

Item No	Assessment Requirement	Auditor Comment	Audit Classification	Auditor Response/Action	Proposed Action / Response	Due Date
Minister's Conditions of Approval PA 08_0144 (Mod 5)						
Sch.2, C1	The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation or rehabilitation of the project.	NCOPL has exceeded noise criteria on two occasions during the audit period and has received a Penalty Notice for disturbance of Aboriginal Cultural artefacts. The latter is considered to be of higher level of significance and hence subsequent risk classification than the noise exceedances.	NC	Refer to relevant conditions in Schedule 4 below.	Refer below	Refer below
Sch.2, C2	The Proponent shall carry out the project generally in accordance with the: (a) EA; and (b) conditions of this approval.	As above	NC	As above.	Refer below	Refer below
Sch.4, C 1	The Proponent shall ensure that the noise generated by the project does not exceed the levels set out in Table 1.	Noise exceedances were recorded during the last three EPL reporting periods and were notified as required by the Noise Management Plan.	NC	NCOPL should continue to implement the Noise Management Plan and identify improvement opportunities where necessary to prevent noise impacts.	The mine will continue to implement the NMP. Improvement opportunities will be reported in the relevant AR.	Complete
Sch.4, C4	The Proponent shall revise the Noise Management Plan for the Stage 1 project to encompass all proposed mine activities and potential impacts associated with noise management (Stages 1 and 2) and subsequently implement this revised version of the Noise Management Plan to the satisfaction of the Secretary. This Plan shall: (a) be prepared in consultation with EPA by a suitably qualified expert whose appointment has been approved by the Secretary; (b) be submitted to the Secretary for approval by 30 June 2011; (c) include a Noise Monitoring Program incorporating: • real-time noise and temperature inversion monitoring; and • attended noise monitoring to monitor the performance of the project; (d) include reactive noise control measures to manage noise impacts for sensitive receivers; and (e) include a protocol to establish whether the project is complying with the noise impact assessment criteria in Table 1.	Initial submission of the Noise Management Plan was verified by the previous IEA. The current revision of the Noise Management Plan and its implementation generally meet the requirements of this condition. However, a number of exceedances of noise criteria have occurred over the audit period as reported against EPL conditions. Refer Sch. 4 Condition 1 above.	NC	Refer comments and recommendation for EPL L3.1 in relation to exceedance on noise criteria.	The mine will continue the negotiations for purchase and/or the implementation of the NMP.	Ongoing
Sch.4, C21	Within 2 years of commissioning the water conditioning plant, and every 5 years thereafter, unless otherwise directed by the Secretary, the Proponent shall engage suitably qualified experts approved by the Secretary to review brine management and beneficial use options for raffinate, brine and minewater produced by the project. The Proponent shall implement all reasonable and feasible recommendations of these reviews, to the satisfaction of the Secretary.	The brine management review was not commissioned or completed within 2 years of commissioning the water conditioning plant. The auditor was advised that the brine management report is in Draft status.	ANC	NCOPL should complete the final brine management report.	The mine submitted the report to DP&E 24 July 2017	Complete
Sch.4, C22	The Proponent shall not destroy damage or deface any known Aboriginal objects (as defined in the <i>National Parks and Wildlife Act 1974</i>) without the written approval of the Secretary.	NCOPL received a Penalty Notice for an incident involving the disturbance of an Aboriginal heritage site, identified on 14 October 2014. NCOPL undertook further training of personnel in Cultural Awareness and the requirements of the Aboriginal Cultural Heritage Management Plan in response to incidents.	NC	NCOPL should continue to address Cultural Awareness and the requirements of the Aboriginal Cultural Heritage Management Plan as part of ongoing induction training and other communication opportunities with site personnel.	The mine has reviewed the ACHMP, which includes additional induction material, and it is currently with OEH for review. The mine will submit the revised ACHMP to DP&E for approval and continue to implement the existing ACHMP.	31-Dec-17

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Sch.4, C23	The Proponent shall revise the Aboriginal Cultural Heritage Management Plan for the Stage 1 project to encompass all proposed mine activities and potential impacts associated with Aboriginal cultural heritage management for the site (Stages 1 and 2) and subsequently implement this revised version of the Aboriginal Cultural Heritage Management Plan to the satisfaction of the Secretary. This plan must: (a) be submitted to the Secretary by 30 June 2011; (b) be prepared in consultation with the OEH, the Narrabri Local Aboriginal Land Council and the Narrabri Goemeroi Aboriginal Corporation; (c) include a protocol for the ongoing consultation and involvement of Aboriginal communities in the conservation and management of Aboriginal heritage on site; and (d) describe the measures that would be implemented to protect Aboriginal sites on the mine site, (in particular all known Aboriginal sites on lands overlying Longwalls 1-3 and sites 10b, 38, 39 and 106-112), or any new Aboriginal objects or skeletal remains that are identified during the project.	Preparation and submission of the Aboriginal Cultural Heritage Management Plan verified in previous IEA. NCOPL received a Penalty Notice for an incident involving the disturbance of an Aboriginal heritage site, identified on 14 October 2014. NCOPL also reported an unauthorised access to an identified Aboriginal Cultural Heritage Site (Sites 38-40) on 4 June 2015. The incident was investigated with behavioural factors identified as the event cause. Controls required by the Aboriginal Cultural Heritage Management Plan were reported to be in place at the time of the incident. The above incidents can be attributed in part to not adequately implementing the ACHMP.	NC	As above.	The mine has reviewed the ACHMP, which includes additional induction material, and it is currently with OEH for review. The mine will submit the revised ACHMP to DP&E for approval and continue to implement the existing ACHMP.	31-Dec-17
Sch.4, C25	The Proponent shall maintain the Mine Access Road Intersection with PA 4-26-1 WHC_PLN_NAR_Greylands Road Management Plan v2 and the Kamilaroi Highway in consultation with NSC and to the satisfaction of RMS.	No evidence of requisite consultation. Intersection requires maintenance work, on basis of ongoing assessment.	ANC	NCOPL should ensure NSC is consulted where required (ie. to the satisfaction of the RMS) in relation to any ongoing maintenance of the Mine Access Road Intersection.	Joint inspection with NSC/RMS held onsite on 8 May 2017. Annual joint inspections to be completed moving forward.	Complete
Sch.4, C29	The Proponent shall ensure that: (a) no outdoor lights shine above the horizontal; and (b) all external lighting associated with the project complies with <i>Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting</i> .	The auditors viewed site lighting from the surface operational areas on the evening of Tuesday 6 December 2016 at approximately 9pm from surrounding vantage points near the site boundary. No outdoor lighting was observed to obviously shine above the horizontal. The 2014-2015 Annual Review states that all lighting is designed in accordance with AS4282 (INT) 1995. The scope of this IEA did not include a detailed audit of lighting installations against AS4282 (INT) 1995. However, based on the above observations the Lead Auditor is satisfied that NCOPL is generally complying with the intent of this condition. NCOPL did receive two complaints during the audit period (12/01/2014 and 19/5/2015) in relation to light emanating from the mine. These were attributed to the placement of mobile lighting towers and upon receiving complaints they were acted upon immediately. The auditor does not consider this constitutes non-compliance with this condition as they represent isolated instances that appear were responded to appropriately.	O	NCOPL should continue actively to monitor the positioning of mobile lighting plant to limit light pollution impacts.	The mine will continue to monitor lighting plant positioning.	Complete

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Sch.4, C31	The Proponent shall implement all reasonable and feasible measures to minimise the greenhouse gas emissions from the underground mining operations to the satisfaction of the Secretary.	<p>Gas continues to be extracted and vented to air. Mostly carbon dioxide and smaller amounts of methane.</p> <p>The auditor was advised that it was not considered feasible to install Ventilation Air Methane VAM oxidising units due to the gas make-up from the mine.</p> <p>No specific evidence was provided in relation assessment of the final feasibility of VAM oxidising units.</p>	ANC	NCOPL should demonstrate and document the feasibility or otherwise of VAM oxidising units in order to confirm compliance with this condition.	As noted in the revised GHGMP, currently with OEH for review, the concentrations required for VAM cannot be <0.2% methane. Current levels in the ventilation air stream are 0.028% methane. Additionally, the latest Emissions Reduction Fund reverse auction price for tCO ₂ e would mean a payback period of >40 years.	Ongoing
Sch.4 C32	<p>Prior to carrying out longwall coal mining operations, the Proponent shall submit a Greenhouse Gas Minimisation Plan for the approval of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with OEH;</p> <p>(b) identify options for minimising greenhouse gas emissions from underground mining operations, with a particular focus on capturing and/or using these emissions;</p> <p>(c) investigate the feasibility of implementing each option;</p> <p>(d) propose the measures that would be implemented in the short to medium term on site; and</p> <p>(e) include a research program to inform the continuous improvement of the greenhouse gas minimisation measures on site.</p>	<p>Submission of plan verified in previous IEA.</p> <p>A level 3 Energy Audit was proposed to be undertaken following Stage 2 Commencement. The DP&E approval of the GHG MP stipulated its expectation that the Level Energy Audit be completed by the end of June 2013.</p> <p>The auditor has reviewed the Energy Saving Action Plan (Rev 4, Final), dated 11 August 2014, which adequately addresses the requirements of this condition. The Level 3 audit was commissioned prior to the stipulated date of completion however finalisation of this report does not appear to meet the stipulated timeframe.</p>	O	No further action required.	ESAP approved 11 August 2014. No further action required.	Complete
EPL 12789						
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	<p>Monitoring of surface water discharges off-site indicated that no material environmental harm has occurred (i.e. all discharges are within EPL limits). Similarly, groundwater monitoring has not identified any significant on-site or off-site trends which would indicate material environmental harm has been caused by the mine.</p> <p>An opportunity for improvement relating to wastewater management surrounding the workshop was identified while on-site, whereby oily water is discharging to ground and then to on-site drainage ditches. However, as noted above, there was no evidence that any associated contamination has migrated off-site.</p> <p>In addition, some isolated instances of inappropriate segregation of Dangerous Goods were observed in the Hot Works area on the mine.</p> <p>Finally, there is an opportunity to formalise the management of the Bioremediation Cell to minimise the potential for contaminated run-off reporting to the site's water management system. It is noted however that any overflow would report to storage SB3, and as such remain contained within the mine's water management system.</p>	O	It is recommended that NCOPL consider and address opportunities for improvement in relation to wastewater management surrounding the workshop, Dangerous good storage/segregation and Bioremediation Cell management to reduce contaminant load to the mine's water management system.	The mine monitors the waste water from the workshop and acts accordingly with the drain to the oil-water separator serviced regularly. The dangerous goods instances have been forwarded on to the relevant personnel and if the bio-remediation cell were to overflow, it would be contained in the mine water management system as noted by the auditor. Surface and ground water monitoring will continue at the mine to monitor for contaminants.	Complete

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L3.1	Noise generated at the premises must not exceed the noise limits in the table below. [Table]	Two instances of exceedances of the criteria in the Table in condition L3.1 have occurred on: <ul style="list-style-type: none"> September 2013 quarterly monitoring event at Bow Hills (R1) (3 dB(A) exceedance) and Naroo (6dB(A) exceedance); June 2015 quarterly monitoring event at Merriman (R16) (3 dB(A) exceedance) and Oakleigh (R4) 5 dB(A) exceedance. <p>Since these exceedances, a private agreement has been entered into with Bow Hills; Naroo has been purchased; and Merriman and Oakleigh have entered into negotiations to be purchased. If the acquisition of these sites is successful, no further noise issues are anticipated.</p> <p>NCOPL is continuing to implement noise mitigation measures to reduce noise impact to the surrounding environment e.g. noise mitigation on dozer tracks.</p>	NC	If the property sales do not progress, NCOPL should continue to implement the Noise Management Plan. If property sales do progress then the EPA/DP&E should be advised accordingly and the EPL and NMP can be modified to reflect the new arrangement/s.	Merriman has been purchased and the owners of the Oakleigh property have triggered an Independent Review of noise impacts. The mine will continue the negotiations for purchase of Oakleigh pending the results of the noise review and/or the implementation of the NMP.	Ongoing
L3.5	The noise limits set out in the Noise Limits table apply under all meteorological conditions except for the following: a) Wind speeds greater than 3 metres/second at 10 metres above ground level; or b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or c) Stability category G temperature inversion conditions. For the purposes of this condition: a) Data recorded by the meteorological station identified as EPA Identification Point(s) W1 must be used to determine meteorological conditions; and b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.	Regarding the exceptions (parts a to c) and the monitoring criteria regarding the weather station W1 (parts a to b)), this information is noted. Upon notifying EPA during 2015-2016 reporting period of Noise exceedance it was noted the inversion conditions were not determined at the time. Meteorological conditions must be determined by the onsite weather station. NCOPL has implemented a Trigger Action Response Plans (TARP) including an automated alarm system, the criteria of which are set to the requisite meteorological conditions. NCOPL has installed meteorological equipment to track temperature inversion conditions. Monitoring reports reviewed reference the relevant conditions.	NC	No further action required.	No further action required	Complete
O4.1	The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The PIRMP must document systems and procedures to deal with all types of incidents (e.g. spills, explosions, fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment.	Review of the PIRMP for the site indicates that it covers all legislative requirements and considers the major pollution risks across the facility. The PIRMP was tested within a 12 month AR period but not within 12 months of the previous test. Requirements for timing of test have been clarified and test will be conducted within 12 months of previous test.	ANC	No further action required.	No further action required	Complete
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	Monitoring records are retained in excel spreadsheets with supporting lab reports linked to each line item. NCOPL's records management system requires retention of records for four years, however, management reported that in practice, records are retained indefinitely. All of the records required by M1.3 are maintained either in the lab reports; or excel spreadsheet. The name of person who collected the sample and time of sample collection is not recorded in the spreadsheet for all data (e.g. wet weather monitoring). These are however recorded on field monitoring sheets.	O	NCOPL should ensure the name of the person collecting samples and the time at which samples are collected in the excel spreadsheets.	The excel spreadsheets used to track the results have been updated to include the samplers name and time the sample was taken.	Complete

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M2.2	Air Monitoring Requirements Point 3 [Table]	A review of monitoring data indicates that the sampling frequency and methodology aligns with the requirements in M2.2. The 2013-2014 EPL Annual Return reported that one of twelve required samples (in January 2014) for monitoring location ND3 was not analysed due to the dust gauge bottle being broken in transit to the laboratory. This was self-reported as a non-compliance with this condition.	ANC	No further action is required.	No further action required	Complete
M2.5	For the purposes of the table(s) above Special Frequency 2 means the collection of samples quarterly (in the event of flow during the quarter) at a time when there is flow and as soon as practicable after each wet weather discharge from points 11, 12, 13 or 18 commences and in any case not more than 12 hours after each discharge commences.	Typically data was available within 12 hours of a discharge point overflowing. However, in March 2014 overflows from SD4 and SD5 occurred on 28 th March 2014. However, monitoring was undertaken at points 14, 15, 16, 17, 19, 20, 21 and 22 during the previous three days. This represented an isolated contractor management incident and is not considered to be a systemic issue.	NC	NCOPL should ensure samples are collected after each wet weather discharge from the prescribed sampling points.	The mine will continue to sample the nominated locations within the nominated tiemframes. It should also be noted that the results from the samples from the dams did not exceed the relevant criteria.	Ongoing
R4.1	A noise compliance assessment report must be submitted to the EPA within thirty (30) days of the completion of the quarterly noise monitoring. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include: a) an assessment of compliance with noise limits detailed in the limit conditions of this licence; and b) an outline of any management actions taken within the monitoring period to address any exceedances of the limits detailed in the limit conditions of this licence.	Records (correspondence between NCOPL and the EPA) of quarterly submission of noise monitoring reports was reviewed between 2013 and the present day. The noise report for September 15 was received by the EPA on 16 September 2015 but was not provided to the EPA until 11 November 2015.	ANC	The mine should endeavour to submit future reports on time.	The mine will submit future reports within specified timeframes.	Complete
E1.2	Noise impacts where wind speed exceeds 3 metres per second at 10 metres above the ground must be addressed by: a) documenting noise complaints received to identify any higher level of impacts or wind patterns; where levels of noise complaints indicated a higher level of impact then actions to quantify and ameliorate any enhanced impacts where wind speed exceeds 3 metres per second at 10 metres above the ground should be developed and implemented.	NCOPL had not at the time of the audit incorporated a mechanism in their management systems to trigger this condition in the event that these meteorological conditions are triggered.	NC	It is recommended that NCOPL undertake analysis of historical complaints and meteorological conditions to determine whether any higher level of impact has been occurring at sensitive receivers when wind direction is aligned with these receivers and wind speed exceeds 3 metres per second at 10 metres above the ground. Amend management systems to include trigger to quantify and ameliorate any enhanced impacts where wind speed exceeds 3 metres per second at 10 metres above the ground towards an impacted receptor where complaints are being received.	A review of historical complaints will be undertaken and should winds >3m/s be a factor the mine will update the noise TARP to include a trigger for wind speeds.	31-Dec-17
Mining Lease 1609						
2	The proponent shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or rehabilitation of the development.	NCOPL received a Penalty Notice for an incident involving the disturbance of an Aboriginal heritage site, identified on 14 October 2014.	NC	Duplicate Finding – refer Sc4. C22 above.	The mine has reviewed the ACHMP, which includes additional induction material, and it is currently with OEH for review. The mine will submit the revised ACHMP to DP&E for approval and continue to implement the existing ACHMP.	31-Dec-17