either GSC or NSC, as agreed by the Councils;</td>
<td>Minutes of the CCC have not been issued to DP&amp;EC acknowledging formal transfer to Vickery CCC.</td>
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<td>(c)</td>
<td>meet at least four times a year, or as determined by the Secretary; and</td>
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<td>(d)</td>
<td>review and provide advice on the environmental performance of the development, including any construction or environmental management plans, monitoring results, audit reports, or complaints.</td>
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<td>5.9</td>
<td>The Applicant shall, at its own expense:</td>
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<td>(a)</td>
<td>ensure that 2 of its representatives attend the committee’s meetings;</td>
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<td>(b)</td>
<td>provide the committee with regular information on the environmental performance and management of the development;</td>
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<td>(c)</td>
<td>provide meeting facilities for the committee;</td>
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<td>(d)</td>
<td>arrange site inspections for the committee, if necessary;</td>
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<td>(e)</td>
<td>take minutes of the committee’s meetings;</td>
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<td>(f)</td>
<td>make these minutes available at GSC and NSC within 14 days of the committee meeting, or as agreed to by the committee;</td>
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<td>(g)</td>
<td>respond to any advice or recommendations the committee may have in relation to the environmental management or performance of the development; and</td>
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<td>(h)</td>
<td>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.</td>
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<td>5.10</td>
<td>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:</td>
<td>AEMRs not include on Canyon Mine website. AEMRs sent to DRE. AEMR not sent to NSC, GSC, CCC or other agencies (EPA, DPI (Water)).</td>
<td></td>
<td>Consider loading AEMRs to Canyon Mine website and send link to NSC, GSC, EPA and DPI (Water). Also, table AEMRs at the next CCC meeting for Vickery Project scheduled June 2016.</td>
<td>Considered an ANC. WHC to ensure future ARs and updates to plans, strategies and monitoring programs are sent to the relevant agencies.</td>
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5.11 | During the life of the development, the Applicant shall; (a) make the results of the monitoring required under this consent publicly available at NSC and GSC offices; and (b) update these results on a regular basis, to the satisfaction of the Secretary. | Pollution monitoring data that is required to be collected by a licence condition must be published by the licensee in accordance with section 66(6) of the Protection of the Environment Operations Act (1997). This obligation does not apply to any monitoring conducted prior to 31 March 2012. The EPL monitoring requirements aligned with the MCoA. As the EPL has now been surrendered, this requirement is no longer valid. Usually this would ensure monitoring results are publicly available. | ANC | Consider collating all monitoring results and sending to NSC and GSC or uploading to website and sending link to NSC and GSC to comply with this condition. | Considered Observation (Compliant) for this audit. Confirm agreement with councils for placement of data on websites. |
5.12 | Within 3 months of: (a) the submission of an AEMR under condition 5 above; (b) the submission of an audit under condition 6 above; or (c) any approved modification to the conditions of the consent (unless the conditions require otherwise), 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. | Modifications of consent dates: 22 August 2007, 19 August 2008 and 3 September 2015 Last audit submitted 2006. Revision records for Plans indicate initial drafting in 2005 or 2007 with updates in November 2015 reflecting 2015 Conditions of Consent modification. Evidence of reviews for all other events unable to be provided. | O | Consider including line items in the revision history table in all strategies and plans to record any reviews completed. | Deemed compliant during this audit |

**Mining Leases 1464 & 1471**

2.3 | A Plan must be lodged with the Director-General:- (a) prior to the commencement of operations; (b) subsequently as appropriate prior to the expiry of any current Plan; and (c) in accordance with any direction issued by the Director-General. | Closure Mining Operations Plan covers period 7 September 2015 to 6 September 2022. The previous MOP expired 30 June 2008 therefore the current MOP was submitted to DRE after expiry of previous MOP which is required by this Condition | ANC | No further actions required | Deemed an Administrative Non-Compliance with no further actions required as this is a legacy ANC |
3.2 | The AEMR must be prepared in accordance with the Director-General's guidelines current at the time of reporting and contain a review and forecast of performance for the preceding and ensuring twelve months in terms of:- (a) the accepted Mining Operations Plan; (b) development consent requirements and conditions; (c) Environment Protection Authority and Department of Land and Water Conservation licences and approvals; (d) any other statutory environmental requirements; (e) details of any variations to environmental approvals applicable to the lease area; and (f) where relevant, progress towards final rehabilitation objectives. | a) review of the AEMRs for the reporting period indicate performance against the latest MOP has not been included b) performance against consent requirements and conditions not completed c) performance against EPL and bore licences not completed d) not completed e) not completed f) rehabilitation progress discussed but context around progress towards final rehabilitation objectives not reported. | NC | Consider including all requirements for reporting into the AEMRs. | Deemed compliant during this audit.
| Item No | Assessment Requirement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Comment                                                                                                                                                                                                                                                                                                                                                           | 2016 Audit Classification | Response/Action                                                                 | 2019 Status                                                                 |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------..................................................|---------------------------|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| 24      | The lease holder shall take all precautions against causing outbreak of fire on the subject area.                                                                                                                                                                                                                                                                                                                                                                                                         | A Bushfire Management Plan has been developed but is out of date as the site staging has changed from operations to rehabilitation.                                                                                                                                                                                                                                  | ANC                       | Consider updating the Bushfire Management Plan to reflect current stage of works (rehabilitation).                                                                                                                                       | Deemed compliant during this audit                                          |
| 44      | The lease holder shall during each year of the term of the authority:  (a) ensure that at least 16 workers are efficiently employed on the subject area; or  (b) expend on operations carried out in the course of prospecting or mining the subject area, an amount of not less than Two Hundred & Eighty Thousand Dollars ($280,000).  The Minister may, at any time after a period of two (2) years from the date on which this authority has effect or from the date on which the renewal of this authority has effect, increase or decrease the amount of expenditure or labour required. | As the site is no longer operational, no permanent staff are located on site. The expenditure for the Canyon Mine site was not available for review.                                                                                                                                                                                                                             | NV                        | Provision of expenditure from accounts is required to confirm if this condition is met. As the site is no longer operational, considered submitting an application to decrease or remove this requirement from the Mining Leases.                                                                 | Not Triggered                                                                  |
| 51      | (a) The lease holder shall, upon request by the Director General, lodge with the Minister the sum of Ten Thousand Dollars ($10,000) (ML1471) / Seventy Seven Thousand Five Hundred Dollars ($77,500) (ML1464) and as security for the fulfilment of the obligations of the lease holder under this authority.  Evidence that this sum was provided is not available |                                                                                                                                                                                                                                                                                                                                                                                                                               | NV                        | Consider obtaining evidence from the Director General if no records within Whitehaven Coal.                                                                                                                                                                           | Deemed an observation (non-compliant). Evidence from Director General would clearly demonstrate compliance. |

**Water Access Licence 29458**

<table>
<thead>
<tr>
<th>Licence</th>
<th>Item</th>
<th>Maximum volume of water that may be taken under this licence in any water year must not exceed a volume equal to:  (a) the sum of water allocations accrued to the water allocation account for this licence from available water determinations in that year; plus  (b) the water allocations carried over from the water year prior to that water year; plus  (c) the net amount of any water allocations assigned to or from the water allocation account for this licence under section 71T of the Act; plus  (d) any water allocations re-credited to the water allocation account for this licence in accordance with section 76 of the Act in that water year.  (vii) the volume of water taken in any water year from 1 July 2011, by comparison to the maximum volume of water permitted to be taken in that water year.</th>
<th>Annual water allocation is 50ML  Monthly site inspections include provision to record pump readings – these have not been recorded in the site inspection reports reviewed.  AEMRs do not report on water extraction volumes.  Extraction volumes are anecdotally not currently recorded.</th>
<th>NV</th>
<th>Consider the recording of the pump readings in the monthly reports to record extraction volumes for the water year to ensure volumes are below the maximum allocation.</th>
<th>Deemed as an observation (non-compliant) during this audit. To confirm that current take from the void (that has groundwater inflow) is in accordance with water sharing plan (and potentially the current water access licence)</th>
</tr>
</thead>
<tbody>
<tr>
<td>MW0716-00001</td>
<td>The maximum volume of water that may be taken under this licence in any water year must not exceed a volume equal to:  (a) the sum of water allocations accrued to the water allocation account for this licence from available water determinations in that year; plus  (b) the water allocations carried over from the water year prior to that water year; plus  (c) the net amount of any water allocations assigned to or from the water allocation account for this licence under section 71T of the Act; plus  (d) any water allocations re-credited to the water allocation account for this licence in accordance with section 76 of the Act in that water year.  (vii) the volume of water taken in any water year from 1 July 2011, by comparison to the maximum volume of water permitted to be taken in that water year.</td>
<td>Annual water allocation is 50ML  Monthly site inspections include provision to record pump readings – these have not been recorded in the site inspection reports reviewed.  AEMRs do not report on water extraction volumes.  Extraction volumes are anecdotally not currently recorded.</td>
<td>NV</td>
<td>Consider the recording of the pump readings in the monthly reports to record extraction volumes for the water year to ensure volumes are below the maximum allocation.</td>
<td>Deemed as an observation (non-compliant) during this audit. To confirm that current take from the void (that has groundwater inflow) is in accordance with water sharing plan (and potentially the current water access licence)</td>
<td></td>
</tr>
<tr>
<td>MW0635-00001</td>
<td>The licence holder must record the following in the logbook:  (xvii) the volume of water taken in any water year from 1 July 2011, by comparison to the maximum volume of water permitted to be taken in that water year.</td>
<td>A logbook is not maintained for the pumps.</td>
<td>NC</td>
<td>Consider developing a logbook for the pumps to record extraction volumes.</td>
<td>Deemed as an observation (non-compliant) during this audit. As above.  Furthermore, to address this condition, formula could be inserted into tracking spreadsheet allowing for remaining volume to be calculated following the insertion of daily pumping rates</td>
<td></td>
</tr>
<tr>
<td>Item No</td>
<td>Assessment Requirement</td>
<td>Comment</td>
<td>2016 Audit Classification</td>
<td>Response/Action</td>
<td>2019 Status</td>
<td></td>
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</tr>
</tbody>
</table>
| MW0633-00001 | The licence holder must record the following in the logbook:  
(i) each date and period of time during which water is taken under this licence;  
(ii) the volume of water taken on that date;  
(iii) the water supply work approval number of the water supply work used to take the water on that date;  
(iv) the purpose or purposes for which the water taken on that date. | A logbook is not currently maintained for the pumps. | NC  
Duplicated with MW0635-00001 and MW0632-00001 | Consider developing a logbook for the pumps which includes the required information. | Deemed as an observation (compliant) during this audit.  
Ensure that all requirements to be present in the logbook are included. |
| MW0636-00001 | The licence holder must keep a log book, except where the access licence nominates only a metered work with a data logger. A "logbook" means a written record, kept in hard copy or electronic form, which accurately records all information required to be kept for this licence. | A data logger is not installed in the wells. A logbook is not currently maintained for the pumps. | NC  
Duplicated with MW0635-00001 and MW0633-00001 | Consider developing a logbook for the pumps. | Deemed as an observation (compliant) during this audit.  
Ensure that the log book has all requirements to meet the conditions of this WAL. |
| MW0637-00001 | The licence holder must retain the information required to be recorded in the logbook for 5 years from the date to which that information relates. | The Water Management Plan does not currently outline record retention requirements. | O | Consider including record keeping requirement for the water access licence into the Water Management Plan | Deemed as NV during this audit.  
Bore has likely been decommissioned for more than 5 years but no confirmation documents proving this could be found.  
Hence five years of records unavailable. |
| MW0831-00001 | The licence holder must notify the Minister, in writing, immediately upon becoming aware of a breach of any condition of this licence.  
Note: a notification does not authorise a breach, or continuing breach, of a condition of this licence. | As the requirement to maintain a logbook has not been met the Minister should be notified. | NC | Consider notifying the Minister for DPI (Water) regarding the non-maintenance of a logbook for the pumping wells with an estimated timeframe when the condition can be met. | Deemed as an observation (non-compliant) during this audit. |
| MW0717-00001 | The maximum water allocation that may be carried over in the water allocation account for this access licence from one water year to the next is either:  
(A) 25 % of the access licence share component for access licences with share components expressed as ML/year; or  
(B) 0.25 ML per unit share of access licence share component for access licences with share components expressed as a number of unit shares. | As volumes are not currently recorded, assessment of compliance with this condition is unable to be assessed. | NV | To be completed once volumes are recorded | Deemed as an observation (non-compliant) during this audit.  
Current take from this void (and by proxy the aquifer), that is not from the existing bore, should be discussed with DPI-Water and confirm that utilisation of water within the ground water influenced void is authorised. It may be authorised under the existing water licence as water take is occurring from the aquifer associated with the WAL but not specifically from the existing bore - clarity should be sought. |
Table 3.2 Summary of Plan Implementation Review Findings

<table>
<thead>
<tr>
<th>Section</th>
<th>Assessment Requirement</th>
<th>Comment</th>
<th>Audit Classification</th>
<th>Recommended Action</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.2.3</td>
<td>Erosion and sedimentation impacts are managed in accordance with the Erosion and Sediment Control Plan, included in the Water Management Plan.</td>
<td>Audit inspection indicates swales, drainage lines and retention basins are installed. During the site inspection, it was noted most of the site is now stabilised with the exception of parts of the void batters and the gravel pit areas. Both of these areas are awaiting the Vickery Project to commence.</td>
<td>NC - duplicated MCoA 3.21</td>
<td>Consider either stabilising or installing additional controls to prevent erosion and sedimentation run from the void batters and gravel pit areas until the Vickery Project commences and permanent stabilisation works are completed.</td>
<td>Deemed non-compliant during this audit. Implement controls to prevent erosion and sedimentation, and finalise stabilisation within the redundant gravel pit. Implement erosion controls and repair the scoured batters within the mine void in accordance with Landcom (2004) and DECC (2008) until the Vickery Project commences, (currently subject to approval).</td>
</tr>
<tr>
<td>3.2.6</td>
<td>Weed management practices to be adopted during the MOP term include:</td>
<td>The rehabilitation monitoring reports reviewed all highlight the presence of both Prickly Pear and African Boxthorn. Prickly Pear was noted during the site inspection, which is a Class 4 weed. This was not noted in the monthly site inspection checklists recently completed.</td>
<td>NC</td>
<td>Consider the control of Prickly Pear and African Boxthorn (Class 4 weeds) on the site and record its removal.</td>
<td>Deemed compliant during this audit.</td>
</tr>
<tr>
<td>3.2.7</td>
<td>Long term soil stockpiles have been shaped and stabilised with grass and legume seed mixes and have erosion and sediment controls where appropriate. Existing soil stockpiles will continue to be monitored during routine inspections to identify erosion issues or presence of weeds. Routine maintenance including weed control, re-seeding with pasture species, and repairing erosion and sediment controls will be undertaken as required during the MOP term.</td>
<td>During the site inspection, it was noted that some gravel stockpiles in the gravel pit area were not stabilised.</td>
<td>NC</td>
<td>Consider either stabilising or installing additional controls to prevent erosion and sediment run from gravel pit areas.</td>
<td>Deemed non-compliant during this audit. Implement controls to prevent erosion and sedimentation, and finalise stabilisation within the redundant gravel pit.</td>
</tr>
<tr>
<td>10.3</td>
<td>This plan may be revised due to:</td>
<td>The Canyon Mine EPL 10094 was surrendered on the 11th September 2015. Date of MOP 7 September 2015, which refers to the EPL as current.</td>
<td>Obs (Compliant)</td>
<td>The Annual Review/AEMR has been used to reflect minor updates of the MOP. For example the 2016 AEMR (approved) included a statement that the EPL was surrendered, and an update to the MOP will be as part of the next scheduled date.</td>
<td>Observation (Compliant) Update MOP to reflect surrender of licence and update of certain management plans.</td>
</tr>
</tbody>
</table>

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Audit Findings: The rehabilitation monitoring reports reviewed all highlight the presence of both Prickly Pear and African Boxthorn. Prickly Pear was noted during the site inspection, which is a Class 4 weed. This was not noted in the monthly site inspection checklists recently completed. During the site inspection, it was noted that some gravel stockpiles in the gravel pit area were not stabilised.
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</tr>
</thead>
<tbody>
<tr>
<td>6.1</td>
<td>Dissemination of information to the local community and relevant agencies regarding the mining operation, its progress and environmental management performance, will be achieved by both formal and informal means including the following. Community Consultative Committee (CCC) The minutes of the CCC meetings are available on the Whitehaven website</td>
<td>Review of the Whitehaven website indicates minutes of CCC not included.</td>
<td>ANC</td>
<td>CCC minutes from Canyon Mine CCC to be added to website.</td>
<td>Deemed compliant during this audit</td>
</tr>
<tr>
<td>6.1</td>
<td>Copies of all management plans/strategies or monitoring programs, together with the results of independent audits undertaken in accordance with DA 8-1-2005 will be made publicly available on the Whitehaven website.</td>
<td>Latest Management Plans are included on website with exception of Bushfire Management Operations Plan; Closure Mining Operations Plan (used to replace Void Management Plan and Mine Closure Strategy); Rehabilitation Monitoring Program (replaces Flora and Fauna Management Plan). 2006 IEA report not currently included on website.</td>
<td>NC</td>
<td>Consider including last IEA report, Bushfire Management Plan, Closure Mining Operations Plan, Rehabilitation Monitoring Program onto Whitehaven website</td>
<td>Deemed compliant during this audit</td>
</tr>
<tr>
<td>6.4</td>
<td>A review of the mine’s compliance with all conditions of DA 8-1-2005, ML 1464 and ML 1471 will be undertaken during preparation of each Annual Review.</td>
<td>AEMRs do not currently include review of MCoA and ML conditions.</td>
<td>NC</td>
<td>AEMRs to include review of compliance against MCoA and ML conditions.</td>
<td>Deemed compliant during this audit</td>
</tr>
<tr>
<td>6.4</td>
<td>Additionally, an independent environmental audit will be undertaken once every three years and the report submitted to the Secretary and made available to the public on Whitehaven’s website. The independent audit will be undertaken by an appropriately certified auditor in accordance with AS/NZS ISO 19011:2003 “Guidelines for Quality and/or Environmental Management Systems Auditing” or equivalent updated versions of these guidelines.</td>
<td>IEAs have not been completed since 2006 as it was considered by Whitehaven Coal that these were not required as the site was no longer operational. Past IEA reports not available on website.</td>
<td>NC</td>
<td>Consider including the IEA report from 2006 onto the Whitehaven Coal website</td>
<td>Deemed compliant during this audit</td>
</tr>
<tr>
<td>6.4</td>
<td>The zero discharge Lower Void is the only remaining surface water body on site to have proposed ongoing quality monitoring. Nevertheless, the discharge water quality criteria presented in Table 1 will be targeted for the ongoing monitoring program (refer Section 5.3) with any sustained records outside of the values, determined to be associated with the mine, being notified to DP&amp;E and DRE.</td>
<td>Table 1 lists pH range as between 6.5 to 8.5 however a review of the results indicates pH for both voids is consistent and remains slightly alkaline with maximum readings above discharge criteria. The pH of surface water and groundwater is slightly acidic to neutral.</td>
<td>NC</td>
<td>Although the water in the voids will remain on site, further investigation is required to determine the reason for higher pH than the groundwater and surface water pH.</td>
<td>Deemed compliant during this audit (to confirm that SLR report has been provided to the DRE and DPE)</td>
</tr>
<tr>
<td>5.4.1</td>
<td>LiDAR data will be captured across the entire target area and control areas. These data will be processed into a land surface digital elevation model (DEM) across the entire landscape and a canopy height model (CHM) and projected foliar cover (PFC) over the woodland areas.</td>
<td>LiDAR has not been completed to date. The RMP review completed in 2014 recommended that ongoing capture and analysis of LiDAR should be considered by Whitehaven Coal for Canyon Mine</td>
<td>NC</td>
<td>Consider completing LiDAR assessment as detailed in the Rehabilitation Monitoring Plan</td>
<td>Deemed non-compliant during this audit. LiDAR has not been completed to date.</td>
</tr>
<tr>
<td>Section</td>
<td>Assessment Requirement</td>
<td>Comment</td>
<td>Audit Classification</td>
<td>Recommended Action</td>
<td>Status</td>
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<tr>
<td>5.6</td>
<td>Five survey site locations will be selected from each woodland rehabilitation zone and five each from the two adjacent control areas using a targeted design (Figure 5-1). Survey sites were located to be: 1. At least 50 m from a rehabilitation boundary 2. Each site a minimum of 150 m from another site. Baseline surveys should be conducted in spring 2011 and repeated annually in spring during the monitoring period. In addition five soil pits to a depth of approximately 1m will be established, three in the rehabilitation area and one in each of the control areas. Soil pits will be described using standard field measures with particular notice of horizon boundaries and ecological functionality (e.g. root establishment, evidence of soil fauna).</td>
<td>A review of the Monitoring Reports indicates soil pits for the woodland areas are recommended every three however these have not been completed for 2012 to 2015 monitoring periods. The review of the program completed in 2014 did not recommend the removal of this requirement.</td>
<td>NC</td>
<td>Consider completing soil sampling in the woodland areas as per outlined in the RMP.</td>
<td>Deemed as non-compliant during this audit. Whitehaven to provide explanation as to why Woodland zone one has two survey sites. Perhaps consider merging with adjacent area to avoid compliance issues.</td>
</tr>
<tr>
<td>5.7</td>
<td>ANOVA will be used to test for changes over time and to test for differences between control and rehabilitation sites. For analyses of native vegetation communities, the variables to be analysed will include species richness and % cover, with separate analyses for understory, overstorey and total community variables. Analyses for changes in the faunal community will be made using species richness and count data.</td>
<td>ANOVA last reported in 2012 monitoring report for pasture zones, groundcover composition, woodlands. The review of the RMP in 2014 did not recommend discontinuing this analysis.</td>
<td>NC</td>
<td>Consider the inclusion of ANOVA test in the annual rehabilitation monitoring reports.</td>
<td>Deemed as compliant during this audit.</td>
</tr>
<tr>
<td>5.9</td>
<td>The agricultural monitoring program has been designed to provide quantitative data on key pasture and soil attributes as they relate to land agricultural capability. Management response triggers are linked primarily to statistically significant decline in pasture or soil condition or other management issues noted by the field team during sampling. Monitoring triggers for pastures is linked to remote sensing monitoring only with exception of 2013 report which includes response triggers linked to statistical changes, and 2014 for statistical changes in soil character. 2012 report does include list of triggers in Appendix A.</td>
<td>No indication of stakeholder review is discussed in the 2014 review of the RMP.</td>
<td>NC</td>
<td>Consider issuing the letter outlining the review to key stakeholders to ensure acceptance of the proposed changes.</td>
<td>Deemed as non-compliant during this audit. Undertake three-year review and workshop with key stakeholders.</td>
</tr>
</tbody>
</table>


3.2 Complaints summary
Complaints registers for the auditing period were available online. No complaints were received during the auditing period. Considering last coal was produced from the Canyon Mine in 2009 this would be anticipated.

3.3 Incident Summary
Interview with the environmental officer, review of discharge spreadsheet and understanding of activities that have taken place on-site during the audit period identified that no incidents have occurred during the audit period.

3.4 Environmental monitoring performance

3.4.1 Noise
A letter was received from DP&E on the 21 January 2016 confirming that a Noise Management Plan is no longer required and the EPL was surrendered on 11 September 2015. However, a subsequent letter from the DP&E in August 2016 outlined that monitoring for certain environmental elements, including noise, still needed to be considered, though the level of monitoring could be altered to reflect the state of mine. Hence, a revised Noise Monitoring Plan was prepared in May 2018 and is available online. The plan states that no noise monitoring is currently undertaken as no mine activities are occurring. Applicable criteria is provided should activities recommence, along with a complaints management procedure.

3.4.2 Air Quality
Air quality monitoring locations were reduced in 2015 to four depositional dust gauges locations:
- WD-1 Whitehaven Residence;
- WD-2 Merton;
- WD-12 Whitehaven Property; and
- WD-13b Wilga.
This reduction was undertaken as it was considered sufficient to monitor dust given that no mining activity was being undertaken on the site. The revision was outlined in the Air Quality Monitoring Plan that was approved by the DP&E in July 2018.
Annual Average for WD12 Whitehaven Property and WD13b Wilga exceeded criteria (4g/m²/month) for 2018 but was determined not to be mine related. The annual average for 2016 and 2017 demonstrated no exceedance.

3.4.3 Blasting
No blasting was completed during the audit period. A letter was provided to Whitehaven Coal by DP&E on 21 January 2016 (ref DA-08-1-2005) confirming a Blast Monitoring Plan is no longer required. However, a subsequent letter from the DP&E in August 2016 outlined that monitoring for certain environmental elements, including blasting, still needed to be considered, though the level of monitoring could be altered to reflect the state of mine. Hence, a revised Blast Monitoring Plan was prepared in May 2018 and is available online. The plan states that no blast monitoring is currently undertaken as no blasting is occurring. Applicable criteria is provided should blasting recommence, along with a complaints management procedure.
3.4.4 Water Management

3.4.4.1 Surface Water

The site has a Water Management Plan that is available online. The WMP meets all relevant conditions of consent and was revised in 2015 to incorporate Natural Resources Access Regulator (NRAR) and DP&E comments, inclusive of the SLR 14 February 2014 report to discuss evaporative loss. Approval for the revised WMP from the DP&E is outstanding.

There was no wet weather or other discharge from the site during the audit period. There was no wet weather surface water monitoring during the reporting period.

The pH for both voids is consistent and remains slightly alkaline and above the discharge criteria. The void water is contained on site. The electrical conductivity at the voids was noted to be increasing during the previous audit and this trend continued during this audit, as observable in monitoring results in the AEMRs. During the audit period Whitehaven Coal investigated the issue and identified that water percolating through waste rock and then entering the void through the groundwater network is the most likely cause of the observed water chemistry.

Water was being taken from the Canyon void for use in operations at the Rocglen site during the site audit. Rocglen had no operationally viable volumes of water available on-site. Current take from this void (and by proxy the aquifer), that is not from the existing bore, should be discussed with NRAR and confirm that utilisation of water within the ground water influenced void is authorised. Discussion with NRAR may determine that the take is authorised under the existing water licence, as water take is occurring from the aquifer associated with the WAL but not specifically from the existing bore, but this should be confirmed with the regulator.

3.4.4.2 Groundwater

Groundwater monitoring points and review of the monitoring results is provided in the WMP (2015). This management plan is available online.

The groundwater levels are stable where not impacted by draw from farm operated bores or similar infrastructure. The previous audit identified that GW11 is located to the northeast of the site and east of the current contractor work area and historical Whitehaven Coal maintenance facility. The groundwater data does not include elevation (SWL at mAH) therefore, groundwater flow direction cannot be accurately determined. If the assumption that the groundwater is parallel to ground level is adopted then groundwater flow is to the north. It was recommended to consider determining groundwater flow directions by converting depth to groundwater to mAH to confirm correct flow direction. GW11 also had increasing conductivity trend with increasing calcium concentrations. It was recommended to consider expanding testing of analytes next monitoring round in GW11 to include other potential sources of salinity/conductivity such as phosphates, alkalinity, bicarbonate as alkalinity, carbonate, TRH, expanded metals etc.

SLR (2017) report addressed the issues raised during the previous audit and identified that the final pit acts as a sink, creating a closed groundwater system. The most likely explanation for the trends observed at GW11 is reactions of rainwater with calcite present in waste rock. Any potential impacts to the regional groundwater system is limited due to the void being a groundwater sink.

3.5 Management Plan Adequacy

The Management Plans for the site were reviewed and the adequacy in meeting the relevant approval requirements was assessed. This predominately took the form of reviewing the non-conformances found during the previous audit period to determine if rectification had confirmed either by updating the document, addressing the non-compliance in undertaking an activity on-site that was confirmed by site inspection. This was deemed sufficient, as either no change to the plan had occurred since the previous reporting period, the change was negligible to warrant full review and no mining activities have undertaken at the site since 2009. All plans were deemed sufficient based on the current activities being undertaken on-site. The findings of the Management Plan review are outlined in Table 3.2 and Appendix A.
3.6 Mining Leases
Canyon Coal Mine lies within the mining leases (MLs) 1464 and 1471. Canyon Coal Mine is wholly owned and managed by Whitehaven Coal.

Three non-conformances, one administrative non-conformance and one observation (non-compliance) were noted. The three non-compliances relate to the same issue of stabilisation of the gravel pit and erosion control in the pit void. The administrative non-compliance is related to submission of the MOP after an expiry date, so no further action is required and the observation is related to final documentation being received from the Director General for clear demonstration of the security deposit. The Mining Lease conditions and the summary of audit findings is provided in Appendix A.

3.7 Water Access Licence
The water access licence (WAL 29458) for the decommissioned bore on-site was reviewed as part of this audit. The key details of the licence, such as allocation and aquifer management zone are provided in Table 3.3. The predominant issues that were noted against the WAL were related to the logbook and confirmation that the current method of take from the pit void (determined in 2019 to be influenced by groundwater) is authorised.

The current method of take from the groundwater influenced pit void may be authorised under the existing WAL, as water is being taken from the aquifer associated with the WAL, but not specifically from the existing licenced bore. Discussion with the NRAR is recommended to clarify the situation, particularly given the agency’s focus on having aquifer take (including loss from evaporation in this pit void) being accounted for.

Table 3.3 Water Access Licence Details

<table>
<thead>
<tr>
<th>Category (Subcategory)</th>
<th>WAL</th>
<th>Management Zone</th>
<th>Share Component (units or ML)</th>
<th>Works Approval</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aquifer</td>
<td>29458</td>
<td>Gunnedah - Oxley Basin Mdb (Other) Management Zone</td>
<td>50</td>
<td>90WA822498</td>
<td>Current</td>
</tr>
</tbody>
</table>

3.8 Compliance with regulatory instruments
A compliance check of the MCoA, MLs and WAL 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 3.4.

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 have been colour coded blue.
### Table 3.4 Summary of 2019 Audit Findings

<table>
<thead>
<tr>
<th>Item No</th>
<th>Assessment Requirement</th>
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<th>Audit Classification</th>
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</thead>
<tbody>
<tr>
<td><strong>Minister's Conditions of Approval DA 8-1-2005</strong></td>
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<td></td>
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<td>Sch3. C3</td>
<td>The Applicant shall carry out the development in a way that prevents and/or minimises the air pollution generated by the development.</td>
<td>No visible dust or other air pollution noted during site inspection. The majority of the site was revegetated with roads being the primary exposed surface. The gravel pit area requires further stabilisation as do the batters into the void which have areas of erosion and tunnelling. Auditor notes that batter slope erosion releases sediment laden water into the void, and this runoff remains in the void on-site and would not be released. Auditor also notes that controls and revegetation/rectification works are currently being delayed due to pending Vickery Project approval.</td>
<td>NC</td>
<td>The gravel pit area is no longer used and is not stabilised, hence it may generate dust. As the site is not currently used and is a source of windborne dust, stabilisation should be prioritised.</td>
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<td>Sch3. C19</td>
<td>Except as may be expressly provided by an EPA Licence, the Applicant shall ensure that the discharges from any licensed discharge point comply with the limits in Table 11.</td>
<td>No discharges occurred during the audit period. Sampling was undertaken in 2016 though no discharge occurred. WW7 and WW9 had oil and grease readings in August 25 2016. Note to undertake further investigation as to why elevated readings were observed was included, but investigation findings could not be found</td>
<td>O (compliant)</td>
<td>Determine the source of the elevated oil and grease concentrations at WW7 and WW9 and rectify as necessary.</td>
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<td>Sch3. C20</td>
<td>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</td>
<td>Discussion of water balance in the AEMRs is limited to identifying that no discharges during the reporting period and no take had occurred from the site bore. The environmental officer identified that there is a flow meter on pump that is extracting water from the mining void. No annual review of site water balance has been undertaken in previous years but water balance was undertaken in 2018.</td>
<td>ANC</td>
<td>Review water balance annually to ensure compliance with this condition or request alteration to condition.</td>
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<td>Sch3. C21</td>
<td>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.</td>
<td>Rectification works required in the void are required to be in accordance with Landcom (2004) and DECC (2008) - Noting that the void is acting as a sediment control until the Vickery approval commences. Erosion and sediment control works are required at the gravel pit to stabilise the areas.</td>
<td>NC</td>
<td>Implement controls to prevent erosion and sedimentation, and finalise stabilisation within the redundant gravel pit. Implement erosion controls and repair the scoured batters within the mine void in accordance with Landcom (2004) and DECC (2008) until the Vickery Project commences, (currently subject to approval).</td>
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<td>Sch3 C23</td>
<td>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.</td>
<td>There are five groundwater monitoring bores. Three are solely for gauging standing water level and the other two are for metals. These are monitored on a six-monthly basis. Management Plan revision in 2016 reduced sampling requirements to field parameters, sodium, chloride, grease and oil. The previous audit identified that GW11 is located to the northeast of the site and east of the current contractor work area and historical Whitehaven Coal maintenance facility. The groundwater data does not include elevation (SWL at mAHD) therefore, groundwater flow direction cannot be accurately determined. If the assumption that the groundwater is parallel to ground level is adopted then groundwater flow is to the north. Recommendation was to consider determining groundwater flow directions by converting depth to groundwater to mAHD to confirm correct flow direction. GW11 also had increasing conductivity trend with increasing calcium concentrations. Consider expanding testing of analytes next monitoring round in GW11 to include other potential sources of salinity/conductivity such as phosphates, alkalinity, bicarbonate as alkalinity, carbonate, TRH, expanded metals etc. SLR (2017) report addressed the issues raised during the previous audit and identified that the final pit acts as a sink, creating a closed groundwater system. The most likely explanation for the trends observed at GW11 is reactions of rainwater with calcite present in waste rock. Any potential impacts to the regional groundwater system is limited due to the void being a groundwater sink.</td>
<td>O (Compliant)</td>
<td>To determine the impacts to groundwater quality, groundwater movement and standing water levels associated with the backfilling of the void with overburden upon the implementation of the Vickery Project, subject to approval. The auditor has not verified if the EIS for the Vickery project confirmed that the pit void was influenced by groundwater. Determine if the 6 monthly sampling and current analytes remains appropriate for the proposed backfilling to occur with the commencement of the Vickery Project, subject to approval.</td>
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### Item No. | Assessment Requirement | Comment | Audit Classification | Response/Action
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Sch3. C25 | 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:  
- minimise any potential adverse impacts with the final void; and  
- manage and monitor the potential impacts of the final void over time. | Mining ceased in 2009 prior to start of audit period. Letter from DP& E received January 2016 indicates Final Void Management is detailed in the Closure Mining Operations Plan. Section 4.2.4 indicates one final void in the south western limits of the open cut extraction area is retained in the final landform. The final void area has been designed and constructed to function as a permanent clean water storage dam. The high walls and low walls have been regraded with batters generally less than 14 degrees and stabilised with pasture species. Monthly inspections are completed by a Whitehaven Coal Environment Officer, which are noted to comment on void stability, particularly regarding erosion and sediment control. With the commencement of the Vickery project, the management of the final void will be altered. Revision of the Final Void Management Plan may be required to incorporate the activities to occur with the Vickery project. | O (Compliant) | Revision of the Final Void Management Plan may be required to incorporate the activities to occur with the Vickery project, subject to approval.

Sch3. C36 | 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. | No coal extracted during audit period  
The maintenance team identified no gravel is currently used from the stockpiles on-site | O (Compliant) | Gravel stockpiles are not currently used by WHC, however if utilised the material transfer should be tracked if transported from site. Include volume, destination and number of truck movements and include in the AEMR. Previous audit also identified that the Transportation Management Plan for the Vickery Project outlines the requirements of this consent condition for removing material from site should it occur.
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<td>Sch3. C44</td>
<td>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.</td>
<td>Letter from DP&amp; E indicating Mine Closure Strategy is detailed in the DRE approved Closure Mining Operations Plan. Rehabilitation has progressed across the site to varying degrees, predominantly in accordance with the domains identified in the Mine Closure Strategy. The Vickery Coal Project is approved to utilise the Canyon site for waste rock emplacement, including backfilling the final void. Large areas in the south of the site remain unrehabilitated, or in a state of semi rehabilitation due to: 1) fire events, and 2) the company's plans to develop the Vickery Project. The 2015 Closure Mining Operations Plan (SLR 2015) states: Once there is a determination on the development of the Vickery Coal Project Whitehaven Coal will develop a schedule for the final rehabilitation of disturbance areas not required for future use, in consultation with the DRE.</td>
<td>O (Compliant)</td>
<td>Develop a schedule for the final rehabilitation of disturbance areas not required for future use, in consultation with the DRE as stated in the MOP.</td>
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### Assessment Requirement

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| Sch5. C6 | 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:  
(a) be conducted by a suitably qualified, experienced, and independent person, or team, whose appointment has been endorsed by the Secretary;  
(b) be consistent with ISO 19011:2002 – Guidelines for Quality and/or Environmental Systems Auditing, or equivalent updated versions of these guidelines;  
(c) assess the environmental performance of the development, and its effects on the surrounding environment;  
(d) assess whether the development is complying with the relevant standards, performance measures, and statutory requirements;  
(e) review the adequacy of the Applicant’s Environmental Management Strategy and Environmental Monitoring Program; and  
(f) if necessary, recommend measures or actions to improve the environmental performance of the development, and/or the environmental management and monitoring systems. | IEA Report issued April 2016 confirms audit was completed covering the audit period September 2012 to March 2016.  
This audit satisfies the requirement for three yearly IEA.  
Note an IEA was not completed in 2009 and 2012, as anecdotally the Site was advised that audits were not required as the Site was no longer actively extracting ROM coal. Evidence of this advice is unable to be provided and in lieu of this, it is considered by the DP&E to be unlikely this exemption would have been issued. | ANC | No further action required as this is considered a legacy ANC. |
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<td>Sch5 C8</td>
<td>The Applicant shall ensure that there is a Community Consultative Committee to oversee the environmental performance of the development. This committee shall: (a) be comprised of: • 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, whose appointment has been approved by the Secretary in consultation with the GSC and NSC; (b) be chaired by the representative from either GSC or NSC, as agreed by the Councils; (c) meet at least four times a year, or as determined by the Secretary; and (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.</td>
<td>DP&amp;E acknowledged in email that the CCC for Canyon Mine is to be dissolved with the terms of reference to be transferred to the Vickery CCC. It was requested that this be raised in the Vickery CCC with formal notification of the outcome of this communicated to the DP&amp;E so it can be acted upon accordingly. The first CCC minutes for Vickery include Section 5.3 where dissolution of the Canyon CCC is done formally with agreement by the CCC that Canyon would be included in the Vickery scope. The Vickery CCC was held twice in 2018 and once in 2016. A summary of Canyon Environmental Monitoring was presented at the August 2018 CCC and summarised in the minutes.</td>
<td>O (Compliant)</td>
<td>Recommend update of Canyon Environmental Monitoring is presented at all Vickery CCC Meetings.</td>
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<td>Sch5 C10</td>
<td>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) provide a copy of the approved document/s to NSC, GSC, relevant agencies and the CCC; and (b) ensure that a copy of the relevant documents is made publicly available at NSC and GSC offices, to the satisfaction of the Secretary.</td>
<td>All current plan and Annual Reviews are made available on the WHC website. Annual Review 2017 sent to the relevant agencies within a month - no evidence of Annual Review 2016 being issued. Plan, Monitoring Program updates sent to DP&amp;E but not sent to NSC, GSC, CCC or other agencies (EPA, DPI (Water)).</td>
<td>ANC</td>
<td>Considered an ANC. WHC to ensure future ARs and updates to plans, strategies and monitoring programs are sent to the relevant agencies..</td>
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**Mining Leases 1464 & 1471**

<p>| 2.3     | A Plan must be lodged with the Director-General: (a) prior to the commencement of operations; (b) subsequently as appropriate prior to the expiry of any current Plan; and (c) in accordance with any direction issued by the Director-General. | Closure Mining Operations Plan covers period 7 September 2015 to 6 September 2022. The previous MOP expired 30 June 2008 therefore the current MOP was submitted to DRE after expiry of previous MOP, which is required by this Condition. | ANC | No further actions required as this is a legacy ANC.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |</p>
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<td>15</td>
<td>The lease holder shall comply with any direction, given or which may be given by the Inspector regarding the dumping, depositing or removal of material extracted as well as the stabilisation and revegetation of any dumps of coal, minerals, mine residues, tailings or overburden situated on the subject area or the associated colliery holding.</td>
<td>No movement of coal or overburden material during the reporting period. Letter from DRG in 2017 required: - removal of tyres and concrete material from the gravel pit area - Monitor and conduct remedial maintenance of erosion to void batters. Site inspection confirmed that the concrete and tyres have been removed and waste documentation was available for review. Monthly inspections confirm that remedial activities were undertaken to address erosion in 2017 however site inspection confirmed that erosion of void batters is a recurring issue and requires ongoing maintenance.</td>
<td>NC</td>
<td>Although WHC responded to DRG’s request to maintain identified erosion of void batters, ongoing maintenance is required for this recurring erosion impact.</td>
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<td>17</td>
<td>The lease holder shall take such precautions as are necessary to abate any dust nuisance</td>
<td>No visible dust or other air pollution noted during site inspection. The majority of the site was revegetated with roads being the primary exposed surface. The gravel pit area requires further stabilisation as do the batters into the void which have areas of erosion and tunnelling. Auditor notes that batter slope erosion releases sediment laden water into the void, and this runoff remains in the void on-site and would not be released. Auditor also notes that controls and revegetation/rectification works are currently being delayed due to pending Vickery Project approval.</td>
<td>NC</td>
<td>The gravel pit area is no longer used and is not stabilised, hence it may generate dust. As the site is not currently used and is a source of windborne dust, stabilisation should be prioritised.</td>
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<td>47</td>
<td>(a) Where an Inspector under the Mining Act 1992 is of the opinion that any condition of this authority relating to operations within the subject area, or any provision of the Mining Act, 1992, relating to operations within the subject area, are not being complied with by the lease holder, the Inspector may serve on the lease holder a notice stating that and give particulars of the reason why, and may in such notice direct the lease holder: (i) to cease operations within the subject area in contravention of that condition or Act; and (ii) to carry out within the specified time works necessary to rectify or remedy the situation. (b) The lease holder shall comply with the directions contained in any notice served pursuant to sub paragraph (a) of this condition. The Director General may confirm, vary or revoke any such direction. (c) A notice referred to in his condition may be served on the Colliery Manager.</td>
<td>Letter from DRG in 2017 required: - removal of tyres and concrete material from the gravel pit area - Monitor and conduct remedial maintenance of erosion to void batters. Site inspection confirmed that the concrete and tyres have been removed, waste documentation was not available for review. Monthly inspections confirm that remedial activities were undertaken to address erosion in 2017 however site inspection confirmed that erosion of void batters is a recurring issue and requires ongoing maintenance.</td>
<td>NC (Duplicate of ML 15)</td>
<td>Although WHC responded to DRG's request to maintain identified erosion of void batters, ongoing maintenance is required for this recurring erosion impact. Maintain waste documentation for removal of waste from site.</td>
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<td>51</td>
<td>(a) The lease holder shall, upon request by the Director General, lodge with the Minister the sum of Ten Thousand Dollars ($10,000) / Seventy Seven Thousand Five Hundred Dollars ($77,500) and as security for the fulfilment of the obligations of the lease holder under this authority. In the event that the lease holder fails to fulfil any of the lease holder's obligations under this authority the said sum may be applied at the discretion of the Minister towards the cost of fulfilling such obligations. For the purposes of the clause a lease holder shall be deemed to have failed to fulfil the lease holder's obligations under this authority, if the lease holder fails to comply with any condition or provision of this authority, any provision of the Act or regulations made thereunder or any condition or direction imposed or given pursuant to a condition or provision of this authority or of any provision of the Act or regulations made thereunder. ML1471: (b) The lease holder must provide the security required by sub-clause (a) hereof in one of the following forms:- (i) cash, or</td>
<td>Emails from Stuart Smith (Whitehaven Treasury and Revenue Accountant) demonstrate anecdotally that the bonds are in place, along with departmental correspondence and draft deeds but no confirmation email or correspondence identified.</td>
<td>O (non-compliant)</td>
<td>Obtain evidence from the Director General for clear demonstration of security deposit</td>
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<td>(ii) a security certificate in such form and given by such surety as may from time to</td>
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<td>time be approved by the Minister.</td>
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<td>(c) The Minister may at any time after the commencement of this authority or any</td>
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<td>renewal thereof, vary the amount of security required in accordance with this</td>
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<td>condition ML1464:</td>
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<td>(b) The Minister may at any time after the commencement of this authority or any</td>
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<td>renewal thereof, vary the amount of security required in accordance with this</td>
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<td>condition;</td>
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<td>(c) Where the amount of security has been increased pursuant to Clause (b) hereof the</td>
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<td>lease holder shall, within two (2) months of being requested by the Minister, lodge</td>
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<td>a security for the amount of security required, in which case the Minister shall</td>
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<td>refund or release to the lease holder the security previously lodged.</td>
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<td>MW07 16-00001</td>
<td>The maximum volume of water that may be taken under this licence in any water year must not exceed a volume equal to: (A) the sum of water allocations accrued to the water allocation account for this licence from available water determinations in that year; plus (B) the water allocations carried over from the water year prior to that water year; plus (C) the net amount of any water allocations assigned to or from the water allocation account for this licence under section 71T of the Act; plus (D) any water allocations re-credited to the water allocation account for this licence in accordance with section 76 of the Act in that water year.</td>
<td>Environmental officer indicated bore has not been pumped in the past three years. Inspection of the bore identified that it was not in use at time of inspection. Water however was being taken from the void. The void has been determined by SLR (2019) to include groundwater inflow (between 0.001 to 0.015ML/day equating to 0.4ML and 5.4ML of evaporation per annum). Canyon water transfer spreadsheet identifies that 25.536 ML have been sourced from the void since water take commenced after January 7 2019 to 18 February 2019. Water is being taken from void for use at Rocglen. Since receiving advice from Ashurst that this activity can commence in compliance with current approval requirements, SLR have determined that the void is subject to groundwater inflow and the water present is not solely accumulated surface runoff. Regulators requested that groundwater inflow be determined to ensure that evaporative loss from this void is licenced. The intent of the regulators is to understand loss and take from the aquifer and appropriately licenced.</td>
<td>O (non-compliant)</td>
<td>Current take from this void (and by proxy the aquifer), that is not from the existing bore, should be discussed with DPI-Water and confirm that utilisation of water within the ground water influenced void is authorised. It may be authorised under the existing water licence as water take is occurring from the aquifer associated with the WAL but not specifically from the existing bore - clarity should be sought.</td>
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<td>MW06 31-00001</td>
<td>Water must not be taken under this access licence otherwise than in compliance with the conditions of the nominated water supply work approval.</td>
<td>as above</td>
<td>O (non-compliant)</td>
<td>To confirm that current take from the void (that has groundwater inflow) is in accordance with water sharing plan (and potentially the current water access licence)</td>
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<td>MW06 35-00001</td>
<td>The licence holder must record the following in the logbook: (vii) the volume of water taken in any water year from 1 July 2011, by comparison to the maximum volume of water permitted to be taken in that water year.</td>
<td>Logbook was provided but no pumping from the bore has occurred to be recorded. Pumping from the Canyon void to trucks for use at Rocglen was occurring during the inspection. Environmental officer indicated that the pump extracting the water is metered and records maintained (in flow meter spreadsheet) though this doesn't include comparison to maximum allowable take volume. The water in the void includes groundwater seepage from the same aquifer that the bore is located. To confirm with regulators that the take is in accordance with water sharing plan (and potentially the current WAL and these conditions)&quot;</td>
<td>O (non-compliant)</td>
<td>As above. Furthermore, to address this condition, formula could be inserted into tracking spreadsheet allowing for remaining volume to be calculated following the insertion of daily pumping rates&quot;</td>
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<td>MW06 33-00001</td>
<td>The licence holder must record the following in the logbook: (i) each date and period of time during which water is taken under this licence; (ii) the volume of water taken on that date; (iii) the water supply work approval number of the water supply work used to take the water on that date; (iv) the purpose or purposes for which the water taken on that date.</td>
<td>The logbook associated with the bore has no entries as the bore has not been used. At the time of the audit a pump was being used to remove water from the pit void. The pit void has inflow from the aquifer that is also associated with the bore. The pumping volume from the void was being collected on a spreadsheet. The pump flow meter spreadsheet is not maintained by the site Environmental officer but by the Operations Manager and only includes water volume taken per week, rather than the specific logbook requirements of the condition.</td>
<td>O (compliant)</td>
<td>Ensure that all requirements to be present in the logbook are included.</td>
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<td>MW06 32-00001</td>
<td>The licence holder must keep a log book, except where the access licence nominates only a metered work with a data logger. A &quot;logbook&quot; means a written record, kept in hard copy or electronic form, which accurately records all information required to be kept for this licence.</td>
<td>A logbook has been developed but no entries are present, as the bore has not been used during the audit period.</td>
<td>O (compliant)</td>
<td>Ensure that the logbook has all requirements to meet the conditions of this WAL.</td>
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<td>MW08 31-00001</td>
<td>The licence holder must notify the Minister, in writing, immediately upon becoming aware of a breach of any condition of this licence. Note: a notification does not authorise a breach, or continuing breach, of a condition of this licence.</td>
<td>Groundwater influenced water is currently being pumped from the pit void for use at Rocglen. To confirm that current pumping from groundwater-influenced void is not considered a breach of the conditions of water sharing plan or this WAL.</td>
<td>O (non-compliant)</td>
<td>To confirm that current activity is not considered a breach of the conditions of water sharing plan or this WAL. Discussion and authorisation from NRAR with regard to the activity is required now that groundwater infiltration into the void is confirmed.</td>
</tr>
<tr>
<td>MW07 17-00001</td>
<td>The maximum water allocation that may be carried over in the water allocation account for this access licence from one water year to the next is either: (A) 25 % of the access licence share component for access licences with share components expressed as ML/year; or (B) 0.25 ML per unit share of access licence share component for access licences with share components expressed as a number of unit shares.</td>
<td>The void is subject to both groundwater inflow and surface water inflow. Water take is currently occurring via pumping directly from the void rather than the bore. The pump meter identifies the quantity of take from the void, it is to be confirmed how this take fits with the water sharing plan and the current WAL.</td>
<td>O (non-compliant)</td>
<td>Current take from this void (and by proxy the aquifer), that is not from the existing bore, should be discussed with DPI-Water and confirm that utilisation of water within the ground water influenced void is authorised. It may be authorised under the existing water licence as water take is occurring from the aquifer associated with the WAL but not specifically from the existing bore - clarity should be sought.</td>
</tr>
</tbody>
</table>
4. CONCLUSION

An audit of MCoA, Mining Leases and Water Access Licence conditions has been completed as well as a check against commitments made in the management plans developed as part of MCoA 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

<table>
<thead>
<tr>
<th>Review</th>
<th>Non-compliances</th>
<th>Administrative non-compliance</th>
<th>Observations (C)</th>
<th>Observations (NC)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statutory Instruments</td>
<td>5</td>
<td>4</td>
<td>8</td>
<td>6</td>
</tr>
<tr>
<td>Implementation of Plans</td>
<td>5</td>
<td>-</td>
<td>1</td>
<td>-</td>
</tr>
</tbody>
</table>

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, MINING LEASE, WATER ACCESS LICENCE AND MANAGEMENT PLAN COMPLIANCE TABLES
### Table: Conditions of Approval Table

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1</td>
<td>The Applicant shall implement all practicable measures to prevent and/or minimise any harms to the environment that may result from the construction, operation, or rehabilitation of the development.</td>
<td>None</td>
<td>This audit</td>
<td>Review of management plans, implementation of plans and site inspection to confirm – refer tables of this audit</td>
<td>C</td>
<td>This audit</td>
<td>Review of management plans, implementation of plans and site inspection to confirm – refer tables of this audit</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>2.2</td>
<td>The Applicant shall carry out the development (a) generally in accordance with the EIS; and (b) in accordance with the conditions of this consent.</td>
<td>This audit</td>
<td>Noted</td>
<td>Noted</td>
<td>Noted</td>
<td>Noted</td>
<td>Noted</td>
<td>Noted</td>
<td>Noted</td>
</tr>
<tr>
<td>2.3</td>
<td>If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>2.4</td>
<td>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 those reports, plans or correspondence.</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>2.5</td>
<td>Written in minute of the date of this consent, the Applicant and surrenders all previous development consents for the Whitehaven mine to the satisfaction of the Secretary.</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>2.6</td>
<td>The Applicant may carry out mining operations on the site until 7th September 2015.</td>
<td>Interview – Environment Manager</td>
<td>OC 303-2012</td>
<td>Closure Mining Operations Plan</td>
<td>C</td>
<td>OC 303-2012</td>
<td>Closure Mining Operations Plan</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>2.7</td>
<td>The Applicant shall not extract more than 1.25 million tonnes of ROM coal a year from the Whitehaven mine.</td>
<td>Site Inspection</td>
<td>No ROM coal was extracted during the audit period</td>
<td>NT</td>
<td>Interview – Graduate Environmental Officer</td>
<td>No ROM coal was extracted during the audit period</td>
<td>NT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.8</td>
<td>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.</td>
<td>Interview – Environment Manager</td>
<td>No material was removed from the site during the audit period</td>
<td>NT</td>
<td>Interview – Graduate Environmental Officer</td>
<td>No material was removed from the site during the audit period</td>
<td>NT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.9</td>
<td>The Applicant shall provide all necessary support for and/or carry out structural surveys, and any alterations and additions to existing buildings and alterations are carried out in accordance with the relevant requirements of the BCA.</td>
<td>None</td>
<td>Letter from Narrabri Shire Council 2011 – construction certificate 450-2012</td>
<td>C</td>
<td>Letter from Narrabri Shire Council 15 October 2011 – construction certificate 450-2012</td>
<td>C</td>
<td>Letter from Narrabri Shire Council 15 February 2012 – occupancy certificate OC 303-2012</td>
<td>NT</td>
<td></td>
</tr>
<tr>
<td>2.10</td>
<td>The Applicant shall ensure that all demolition work is carried out in accordance with Australian Standards AS 2601-2001: The Demolition of Structures, in latest versions.</td>
<td>Interview – Environment Manager</td>
<td>No buildings have been demolished during the audit period</td>
<td>NT</td>
<td>Interview – Graduate Environmental Officer</td>
<td>No buildings have been demolished during the audit period</td>
<td>NT</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Operation of Plant and Equipment

The Applicant shall ensure that all plant and equipment used at the site, or to transport material offsite, are:

- In operation, that all plant and equipment used at the site, or to transport material offsite, is in use to extract ash.
- Meeting all criteria listed in Tables 1, 2 and 3 at any residence on, or on more than 25 percent of, any privately-owned land.
- Meeting all criteria in Tables 4, 5 and 6 at any residence on, or on more than 25 percent of, any privately-owned land.
- 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.

#### Land Acquisition Criteria

The Applicant shall ensure that no plant, equipment, or material is deposited at four locations: WD-1 from Canyon Deposited to Whitehaven, WD-2 Merton, WD-12 Whitehaven, WD-13b Property and WD-13 Whitehaven Residences, WD-2 Merton, WD-12 Whitehaven Property and WD-13b Whitehaven Residences, WD-2 Merton, WD-12 Whitehaven Property and WD-13b Whitehaven Residences.

#### Impact Assessment Criteria

The ash content for this gauge for the December 2015 monitoring event is 49.7% demonstrating the material consists primarily of inorganic matter (mineral content such as dirt, sand etc.). The mineral content at the site for the period are from the east, northeast and north which are potentially from the site 73.8% of coal was recorded on 12 rain days in December 2015 which is compared with the annual average at BOM station, Gunnedah resource Centre (055024).

#### Site Inspection

Site inspection monitoring reduced in 2015 to four locations: WD-1 Whitehaven Residence, WD-2 Merton, WD-32 Whitehaven Property and WD-136 Wilga. The previous monitoring program included additional locations at D5 Wilga, D7 Wilga, D9 Gundawarra, D10 Merton, D11 Bungalow and D14 Everglade. The two Bungalow locations have not had access since March 2002. The two Gunnedah locations have not had access since March 2002.

#### Air Quality

- NC

### SCHEDULE 3 – SPECIFIC ENVIRONMENTAL CONDITIONS

#### AIR QUALITY

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Inspection</td>
<td>Monitoring reduced in 2015 to four locations: WD-1 Whitehaven Residence, WD-2 Merton, WD-32 Whitehaven Property and WD-136 Wilga. The previous monitoring program included additional locations at D5 Wilga, D7 Wilga, D9 Gundawarra, D10 Merton, D11 Bungalow and D14 Everglade. The two Bungalow locations have not had access since March 2002. The two Gunnedah locations have not had access since March 2002.</td>
</tr>
<tr>
<td>Air Quality, Monitoring, Program</td>
<td>Monitoring reduced in 2015 to four locations: WD-1 Whitehaven Residence, WD-2 Merton, WD-136 Wilga. 2015 has exceeded the criteria at 49.7% monthly average in 2015 with a result of 49.7% monthly recorded in December 2015. The ash content for this gauge for the December 2015 monitoring event is 49.7% demonstrating the material consists primarily of inorganic matter (mineral content such as dirt, sand etc.). The mineral content at the site for the period are from the east, northeast and north which are potentially from the site 73.8% of coal was recorded on 12 rain days in December 2015 which is compared with the annual average at BOM station, Gunnedah resource Centre (055024).</td>
</tr>
</tbody>
</table>
| NT

#### Ground Aggradation Criteria

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Action</th>
</tr>
</thead>
</table>
| Ground Aggradation Criteria | No written requests for acquisition of land from landowners have been received during the reporting period. | NT

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monthly Inspection Reports 2016-2019</td>
<td>Consider completing maintenance on the groundwater pumps or documentation of no maintenance required.</td>
</tr>
</tbody>
</table>
| Pumps and associated infrastructure is maintained by the maintenance crew to reflect checks on the weather station which can be completed by the Environmental Advisor to ensure ongoing operation. | NC

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>NT</td>
<td>Interview with Graduate Environmental Officer</td>
</tr>
<tr>
<td>NT</td>
<td>No written requests for acquisition of land from landowners have been received during the reporting period, and Whitehaven owns the majority of the surrounding land.</td>
</tr>
</tbody>
</table>
### Operating Conditions

3.3 The Applicant shall carry out the development in a way that prevents and/or minimises the air pollution generated by the development. No visible dust or other air pollution noted during site inspection. The majority of the site was sealed with roads the primary exposed surface. The gravel pit area requires further stabilisation (pending Vickery Project).

#### Site Inspection
- No visible dust or other air pollution noted during site inspection. The majority of the site was sealed with roads the primary exposed surface. The gravel pit area requires further stabilisation (pending Vickery Project).
- Consider stabilising the gravel pit area until the Vickery Project commences and permanent soil stabilisation works are completed.
- Site Inspection
- Consider stabilising the gravel pit area until the Vickery Project commences and permanent soil stabilisation works are completed.
- NC
- NC

#### Site Inspection
- No visible dust or other air pollution noted during site inspection. The majority of the site was sealed with roads the primary exposed surface. The gravel pit area requires further stabilisation as do the batters into the void which have areas of erosion and tunnelling. Additional note that batter slope erosion releases sediment laden water into the void, and this runoff remains in the void onsite and would not be released. Additional note for controls and monitoring, mitigation works are currently being delayed due to pending Vickery Project approval.

#### Site Inspection
- No visible dust or other air pollution noted during site inspection. The majority of the site was sealed with roads being the primary exposed surface. The gravel pit area requires further stabilisation as do the batters into the void which have areas of erosion and tunnelling. Additional note that batter slope erosion releases sediment laden water into the void, and this runoff remains in the void onsite and would not be released. Additional note for controls and monitoring, mitigation works are currently being delayed due to pending Vickery Project approval.

### Monitoring Conditions

3.4 The Applicant shall:
(a) ensure opportunities to monitor the 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 prevent the off-site adverse and home emissions generated by any spontaneous combustion or blasting at the development, to the satisfaction of the Secretary.

#### Monitoring Conditions
- Monitoring Records
- No mining activities completed during the audit period.
- Site Inspection
- Trucks entering and leaving the site limited to the Hitachi leased area located at the northern entrance.
- No odour or dust noted during the site inspection.
- Interview – Environment Manager
- No odour or dust noted during the site inspection.
- Graduate Environmental Officer
- No odour or dust noted during the site inspection.
- Monthly Inspection

4.4 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.

#### Monitoring Conditions
- Air Quality Monitoring Program
- Implementation of the Air Quality Monitoring Program is as required.
- Interview – Environmental Officer
- No odour or dust noted during the site inspection.
- Graduate Environmental Officer
- No odour or dust noted during the site inspection.
- Monthly Inspection

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.

#### Monitoring Conditions
- Air Quality Monitoring Program
- Implementation of the Air Quality Monitoring Program is as required.
- Interview – Environmental Officer
- No odour or dust noted during the site inspection.
- Graduate Environmental Officer
- No odour or dust noted during the site inspection.
- Monthly Inspection

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.

#### Monitoring Conditions
- Air Quality Monitoring Program
- Implementation of the Air Quality Monitoring Program is as required.
- Interview – Environmental Officer
- No odour or dust noted during the site inspection.
- Graduate Environmental Officer
- No odour or dust noted during the site inspection.
- Monthly Inspection

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.

#### Monitoring Conditions
- Air Quality Monitoring Program
- Implementation of the Air Quality Monitoring Program is as required.
- Interview – Environmental Officer
- No odour or dust noted during the site inspection.
- Graduate Environmental Officer
- No odour or dust noted during the site inspection.
- Monthly Inspection

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.

### Operating Conditions

3.4 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 ceased 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 adverse and home emissions generated by any spontaneous combustion or blasting at the development, to the satisfaction of the Secretary.

#### Operating Conditions
- Monitoring Records
- No mining activities completed during the audit period.
- Site Inspection
- Trucks entering and leaving the site limited to the Hitachi leased area located at the northern entrance.
- No odour or dust noted during the site inspection.
- Interview – Environment Manager
- No odour or dust noted during the site inspection.
- Graduate Environmental Officer
- No odour or dust noted during the site inspection.
- Monthly Inspection

3.5 The gravel pit area is no longer used and is not stabilised, hence it may generate dust. The site is not currently used and in a source of windborne dust, stabilisation should be prioritised.
Noise Monitoring Results

Interview – Graduate Environmental Officer

Noise monitoring not completed during audit period. NT

3.4 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.

Noise Monitoring Results

Potential noise impacts during operations were managed in accordance with the Noise Monitoring Program. The EPL was varied in November 2011 and noise monitoring removed as a requirement of the EPL, and is therefore no longer undertaken. The EPL has since been surrendered.

NT

Lease agreement

Noise monitoring not completed during audit period as no mining operations were undertaken.

NT

Table 7: Noise Impact Assessment Criteria (dB(A))

<table>
<thead>
<tr>
<th>Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• 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.</td>
</tr>
<tr>
<td>• To determine compliance with the LAeq(15 minute) noise limits in the above table, where in 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 when applicable.</td>
</tr>
<tr>
<td>• Noise from the development is to be measured at 1 metre from the dwelling façade to determine compliance with the LA1 (1 minute) noise limits in the above table.</td>
</tr>
<tr>
<td>• The noise emission limits identified in the above table apply under meteorological conditions of:</td>
</tr>
<tr>
<td>- wind speeds of up to 3 m/s at 10 metres above ground level; or</td>
</tr>
<tr>
<td>- temperature inversion conditions of up to 3 ºC/100 m and wind speeds of up to 2 m/s at 10 metres above ground level.</td>
</tr>
</tbody>
</table>

Potential noise impacts during operations were managed in accordance with the Noise Monitoring Program. The EPL was varied in November 2011 and noise monitoring removed as a requirement of the EPL, and is therefore no longer undertaken. The EPL has since been surrendered.

NT

Lease agreement

Noise monitoring not completed during audit period as no mining operations were undertaken.

NT

Table 7: Noise Impact Assessment Criteria (dB(A))

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<td>• To determine compliance with the LAeq(15 minute) noise limits in the above table, where in 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 when applicable.</td>
</tr>
<tr>
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<td>• The noise emission limits identified in the above table apply under meteorological conditions of:</td>
</tr>
<tr>
<td>- wind speeds of up to 3 m/s at 10 metres above ground level; or</td>
</tr>
<tr>
<td>- temperature inversion conditions of up to 3 ºC/100 m and wind speeds of up to 2 m/s at 10 metres above ground level.</td>
</tr>
</tbody>
</table>

Noise monitoring not completed during audit period. NT

Interview – Graduate Environmental Officer

NT

Conditions of Approval Table
### Operating Hours

<table>
<thead>
<tr>
<th>The Applicant:</th>
<th>(\text{Site Inspection})</th>
<th>(\text{Interview - Environment Manager})</th>
<th>(\text{Site Inspection})</th>
<th>(\text{Letter from DP&amp;E dated 21 January 2016})</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) shall carry out the development at the site between 7 am to 10 pm Monday to Saturday, excluding public holidays;</td>
<td>Site activities included rehabilitation operations only during audit period.</td>
<td>Site activities included rehabilitation operations only during audit period.</td>
<td>The site was non-operational during the audit period.</td>
<td>Letter received from DP&amp;E confirming Blast Monitoring is no longer required.</td>
</tr>
<tr>
<td>No blasting at the site</td>
<td>the coal or gravel was removed from, or transported to the site during the audit period.</td>
<td>when not required.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) shall only transport coal or gravel on public roads between 7 am and 10 pm Monday to Saturday, excluding public holidays.</td>
<td>Site activities included rehabilitation operations only during audit period.</td>
<td>Site activities included rehabilitation operations only during audit period.</td>
<td>The site was non-operational during the audit period.</td>
<td>Letter received from DP&amp;E confirming Noise Management Plan is no longer required.</td>
</tr>
<tr>
<td>(c) may undertake highwall mining operations at any time, excluding public holidays;</td>
<td>Site activities included rehabilitation operations only during audit period.</td>
<td>Site activities included rehabilitation operations only during audit period.</td>
<td>The site was non-operational during the audit period.</td>
<td>Letter received from DP&amp;E confirming Noise Management Plan is no longer required.</td>
</tr>
</tbody>
</table>

### Operating Conditions

| The Applicant shall ensure that: | Site Inspection | Site Inspection | Interview - Environment Manager | Letter from DP&E dated 21 January 2016 |
|-----------------------------|----------------|----------------|-------------------------------|---------------------------------
| (a) shall carry out the development at the site between 7 am to 10 pm Monday to Saturday, excluding public holidays; | No permanent plant on site for Whitehaven Coal. The requirement for mid-high frequency broadband type alarms fitted on machinery is not outlined in the management plans for the site or in any general policies. | Site activities included rehabilitation operations only during audit period. | Letter received from DP&E confirming Blast Monitoring is no longer required. |
| No blasting at the site | No permanent mobile plant on site for Whitehaven Coal. The requirement for mid-high frequency broadband type alarms fitted on machinery is not outlined in the management plans for the site or in any general policies. | Site activities included rehabilitation operations only during audit period. | Letter received from DP&E confirming Blast Monitoring is no longer required. |
| (b) may undertake overburden and interburden removal and suppression activities associated with these operations, between 7 am and midnight, Monday to Saturday; | No permanent mobile plant on site for Whitehaven Coal. The requirement for mid-high frequency broadband type alarms fitted on machinery is not outlined in the management plans for the site or in any general policies. | Site activities included rehabilitation operations only during audit period. | Letter received from DP&E confirming Blast Monitoring is no longer required. |
| (c) may undertake highwall mining operations at any time, excluding public holidays; | No permanent mobile plant on site for Whitehaven Coal. The requirement for mid-high frequency broadband type alarms fitted on machinery is not outlined in the management plans for the site or in any general policies. | Site activities included rehabilitation operations only during audit period. | Letter received from DP&E confirming Blast Monitoring is no longer required. |
| (d) shall only transport coal or gravel on public roads between 7 am and 10 pm Monday to Saturday, excluding public holidays. | No permanent mobile plant on site for Whitehaven Coal. The requirement for mid-high frequency broadband type alarms fitted on machinery is not outlined in the management plans for the site or in any general policies. | Site activities included rehabilitation operations only during audit period. | Letter received from DP&E confirming Blast Monitoring is no longer required. |

### Meteorological Monitoring

<table>
<thead>
<tr>
<th>The Applicant shall ensure that a meteorological station is sited in accordance with Approved Methods for Sampling of Air Pollutants in New South Wales, and that the location is suitable and operating in the vicinity of the site, including the requirements in Approved Methods for Sampling of Air Pollutants in New South Wales.</th>
<th>Site inspection confirmed a meteorological station is sited in accordance with Approved Methods for Sampling of Air Pollutants in New South Wales.</th>
<th>Site inspection confirmed a meteorological station is sited in accordance with Approved Methods for Sampling of Air Pollutants in New South Wales.</th>
<th>Letter from DP&amp;E dated 21 January 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) the site is a suitable meteorological station operating in the vicinity of the site, including the requirements in Approved Methods for Sampling of Air Pollutants in NSW.</td>
<td>Site inspection confirmed a meteorological station is sited in accordance with Approved Methods for Sampling of Air Pollutants in New South Wales.</td>
<td>Site inspection confirmed a meteorological station is sited in accordance with Approved Methods for Sampling of Air Pollutants in New South Wales.</td>
<td>Letter from DP&amp;E dated 21 January 2016</td>
</tr>
<tr>
<td>(b) shall ensure the transport management plan for the site is in accordance with the meteorological station location.</td>
<td>Site inspection confirmed a meteorological station is sited in accordance with Approved Methods for Sampling of Air Pollutants in New South Wales.</td>
<td>Site inspection confirmed a meteorological station is sited in accordance with Approved Methods for Sampling of Air Pollutants in New South Wales.</td>
<td>Letter from DP&amp;E dated 21 January 2016</td>
</tr>
</tbody>
</table>

### Blast Monitoring

<table>
<thead>
<tr>
<th>The Applicant shall ensure that the level of blast monitoring is no longer required.</th>
<th>Letter from DP&amp;E dated 21 January 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) shall carry out the development at the site between 7 am to 10 pm Monday to Saturday, excluding public holidays;</td>
<td>Letter received from DP&amp;E confirming Blast Monitoring is no longer required.</td>
</tr>
<tr>
<td>No blasting at the site</td>
<td>Letter received from DP&amp;E confirming Blast Monitoring is no longer required.</td>
</tr>
<tr>
<td>(b) may undertake highwall mining operations at any time, excluding public holidays;</td>
<td>Letter received from DP&amp;E confirming Blast Monitoring is no longer required.</td>
</tr>
<tr>
<td>(c) may undertake overburden and interburden removal and suppression activities associated with these operations, between 7 am and midnight, Monday to Saturday;</td>
<td>Letter received from DP&amp;E confirming Blast Monitoring is no longer required.</td>
</tr>
<tr>
<td>(d) shall only transport coal or gravel on public roads between 7 am and 10 pm Monday to Saturday, excluding public holidays.</td>
<td>Letter received from DP&amp;E confirming Blast Monitoring is no longer required.</td>
</tr>
</tbody>
</table>

### Noise Monitoring

<table>
<thead>
<tr>
<th>The Applicant shall ensure that the noise monitoring protocol for evaluating compliance with the noise impact assessment and land acquisition criteria in this consent condition for any material noise events associated with the site is in place.</th>
<th>Letter received from DP&amp;E confirming Noise Management Plan is no longer required.</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) shall carry out the development at the site between 7 am to 10 pm Monday to Saturday, excluding public holidays;</td>
<td>Letter received from DP&amp;E confirming Noise Management Plan is no longer required.</td>
</tr>
<tr>
<td>No blasting at the site</td>
<td>Letter received from DP&amp;E confirming Noise Management Plan is no longer required.</td>
</tr>
<tr>
<td>(b) may undertake overburden and interburden removal and suppression activities associated with these operations, between 7 am and midnight, Monday to Saturday;</td>
<td>Letter received from DP&amp;E confirming Noise Management Plan is no longer required.</td>
</tr>
<tr>
<td>(c) may undertake highwall mining operations at any time, excluding public holidays;</td>
<td>Letter received from DP&amp;E confirming Noise Management Plan is no longer required.</td>
</tr>
<tr>
<td>(d) shall only transport coal or gravel on public roads between 7 am and 10 pm Monday to Saturday, excluding public holidays.</td>
<td>Letter received from DP&amp;E confirming Noise Management Plan is no longer required.</td>
</tr>
</tbody>
</table>

### Blasting and Vibration

<table>
<thead>
<tr>
<th>The Applicant shall ensure that the blasting overpressure level from blasting at the development does not exceed the criteria in Table 9.</th>
<th>Letter from DP&amp;E dated 21 January 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) shall carry out the development at the site between 7 am to 10 pm Monday to Saturday, excluding public holidays;</td>
<td>Letter received from DP&amp;E confirming Blast Monitoring is no longer required.</td>
</tr>
<tr>
<td>No blasting at the site</td>
<td>Letter received from DP&amp;E confirming Blast Monitoring is no longer required.</td>
</tr>
<tr>
<td>(b) may undertake overburden and interburden removal and suppression activities associated with these operations, between 7 am and midnight, Monday to Saturday;</td>
<td>Letter received from DP&amp;E confirming Blast Monitoring is no longer required.</td>
</tr>
<tr>
<td>(c) may undertake highwall mining operations at any time, excluding public holidays;</td>
<td>Letter received from DP&amp;E confirming Blast Monitoring is no longer required.</td>
</tr>
<tr>
<td>(d) shall only transport coal or gravel on public roads between 7 am and 10 pm Monday to Saturday, excluding public holidays.</td>
<td>Letter received from DP&amp;E confirming Blast Monitoring is no longer required.</td>
</tr>
</tbody>
</table>
### 3.13 Ground Vibration Impact Assessment Criteria

<table>
<thead>
<tr>
<th>Condition</th>
<th>Description</th>
<th>No Blasting completed during audit period.</th>
<th>NT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blasting at the development does not exceed the criteria in Table 10 at any residence on privately-owned land</td>
<td>Interview – Environment Manager</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 3.14 Blasting Frequency

<table>
<thead>
<tr>
<th>Condition</th>
<th>Description</th>
<th>No Blasting completed during audit period.</th>
<th>NT</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Applicant shall only carry out blasting at the development between 9 am and 5 pm Monday to Saturday.</td>
<td>Interview – Environment Manager</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 3.15 Blasting Hours

<table>
<thead>
<tr>
<th>Condition</th>
<th>Description</th>
<th>No Blasting completed during audit period.</th>
<th>NT</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Applicant shall not carry out more than 1 blast a day at the site without the written approval of the EPA.</td>
<td>Interview – Environment Manager</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 3.16 Public Notice

<table>
<thead>
<tr>
<th>Condition</th>
<th>Description</th>
<th>No Blasting completed during audit period.</th>
<th>NT</th>
</tr>
</thead>
<tbody>
<tr>
<td>During the life of the development, the Applicant shall:</td>
<td>Interview – Environment Manager</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(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</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) notify the landowner/occupier of any privately-owned land within 4 km of the development about this system on an annual basis.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 3.17 Property Investigation

<table>
<thead>
<tr>
<th>Condition</th>
<th>Description</th>
<th>No Blasting completed during audit period.</th>
<th>NT</th>
</tr>
</thead>
<tbody>
<tr>
<td>If any landowner within 2 km of the development, or any other landholder nominated by the Secretary, claims that his/her property, including infrastructure such as water supply or underground irrigation mains, has been damaged as a result of blasting at the development, the Applicant shall within 6 months of receiving this request:</td>
<td>Interview – Environment Manager</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) commission a suitably qualified person whose appointment has been approved by the Secretary to investigate the claim; and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) give the landowner a copy of the property investigation report.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Conditions of Approval Table

<table>
<thead>
<tr>
<th>Condition</th>
<th>Description</th>
<th>No Blasting completed during audit period.</th>
<th>NT</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>Letter from DP&amp;E dated 21 January 2016</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Letter received from DP&E confirming Blasting Monitoring Program is no longer required.

<table>
<thead>
<tr>
<th>Description</th>
<th>No correspondence received from landholders indicating infrastructure such as water supply or underground irrigation mains has been damaged as a result of blasting from previous operations.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Letter from DP&amp;E dated 1 August 2016 regarding Redundant Monitoring Programs states that the level of blast monitoring is required to be prepared to reflect the extent of current activity on site.</td>
<td>No correspondence received from landholders indicating infrastructure such as water supply or underground irrigation mains has been damaged as a result of blasting from previous operations.</td>
</tr>
<tr>
<td>The Site has submitted a Blast Monitoring Plan indicating no blasting is planned at the site in line with the Closure MOP, the plan is awaiting approval.</td>
<td>No correspondence received from landholders indicating infrastructure such as water supply or underground irrigation mains has been damaged as a result of blasting from previous operations.</td>
</tr>
</tbody>
</table>

### 3.17 Public Notice

<table>
<thead>
<tr>
<th>Condition</th>
<th>Description</th>
<th>No Blasting completed during audit period.</th>
<th>NT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Interview – Environment Manager</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### SURFACE AND GROUNDWATER

#### Discharge Limits

<table>
<thead>
<tr>
<th>Period</th>
<th>Monitoring Results</th>
<th>Condition Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>AEMR 2012-2013</td>
<td>Wet weather discharge was undertaken in 2016 though no discharges occurred during the audit period.</td>
<td>C (compliant)</td>
</tr>
<tr>
<td>AEMR 2013-2014</td>
<td>No discharges occurred during the audit period.</td>
<td>C (compliant)</td>
</tr>
<tr>
<td>AEMR 2014-2015</td>
<td>No discharges occurred during the audit period.</td>
<td>C (compliant)</td>
</tr>
</tbody>
</table>

#### Site Water Balance

1.20

(a) prepare a detailed site water balance for all the development sites.

(b) measure water use on site.

(c) review the site water balance for the development annually, and report the results of this review in the AEMR.

The Applicant shall:

- AEMR 2012-2013

- AEMR 2013-2014

- AEMR 2014-2015

- AEMR 2015-2016

- AEMR 2016-2017

- AEMR 2017-2018

1.21

Review of:

- Graduate Environmental Resources Management Australia Pty Ltd

- Site Inspection

- EA Report 2007

- Site Inspection

- Site Inspection

- Site Inspection

- Site Inspection

- Site Inspection

- Site Inspection

1.22

The Applicant shall monitor:

(a) the volume and quality of water discharged from the site; and

(b) the volume and quality of water discharged from the site; and

(c) report the results of this monitoring in the AEMR.

The Applicant shall:

- AEMR 2012-2013

- AEMR 2013-2014

- AEMR 2014-2015

- AEMR 2015-2016

- AEMR 2016-2017

- AEMR 2017-2018

No discharges occurred during the audit period.

C (compliant)
Groundwater Monitoring

The Applicant shall regularly monitor:

- groundwater levels and quality at boreholes and parameters 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.

1.26

(a) site water balance

Result of review of data in five year since mining ceased

Water Management Plan

Interview with Graduate Environmental Officer

Water Management Plan

a) Site water balance (Section 3);

Natural Resource Access Register (NRAR)

Interview with Graduate Environmental Officer

Water Management Plan

a) Site water balance (Section 3);

b) Erosion and sediment control (Section 6);

c) Groundwater monitoring program;

d) Surface and groundwater response plan (Section 6);

e) Review of post-mining collected data (Section 5);

C

Table 3: Water Management Plan

<table>
<thead>
<tr>
<th>Component</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site water balance</td>
<td>(a) Erosion and sediment control (Section 6); b) Groundwater monitoring program; c) Surface and groundwater response plan (Section 6); d) Review of post-mining collected data (Section 5);</td>
</tr>
<tr>
<td>Natural Resource Access Register (NRAR)</td>
<td>Interview with Graduate Environmental Officer; Water Management Plan;</td>
</tr>
<tr>
<td>Water Management Plan</td>
<td>a) Site water balance (Section 3); b) Erosion and sediment control (Section 6); c) Groundwater monitoring program;</td>
</tr>
</tbody>
</table>
Prior to 30 November 2008, the Applicant shall review and subsequently implement any revisions to the mine’s NSW Water Management Plan required by condition 26, in consultation with DPI Water and EPA, and to the satisfaction of the Secretary.

The Water Management Plan was revised in 2015 – no evidence available that this was completed in consultation with DPI (Water) or EPA, and submitted to the NRAR.

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 (Water) and to the satisfaction of the Secretary. This plan must:

(a) investigate options for the future use of the final void;

Site inspection

(b) assess the potential interaction between the final void and the adjacent groundwater and surface water resources; and

Whitburn Coal Monthly Inspection Sheets 2012-2015

The high walls and low walls have been regraded with batters generally less than 14 degrees and stabilised with pasture species. The void batters above the permanent water level are proposed to be stabilised with native vegetation in the event that the Vickery Project will not be developed.

(c) describe what actions and measures would be implemented to:

Monthly inspections are completed by a Whitehaven Coal Environment Officer which currently includes a formal check of the void area.

• minimise any potential adverse impacts with the final void; and

• manage and monitor the potential impacts of the final void over time.

NC - Consider revising the offset strategy described in section 4.2.4 and depicted in Figure 2.4 of the SEE for the proposed Vickery project. This is a revised version of this offset strategy that has been approved by the Secretary, to the satisfaction of the Secretary.

The previous audit report confirmed this condition was met at the time.

NC - Consider including evidence of any implementation and liaison into the annex of the Letter.

The Water Management Plan has been updated to incorporate NRAR and DPI (Water) comments following review and includes content of the RLL 14 February 2016 report to discuss Inspectorate line.

NC - Consider submitting the revised plan to DPI (Water), EPA and DP&E requesting submission.

The previous audit identified that the condition was met at the time.

The Water Management Plan may be required to incorporate activities to occur with the Vickery project subject to approval.

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 Vickery project. This is a revised version of this offset strategy that has been approved by the Secretary, to the satisfaction of the Secretary.

Consider revising the monthly inspection checklist to include checks on void condition such as batter stability.

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Consider revising the monthly inspection checklist to include checks on void condition such as batter stability.
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:

(a) a description of the offset strategy in broad terms, including its objectives and its relationship to the rehabilitation of the mine over time;

(b) completion criteria for the offset strategy;

(c) a description of what actions and measures will be implemented over the next 3 years;

(d) a flora and fauna monitoring program that is based on sound statistical principles; and

(e) a description of the procedures that would be implemented to:

• 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.

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.

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.

Plan and Fauna Management Plan

Within 12 months of this consent, the Applicant shall implement a detailed Flora and Fauna Management Plan for the site, to the satisfaction of the Secretary: This plan must include:

(a) a description of the offset strategy in broad terms, including its objectives and its relationship to the rehabilitation of the mine over time;

(b) completion criteria for the offset strategy;

(c) a description of what actions and measures will be implemented over the next 3 years;

(d) a flora and fauna monitoring program that is based on sound statistical principles; and

(e) a description of the procedures that would be implemented to:

• 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.

The Biodiversity Offset Management Plan (BOMP) 2013 identifies that the Biodiversity Offset Area (BOA) consists of two adjoining properties known as ‘Yarrari’ and ‘Belah’, which are located on the western flanks of the Kelvin Ranges approximately 20 kilometres (km) north-west of Gunnedah, and have an area of 1,523.9 hectares (ha). The BOA is 1,495.3 ha in area and is protected on title by the registration of a Biobank Agreement under Part 7A Division 2 of the NSW Threatened Species Conservation Act (TSC) 1995 on 28 June 2012.

The Biodiversity Offset Management Plan identifies that the Biodiversity Offset Area (BOA) consists of two adjoining properties known as ‘Yarrari’ and ‘Belah’, which are located on the western flanks of the Kelvin Ranges approximately 20 kilometres (km) north-west of Gunnedah, and have an area of 1,523.9 hectares (ha). The BOA is 1,495.3 ha in area and is protected on title by the registration of a Biobank Agreement under Part 7A Division 2 of the NSW Threatened Species Conservation Act (TSC) 1995 on 28 June 2012.
AEMR includes rehabilitation progress on the Canyon site. The Flora and Fauna Management Plan (Frances) and the approved Rehabilitation Monitoring Program were transferred to OEH. An annual rehabilitation monitoring of the Canyon Mine is detailed in Appendix 4 of the AEMR. Performance of the Biodiversity Offset Management Plan is reported as part of the annual report.

NT NT

Interview – Environment Manager
An audit of the offset strategy has not been completed.

Consider completing an audit of the offset strategy to fulfill this condition.

Introduce Graduate Environment Officer
Consider submitting the offset strategy to fulfill this condition.

NT

Interview – Environment Manager
An audit of the offset strategy has not been completed therefore this condition is not triggered.

IEA Report 2007

This condition was closed in the previous ICA audit completed in 2006.

Consider informing Hitachi of the condition requiring trucks travelling on Hoads Lane to travel at no more than 40km/h when the school bus is operating on Hoads Lane.

Interview – Environment Manager
No coal extracted during the audit period.

NT

IEA Report 2007

This condition was closed in the previous ICA audit completed in 2006.

Road Noise Management Plan

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 OEH and ODL, and to the satisfaction of the Secretary.

NT

Letter from GSE dated 21 January 2016

This condition was closed in the previous ICA audit completed in 2006.

Consider informing Hitachi of the condition requiring trucks travelling on Hoads Lane to travel at no more than 40km/h when the school bus is operating on Hoads Lane.

Letter from DPE dated 21 January 2016

This condition was closed in the previous ICA audit completed in 2006.

Road Noise Management Plan

NT
3.35 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.

3.36 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
(b) include these records in the AEMR.

The maintenance team identified no gravel is currently used from the stockpiles on-site O (Compliant)

3.37 The Applicant shall carry out the development in a way that prevents and/or minimises the visual impact of the development, including the design and construction of infrastructure in a manner that minimises visual contrasts, to the satisfaction of the Secretary.

Site Inspection During the site inspection, it was noted site infrastructure is not visible from public roads. C

3.38 Lighting is limited to the Hitachi work area with spotlight style lights located on building eaves which is kept on at night for security. The Hitachi work area is not visible from public roads.

C


Although emissions are limited to fuel usage of equipment on-site such as the generator for the communications building and the Hitachi work area. The fuel usage is not currently recorded or reported in the AEMRs.

C

Greenhouse gas emissions are limited to fuel usage of equipment on-site such as the generator for the communications building and the Hitachi work area. Although emissions are limited to fuel usage manually by the site rental console, including fuel usage (including contractors) in the AEMR for compliance with this condition.

5.05 Ensure the transport management plan for the Vickery Project outlines the requirements of this consent condition for any material transported to the Canyon Mine prior to works commencing.

Interview – Environment Officer

C

Annual Review 2016 and 2017 and draft data for 2018

C

Annual Review 2016, 2017 and draft data for 2018

C

Canyon is included in Whitehaven Coal's annual National Greenhouse and Energy Reporting.
AEMRs 2013, 2014, 2015 Waste not currently reported in the AEMRs.

Environment Inspection

Interview – Environment Manager

The Vickery Coal Project is approved to develop a schedule for the final rehabilitation of disturbance areas not required for future use, in consultation with the DRE.

MINE CLOSURE STRATEGY

The Applicant shall:

(a) ensure that the development is suitably equipped to respond to any fire on-site; and
(b) sanitise the Fire Zone Service and emergency services so much as possible if there is a fire on-site during the development.

The audit completed in 2016 did not close this condition with evidence of liaison not provided. A Bushfire Management Plan from 2000 was available for review.

Consider including checks for fuel loads and moisture levels near the storage dams on site. These will be changes that could be accessed in the event of a fire.

Bushfire Management Plan 2016

Letter from DP&E dated 21 January 2016

Checklist 2016-2019

ANC

C

Monthly

No

Fire

Draft data for 2018

No

Fire

No

Fire

July

The applicant shall:

(i) monitor the amount of waste generated by the development;
(ii) investigate ways to minimise waste generated by the development;
(iii) implement reasonable and feasible measures to minimise waste generated by the development and/or recycle waste generated by the development; and
(iv) report on waste management and minimisation in the AEMR.

As part of the Mine Closure Strategy Plan, the applicant is required to develop a schedule for the final rehabilitation of disturbance areas not required for future use, in consultation with the DRE.

Consider including a description of waste minimisation on the mine site and final disposal of waste generated during the reporting year along with a description of key factors to satisfy this condition.

WASTE MANAGEMENT

Interview – Environment Manager

The audit of the previous reporting period conducted in 2006 did not close this condition with evidence of liaison not provided. A Bushfire Management Plan from 2000 was available for review.

Consider including checks for fuel loads and moisture levels near the storage dams on site. These will be changes that could be accessed in the event of a fire.

Letter from DP&E dated 21 January 2016

Implementation of the new Bushfire Management Plan is required to satisfy this condition.

Letter from DP&E dated 21 January 2016

Rehabilitation has progressed across the site to varying degrees, predominantly in accordance with the domains identified in the Mine Closure Strategy. The Vickery Coal Project is approved to develop a schedule for the final rehabilitation of disturbance areas not required for future use, in consultation with the DRE.

The Vickery Coal Project is required to develop a schedule for the final rehabilitation of disturbance areas not required for future use, in consultation with the DRE.
SCHEDULE 4 – ADDITIONAL PROCEDURES FOR AIR QUALITY & NOISE MANAGEMENT

### 4.1 Independent Review

**4.1.1 Notification of Landowners**

- If the applicant considers the development to be exceeding the air quality and/or noise criteria in Schedule 3, they must notify the relevant landholder as it is considered that the exceedance is not mine related and therefore is to be reported in the AEMR according to the updated Air Quality Monitoring Program.

- If the independent review determines that the development is complying with the relevant air quality and/or noise criteria in Schedule 3, and that the development is primarily responsible for this non-compliance, the applicant shall:
  - Conduct air quality and/or noise monitoring to determine whether these measures ensure compliance; or
  - Conduct further air quality and/or noise monitoring to determine whether these measures ensure compliance; or
  - Secure a written agreement with the landholder to allow exceedances of the air quality and/or noise criteria in Schedule 3.

### 4.2 Interview – Environment Manager

**Air Quality Monitoring Program 2015 and 2015**

- No extraction activities occurred during the audit period.

- No noise monitoring undertaken during audit period.

### 4.3 Interview – Environment Manager

**Interview with the Environment Manager**

- No unusual activities occurred during the audit period.

- No extraction activities occurred during the audit period.

- No noise monitoring undertaken during audit period.

### 4.4 Interview – Environment Manager

**Interview with the Environment Manager**

- No unusual activities occurred during the audit period.

- No extraction activities occurred during the audit period.

- No noise monitoring undertaken during audit period.

### 4.5 Interview – Environment Manager

**Interview with the Environment Manager**

- No unusual activities occurred during the audit period.

- No extraction activities occurred during the audit period.

- No noise monitoring undertaken during audit period.
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:
(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:
- 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;
(b) the reasonable costs associated with:
- 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
(b) reasonable compensation for any disturbance caused by the land acquisition process.

4.7 The Applicant shall bear the costs of any valuation or survey government requested by the independent valuer, panel, or the Secretary and the costs of determination referred above.

4.8 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.

SCHEDULE 5 ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING AND REPORTING

ENVIRONMENTAL MANAGEMENT STRATEGY

Environment Management Strategy

5.1 C

Implementation of Strategic Management Plan included in Annex F of the Plan relevant to the conditions requirements:

Environmental Management Strategy

Previous audit confirmed Environment Management Strategy was approved by the Department of Planning (letter dated 16 February 2006).

WHC.PLN.CAN, Environment Management Strategy (May 2018)

The Environmental Management Strategy was originally approved by Department of Planning (letter dated 16 February 2006) and most recently updated May 2018 following submission of the 2017 Annual Review.

C
### ENVIRONMENTAL MONITORING PROGRAM

**5.2** Within 3 months of the completion of the Independent Environmental Audit (see condition 6 below), the Applicant shall review, and if necessary review, the Environmental Management Strategy to the satisfaction of the Secretary.  

<table>
<thead>
<tr>
<th>Condition</th>
<th>Description</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>New date of the EMS is 11/2015. Revision history indicates last revision prior to current version is 2005. Revisions should have been developed for audit completed in 2006, 2009 and 2012 audits not completed. No evidence of review is able to be provided for 2006 audit.</td>
<td>D</td>
</tr>
</tbody>
</table>

**5.3** 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.

#### Correspondence with DP&E, May 2018
- Letter from DP&E dated 21 January 2016
- Letter from DP&E indicating Secretary nominee confirms that monitoring programs relating to Noise Monitoring, Blast Monitoring, Road Noise Management and an overall Environmental Monitoring Program are no longer required.

**5.4** Within 3 months of the completion of the Independent Environmental Audit (see Condition 6 below), the Applicant shall review, and if necessary review, the Environmental Monitoring Program to the satisfaction of the Secretary.

#### Correspondence with DP&E, May 2018
- Letter from DP&E indicating Secretary nominee confirms an overall Environmental Monitoring Program is no longer required.

### ANNUAL REPORTING

Each year, the Applicant shall prepare an AEMR to the satisfaction of the Secretary. This report must

- Identify the standards and performance measures that apply to the development;
- Include a summary of the complaints received during the past year, and compare this to the complaints received in the previous 5 years;
- Include a summary of the monitoring results on the development during the past year;
- Include an analysis of these monitoring results against the relevant:
  - limits/criteria in this consent;
  - monitoring results from previous years; and
  - predictions in the EIS and SEE;
- Identify any trends in the monitoring over the life of the development;
- Identify and discuss any non-compliance during the previous year; and
- Describe what actions were or are being taken to ensure compliance.

#### AEMR 2013, 2014, 2015
- ASRMs have been completed during the audit period.
- Sections that address the condition requirements:
  - Section 3.2(a)
  - Section 3.3
  - Section 3.5
- Predictions from the EIS/SEE are not included in the ASRMs as the scenario of rehabilitation not assessed for impacts and no extraction was completed during the reporting period.

#### AEMR 2016 and 2017
- ASRMs outlined community complaints in section 6. Non-compliances are discussed in Section 1.4 of the ASRM. Performance criteria and the relevant approval documents are outlined in Section 6.3 and Section 5, respectively. Appendices provide monitoring results for surface and groundwater. Section 4.6(a) describes all monitoring undertaken in the past 12 months along with analysis.
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:

(a) be conducted by a suitably qualified, experienced, and independent person, or team, whose appointment has been endorsed by the Secretary;

(b) be consistent with ISO 19011:2002 – Guidelines for Quality and/or Environmental Systems Auditing, or equivalent updated versions of these guidelines;

(c) assess the environmental performance of the development, and its effects on the surrounding environment;

(d) assess whether the development is complying with the relevant standards, performance measures, and statutory requirements;

(e) review the adequacy of the Applicant’s Environmental Management Strategy and Environmental Monitoring Program; and

(f) if necessary, recommend measures or actions to improve the environmental performance of the development, and/or the environmental management and monitoring system.

5.7 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.

IEA Report issued March 2007 confirms audit was completed November 2006 with commissioning 25 September 2006.

IEA Report 2016
This Audit Report
IEA Report issued April 2016 confirms audit was completed covering the audit period September 2012 to March 2016.

This audit satisfies the requirement for three yearly IEA.

Note an IEA was not completed in 2009 and 2012, as anecdotally the Site was advised that audits were not required as the Site was no longer actively extracting ROM coal. Evidence of this advice is unable to be provided and in lieu of this, it is considered by the DP&E to be unlikely this exemption would have been issued.

NC No further action are required.

C This audit to be issued with date of commissioning (approval of auditors granted by DP&E 25 January 2016 with commissioning commencing from this date. Therefore copy of the audit report due for submission before 25 April 2016).

This audit
IEA Report 2007
This Audit Report
Audits for 2009 and 2012 were not completed as anecdotally the Site was advised that audits were not required as the Site was no longer actively extracting ROM coal. Evidence of this advice is unable to be provided and in lieu of this, it is considered by the DP&E to be unlikely this exemption would have been issued.

No further action are required.

ANC No further action required as this is considered a legacy ANC.

This audit
Date of commissioning this audit confirmed following DP&E approval of audit team dated 21 December 2018. Therefore a copy of the audit report due for submission 21 March 2019.
The Applicant shall ensure that there is a Community Consultative Committee to oversee the environmental performance of the development. The committee shall:

- be comprised of:
  - 2 representatives from the Applicant, including the person responsible for environmental management at the mine,
  - 1 representative from each GSC and NSC; and
  - 4 representatives from the local community,

whose appointment has been approved by the Secretary in consultation with the GSC and NSC;

- be chaired by the representative from either GSC or NSC, as agreed by the Councils;
- meet at least four times a year, or as determined by the Councils;
- be held at locations convenient to the Applicant and the Committee; and
- review and provide advice on the environmental performance of the development, including any construction or environmental management plan, monitoring results, audit reports, or complaints.

The first CCC minutes for Vickery include Section 5.3 where dissolution of the Canyon CCC is done formally with agreement by the CCC that Canyon would be included in the Vickery scope. Minutes of the CCC have not been issued to DP&E acknowledging formal transfer to Vickery CCC.

The Applicant shall, at its own expense:

- ensure that 2 of its representatives attend the committee’s meetings;
- provide the committee with regular information on the environmental performance and management of the development;
- provide meeting facilities for the committee;
- arrange site inspections for the committee, if necessary;
- record the minutes of the committee’s meetings;
- make these minutes available at GSC and NSC within 14 days of the committee meeting, or as agreed to by the committee;
- respond to any advice or recommendations the committee may have in relation to the environmental management or performance of the development; and
- 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.

The minutes from the CCC for October 2015 indicate non-attendance of community members and NSC representative. Requirement for 2 representation from Whitsunday and 1 representative each from GSC and NSC fulfilled. Only three members of the community were invited:

- 4 representatives from the Applicant including the person responsible for environmental management at the mine;
- 1 representative from each GSC and NSC; and
- 4 representatives from the local community.

DP&E acknowledged in email that the CCC for Canyon Mine is to be dissolved with the terms of reference to be transferred to the Vickery CCC. It was requested that this be raised in the Vickery CCC with formal notification of the outcome of this communicated to the DP&E and an updated action plan.

THE APPLICATION

Environmental Resources Management Australia Pty Ltd

Conditions of Approval Table

Recommendation

1. Update of Minutes of Canyon CCC 25th October 2013
   - Review of minutes indicate at least 2 members of Whitsunday Council attended the meetings.

2. Minutes of Minutes of 1st Meeting of the Vickery Project CCC 4th June 2015
   - Minutes provide project updates relevant to stage of works

3. Minutes of the CCC for October 2015 included tour of site to inspect rehabilitations

4. Minutes of minutes provided and available on the website for the Vickery site. Minutes for Canyon not on website. Evidence of minutes made available to GSC and NSC within 14 days not available.

5. Minutes include discussion on performance but not as Vickery is still in development these discussions are currently limited

6. Minutes for Ivanhoe - IT said he will receive draft minutes from Whitsunday and will issue to each member for review and comment. Minutes are required to be finalized within 20 days but in some circumstances this may not be possible.
Review to DPI Water for comment

Monitoring Program updates sent publicly submitted (May 2018) the relevant Plans (Biodiversity Offset

Last audit submitted 2006. required under this consent to Graduate Environment AEMRs 2013, 2014, 2015 AEMRs cover period 1 July to 30 June (financial year).

Reviews on the WHC website.

Interview – Environment Manager

Consent modification. Evidence of reviews for all other events

Letter from DPI dated 21/01/2016

Folder from DPI dated 21/01/2016

Canyon Mine environmental_management.cfm


Letter to DRE 12 March 2013 AEMR Submission 2012 and Closure Plan Update

Mining Operations Plan updates and AEMRs sent to DRE. AEMR not sent to NSC, GSC, CCC or other agencies (EPA, DPI (Water)).

Letter to DRE 27 January 2015 AEMR 2014 submission

Letter to DRE 6 February 2015 re MCoA letter – AEMR Update

Letter to DRE 12 March 2013 AEMR Submission 2012 and Closure Plan Update

Letter from DP&E dated 21/01/2016 All current plans accessed on website accessed 18/03/2016.


WHC Website

Email to NSC, GSC dated 4 July 2018


AEMRs not include on Canyon Mine website.

Consider loading AEMRs to Canyon Mine website and send link to NSC, GSC, EPA and DPI (Water). Also table AEMRs at the next CCC meeting for Vickery Project scheduled June 2014.

Consider collaborating all monitoring results and sending to NSC and GSC or uploading to website and sending link to NSC and GSC to comply with this condition.

Confirm agreement with councils for placement of data on websites.

ANC

OBS (Compliant)

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Mining operations, including mining purposes, must be conducted in accordance with a Mining Operations Plan (the Plan) satisfactory to the Director-General. The Plan together with environmental conditions of development consent and other approvals will form the basis for:

1. Ongoing mining operations and environmental management; and
2. Ongoing monitoring of the project.

The Plan must be prepared in accordance with the Director-General’s guidelines current at the time of lodgement. Letter to DRE dated 6 February 2015

ANC

The previous MOP expired 30 June 2008 therefore the current MOP was submitted to DRE after expiry of previous MOP, which is required by the conditions.

Recommendations (2019)

MINING, REHABILITATION, ENVIRONMENTAL MANAGEMENT PROCESS

MINING OperATIONS Plan

Mining operations, including mining purposes, must be conducted in accordance with a Mining Operations Plan satisfactory to the Director-General. The Plan together with environmental conditions of development consent and after approval will form the basis for:

1. Ongoing mining operations and environmental management; and
2. Ongoing monitoring of the project.

The Plan must be prepared in accordance with the Director-General’s guidelines current at the time of lodgement. Letter to DRE dated 6 February 2015

ANC

The previous MOP expired 30 June 2008 therefore the current MOP was submitted to DRE after expiry of previous MOP, which is required by the conditions.

Recommendations (2019)

Extraction of Coal

The lease holder shall extract as large a percentage of the coal in the subject area as is practicable consistent with the provisions of the Coal Mines Regulations Act 1982 and the Regulations thereunder and shall comply with any direction given at which may be given in this regard by the Minister.

Interview – Environment Manager

No mining or extraction has occurred during the audit period

NT

Interview – Graduate Environment Officer

No mining or extraction has occurred during the audit period

NT

Extraction of Coal

The lease holder shall extract as large a percentage of the coal in the subject area as is practicable consistent with the provisions of the Coal Mines Regulations Act 1982 and the Regulations thereunder and shall comply with any direction given at which may be given in this regard by the Minister.

Interview – Environment Manager

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Interview – Environment Manager

No mining or extraction has occurred during the audit period

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Interview – Environment Manager

No mining or extraction has occurred during the audit period

NT

Interview – Graduate Environment Officer

No mining or extraction has occurred during the audit period

NT

No further action required as this was considered a legacy ANC.

No further action required as this was considered a legacy ANC.

No further action required as this was considered a legacy ANC.

No further action required as this was considered a legacy ANC.
The Plan must present a schedule of proposed mine development and closure for a period of up to seven (7) years and contain diagrams and documentation which identify:

- Areas prepared or disturbed under the Plan;
- Mining and rehabilitation methods to be used and their sequence;
- Areas to be used for disposal of tailings/waste;
- Existing and proposed surface infrastructure;
- Progressive rehabilitation schedules;
- Areas of particular environmental sensitivity;
- Water management systems (including source and treatment controls);
- Post-mining resource recovery; and
- Where the mine will cease extraction during the term of the Plan, a closure plan including land rehabilitation objectives/methods and post-mining land use/vegetation.

2.4 Mining Operations Plan 2015 to 2022

- Period of MOP is seven years.
- Appendix A includes maps indicating areas of disturbance.
- Mining ceased at Canyon in July 2009 and no additional mining activities will be undertaken during the MOP term. Rehabilitation Planning is included in Section 6.
- No tailings to be produced. Section 2.4.9 Waste Management.
- Mining ceased at Canyon in July 2009 and no additional mining activities will be undertaken during the MOP term. Rehabilitation Planning is included in Section 6.
- No tailings to be produced. Section 2.4.9 Waste Management.
- Significant Flora and Fauna and Section 3.2.10 Aboriginal and Cultural Heritage.
- Sections 2.4.7 Water Management.
- Sections 3.2.5 Flora and Fauna and Section 3.2.10 Aboriginal and Cultural Heritage.
- Sections 3.2.7 Soil Resources and Management.
- Sections 3.2.7 Soil Resources and Management.

2.5 The Plan when lodged will be reviewed by the Department of Mineral Resources.

Letter to DRE dated 6 February 2015 re lodgement of MOP

Letter forwarding updated MOP to DRE and requesting comment.

Letter to DRE dated 6 February 2015 re updated MOP

Letter reviewed indicating DRE commented on MOP with response provided.

Letter to DRE 18 May 2015 re updated MOP

Letter forwarding updated MOP to DRE and requesting comment.

2.6 The Director-General may require a period of two (2) months of the lodgement of a Plan, require modifications and/or re-lodgement.

Letter to DRE dated 10 May 2015 re updated MOP

Letter received indicating DRE commented on MOP with response provided.

2.7 If a requirement in accordance with clause (6) is not issued within two months of the lodgement of a Plan, the lessor may proceed to the implementation of the Plan submitted subject to the lodgement of the required security deposit within the specified time.

Note: Noted.

2.8 During the life of the Mining Operations Plan, proposed modifications to the Plan must be lodged with the Director-General and will be subject to the revision process outlined in clauses (5) - (7) above.

Letter to DRE dated 5 February 2015 to lodgement of MOP

Letter forwarding updated MOP to DRE during audit period completed as required.

Letter forwarding updated MOP to DRE during audit period completed as required.
The AEMR must be prepared in accordance with the Director-General’s guidelines current at the time of reporting and contain a review and forecast of performance for the preceding and ensuing twelve months in terms of:-

(a) review of the AEMRs for the reporting period indicate performance against the latest MOP has not been included

(b) non-compliances listed in Section 1 of the report

(c) EPL surrendered in last audit period

(d) all relevant (WAL and mining licences and CoA) outlined in compliance table.

(e) details of any variations to environmental approvals applicable to the lease area; and

(f) where relevant, progress towards final rehabilitation objectives.

3.3 After considering an AEMR the Director-General may, by notice in writing, direct the lease holder to undertake operations, remedial actions or supplementary studies in the manner and within the period specified in the notice to ensure that operations on the lease area are conducted in accordance with sound mining and environmental practice.

No correspondence received from the DRE during the audit period regarding the AEMR. NT

3.4 The lease holder shall, as and when directed by the Minister, co-operate with the Director-General to conduct and facilitate review of the AEMR involving other government agencies.

No directions received to review the AEMR with other government agencies during the audit period. NT

SHAFTS, DRIFTS AND ADITS

Operations shall be conducted in such a manner as not to cause any danger to persons or stock and the lease holder shall provide and maintain adequate protection to the satisfaction of the Minister around each shaft or excavation opened up or used by the lease holder.

Interview – Environment Mgr.

Operations were conducted in such a manner as not to cause any danger to persons or stock and the lease holder provided and maintained adequate protection around the shafts.

Interview – Environment Manager

ANNUAL ENVIRONMENT MANAGEMENT REPORT

3.1 Within 12 months of the commencement of mining operations and thereafter annually or, at such other times as may be allowed by the Director-General, the lease holder must lodge an Annual Environmental Management Report (AEMR) with the Director-General.

AEMRs completed annually.


Letter from DRE dated 2 July 2016

Letter from DRE dated 28 June 2017

Letter from DRE dated 2 July 2016

Letter from DRE dated 28 June 2017


Interview – Environment Manager

The highwalls and lowwalls of the final void have been regraded with batters generally less than 14 degrees and stabilised with pasture species.

Interview – Environment Manager

The highwalls and lowwalls of the final void have been regraded with batters generally less than 14 degrees and stabilised with pasture species.

Interview – Environment Manager

All current plan and Annual Reviews are made available on the WHC website.


Letter from DP&E dated 28 June 2017

Letter from DP&E dated 04 October 2016

Letter from DP&E dated 2 July 2018

Letter from DP&E dated 2 July 2018

Letter from DP&E dated 28 June 2017

Letter from DP&E dated 27 January 2013 issuing 2013 AR

Letter from DRE dated 27 January 2013 issuing 2014 AR

Letter from DRE dated 27 November 2013 for issue of 2013 AEMR.


3.2 AEMR 2013, 2014, 2015

NC Consider including all requirements into the AEMRs.

AEMR 2014, 2017

14 Operations are restricted to open cut mining methods.

Interview – Environment Manager

The site is fenced to prevent stock entering the site. Operations were restricted to open cut mining methods.

Interview – Environment Manager

Interview – Environment Manager
### MANAGEME NT AND REHABILITATION OF LANDS (GENERAL)

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Description</th>
<th>Action Taken</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>June 2015</td>
<td>Site inspection during audit period.</td>
<td>No visible dust or other pollution noted during site inspection.</td>
<td>The gravel pit area is no longer used and is not stabilised, hence it may generate dust. As the site is not currently used and is a source of windborne dust, stabilisation should be practiced.</td>
</tr>
<tr>
<td>17</td>
<td>June 2015</td>
<td>Site inspection during audit period.</td>
<td>No visible dust or other pollution noted during site inspection.</td>
<td>The gravel pit area is no longer used and is not stabilised, hence it may generate dust. As the site is not currently used and is a source of windborne dust, stabilisation should be practiced.</td>
</tr>
<tr>
<td>18</td>
<td>June 2015</td>
<td>Site inspection during audit period.</td>
<td>No visible dust or other pollution noted during site inspection.</td>
<td>The gravel pit area is no longer used and is not stabilised, hence it may generate dust. As the site is not currently used and is a source of windborne dust, stabilisation should be practiced.</td>
</tr>
<tr>
<td>19</td>
<td>June 2015</td>
<td>Site inspection during audit period.</td>
<td>No visible dust or other pollution noted during site inspection.</td>
<td>The gravel pit area is no longer used and is not stabilised, hence it may generate dust. As the site is not currently used and is a source of windborne dust, stabilisation should be practiced.</td>
</tr>
<tr>
<td>20</td>
<td>June 2015</td>
<td>Site inspection during audit period.</td>
<td>No visible dust or other pollution noted during site inspection.</td>
<td>The gravel pit area is no longer used and is not stabilised, hence it may generate dust. As the site is not currently used and is a source of windborne dust, stabilisation should be practiced.</td>
</tr>
</tbody>
</table>

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### REHABILITATION ACTIVITIES

- **DUST**
- **DUMPS**
- **EROSION**
- **MONITORING**
- **REVEGETATION**
- **STABILISATION**
- **WATER**

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**Environmental Resource Management Australia Pty Ltd**

**Page 6 of 11**
If so directed by the Minister, the lease holder shall rehabilitate in accordance with the Bushfire Management Plan. If so directed by the Minister, the lease holder shall ensure that operations are carried out in such manner so as to minimize disturbance to flora and fauna within the subject area.

The lease holder shall provide and maintain to the satisfaction of the Minister an Environment Management Plan which describes on rehabilitation stages and measures to be taken to minimize disturbance to flora and fauna on completion of operations.

The lease holder shall provide and maintain, or which may be issued by the Minister, an Environment Management Plan which describes on rehabilitation stages and measures to be taken to minimize disturbance to flora and fauna on completion of operations.

The lease holder shall monitor noise and vibration and observe any instruction given or which may be given by the Minister with a view to preventing or minimising the disturbance to flora and fauna within the subject area.

Site Inspection

<table>
<thead>
<tr>
<th>Issue</th>
<th>Site Inspection</th>
<th>Site Inspection</th>
<th>Site Inspection</th>
<th>Site Inspection</th>
</tr>
</thead>
<tbody>
<tr>
<td>22</td>
<td>Environment Manager</td>
<td>Rehabilitation activities included in Mining Operations Plan.</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>23</td>
<td>Environment Manager</td>
<td>Rehabilitation activities included in Mining Operations Plan.</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>24</td>
<td>Site Inspection</td>
<td>Final closure to the form of roads are maintained throughout the site.</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>25</td>
<td>Environment Manager</td>
<td>Rehabilitation activities included in Mining Operations Plan.</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>26</td>
<td>Environment Manager</td>
<td>Rehabilitation activities included in Mining Operations Plan.</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>27</td>
<td>Rehabilitation Monitoring Program (includes Flora and Fauna Management)</td>
<td>Rehabilitation activities included in Mining Operations Plan.</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Site Inspection</td>
<td>No areas specified by the Minister</td>
<td>C</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Management Plan</td>
<td>Audit inspection indicates the site has been re-contoured and rehabilitated to an extent such that exposed overburden and pit voids are not visible from public viewpoints.</td>
<td>C</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interview – Environment Manager</td>
<td>No mining operations have occurred during the audit period. Letter from DRG in 2017 required: removal of tyres and concrete material from the gravel pit area. Monitor and conduct remedial maintenance of erosion to road batters. Monthly inspections confirmed that remedial activities were undertaken to address erosion in 2017 however site inspection confirmed that erosion of road batters is a recurring issue and requires ongoing maintenance. Erosion noted in pit void batters during site inspection notes that road forms subsurface control as small amount visible at site.</td>
<td>NT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No operations completed at the site – activities restricted to rehabilitation.</td>
<td>No operations completed at the site – activities restricted to rehabilitation.</td>
<td>NT</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The lease holder shall conduct operations in such a manner as not to cause or aggravate soil erosion and the lease holder shall observe and perform any instructions given or which may be given by the Minister with a view to minimising or preventing soil erosion.

The lease holder shall maintain an arboreal screen to the satisfaction of the Minister within such parts of the subject area as may be specified by the Minister and shall plant such trees or shrubs as may be required by the Minister to preserve the arboreal screen in a condition satisfactory to the Minister.

The lease holder shall pay to Narrabri Shire Council and Gunnedah Shire Council, Department of Land and Water Conservation or the Chief Executive, Roads and Traffic Authority the cost incurred by such Council or Department or Chief Executive of making good any damage caused by operations carried on by or under the authority of the lease holder to any road adjoining or traversing the surface or the excepted surface, as the case may be, of the subject area.

In the event of operations being conducted on the surface of any road, track or fire trail traversing the subject area or in the event of such operations causing damage to or interference with any such road, track or fire trail, the lease holder, at his own expense, shall if directed to do so by the Minister provide to the satisfaction of the Minister an alternate road, track or fire trail in a position as directed by the Minister and shall allow free and uninterrupted access along such alternate road, track or fire trail.

In the event of operations being conducted on the surface of any road, track or fire trail traversing the subject area as may be specified by the Minister, the lease holder shall maintain or re-establish such road, track or fire trail in a condition satisfactory to the Minister.
### Mining Leases Table

#### CATCHMENT AREAS

<table>
<thead>
<tr>
<th>Requirement Details</th>
<th>Observation</th>
<th>Result</th>
</tr>
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<tbody>
<tr>
<td>(a) Operations shall be carried out in such a way as not to cause any pollution of the Namoi River Catchment Area.</td>
<td>No discharges of water off site occurred during the audit period.</td>
<td>Yes</td>
</tr>
<tr>
<td>(b) If the lease holder is using or about to use any process, equipment or material which in the opinion of the Minister is likely to cause contamination of the waters of the said Catchment Area, the lease holder shall inform the Minister of such fact and the process, equipment or material.</td>
<td>No discharges of water off site occurred during the audit period.</td>
<td>Yes</td>
</tr>
<tr>
<td>(c) The lease holder shall comply with any regulations now in force or hereafter to be in force for the protection from pollution of the said Catchment Area.</td>
<td>Water Management Plan</td>
<td>Refer to audit of Aboriginal and Cultural Heritage Management Plan in Annex I for assessment of implementation of mitigates.</td>
</tr>
</tbody>
</table>

#### TRANSMISSION LINES, COMMUNICATION LINES AND PIPELINES

<table>
<thead>
<tr>
<th>Requirement Details</th>
<th>Observation</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) The lease holder shall not knowingly destroy, deface or damage any Aboriginal place or relic or any transmission or communication line or pipeline.</td>
<td>No transmission line, communication line or pipeline traversing the surface through the site.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

#### ABORIGINAL PLACE OR RELIC

<table>
<thead>
<tr>
<th>Requirement Details</th>
<th>Observation</th>
<th>Result</th>
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<tbody>
<tr>
<td>(a) The lease holder shall not knowingly destroy, deface or damage any Aboriginal place or relic on or within the subject area, except in accordance with an authority issued under the National Parks and Wildlife Act, 1974, and shall take every precaution in drilling, excavating or disturbing the land against any such destruction, defacement or damage.</td>
<td>Refer to audit of Aboriginal and Cultural Heritage Management Plan in Annex I for assessment of implementation of mitigates.</td>
<td>C</td>
</tr>
<tr>
<td>LABOUR/EXPENDITURE</td>
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<tr>
<td>The lease holder shall during each year of the term of the authority:</td>
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<td>(a) ensure that at least 16 workers are efficiently employed on the subject area; or</td>
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<td>(b) expend on operations carried out in the course of prospecting or mining the subject area, an amount of not less than Two Hundred &amp; Eighty Thousand Dollars ($280,000).</td>
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<tr>
<td>44 Interview – Environment Manager</td>
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<tr>
<td>The Minister may, at any time after a period of two (2) years from the date on which the authority has effect or from the date on which the renewal of this authority has effect, increase or decrease the amount of expenditure or labour required.</td>
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<tr>
<th>ADDITIONAL INFORMATION</th>
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<tr>
<td>The lease holder shall if directed by the Minister and within such time as the Minister may stipulate furnish to the Minister:</td>
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<tr>
<td>(a) information regarding the ownership of the land within the subject area;</td>
<td></td>
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<td>(b) information regarding the ownership of the coal within the subject area prior to 1st January, 1982;</td>
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<tr>
<td>(c) an indemnity in a form approved by the Minister indemnifying the Crown and the Minister against any wrong payment effected as a result of incorrect information furnished by the lease holder;</td>
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<tr>
<td>(d) information regarding the financial viability of the lease holder and operations within and associated with the subject area; and</td>
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<td>(e) information regarding shareholdings in the lease holder.</td>
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<tr>
<td>45 Interview – Environment Manager</td>
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<tr>
<td>No correspondence received from Minister during audit period.</td>
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</table>

Letter DRG regarding Proposed Variation of Labour and Expenditure Clause (16 July 2018)
Letter DRG regarding Proposed Variation of Labour and Expenditure Clause, received 16 July 2018 proposes the removal of this clause
NT
NT
NT
No correspondence received from Minister during audit period
No correspondence received from Minister during audit period
**SERVICE OF NOTICES**

Within a period of three (3) months from the date of this authority or a period of three (3) months from the date of service of the notice of renewal, or within such further time as the Director General may allow, the lessee holder shall serve on each landholder within the subject area a notice in written form, indicating that the authority has been granted or renewed and whether the authority includes the surface. The notice shall be accompanied by an adequate plan and description of the subject area.

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<td></td>
<td>Outside of audit period.</td>
<td>NT</td>
<td>Outside of audit period.</td>
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**NOTICES**

(a) Where an Inspector under the Mining Act 1992 is of the opinion that any condition of this authority relating to operations within the subject area, or any provision of the Mining Act, 1992, relating to operations within the subject area, are not being complied with by the lessee holder, the Inspector may serve on the lessee holder a notice stating that and give particulars of the reason why, and may in such notice direct the lessee holder:

(1) to cease operations within the subject area in contravention of that condition or Act; and

(2) to carry out within the specified time works necessary to rectify or remedy the situation.

(b) The lessee holder shall comply with the directions contained in any notice served pursuant to sub-paragraph (a) of this condition. The Director General may confirm, vary or revoke any such direction.

(c) Any notice referred to in this condition may be served on the Colliery Manager.

**INTERVIEW – Environment Manager**

Interview: No inspections visited site during period. No directions issued. NT

Letter from DRG 11 July 2017

- Letter from DRG in 2017 required removal of tyres and concrete material from the gravel pit area.
- Monitor and conduct remedial maintenance of erosion void batters.

One inspection confirmed that the concrete and tyres have been removed. Waste documentation was not available for review.

Monthly inspections confirmed that remedial activities were undertaken to address erosion issues in 2017 however site inspection confirmed that erosion of void batters is a recurring issue and requires ongoing maintenance.

Although WHC responded to DRG's request to maintain identified section of void batters, ongoing maintenance is required for the recurring erosion impact.

Maintain waste documentation for removal of waste from site.
| Mining Leases Table |

**INDEMNITIES**

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The lease holder shall indemnify and keep indemnified the Crown from and against all actions suits and claims and demands of whatsoever nature and all costs charges and expenses which may be brought against the lease holder or which the lease holder may incur respect of any accident or injury to any person or property which may arise out of the construction maintenance or working of any workings now existing or to be made by the lease holder within the boundaries of the subject area or in connection with any of the operations notwithstanding that all other conditions of this authority shall in all respects have been observed by the lease holder or that any such accident or injury shall arise from any act or thing which the lease holder may be licensed or compelled to do hereunder.

The lease holder shall save harmless the Crown from payment of compensation and from and against all claims, actions, suits or demands whatsoever in the event of any damage resulting from mining operations under or near the subject area.

(a) Where the lease holder desires to commence prospecting operations in the subject area the lease holder shall notify the Director General in writing and shall comply with such additional conditions as the Minister may impose including any condition requiring the lodgement of an additional bond or other form of security for rehabilitation of the area affected by such operations.

(b) Where the lease holder notifies the Director General pursuant to sub paragraph (a) of this condition the lease holder shall furnish with that notification details of the type of prospecting methods that would be adopted and the extent and location of the area that would be affected by such operations.

(No prospecting has been completed during the audit period.)

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Interview – Environment Manager

No prospecting has been completed during the audit period.

No prospecting has been completed during the audit period.
## SECURITY DEPOSIT

(a) The lease holder shall, upon request by the Director General, lodge with the Minister the sum of Ten Thousand Dollars ($10,000) (ML1471) / Seventy Seven Thousand Five Hundred Dollars ($77,500) (ML1464) and as security for the fulfilment of the obligations of the lease holder under the conditions of this authority, the said sum may be applied at the discretion of the Minister towards the cost of fulfilling such obligations. For the purposes of the lease a lease holder shall be deemed to have failed to comply with the said sum as security for the lease holder's obligations under this authority if the lease holder fails to comply with any condition or provision of this authority, any provision of the Act or regulations made thereunder, or any condition or direction imposed or given pursuant to a condition or provision of this authority or to any provisions of the Act or regulations made thereunder.

(b) The lease holder must provide the security required by sub-clause (a) herein in one of the following forms: -

(i) cash, or

(ii) a security certificate in such form and given by such surety as may from time to time be approved by the Minister.

(c) The Minister may at any time after the commencement of this authority or any renewal thereof, vary the amount of security required in accordance with this condition.

SE-1471:

(b) The lease holder must provide the security required by sub-clause (a) herein in one of the following forms: -

(i) cash, or

(ii) a security certificate in such form and given by such surety as may from time to time be approved by the Minister.

(c) The Minister may at any time after the commencement of this authority or any renewal thereof, vary the amount of security required in accordance with this condition.

SE-1464:

(b) The Minister may at any time after the commencement of this authority or any renewal thereof, vary the amount of security required in accordance with this condition;

(c) Where the amount of security has been increased pursuant to Clause (b) above the lease holder shall, within two (2) months of being required by the Minister, lodge a security for the amount of security required in which case the Minister shall refund or release to the lease holder the security previously lodged.

## ROYALTY AT ADDITIONAL RATE

The lease holder shall during the term of this authority pay to the Minister royalty at the additional rate as prescribed by the Regulations for coal recovered by open cut mining methods from the area.

Interview – Environment Manager

Evidence that this sum was provided is not available. NV

Consider obtaining evidence from the Director General if no records exist. Mining Cost.

Obtain evidence from the Director General for clear demonstration of security deposit.
### Water Access License Table

<table>
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<tbody>
<tr>
<td>1.2</td>
<td>The maximum volume of water that may be taken under this licence in any water year must not exceed a volume specified in the notice to access licence issued.</td>
<td>AEMRs 2012-2015</td>
<td>Monthly site inspections 2012-2013</td>
<td>Noted. Note as above re (non-compliant)</td>
<td>Consider developing a highbook for the pumps to record extraction volumes.</td>
<td>AEMRs do not report on extractions volumes.</td>
<td>February 2019.</td>
<td>O (non-compliant)</td>
<td>Consider developing a highbook for the pumps to record extraction volumes.</td>
</tr>
<tr>
<td>1.3</td>
<td>The sum of water allocations accrued to the water allocation account for this licence under section 71T of the Act; plus</td>
<td>AEMRs 2012-2015</td>
<td>Monthly site inspections 2012-2013</td>
<td>Noted. Note as above re (non-compliant)</td>
<td>Consider developing a highbook for the pumps to record extraction volumes.</td>
<td>AEMRs do not report on extractions volumes.</td>
<td>February 2019.</td>
<td>O (non-compliant)</td>
<td>Consider developing a highbook for the pumps to record extraction volumes.</td>
</tr>
<tr>
<td>1.4</td>
<td>Water must not be taken under this access licence otherwise than in accordance with the conditions of the nominated water supply work approved.</td>
<td>AEMRs do not report on extractions volumes.</td>
<td>Consider (non-compliant)</td>
<td>Consider developing a highbook for the pumps to record extraction volumes.</td>
<td>AEMRs do not report on extractions volumes.</td>
<td>February 2019.</td>
<td>O (non-compliant)</td>
<td>Consider developing a highbook for the pumps to record extraction volumes.</td>
<td></td>
</tr>
<tr>
<td>1.5</td>
<td>Major works must be subject to independent investigation and where not specified in the notice to access licence issued.</td>
<td>AEMRs do not report on extractions volumes.</td>
<td>Consider (non-compliant)</td>
<td>Consider developing a highbook for the pumps to record extraction volumes.</td>
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<td>February 2019.</td>
<td>O (non-compliant)</td>
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<td></td>
</tr>
<tr>
<td>2.1</td>
<td>The licence holder must record the following in the highbook:</td>
<td>A highbook is not maintained for the pumps.</td>
<td>Noted. Note as above</td>
<td>Noted. Note as above</td>
<td>Noted. Note as above</td>
<td>Noted. Note as above</td>
<td>O (non-compliant)</td>
<td>Consider developing a highbook for the pumps to record extraction volumes.</td>
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<tr>
<td>2.2</td>
<td>The licence holder must record the following in the highbook:</td>
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<td>Noted. Note as above</td>
<td>Noted. Note as above</td>
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<td>2.3</td>
<td>Water must not be taken under this access licence otherwise than in accordance with the conditions of the nominated water supply work approved.</td>
<td>A highbook is not maintained for the pumps.</td>
<td>Noted. Note as above</td>
<td>Noted. Note as above</td>
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<td>Noted. Note as above</td>
<td>Noted. Note as above</td>
<td>Noted. Note as above</td>
<td>O (non-compliant)</td>
<td>Consider developing a highbook for the pumps to record extraction volumes.</td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX B   DEPARTMENTAL CORRESPONDENCE
Hi,

ERM is currently completing an independent environmental audit on the Conditions of Approval issued to Whitehaven for both Rocglen and Canyon coal mines.

The attached Terms of Reference outlines the audit process, and also introduces the team of suitably qualified, experienced and independent experts who will be undertaking the audit. The site inspection will be completed over the period 18 – 21 February 2019.

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 perspective. Please send through to myself copying in my colleague Tim.

Kind regards

Olly

Oliver Moore
Principal Environmental Consultant
Environmental Resources Management
Level 15 │ 309 Kent Street │ Sydney NSW 2000
E: oliver.moore@erm.com │ W: www.erm.com

Please consider the environment before printing this message
Check out ERM’s 2015 Sustainability Report: Sustainability Report
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Level 15│309 Kent Street│Sydney NSW 2000
E: oliver.moore@erm.com │W: www.erm.com

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Heidi,

Many thanks for taking time out to prepare these areas of focus. We will consider during the audit process.

Kind regards

Olly

Oliver Moore
Principal Environmental Consultant
T +61 2 8584 8886 | M +61 419 222 370

Hi Olly

Thank you for your email regarding agency consultation for the upcoming Rocglen and Canyon IEAs. The Department provides the following in response:

**Areas of interest for the Rocglen IEA:**

1. Water management
   a. Water balance for the audit period, including a comparison to the actual to the predictions in the EIS (as modified)

2. Biodiversity management
   a. Status of offset security arrangements and any changes during the audit period
   b. Assessment of the implementation of offset management plan

3. Rehabilitation
   a. Actual rehabilitation compared to EIS (as modified) predictions, including final void catchment area, proposed landform and proposed land use
   b. Adequacy of rehabilitation monitoring

4. All management plans
   a. Review of management plans during the audit period
   b. Consultation with agencies and stakeholders in review of management plans

5. Environmental monitoring
   a. Siting of monitoring equipment compliant with the *Approved Methods for Sampling of Air Pollutants in New South Wales*

**Areas of interest for the Canyon IEA:**
1. Biodiversity management
   a. Status of offset security arrangements and any changes during the audit period
   b. Assessment of the implementation of Flora and Fauna management plan

2. Rehabilitation
   a. Actual rehabilitation compared to EIS predictions
   b. Adequacy of rehabilitation monitoring
   c. Water discharge quality from rehabilitated catchments via sediment dams to receiving waters

3. All management plans
   a. Review of management plans during the audit period
   b. Consultation with agencies and stakeholders in review of management plans

4. Environmental monitoring
   a. Siting of monitoring equipment compliant with the Approved Methods for Sampling of Air Pollutants in New South Wales
   b. Adequacy of environmental monitoring programme

Please call or email if you have any further questions.

Regards

Heidi Watters
Senior Compliance Officer
Planning Services
Suite 14, Level 1, 1 Civic Ave | Singleton NSW 2330
T 02 6575 3401   M 0472 820 374

---

From: Oliver Moore <Oliver.Moore@erm.com>
To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>; Heidi Watters <Heidi.Watters@Planning.nsw.gov.au>; Steve O'Donoghue <Stephen.ODonoghue@planning.nsw.gov.au>
Cc: Tony Dwyer <tdwyer@whitehavencoal.com.au>; Emily Clements <EClements@whitehavencoal.com.au>; Michael Gaggin <Michael.Gaggin@erm.com>; Tim Haydon <Tim.Haydon@erm.com>
Subject: Rocglen and Canyon IEA

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Olly
Heidi,

Due to unforeseen circumstances we would like to request an extension for the delivery of the Rocglen and Canyon IEA reports as below. Conscious there is deadline set by the Department of three months from commissioning (Canyon) and 6 weeks from the audit (Rocglen), I wanted to raise this at the earliest possible time.

- Canyon, current deadline 21 March, request extension to 12 April
- Rocglen, current deadline 5 April request extension to 26 April

I have discussed this request with Whitehaven and I’m happy to talk this through with you if required.

Kind regards

Olly

Oliver Moore
Principal Environmental Consultant
T +61 2 8584 8886 | M +61 419 222 370
Hi Heidi,

Please find attached a proposal from ERM to undertake the Rocglen Coal Mine (RCM) Independent Environmental Audit (IEA) as required by Schedule 5, Condition 8 of PA10_0015.

May you please review and provide endorsement for ERM to undertake the IEA in accordance with the relevant approval conditions?

If you have any queries please do not hesitate to contact myself or Tony Dwyer (02 6741 9316). Thank you in advance.

Kind Regards,

Emily Clements  
Graduate Environmental Officer  
Whitehaven Coal Limited  
2382 Wean Road, Gunnedah NSW 2380 Australia  
Tel: 02 6740 7009 Mobile: 0428 114 814  
Email: eclements@whitehavencoal.com.au www.whitehavencoal.com.au
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