



Independent Environmental Audit 2022

Rocglen Mine

18 May 2022

Project No: 0637454

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18 May 2022

Independent Environmental Audit 2022

Rocglen Mine



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Independent Audit Certification Form

Independent Audit Certification Form	
Development Name	Rocglen Mine
Development Consent No.	PA 10-0015
Description of Development	Rocglen mine is an open cut coal mine
Development Address	Wean Road, Gunnedah NSW 2380
Operator	Whitehaven Coal Mining Limited
Operator Address	231 Conadilly Street, Gunnedah NSW, 2380, Australia
Independent Audit	
Title of Audit	Independent Environmental Audit 2022 – Rocglen Mine
<p>I certify that I have undertaken the independent audit and prepared the contents of the attached independent audit report and to the best of my knowledge:</p> <ul style="list-style-type: none">• The audit has been undertaken in accordance with relevant approval condition(s) and in accordance with the auditing standard AS/NZS ISO 19011:2014 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. <p>Note.</p> <p>a) The Independent Audit is an 'environmental audit' for the purposes of section 9.39 (2) of the Environmental Planning and Assessment Act 1979. Section 9.42 provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.</p> <p>b) The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty 2 years imprisonment or \$22,000, or both).</p>	
Signature	
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Date	10/05/2022

EXECUTIVE SUMMARY

Environmental Resources Management Australia Pty Ltd (ERM) was commissioned to perform an Independent Environmental Audit (IEA) of the Rocglen Mine. The mine is located 28 km north of Gunnedah on Wean Road, 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 10_0015, which requires completion of an independent audit every three years from the date of the approval. The audit period assessed in this IEA is 22 February 2019 through 6 April 2022 (the date of the site visit completed as part of the audit).

The audit included a review of:

- DP&I, Ministers Conditions of Approval DA 10_0015 (Modification 4) issued October 2018;
- Environmental Protection Licence (EPL 12870);
- Mining Leases 1620 and 1662;
- Water Access Licence 29461 and 36758; 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. operations near end of mine life. 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 E.1 Summary of Audit Findings

Review	Non-compliances (NC)	Administrative non-compliance (ANC)	Observations
Statutory Instruments	2 (2 duplicate)	2	4
Implementation of Plans	1	-	1

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 Rocglen Mine on behalf of 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 10_0015, which requires completion of an independent audit every three years from the date of the approval. The audit period assessed in this IEA is 22 February 2019 through 6 April 2022 (the date of the site visit completed as part of the audit). The audit has:

- a) been conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary of the DP&E;
- b) been undertaken with consultation with the relevant agencies;
- c) assessed the environmental performance of the project and whether it is complying with the requirements in this approval, the EPL, Mining Leases and assessments, plans or programs required under these approvals;
- d) reviewed the adequacy of strategies, plans or programs required under the abovementioned approvals; and
- e) recommended appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under the abovementioned approvals.

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

1.1 Overview of Operations and Approvals

The Rocglen Mine is an open cut coal mine, located 28 km north of Gunnedah. The mine is subject to a planning approval (PA 10_0015) (referred to as the Conditions of Approval or CoA), Environment Protection Licence (EPL 12870).

The mine was initially approved on the 15th April 2008 under PA 06_0198 with a minor modification (PA 06_0198 MOD 1) granted in May 2010 to address highwall stability issues. An independent audit was completed in May 2011 in accordance with Condition 6 of Schedule 5 of the original PA. Whitehaven submitted a Project Application and accompanying Environmental Assessment, under Part 3A of the Environmental Planning and Assessment Act 1979 (EP&A Act) in March 2010 (Rocglen Mine Extension Project). PA 10_0015 was issued on 27 September 2011 and allows for additional extraction of up to 5 million tonnes of coal at a maximum recovery rate of 1.5 million tonnes per annum (Mtpa) (i.e. increased projected life of the operation for coal extraction by up to four years). A minor modification (PA 10_0015 MOD 1) was approved on 10 November 2014 relating to coal transport, and a further modification (PA 10_0015 MOD 2) was approved on 24 August 2015 allowing changes to coal reject haulage to the site. Two additional modifications (PA 10_0015 MOD 3 and MOD 4) were approved in 2017 and October 2018 respectively both related to road haulage. PA 06_0198 was formally surrendered on 1st February 2021.

The Rocglen Coal Mine lies within the mining leases (MLs) 1620 and 1662. Rocglen Coal Mine is wholly owned and managed by Whitehaven Coal. ML 1620 was issued for the Rocglen operation in June 2008 and coal production commenced in late 2008. Approximately 1.5 Mtpa of run-of-mine (ROM) coal was approved to be mined within the open cut pit using truck and shovel method. The coal was transported approximately 30 km by road to the Whitehaven Coal Handling and Preparation Plant (CHPP) for selective washing and subsequent transport by rail to the Port of Newcastle or by road to domestic customers. ML 1662 was issued on 9 January 2012 to cover the Rocglen Coal Mine Extension Project, specifically the water management and overburden emplacement activities proposed to occur outside the bounds of ML 1620.

Rocglen Coal Mine holds EPL 12870 for the operations undertaken at the site, which includes requirements for monitoring of air quality and surface water. In addition, limits are imposed in the EPL for air quality, surface water and noise (although noise monitoring is no longer required). The mine also holds two water access licences (WAL 29461 and WAL 36758) which include a combined share total of 820 ML per year.

The mine ceased mining operations in 2019 and moved to a closure and rehabilitation stage. Following the cessation of active mining, coal rejects continued to be received and emplaced within the pit void until 2020. Final landform contouring and rehabilitation activities are the primary focus of site activities during the audit period, with shaping, soil emplacement, establishment of drainage lines and establishment of vegetation cover and woodland species the primary objectives of site management.

1.1.1 Description of Primary Processes undertaken during the Audit Period

The site completed coal extraction in mid-2019 and transitioned to a closure focus with rehabilitation as the primary objective.

The site maintains a functioning workshop, which services machinery utilised as part of the rehabilitation bulk earthworks as well as machinery from other nearby Whitehaven Coal mines. In addition, the site has a site office, storage of plants and seeds and numerous water management dams.

Extracted material was transported to the off-site Coal Handling and Preparation Plant (CHPP) during mining activities. Following the completion of active mining activities, coarse and fine coal reject material was trucked to the Rocglen Mine from the CHPP until mid-2020. The material was emplaced within the final pit void and covered with overburden material.

The Rocglen mine site has approval to operate 24 hours a day with limitations on certain activities, however the site generally operates between 7:00 am and 5:00 pm. During mining, the operating hours extended until 2:40 am, however following the completion of mining operations were limited due to restrictions in place with regards to the trucking hours.

Wastes produced at the site include:

- general domestic wastes from on-site buildings and routine maintenance;
- oils and other hydrocarbons associated with the workshop;
- Waste tyres from vehicles and machinery; and
- steel/scrap metal.

Waste is segregated into waste streams and stored on-site for collection and disposal. Waste is managed by Namoi Waste for the facility.

1.2 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 CoA, EPL, Mining Leases, Water Licences and other relevant consents/approvals (including any assessment, plan or program required under these consents/approvals);
- review the adequacy of any approved strategy, plan, or 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.

1.3 Audit Scope

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

- the audit to be carried out in accordance with DP&E's Guidelines for Independent Audits and AS/NZS ISO 19011:2018: Guidelines for auditing management systems;
- review of compliance against the documentation identified in CoA (as it relates to the current activities at Rocglen Mine) which included;
 - document review of compliance against the CoA;
 - a site inspection to assess compliance against field based CoA;
 - review of supporting plans developed as part of the CoA 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 DPIE.

The audit covers the period 22 February 2019 through 6 April 2022 and is limited to assessing the activities completed during the audit period.

1.4 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:

- Planning Approval (Conditions of Approval) PA 10_0015 (Modification 4) including Statements of Commitments;
- EPL 12870;
- Mining Leases 1620 and 1662;
- Water Access Licences 2946 and 36758;
- Management Plans:
 - Air Quality and Greenhouse Gas (AQGG) Management Plan;
 - Biodiversity Offset Management Plan;
 - Blast Management Plan;
 - Closure Mining Operations Plan (CMOP), which incorporates the Rehabilitation Management Plan (RMP);
 - Environmental Management Strategy;
 - Heritage Management Plan;
 - Noise Management Plan;
 - Pollution Incident Response Management Plan;
 - Road Traffic Noise Management Plan;
 - Traffic Management Plan;
 - Water Management Plan;
- monitoring results and trends;
- comparison of monitoring results against regulatory limits and CoA limits (where applicable);

- community complaints with review completed for any trends and identifying the source of an established trend; and
- regulatory actions including any letters, penalty notices and prosecutions.

1.5 Audit Team

The audit team, as approved by DPIE, comprised:

- Dean Kerr – Lead Auditor;
- Sophie Barkla – Support Auditor;
- Matt Lord – Rehabilitation Specialist; and
- Oliver Moore – Technical Review.

1.6 Limitations

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. The audit process included the following primary components:

- development of a Terms of Reference which included:
 - audit scope and objectives;
 - date and location of audit;
 - members of audit team;
 - list of people to be audited;
 - list of reference documents and audit criteria;
- a project inception meeting was held on 31 March 2022 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 6 April 2022 at site to confirm the audit objectives and scope for the site inspection. Attendees included:
 - Dean Kerr (ERM Lead Auditor);
 - Sophie Barkla (ERM Support Auditor);
 - Andrew Raal (Superintendent – Closed Mines);
 - Jemma Gooley (Group Environmental Officer – Compliance);
 - Olivia Hulbert (Officer Rehabilitation & Closed Mines);
 - Lynden Cini (Group Superintendent – Environment);
 - Daryl Robinson (Mine Closure & Rehabilitation Manager);
- Site inspections were undertaken between 6 April and 7 April 2022;
- Any identified gaps/issues were documented and followed up with site personnel and additional information was requested as required;
- A closeout meeting was held on 7 April 2022 to discuss initial findings and recommendations. Attendees were as per the opening meeting; and
- Preparation of an audit report (this report).

2.2 Agency and Community Consultation

ERM consulted with the agencies and stakeholders as required including Department of Planning, Industry and Environment (DPIE) (including its various departments), Rocglen Community Consultative Committee, New South Wales Environment Protection Authority (NSW EPA), as well as the local Council. Emails were issued on 4 March 2022 with a follow up email submitted on 28 March 2022 to seek further responses and expand the stakeholders consulted. Responses are outlined in *Table 2.1*.

Table 2.1 Agency and Stakeholder Consultation Summary

Agency/Stakeholder	Method	Consultation summary	Response	Location Addressed in Report
Community Consultative Committee	Email on 4 March 2022	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	No response received. No further requirements.	N/A
Environmental Line	Email on 4 March 2022	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	Forwarded to NSW EPA (See response below)	N/A
Gunnedah Shire Council	Email on 4 March 2022	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	No response received. No further requirements.	N/A
New South Wales Environment Protection Authority (NSW EPA)	Email on 28 March 2022	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	The EPA is aware of one remaining issue regarding the disposal of waste heavy plant tyres stockpiled at the site before it ceased operations. DPE Planning and Assessments have confirmed that the project approval does not permit the burial of tyres onsite or other sites operates by the Target. Whitehaven are actively looking for recycling opportunities.	Appendix A, EPL Table, Condition O1.1
NSW Natural Resources Access Regulator (NRAR)	Email on 28 March 2022	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	No response received. No further requirements.	N/A
Narrabri council	Email on 4 March 2022	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	No response received. No further requirements.	N/A

Agency/Stakeholder	Method	Consultation summary	Response	Location Addressed in Report
NSW Department of Planning and Environment	Email on 4 March 2022	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	Given Rocglen is in closure, the Department would like a focus on all Rehabilitation aspects including, but not limited to, quality, quantity, comparison to rehabilitation goals.	This request is covered in Section 3.3.1 and Appendix A, Tables 1 and 2, to the extent that rehabilitation items are covered by the requirements of the project approval documentation.
Department of Regional NSW – Resource Regulator	Email on 4 March 2022	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	Refer to Table 2.2	Refer to Table 2.2
NSW Department of Planning and Environment – Crown land	Email on 28 March 2022	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	No response received. No further requirements.	N/A
NSW Department of Planning and Environment – Water	Email on 28 March 2022	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	No response received. No further requirements.	N/A

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 the CoA as well as the rehabilitation program and waste management. These areas are captured in the audit findings.

A request for further information was received from the Resources Regulator on 16 March 2022. Responses are outlined in *Table 2.2*.

Table 2.2 Response to request for information from the Resources Regulator

Resources Regulator Comment	Location Addressed in Report
Review relevant mining leases and exploration licences as agreed with Resources Regulator.	Appendix A, Mining Leases Tables.
Undertake an assessment of compliance against the conditions of title related to environmental management.	Appendix A, Planning Approval Table.
Verify that there is a current Mining Operations Plan (MOP) in place and it has been approved by the Regulator – review compliance against any conditions of approval of the MOP.	Appendix A, Planning Approval Table, Schedule 5, Condition 2.
Undertake a critical review of the MOP, including an assessment of its compatibility with the description of operations contained in the planning approval. In particular: <ul style="list-style-type: none"> ■ Review the rehabilitation strategy as outlined in the MOP to determine if it is consistent with the Project Approval in terms of progressive rehabilitation schedule; and proposed final land use(s). ■ Review the rehabilitation objectives and completion criteria as outlined in the MOP to determine if they have been developed in accordance with the proposed final land use(s) as outlined in the Project Approval. 	Section 3.3
Review the development and implementation of any rehabilitation monitoring programs to assess performance against the nominated objectives and completion criteria – verified by reviewing monitoring reports and rehabilitation inspection records.	Section 3.3.1
Confirm that mining operations are being conducted in accordance with the approved MOP (production, mining sequence etc.), including within the designated MOP approval boundary – to be verified by site plans and site inspection.	Appendix A, Planning Approval Table
Confirm that rehabilitation progress is consistent with the approved MOP as verified by site plans and a site inspection. This should include an evaluation against rehabilitation targets and whether the final landform is	Section 3.3.1

being developed in accordance with conceptual final landform in the Project Approval.	
Based on a visual inspection, determine if there are any rehabilitation areas that appear to have failed or that have incurred an issue that may result in a delay in achieving the successful rehabilitation outcomes.	Section 3.3.1

2.3 Classification of Audit Findings

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

- **Compliant (C):** the intent and all elements of the audit criteria requirements have been complied with within the scope of the audit;
- **Non-compliant (NC):** Failure to meet the audit requirements, failure to achieve the field performance outcomes identified in documentation, or ineffective environmental management of the activity;
- **Administrative non-compliance (ANC):** technical conformance with audit requirements that would not impact on performance and is considered minor in nature (e.g. report submitted but not on the due date, failed monitor or late monitoring session). This would not apply to performance-related aspects (e.g. exceedance of a noise limit) or where a requirement had not been met at all (e.g. noise management plan not prepared and submitted for approval);
- **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; and
- **Obs:** Observations are recorded where the audit identified issues of concern which do not strictly relate to the scope of the audit or assessment of compliance.

A qualitative risk assessment was also completed on the findings, consistent with AS/NZS 4360:2004 Risk management and HB 436:2004 Risk Management Guidelines Companion to AS/NZS 4360:2004 and as described in the DPIE publication "Independent Audit Guidelines", October 2015.

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 Findings

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

Table 3.1 Summary of 2019 Audit Findings

Item No	Assessment Requirement	Comment	2019 Audit Classification	Response/Action	2022 Status
Minister's Conditions of Approval PA 10_0015 MOD 4					
2.7	By the end of September 2012, or as otherwise agreed by the Secretary, the Proponent shall surrender the existing project approval for the Rocglen Coal Mine (06_0198) in accordance with section 75YA of the EP&A Act.	Assessment of additional PA 06_198 conditions has been completed in lieu of this approval being surrendered. Consider formally completing the surrender of PA 06_0198.	ANC	No further action required. Rocglen Mine completed all available actions prior to the audit period. Rocglen Mine has undertaken all measures to surrender that are within its management control; progression of process is dependent upon another landholder.	The approval was surrendered during the audit period. This item has been closed out.
3.1	The Proponent shall ensure that the noise generated by the project does not exceed the criteria in Table 1 at any residence on privately-owned land or on more than 25 percent of any privately-owned land. However, these criteria do not apply if the Proponent has a written agreement with the relevant landowner to exceed the criteria, and the Proponent has advised the Department in writing of the terms of this agreement.	No further action required	NC	Noted.	No exceedances of noise criteria were identified for the audit period. This item has been closed out.
3.2	The Proponent, together with the owners of the Tarrawonga and Vickery coal mines, shall ensure that the noise generated on public roads by the project and the other mines, does not exceed the criteria in Table 2 at any existing residence on privately owned land. However, these criteria do not apply if the Proponent has a written agreement with the relevant landowner to exceed the criteria, and the Proponent has advised the Department in writing of the terms of this agreement. Note: Traffic noise generated by the project is to be measured in accordance with the relevant procedures in the NSW Road Noise Policy	Missed a 6-monthly attended road traffic noise monitoring event in 2017. All other monitoring events were compliant. Show cause notice from DPE was received. CMO - computer program with all conditions for tracking and prompting for undertaking monitoring is now in place. Official warning was issued 21 March 2018. 2016 six monthly attended traffic noise reports observed compliance noted	ANC	Attended road traffic noise monitoring continues to be undertaken in conjunction with Tarrawonga Coal Mine.	No failure to monitor was identified for the audit period. This item has been closed out.
3.5	The Proponent shall ensure that the blasting on site does not cause exceedances of the criteria in Table 3. However, these criteria do not apply if the Proponent has a written agreement with the relevant landowner to exceed the criteria, and the Proponent has advised the Department in writing of the terms of this agreement.	Ongoing monitoring. Monitoring was completed in 2016 and 2018 confirming compliance during the audit period.	NC	Noted.	Blasting criteria were not exceeded for any blasts undertaken during the audit period. This item has been closed out.
3.13	The Proponent shall ensure that no offensive odours, as defined under the Protection of the Environment Operations Act 1997 (POEO Act), are emitted from the site.	Refer section 3.3. WHC and EPA were in correspondence about final outcome from blast fume incident at time of audit. Previous recommendation for inclusion of presence/absence of odour within the monthly inspection list has not been incorporated.	NC	No odour was identified during the site inspection and no complaints were received during the prior year related to odour. A Spontaneous Combustion Principle Hazard Management Plan is in place that guides controls required.	Odour emissions were not identified for any blasts undertaken during the audit period. This item has been closed out.
3.24	The Proponent shall prepare and implement a Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with OEH and Aboriginal stakeholders; (b) be submitted to the Secretary for approval by the end of December 2011; (c) describe the measures that would be implemented: ■ record and salvage the Aboriginal sites within the project disturbance area, including RPS Rocglen IF1, RPS Rocglen AS1 and RPS	The auditor recommends WHC upgrade fencing to enhance protection, monitoring and management of scarred trees (NPWS # 20-4-0194 and # 20-4-0195).	O (Non-Compliant)	Loose fence wires have been restrained and reflective indicators reinstated.	Fences were observed to be well maintained and permanent. This item has been closed out.

Item No	Assessment Requirement	Comment	2019 Audit Classification	Response/Action	2022 Status
	<p>Rocglen AS2 at locations as shown in Appendix 6 and any potential archaeological deposits;</p> <ul style="list-style-type: none"> ■ store the Aboriginal objects salvaged, both during construction and in the long term; ■ protect, monitor and/or manage the Aboriginal sites on site that are outside the project disturbance area on site, including measures to protect scarred trees (NPWS # 20-4-0194 and # 20-4-0195 at locations as shown in Appendix 6); ■ manage the discovery of any human remains or previously unidentified Aboriginal objects; ■ enable Aboriginal stakeholders to get reasonable access to the site during the project; ■ ensure Aboriginal stakeholders are consulted about the conservation and management of Aboriginal cultural heritage on site; and ■ ensure workers on site receive suitable heritage inductions, and that suitable records are kept of these inductions. 				
3.31	<p>The Proponent shall:</p> <p>(a) implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the project;</p> <p>(b) establish and maintain an effective vegetative screen along the boundary of the site that adjoins public roads;</p> <p>(c) ensure that no outdoor lights shine above the horizontal; and</p> <p>(d) ensure that all external lighting associated with the project complies with Australian Standard AS4282 (INT) 1995 - Control of Obtrusive Effects of Outdoor Lighting, or its latest version.</p>	Consider installing bund along Wean Rd to provide a visual screen. Vegetation will be established during pending closure planning.	O (Non-Compliant)	Commitment for improvement of screening of Wean Road by bund and vegetation was included in the recently submitted closure MOP. Infill planting of tube stock will be undertaken by 30 August 2019.	During the audit period, the additional infill planting committed to during the previous audit was undertaken. The additional plants have not had sufficient time to establish into an effective vegetative screen along the boundary of the site that minimises the visual impact of the project. No further actions are recommended as part of this audit beyond maintaining the plants that will eventually constitute the visual screen and continuing to conduct infill planting where gaps are identified.
3.34	The Proponent shall rehabilitate the site to the satisfaction of DRG. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the EA (and depicted conceptually in Figure 1 in Appendix 5), and comply with the objectives in Table 8.	Prepare a replanting plan to address rehabilitation failure.	O (Non-Compliant)	Rehabilitation sign off has not been formally sought from the relevant approval agency. Planting has occurred and will continue to occur to achieve the objectives of the Closure MOP to enable progression towards relinquishment.	The planting committed to as part of the action items from the previous audit follow up has been undertaken. This finding has been closed out.
Statement of Commitments					
g	Prior to re-spreading stockpiled material onto completed mining or overburden emplacement areas, an assessment of weed infestation on stockpiles will be undertaken to determine if individual stockpiles require herbicide application and/or 'scalping' of weed species prior to spreading.	Consider including in an existing procedure (if appropriate) or developing a new procedure to ensure stockpiles are inspected and treated for weeds prior to spreading/reuse on site.	O (ANC)	Site is inspected quarterly by a consultant for the presence of weeds. This informs targeted weed control management. Inspection for weeds on topsoil stockpiles will be included in the quarterly inspection	New procedural documents to manage the stockpiles have been established. This item has been closed out.
i	Where natural protection from surface runoff flows is not available or achievable, protective earthworks, such as contour banks, and/or straw bale protection will be installed. Silt fencing (or similar) will be installed immediately downslope of any stockpile area potentially susceptible to erosion and maintained until the stockpile is considered stable with an effective vegetation cover.	Subsoil stockpile on eastern side appears to require improved erosion and sediment controls to prevent sediment laden runoff discharges from site.	NC	Sediment control works are installed. Remediation works will be addressed as part of closure work.	Sediment control appeared appropriate for the material being managed. This item has been closed.

Item No	Assessment Requirement	Comment	2019 Audit Classification	Response/Action	2022 Status
g	Surface water management structures will be progressively installed on the rehabilitated landform. The heights (effective depths) and cross-sectional areas of the individual banks will be determined on the basis of individual sub-catchment areas, but will typically be less than 0.7 metres and 3 square metres (m ²), respectively. Rock lined drains will be used, where required, to convey water safely from the rehabilitated landform into the surface water management system that takes water from the site.	Repair the breach in the perimeter bund. Review ESCP and basin design in the northern emplacement area to ensure optimum arrangement.	O (Non-compliant)	The perimeter bund has been rectified. Closure works including landform design and drainage will occur as per the Closure MOP.	Surface water management structures generally appeared appropriate for the purposes of the site. This item has been closed.
m	If drainage controls are found to be inadequate for their intended purpose or compromised by grazing stock or wildlife, these will be repaired and/or temporary fences installed to exclude animals. Should areas of excessive erosion and sedimentation be identified, remedial works such as importation of additional fill, soil material and/or the redesigning of water management structures to address erosion will be undertaken.	Repair the breach in the perimeter bund. Review ESCP and basin design in the northern emplacement area to ensure optimum arrangement.	O (Non-Compliant)	The perimeter bund has been rectified. Closure works including landform design and drainage will occur as per the Closure MOP.	Surface water management structures generally appeared appropriate for the purposes of the site. This item has been closed.
v	As per the commitments listed in Section 8.6, Whitehaven will adopt a progressive approach to the rehabilitation of disturbed areas within the Project Site to ensure that, where practicable, completed mining and overburden emplacement areas are quickly shaped, top dressed and vegetated to provide a stable landform.	Prepare a replanting plan to address rehabilitation failure.	O (Non-Compliant)	Refer above response to 3.34, tube stock planting methodology is currently under review and will be completed by 30 August 2019. Rehabilitation and planting schedule will be in accordance to the closure MOP.	The area identified in the previous audit as requiring action via implementation of a replanting plan has been subject to replanting in accordance with a replanting plan during the audit period, therefore this finding has been closed out.
b	Contractors, including all personnel and sub-contractors, will be advised of noise compliance limits prior to their work commencing. Contractors will be expected to take practical measures to limit noise generation during their activities where possible.	Provide criteria levels within the existing familiarisation process.	ANC	Environmental requirements are presented in the general induction process. Additional noise management items will be presented in a toolbox talk by 31 July 2019. It is noted transition to closure work and cessation of night time operations is scheduled to occur by 30 June 2019.	Noise limits remain applicable, however noisy activities are no longer occurring at the site. This item has been closed out.
g	As required, appropriate drainage structures and erosion and sediment controls will be installed and maintained.	Subsoil stockpile on eastern side appears to require improved erosion and sediment controls to prevent sediment laden runoff discharges from site. Explore whether improvement to Dam B inlet and outlet location is possible.	NC	Sediment control works are installed. Remediation works will be addressed as part of closure work.	Stockpile has been removed and controls appear suitable. This item has been closed out.
j	Dirty water generated from disturbed areas to be captured and diverted using contour banks and drop structures in a manner that minimises the potential for concentrated overland flow and subsequent erosion. This water will be channelled through a series of sediment basins to reduce sediment loads prior to discharge.	Ensure that the inlet and outlet for Dam B are appropriately located to ensure retention time to allow sediment capture.	O (Non-Compliant)	Sediment control works are installed. Remediation works will be addressed as part of closure work.	Sediment controls appear appropriate for the nature of operations. This item has been closed out.
i	Monitoring of groundwater levels will initially be undertaken on a monthly basis for the first year of the Project, after which the interval may potentially be relaxed subject to review of the results. In the longer term a monitoring interval of three months is anticipated. Samples will be analysed for all major ions, including carbonate.	Monitoring of groundwater levels was not completed initially on a monthly basis for the first 12 months of the Project. No further actions are recommended as this is considered a legacy ANC.	ANC	Legacy ANC. No further action required.	N/A
c	Strict erosion and sediment control measures will be installed, monitored and maintained to prevent the erosion and sedimentation impact on adjacent areas.	Subsoil stockpile on eastern side appears to require improved erosion and sediment controls to prevent sediment laden runoff discharges from site. Explore whether improvement to Dam B inlet and outlet location is possible.	NC	Sediment control works are installed. Remediation works will be addressed as part of closure work.	Subsoil stockpile on eastern side has been removed. This item has been closed out.
b	All efforts will be made by Whitehaven to minimise disturbance within the Project Site.	The auditor recommends WHC upgrade fencing to enhance protection, monitoring and management of scarred trees (NPWS # 20-4-0194 and # 20-4-0195).	O (Non-Compliant)	Loose fence wires have been restrained and reflective indicators reinstated.	Fencing appears to be appropriate. This item has been closed out.

Item No	Assessment Requirement	Comment	2019 Audit Classification	Response/Action	2022 Status
a	All efforts will be made by Whitehaven to minimise the visual impact of the mine during and post-operation.	Consider installing visual screen along Wean Rd.	NC Duplicate	Refer response to 3.31 above. Commitment for improvement of screening of Wean Road by bund and vegetation was included in the submitted closure MOP. Tube stock has been ordered and will be planted by 30 August 2019.	The site has conducted infill planting of the vegetation screen during the audit period to minimise the visual impact of the mine during and post operation. No further actions are recommended.
b	As per the commitments listed above in Section 8.6, Whitehaven will adopt a progressive approach to the rehabilitation of disturbed areas within the Project Site to ensure that, where practicable, completed mining and overburden emplacement areas are quickly shaped, topdressed and vegetated. Early reshaping and revegetation of the external batter slopes of the emplacement areas will be targeted as a priority.	Prepare a replanting plan to address rehabilitation failure.	O (Non-compliant)		The area identified in the previous audit as requiring action via implementation of a replanting plan has been subject to replanting in accordance with a replanting plan during the audit period, therefore this finding has been closed out.
e	An earthen bund of appropriate height will be established between the realigned Wean Road and the active pit area. This bund will be vegetated immediately following construction. The bund will provide an effective visual screen of the site from Wean Road. In addition to the bund, a strip of bushland will be established to screen the view of the final void and generally improve the visual amenity from Wean Road.	Earthen bund has been partially installed along the southern part of the eastern boundary but has not been installed along the area of the active pit area. Efforts have been made to plant trees in this area but the planting failed. Bushland will be established once operations have finished in three years.	NC	Refer response to 3.31 above. Commitment for improvement of screening of Wean Road by bund and vegetation was included in the submitted closure MOP. Tube stock has been ordered and will be planted by 30 August 2019.	The site committed to conducting infill planting as part of the previous audit action items. Infill planting has been undertaken across the vegetation screen area during the audit period. At the time of the audit, a strip of bushland that screens the final void area from Wean Road was not observed. It is anticipated that the existing vegetation will eventually constitute such a visual screen and no further actions are recommended as part of this audit beyond maintaining the existing vegetation.
b	Whitehaven will respond to any community complaints within 24 hours of receipt. All complaints will be investigated and the results of the investigation reported to the complainant in a timely manner.	Template updated to account for additional detail of timing within response.	ANC	Complete. Details including time and date of response and when complainant was contacted, has been added to the internal complaints form.	Complaints register tracks the items required. This item has been closed out.
Mining Licence 1620					
B	The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 dB (linear) and does not exceed 115 dB (linear) in more than 5% of the total number of blasts over a period of 12 months, at any dwelling or occupied premises, as the case may be, unless determined otherwise by the Department of Environment and Climate Change.	N/A	NC Duplicated with MCoA 3.5 and EPL L5.1	Refer response above. Duplicated with MCoA 3.5 and EPL L5.1	Blasting criteria were not exceeded for any blasts undertaken during the audit period. This item has been closed out.
Environmental Protection Licence 12870					
A3.1	Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence. In this condition the reference to "the licence application" includes a reference to: (a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and (b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.	As outlined against non-compliances and observations below.	NC	Addressed in this response Table.	Detailed throughout this report.
P1.1	The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point	Ensure HVAS monitoring continues at required frequency and duration.	NC	Due to power failure, a short run on HVAS was recorded. Monitoring will continue as required.	The required monitoring was undertaken during the audit period and this item has been closed out.

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L4.1	Noise generated at the premises must not exceed the noise limits in the table below.	Continue monitoring as per requirements - exceedances were predominantly at night. Nightworks will likely cease upon completion of mining activities in very near future (mid 2019) and works will focus rehabilitation to be undertaken during daytime period only	NC	Operational activities will be reduced from approximately July 2019 onwards. Monitoring will occur as per the relevant licence condition. An amendment to the licence to reflect the activities will be applied in due course.	Noise monitoring is no longer required and the license has been amended. Noise monitoring was undertaken while required. This item has been closed.
L5.1	The airblast overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded	No further action required.	NC Duplicated with MCoA 3.5 and ML1620 (15(b))	Noted.	N/A
O4.1	Offensive blast fume must not be emitted from the premises. Definition: Offensive blast fume means post-blast gases (whether visible or invisible, odorous or odourless) from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances: (i) are harmful to (or is likely to be harmful to) a person that is outside the premises from which it is emitted, or (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.	Whitehaven Coal Mining Ltd were prosecuted in relation to a blast resulting in a fume event in August 2016. At the time of the IEA, legal proceedings were still in progress. Regulatory action has been completed and there are no outstanding actions.	NC (duplicate CoA 3.5)	Refer previous response above.	N/A
M2.4	For the purposes of the table(s) above Special Frequency 1 means the collection of samples as soon as practicable after each discharge commences and in any case not more than 12 hours after each discharge commences.	Implement any additional mitigation measures to allow for less than 12 hour response time.	NC	Weather is monitored daily including forecasts. Site personnel are made available to undertake site inspection and sampling for any likely overflow event.	Monitoring was conducted during wet weather event within 12 hours of discharge occurring. This item has been closed out.
M2.5	For the purposes of the table(s) above Special Frequency 2 means the collection of samples quarterly (in the event of a flow during the quarter) at a time when there is flow and as soon as practicable after each wet weather discharge from points 11 and 12 commences and in any case not more than 12 hours after each discharge commences.	As above	NC		
Water Access Licences 36758					
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.	Modelling to be used to determine 'take' by groundwater inflow.	ANC	A detailed groundwater model has been developed and will be reviewed annually as part of the required annual site water balance. Groundwater take (30ML) was reported in the 2018 Annual Review. Previous years noted as zero.	Groundwater model has been developed and groundwater take assessed annually. This item has been closed out.
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.	Volume of infiltration can be kept for 5 years.	ANC	Annual modelled groundwater has been undertaken.	This item has been closed out.
Water Access Licences 29461					
MW0635-00001	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.	Update spreadsheet to include groundwater inflow.	ANC	Excel spreadsheet is considered appropriate as a logbook and inflow can be determined from the model. No further action proposed.	This item has been closed out.

Item No	Assessment Requirement	Comment	2019 Audit Classification	Response/Action	2022 Status
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.	Complete purpose component of the spreadsheet.	ANC	Purpose column has been added to the workbook against each licence.	This item has been closed out.
MW0632-00001	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.	Spreadsheet is not strictly in accordance with log book.	ANC	Refer above.	This item has been closed out.
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.	Consider including logbook requirements and record keeping requirements of the WAL into the Water Management Plan	O (Non-compliant)	WMP approved by the regulatory agency. Transitioning into closure and remediation of the site. Excel spreadsheet considered appropriate.	This item has been closed out.
Mining Operations Plan					
	A vegetated earthen bund of appropriate height will be maintained between the realigned Wean Road and the active pit area to provide an effective visual screen from Wean Road. In addition, a strip of bushland will be maintained in the post-mining landform to screen the view of the final void and generally improve the visual amenity from Wean Road.	Consider installing visual screen along Wean Rd.	NC	Refer response to 3.31 and SOC above. Commitment for improvement of screening of Wean Road by bund and vegetation was included in the submitted closure MOP. Tube stock has been ordered as noted above and infill planting will be undertaken by 30 August 2019.	The site committed to conducting infill planting as part of the previous audit action items. Infill planting has been undertaken across the vegetation screen area during the audit period. At the time of the audit, a strip of bushland that screens the final void area from Wean Road was not observed. It is anticipated that the existing vegetation will eventually constitute such a visual screen and no further actions are recommended as part of this audit beyond maintaining the existing vegetation.
Blast Management Plan					
	In the event that the monitoring results of a blast identify an exceedance of: • Peak vector sum velocity (ground vibration) – 5mm/s (ppv); and/or • Peak overpressure – 115dB, Rocglen Mine will initiate investigation as to the cause of the exceedance.	Whitehaven Coal Mining Ltd were prosecuted in relation to a blast resulting in a fume event in August 2016. At the time of the IEA, legal proceedings were still in progress. Regulatory action has been completed and there are no outstanding actions.	NC Duplicated with MCoA 3.5, EPL L5.1 and ML1620 (15(b))	Complete. Duplicated with MCoA 3.5, EPL L5.1 and ML1620 (15(b))	This item has been closed out.
	Rocglen Mine will notify DPE and EPA of any blasting related non-compliances or exceedances as soon as practicable after Rocglen Mine becomes aware of the issue.	As above.	NC Duplicated with MCoA 3.5, EPL L5.1 and ML1620 (15(b))	As above. Noted. Duplicated with MCoA 3.5, EPL L5.1 and ML1620	This item has been closed out.
Rehabilitation Management Plan					
	Surface water management structures will be progressively installed on the rehabilitated landform. The heights (effective depths) and cross-sectional areas of the individual banks will be determined on the basis of individual sub-catchment areas, but will typically be less than 0.7 metres and three square metres, respectively. Rock lined drains will be used, where required, to convey water safely from the rehabilitated landform into the surface water management system that takes water from the site. Consideration may also be given to trialling other erosion control devices or systems as rehabilitation processes across the site.	Repair the breach in the perimeter bund. Review ESCP and basin design in the northern emplacement area to ensure optimum arrangement.	O (Non-compliant)	The perimeter bund has been rectified. Closure works including landform design and drainage will occur as per the Closure MOP.	The perimeter bund has been rectified and this item has been closed out.
	Where stockpiles become weed infested, the top 150 millimetres should be scalped off and discarded prior to the remaining material being utilised for rehabilitation.	Consider including in an existing procedure (if appropriate) or developing a new procedure to ensure stockpiles are inspected and treated for weeds prior to re spreading/reuse on site.	O (ANC)	As noted in response to equivalent recommendation in Statement of Commitments above.	New procedural documents to manage the stockpiles have been established. This item has been closed out.

Item No	Assessment Requirement	Comment	2019 Audit Classification	Response/Action	2022 Status
	In developing the rehabilitation monitoring program, the following aspects should be taken into consideration: <ul style="list-style-type: none"> • Replicated monitoring sites should be established in representative rehabilitation areas of different ages. • One monitoring site per 20 to 40 hectares is appropriate for each major age class of the rehabilitation areas. • Sites should be monitored 12 months after establishment and then every two years. • A standard monitoring plot design for areas rehabilitated with trees should be used: - 2 metre by 2 metre quadrats – these will provide some estimate of statistical variance, so that if required, statistical analyses can be undertaken to objectively compare different rehabilitation treatments and changes over time; - a 20 metre by 10 metre plot overlying the 2 metre quadrats and located 5 metres either side of the centerline, for ease of monitoring; and - a 50 metre erosion monitoring transect on contour, running through the centre of the plot. 	No further action required.	NC	Legacy finding. Flora and fauna monitoring has been completed during each year of the audit period.	This item has been closed out.
Traffic Noise Management Plan					
	A summary of noise monitoring results will be reported internally on a monthly basis as well as on a quarterly basis to the Community Consultative Committee (CCC) via the Environment Monitoring Report. This report will be periodically uploaded onto the company's website (www.whitehavencoal.com.au).	Consider reviewing the reporting frequency to align with the CCC meeting frequency	ANC	Monitoring results are provided publically on the Rocglen Coal website within EPL monthly reporting. A note will be provided during the next CCC meeting advising that results are available on a monthly basis on the website. Additional three monthly circulation to the CCC is not considered to be required given the site is transitioning into closure status.	This item has been closed out.
Water Management Plan					
	Installing temporary erosion and sediment control devices as required (i.e. sediment fences, sand bag weirs) to minimise the discharge of sediment laden water from newly disturbed areas	Subsoil stockpile on eastern side appears to require improved erosion and sediment controls to prevent sediment laden runoff discharges from site. Explore whether improvement to Dam B inlet and outlet location is possible.	NC Duplicated with SoC	Duplicated in Statement of Commitments (SoC). Please refer response above in SoC section.	Sediment controls were observed to be appropriate for the material being managed. This item has been closed.
	Water quality monitoring results for downstream watercourses (Driggle Draggie Creek and the unnamed creek to the south of the site) will be assessed, for each monitoring event, against key default trigger values presented in Table 7 and sourced from the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC, 2000).	Consider the review of the water monitoring program and confirm the required analytical program and action accordingly.	NC	The creek is ephemeral. Routine sampling has not been undertaken due to drought conditions. Sampling results have not indicated impact from site activities. The WMP and monitoring program will be updated (31 July 2019), and reviewed as part of transition into closure.	This item has been closed out.
	A program to monitor creek line channel stability and health of riparian vegetation within Driggle Draggie Creek and the unnamed creek to the south of the site would be undertaken throughout the mine life. The monitoring would be undertaken along a short length of the downstream watercourses. General observations of stream health will be recorded during the quarterly water quality monitoring for these watercourses. Monitoring of the drainage lines would include: <ul style="list-style-type: none"> • Documenting general observations of water quantity and quality; • Documenting locations and dimensions of significant erosive or depositional features so that any subsequent changes can be evaluated quantitatively; • Establishing multiple photographic points at representative locations, so that photos can be taken over multiple inspections in a repeatable manner; • Written descriptions of the stream at each of the photographic points, focussing on evidence of erosion and exposed soils; and • Documenting general indicators of stream health, including abundance of flora and fauna. 	Consider the review of the creek monitoring program and action accordingly.	NC	As above.	This item has been closed out.

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	The results will also be compared to relevant site operations and meteorological conditions to further interpret the results. This comparison between samples, between sampling periods and against other factors will assist in identifying whether the activities on the site are in fact affecting the water quality of the local catchment.	If no discharge then consider adding results to surface water sampling sheet to remove confusion. In addition consider adding the rainfall reviewed the prior 5 days and note the activities on site that may impact water quality, such as earthworks/ground disturbance.	ANC	The creek is ephemeral. Routine sampling has not been undertaken due to drought conditions. Sampling results have not indicated impact from site activities. The WMP and monitoring program will be updated (31 July 2019), and reviewed as part of transition into closure.	The site committed to reviewing and updating the WMP, which was undertaken during the audit period. Tracking sheets include the rainfall for the 5 days leading up to the discharge event. This item has been closed out.
	<p><u>Groundwater exceedance procedure:</u></p> <p>1. Check and validate the data which indicates an exceedance of the assessment criteria / trigger level (as soon as possible and within 7 days).</p> <p>2. Notify NSW Department of Planning and Environment (DPE) and any other relevant department as soon as practicable (within 7 days after becoming aware of the exceedance).</p> <p>3. A preliminary investigation will be undertaken to identify the cause and determine whether changes to the groundwater management system are required. This will comprise analysis of the exceedance result, baseline groundwater monitoring, current monitoring results in the vicinity of the exceedance, meteorological conditions of the period, current site activities and adjacent land use activities, including pumping from nearby irrigation bores.</p> <p>4. A preliminary investigation report of the exceedance is to be prepared and submitted to the DPE and any other relevant department (within 28 days of the incident).</p> <p>5. Any further investigations recommended by the preliminary investigation report will be conducted in consultation with DPE and any other relevant departments (timeframe to be determined in consultation with DPE).</p> <p>6. Remedial measures will be developed in consultation with DPE and any other relevant department and implemented in response to the outcomes of the investigations (timeframe to be determined in consultation with DPE).</p> <p>7. In emergency situations water will be supplied to the impacted landholder within 7 days of the exceedance, at least on an interim basis, until investigations are completed.</p> <p>8. Additional monitoring would be implemented to measure the effectiveness of contingency measures where necessary (timeframe to be determined in consultation with DPE).</p>	Consider the review and check of data to confirm if trigger values have been reached for some parameters and action accordingly. Perhaps include comparison to triggers in table and or graphs to easily identify exceedances of trigger levels.	NC	The monitoring points referenced are on mine owned land in close proximity to the operation. These will be reviewed annually as part of mine water balance. It is noted the operation is transitioning into closure.	Monitoring data have been compared to the trigger values generally, however some instances of failure to report appropriate monitoring data on the Rocglen website were identified. These did not constitute a failure to monitor but erroneous reporting. This item has been closed out.

A summary of environmental performance relating to complaints, environmental monitoring, water management, management plan adequacy, EPL compliance, Mining Leases, Water Licences and compliance with relevant regulatory instruments is provided over the following sections of this report. *Table 3.2* summarises ERM's 2022 Audit findings.

3.2 Complaints Summary

Complaints registers for the auditing period were available online and provided by Rocglen for review. One complaint was received on 1 March 2021, related to erratic driving and tailgating of a contractor delivery driver. The complaint was investigated and followed up by site management. No outstanding complaints were identified.

3.3 Environmental Performance

3.3.1 Rehabilitation

The site is primarily conducting rehabilitation activities at the time of the audit, with a view to continue progressing the earth works and final landform shaping and seeding and ground cover establishment phases throughout the next two to three years.

At the commencement of the audit period, the site was issued with a Section 240 notice that was provided to the site on 18 April 2019 and identified a need for assessment of progressive rehabilitation planning and implementation and identification of corrective actions to mitigate the risks of adverse impact to the environment. The site formally responded to the Section 240 notice on 18 December 2020, with a comprehensive response to all of the requirements of the Section 240 notice.

Rehabilitation Management Plan

In general, the CMOP for the Site includes the items required to prosecute the rehabilitation agenda. ERM notes that the CMOP expires in June 2022 and will be replaced by a Rehabilitation Management Plan (RMP), which was under development at the time of the audit.

Progressive Rehabilitation

Since the audit period commenced, rehabilitation has been undertaken in a staged manner. Rehabilitation activities within the audit period are summarised in the Annual Reviews and the Annual Site Rehabilitation Plan. Progress is tracked against the schedule from the 2019 CMOP. According to the Annual Reviews and Site Rehabilitation Plan, rehabilitation during the audit period has progressed broadly in accordance with the commitments made in the 2019 CMOP for the categories of Total Disturbance Footprint, Total Active Disturbance, Rehabilitation Land Preparation, Ecosystem and Land Use Establishment and Ecosystem and Land Use Development. Plans 3A, 3B and 3C from Appendix A of the CMOP present indicative figures outlining the rehabilitation program that was planned for the audit period when the CMOP was prepared in 2019. Rehabilitation during the audit period was not completed to the extent presented in Appendix A of the 2019 CMOP.

Final Landform Shaping

The final pit void has been designed as a safe and stable landform and is subject to routine monitoring, inspections and rectification measures in accordance with the management planning documents. Inspection records from the audit period do not indicate widespread erosion events have occurred at the site. Rilling and fine material transported to the base of the slope area observed during the site inspection in some areas of the final landform was attributed to heavy rains experienced at the site during the audit period following shaping and prior to the establishment of vegetation cover. Given the long timeframes required to demonstrate a safe and stable landform and the relatively young age of the final landform there is insufficient data to draw on within the audit period to conclude whether the rehabilitation program is on a trajectory to establish a safe and stable landform.

ERM reviewed the Rocglen Landform Validation figure, which demonstrated that the eastern portion of the final pit void area was generally shaped to be in compliance with the planned landform design. 79% of the area assessed was measured to be at the planned landform design with 11% of the remaining portion within 0.3 m of the plan. 6% was within 0.3 m – 0.5 m of the plan and the remaining 4%, which was between 0.5 m and 3.0 m difference to the plan was predominantly associated with the rock drains.

Topsoil

Management documents associated with topsoil include the CMOP, Site Rehabilitation Plan, Area Preparation and Placement of Subsoil, Topsoil and Seed and Topsoil and Subsoil Stockpiling. According to these documents, topsoil selected for 2021 was designed to target less erodible material for the slopes of the eastern pit. Soils utilised in the rehabilitation process are subject to quality testing, amelioration measures including gypsum application to address high sodicity soils and validation sampling following emplacement to ensure the topsoil properties meet the requirements of the planning documents. Crusting was observed in some areas of the final landform topsoil during the audit period.

Drainage and Surface Water

Drainage and runoff management includes dedicated rock drains established during landform shaping to direct runoff from the slope areas toward the pit bottom. The landform shape has been established to direct water that lands outside of the slope areas of the final pit void away from the pit and off-site to the south via engineered drainage paths and settlement dams.

Planning documents and modelling indicate that a permanent surface water body was anticipated for the pit area. Substantially more water than was modelled was observed to be in the pit void at the time of the site visit. Site management reported that runoff reported to the pit void during the audit period, prior to landform shaping, which is the cause of the elevated water level.

Vegetation Establishment

Vegetation has been established in the final pit void during the audit period, including grasses, tree saplings and cover crop species on the eastern slopes of the final pit void and further development of the vegetation in the northern emplacement area. The Statement of Commitments included the use of non-persistent species for initial cover crops and the site has utilised oats and millet during the audit for this purpose.

In addition to seeding during final landform shaping, tube stock planting is undertaken to enhance vegetation growth and progress the rehabilitation towards the desired ecosystems, which include pasture and native woodland. Where inspections and monitoring indicate that rehabilitation success has been limited, infill planting and other remedial works area undertaken. According to the Site's response to the Section 240 Notice, new tree planting methodologies have been adopted during the audit period to improve success rates.

Routine ecological monitoring of rehabilitated areas was undertaken during the audit period, including a formal assessment of ground cover, species composition and <2 m tall tree density. Grass species were observed to be dominant in areas of the northern emplacement area earmarked for woodland ecosystem. The grass species in the native woodland areas subject to ecological monitoring were reported to be exotic species according to the 2020 Annual Rehabilitation Monitoring Report. Site management reported that plans were in development at the time of the audit to transition these areas towards the planned native woodland ecosystem. Groundcover generally increased during 2020 and generally decreased during 2021 at the assessed woodland domain sites. Monitoring for <2 m tall tree density in woodland areas in 2020 found that 42% of Rehabilitation Point Assessment areas had no tree seedlings in the vicinity, 26% had rare or occasional tree seedlings, 21% had frequent or common seedlings and 11% had abundant seedlings.

The 2021 report found that seedling densities decreased from 2020, which was attributed to the majority of seedlings having been planted in 2020, prior to the 2020 assessment. Additional tube stock planting is planned to continue establishment of woodland ecosystems in the designated areas.

Local providence seed mix has been sourced for the rehabilitation. Seeds are stored on-site in a dry area with temperature control and elevated storage racks to reduce vermin impacts.

Weed Management

The Rehabilitation Management Plan states that weed control is undertaken on a 6 to 12 weekly rotation, as required. Quarterly weed inspections were undertaken by Hunter Land Management and treatment recommendations were made by an agronomist, with a contractor appointed to undertake weed control on-site. Weed management includes routine inspections and spraying, supported by records on maps and digitisation for analysis and monitoring. Weed controls include slashing around the front entrance, boom spraying the southern topsoil stockpiles and northern gate entrance to the northern dump and spot spraying of Bathurst burr, Nagura burr and castor oil on the northern emplacement area. ERM observed Nagura burr and/or Bathurst burr weeds growing in the rehabilitated area.

3.3.2 Noise

Quarterly noise monitoring was undertaken by SLR until October 2019 and by Wilkinson Murray until October 2020 when routine noise monitoring was terminated. Termination of noise monitoring was requested by Rocglen Mine and was approved by NSW EPA in September 2020. Noise levels were generally recorded below the assessment criteria during the audit period and exceedances were not identified in the monitoring data. Management of noise associated with the project is considered to have been appropriate for the nature of operations undertaken during the audit period.

3.3.3 Air Quality

Routine air quality monitoring is undertaken by way deposited dust gauges, a TEOM 1405 PM10 continuous dust monitor and an Ecotec high volume air sampler (HVAS). Exceedances of air quality criteria were recorded during the audit period and were reported to the Department, however investigations generally found the exceedances to be attributable to regional conditions or local conditions proximal to the monitoring equipment (which are located off-site) and not to site operations. Complaints were not identified in relation to air quality during the audit period and blast monitoring checklists demonstrate that conditions likely to risk impacting air quality were considered prior to blasting and activities on-site were re-scheduled where risks were identified.

In addition to the air quality monitoring array, a continuous weather station is operated by the site and utilised to provide inputs to management decisions regarding site activities, air quality and noise. The auditors did not view the weather station in person during the audit to avoid potential damage to the access road. The continuous meteorological data outputs were observed by the auditors. In general, management of air quality is considered to be appropriate for the operations conducted at the site.

3.3.4 Water Management

Surface Water

The site operates water storage dams and manages surface water runoff from the site area. In addition, the workshop area has dedicated capture and management of runoff by way of an oil/water separator. Surface water management observed on-site appeared to be generally conducted in accordance with the management documents, however level gauges were not provided for all storage dams inspected, which could potentially lead to uncertainty in relation to the freeboard capacity of storage dams on-site.

Surface water drainage channels are under development as part of the closure and rehabilitation works for the final pit void area, primarily involving the creation of dedicated drainage lines comprising coarse material, contoured to divert water according to the landform design plan. Surface water was observed within the final pit void in excess of design documents and anticipated modelled volumes, due to the unusually high rainfall levels experienced in NSW in 2022. Surface water management was generally observed to be well executed by Rocglen Mine.

Groundwater

Routine groundwater level and quality monitoring is undertaken at the site, in accordance with the Water Management Plan. Groundwater results from the audit period have generally indicated that groundwater levels and quality have remained consistent with groundwater levels generally increasing in 2020/2021. Groundwater quality has remained relatively consistent with historical trends and gross contamination to groundwater as a result of site activities has not been identified from records associated with the audit period.

Water Access Licences limit the water allowed to be taken by the mine. Rocglen Mine maintain records related to water take and conduct regular water balance assessments. According to the records from the audit period, water take did not exceed the licence limits.

3.4 Management Plan Adequacy

The site operates under a suite of management plans which govern the activities undertaken. The auditors undertook a review of the management plans and assessed the adequacy of each in meeting the relevant approval requirements in view of current operations at the site. The site's management plans underwent formal review and approval during the audit period as part of the site's routine governance program. In general, management plans were considered to be largely appropriate for the site's operations. Implementation of the management plans was generally acceptable, with areas for improvement identified primarily relating to the rehabilitation implementation. The findings of the Management Plan review are detailed in *Section 3.3* and in *Table 3.2* and *Appendix A*.

3.5 Statement of Commitments

The Rocglen Mine prepared a formal statement of commitments as part of the EA for the project. The commitments include a range of items, that are reflected in the management documentation governing operations at the site. A separate assessment against the statement of commitments has not been prepared as part of this audit as the management plans have been subject to review during the audit and an assessment of compliance against the commitments is included in the review of the management plans.

3.6 Environment Protection Licence

The site operates under Environment Protection Licence (EPL) 12870 issued to Whitehaven Coal Mining Limited for the operation of Rocglen Mine. The site submitted Annual Returns to the EPA, as required for the audit period. Findings identified against the site's EPL are outlined in *Table 3.2* and *Appendix A*.

3.7 Compliance with Regulatory Instruments

A compliance check against the CoA, EPL, Mining Leases and Water Access Licences as well as a management plan review has been completed and is presented in *Appendix A*. Non-compliances and observations for each component are summarised in *Table 3.2*.

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

- non-compliance assessed as 'high' have been coloured red;
- non-compliance assessed as 'moderate' have been coloured orange;
- non-compliance assessed as 'low' have been coloured; and
- administrative non-compliance have been coloured blue.

Table 3.2 Summary of 2022 Audit Findings

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
<i>Minister's Conditions of Approval PA 10_0015</i>				
7.	By the end of September 2012, or as otherwise agreed by the Secretary, the Proponent shall surrender the existing approval for the Rocglen Coal Mine (06_0198) in accordance with section 75YA of the EP&A Act.	ERM reviewed a letter formally surrendering the approval (06_0198) dated 1/2/21. The surrender date was after the deadline required by this condition and ERM was not provided with documentation formally extending the deadline. Given that during the audit period, the proponent held the approval (06_0198) and the deadline had passed, an administrative non-compliance has occurred within the audit period. The approval was surrendered during the audit period, therefore no further action is required to rectify this item.	ANC	No further action
11.	The Proponent shall ensure that all the plant and equipment used on site, or to transport coal from the site, is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	During the site inspection it was observed that plant and equipment were generally maintained in a proper and efficient condition and operated appropriately. There were no examples of failure to maintain equipment identified by ERM. Rocglen utilises the Pulse system to track maintenance by creation of work orders that are tracked in the database and closed out upon completion of the works by verification checklists and other means. Maintenance schedules are put into the system based on manufacturers specifications when the plant/equipment is procured and ad hoc requirements are entered by site staff as needed. ERM interviewed the engineer in charge of maintaining the work order system and reviewed the open work orders for the Rocglen mine. The majority of work orders reviewed demonstrated completion of the task and close out with verification documentation. It was observed that a number of work orders associated with routine maintenance remained beyond the due date of the work order, indicating that the plant and equipment in question has not been subject to the required maintenance or servicing or that the work order system was not updated to reflect completion of the work. These work orders included maintenance for a light vehicle (alternator replacement required in 2018) and a 500 hour inspection for a dump truck (required in 2020). Site management reported that these activities were either undertaken or completed externally and that the work orders were not closed out in the system, despite the work being completed.	O (C)	Review management of the Pulse system and ensure that work orders associated with Rocglen are either closed out in the system or removed from Pulse if they are not required.
22.	The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Secretary. This plan must be prepared in consultation with the EPA, DoI Lands & Water and DRG by suitably qualified and experienced persons whose appointment has been approved by the Secretary, and submitted to the Secretary for approval by the end of February 2012. In addition to the standard requirements for management plans (see condition 2 of schedule 5), this plan must include: (a) a Site Water Balance that: <ul style="list-style-type: none"> ■ includes details of: <ul style="list-style-type: none"> ■ sources and security of water supply; ■ water use on site; ■ water management on site; ■ any off-site water transfers; ■ describes what measures would be implemented to minimise water use on site; and ■ is to be updated each year during the annual review; (b) a Surface Water Management Plan, that includes: <ul style="list-style-type: none"> ■ a detailed description of the water management system on site, including the: <ul style="list-style-type: none"> ■ clean water diversion systems; ■ erosion and sediment controls; and ■ water storages; ■ detailed plans, including design objectives and performance criteria, for: <ul style="list-style-type: none"> ■ design and management of the final void; ■ reinstatement of drainage lines on the rehabilitated areas of the site; and 	The site operates under a Water Management Plan, dated 6/6/18. The plan's original submission to the Department was required prior to this audit period, therefore the February 2012 deadline was not triggered for this audit. The current version of the plan has been endorsed by the Department and includes the following items: (a) a detailed site water balance – sources and security of water supply is discussed (model inputs) along with the water consumption methods (model outputs) and the measures to manage water on-site and details of any off-site water transfers, in Section 3. (b) a surface water management plan – this includes the water management system, displaying the storage locations, clean water diversion system and erosion and sediment controls. The design objectives and performance criteria for the final voice, drainage lines and pollution control are detailed in Section 4. (c) a groundwater management plan – this plan includes baseline data and assessment criteria, a detailed monitoring schedule and response plan for any identified impacts, an annual groundwater model validation program and a plan for and an exceedance response plan.	O (NC)	Ensure that all dams contain level meters to allow for monitoring of water storage and freeboard capacity.

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
	<ul style="list-style-type: none"> ■ control of any potential water pollution from the rehabilitated areas of the site; ■ performance criteria for the following, including trigger levels for investigating any potentially adverse impacts: <ul style="list-style-type: none"> ■ the water management system; ■ surface water quality in Driggle Draggie Creek or the unnamed creek to the south of the site; ■ the health of any riparian vegetation in Driggle Draggie Creek or the unnamed creek to the south of the site; ■ a program to monitor: <ul style="list-style-type: none"> ■ the effectiveness of the water management system; ■ surface water flows and quality in Driggle Draggie Creek and the unnamed creek to the south of the site; ■ the health of any riparian vegetation in Driggle Draggie Creek or the unnamed creek to the south of the site; and ■ a plan to respond to any exceedances of the performance criteria, and mitigate and/or offset any adverse surface water impacts of the project; <p>(c) a Groundwater Management Plan, which includes:</p> <ul style="list-style-type: none"> ■ performance criteria, including trigger levels for investigating any potentially adverse groundwater impacts; ■ a program to monitor: <ul style="list-style-type: none"> ■ groundwater inflows to the mining operations; ■ the impacts of the project on any alluvial aquifers; ■ the seepage/leachate from water storages, backfilled voids, and the final void on site; ■ a program to validate the groundwater model for the project, and calibrate it to site specific conditions; and <p>a plan to respond to any exceedances of the performance criteria, and mitigate and/or offset any adverse groundwater impacts.</p>	<p>It was observed that not all storage dams had appropriate level monitors to assess the current storage and available capacity.</p> <p>Groundwater monitoring was undertaken across the site at the locations required by the planning documentation. A comparison to trigger values was not provided in the monitoring spreadsheet but was discussed in the Annual Reviews. Quality of groundwater was identified to be generally consistent across the audit period and examples of impacts were not identified.</p>		
32.	<p>The Proponent shall:</p> <p>(a) minimise the waste generated by the project; and</p> <p>(b) ensure that the waste generated by the project is appropriately stored, handled and disposed of in a lawful manner.</p>	<p>(a) Waste generated by the site is generally limited to waste oil, waste tyres, domestic waste and sewage. Waste was not observed to be generated in quantities exceeding the reasonable expectations of this type of site. Namoi Waste conduct all waste management services for the site and ERM reviewed the waste transport spreadsheet associated with waste removal from the site. Excessive waste removal was not identified.</p> <p>(b) ERM reviewed example checklists that demonstrated that waste management is audited regularly and continuous improvement is taking place at the site. ERM observed waste oil stored in a tank within a sea container in the vicinity of the maintenance area. The sea container was not stored within a bunded area. The bunding for the tank included a dedicated spill tray around the tank and a leak tray in the base of the sea container. The dedicated spill tray was observed not to be in accordance with the requirements of AS1940-2017, which require a minimum of 1 m distance from the tank to the bund. The capacity and integrity of the sea container leak tray are unknown, therefore it is unclear whether the secondary containment for the waste oil storage tank is in compliance with AS1940-2017.</p>	O (NC)	Review the waste oil storage tank secondary containment against the requirements of AS1940-2017 and if required, adjust the secondary containment to be compliant with AS1940-2017.
34.	<p>The Proponent shall rehabilitate the site to the satisfaction of DRG. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the EA (and depicted conceptually in Figure 1 in Appendix 5), and comply with the objectives in Table 8. <i>Table 8: Rehabilitation Objectives</i></p>	<p>In relation to the rehabilitation program being generally consistent with the proposed strategy described in the 2011 EA, ERM identified differences between the EA rehabilitation strategy and the strategy currently being implemented at the site. The primary difference is in the progressive rehabilitation program undertaken for the site, with the EA displaying a more advanced state of rehabilitation for the period covered by the audit than has been achieved. The site has updated rehabilitation planning documents, (including as part of the response to the Section 240 notice) since the EA was published in 2011 and the updated plans have been approved by the Department, therefore Rocglen's divergence from the EA rehabilitation strategy is not considered to represent a non-compliance.</p>	O (NC)	Prepare and implement a plan to address the dominance of exotic grass species in the woodland ecosystem areas and promote further establishment of native woodland species.

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action												
	<table border="1"> <thead> <tr> <th data-bbox="332 247 635 277">Feature</th> <th data-bbox="647 247 1234 277">Objective</th> </tr> </thead> <tbody> <tr> <td data-bbox="332 277 635 306">Mine site (as a whole)</td> <td data-bbox="647 277 1234 306">Safe, stable and non-polluting</td> </tr> <tr> <td data-bbox="332 306 635 373">Final void</td> <td data-bbox="647 306 1234 373"> <ul style="list-style-type: none"> Minimise the size and depth of the final void as far as is reasonable and feasible; and The final void is to be safe, stable and non-polluting </td> </tr> <tr> <td data-bbox="332 373 635 415">Surface infrastructure</td> <td data-bbox="647 373 1234 415">To be decommissioned and removed, unless the Secretary agrees otherwise</td> </tr> <tr> <td data-bbox="332 415 635 558">Other land affected by the project</td> <td data-bbox="647 415 1234 558"> Restore ecosystem function, including maintaining or establishing self-sustaining eco-systems comprised of: <ul style="list-style-type: none"> local native plant species; at least 206 hectares of woodland (see Figure 1 in Appendix 5); and a landform consistent with the surrounding environment </td> </tr> <tr> <td data-bbox="332 558 635 600">Community</td> <td data-bbox="647 558 1234 600">Minimise the adverse socio-economic effects associated with mine closure</td> </tr> </tbody> </table>	Feature	Objective	Mine site (as a whole)	Safe, stable and non-polluting	Final void	<ul style="list-style-type: none"> Minimise the size and depth of the final void as far as is reasonable and feasible; and The final void is to be safe, stable and non-polluting 	Surface infrastructure	To be decommissioned and removed, unless the Secretary agrees otherwise	Other land affected by the project	Restore ecosystem function, including maintaining or establishing self-sustaining eco-systems comprised of: <ul style="list-style-type: none"> local native plant species; at least 206 hectares of woodland (see Figure 1 in Appendix 5); and a landform consistent with the surrounding environment 	Community	Minimise the adverse socio-economic effects associated with mine closure	<p>In relation to the objectives in Table 8, the final landform has been designed to be a safe, stable and non-polluting landform. Erosive features were observed in the pit void during the audit inspection. Erosion is monitored by the site and repaired where necessary. The extent of rehabilitation is not yet at a stage of maturity where a robust data set is available to demonstrate the mine site, although monitoring is undertaken by the site, including in the final pit void, to assess the site as safe, stable and non-polluting. The final void size and depth has been minimised as far as practicable and the landform is being established consistent with the surrounding environment, therefore Rocglen is compliant with the mine site (as a whole) and final void rows of Table 8.</p> <p>Surface infrastructure remains at the site and is earmarked for decommissioning as part of future stages of rehabilitation, therefore Rocglen is compliant with the surface infrastructure row of Table 8.</p> <p>Other land affected by the project, specifically ecosystem functionality is being established in the rehabilitated areas of the site, with the CMOP designating the woodland ecosystem extent planned to be achieved by the rehabilitation program. Planting and vegetation establishment is ongoing across the site, with the northern emplacement area comprising the most established rehabilitation work during the audit period. Based on ecological monitoring data from the northern emplacement area from the audit period, the woodland ecosystem areas assessed are dominated by exotic grass species, including pasture species. Trees <2 m tall were observed to be absent in 42% of Rehabilitation Point Assessment areas assessed in 2020 with a decrease observed in 2021.</p> <p>According to the data available and the conclusions of the monitoring reports, further works to promote the native woodland ecosystem in these areas is required. Additional works are being implemented and have been implemented by the site during the audit period to this end, including infill planting. Site management also reported that a plan is in development with expert advice to address the grass species dominant in the woodland ecosystem areas of the northern emplacement area and ensure the rehabilitation of woodland ecosystems is on a trajectory to achieve the outcomes required by this condition. At the time of the audit, this plan had not been finalised or implemented. ERM's observation against this condition is that the woodland ecosystem areas are currently dominated by grasses and without remedial actions, which have not been undertaken during the audit period, to address the prevalence of grasses and promote development of native woodland ecosystem, some areas earmarked for woodland ecosystems are not being established successfully.</p> <p>Adverse socio-economic impacts associated with the mine closure have not been identified during the audit period.</p>		
Feature	Objective															
Mine site (as a whole)	Safe, stable and non-polluting															
Final void	<ul style="list-style-type: none"> Minimise the size and depth of the final void as far as is reasonable and feasible; and The final void is to be safe, stable and non-polluting 															
Surface infrastructure	To be decommissioned and removed, unless the Secretary agrees otherwise															
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Community	Minimise the adverse socio-economic effects associated with mine closure															
35.	The Proponent shall carry out the rehabilitation of the site progressively, that is, as soon as reasonably practicable following disturbance.	<p>The site received a Section 240 notice from the Resources Regulator that raised concerns relating to rehabilitation, including a lack of successful progressive rehabilitation at the site. The notice required an assessment of progressive rehabilitation planning and implementation and identification of corrective actions to mitigate the risks of adverse impact to the environment. The site response to the notice, provided on 18th December 2020 addressed the requirements of the Section 240 notice.</p> <p>Due to the receipt of the Section 240 notice within the audit period, Rocglen were non-compliant with this condition during the audit period under assessment. The site has implemented numerous improvement measures throughout the audit period, including updated planning documentation, improved and newly developed procedures, improved</p>	NC	Update the forward program figures in the upcoming RMP (that will supersede the CMOP) to display a rehabilitation program consistent with the program currently being implemented at the site.												

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		<p>monitoring and maintenance processes and remedial works for rehabilitation areas identified to have limited success.</p> <p>The 2019 CMOP, which was in force during the audit period, contains plans related to the progressive rehabilitation program committed to by the site during the audit period. Plans 3A, 3B and 3C from Appendix A in the 2019 CMOP present indicative figures of the rehabilitation program that was planned for the audit period. The rehabilitation status observed during the audit period and presented in the Annual Reviews and the Annual Site Rehabilitation Plan generally aligns with the quantitative measures from the 2019 CMOP (Total Disturbance Footprint, Total Active Disturbance, Rehabilitation Land Preparation, Ecosystem and Land Use Establishment and Ecosystem and Land Use Development) but does not match the spatial plans presented in Plans 3A, 3B and 3C from Appendix A of the CMOP. Site management advised that the CMOP was under review at the time of the audit.</p>		
4.	<p>Within 3 months of:</p> <p>(a) the submission of an annual review under condition 3 above;</p> <p>(b) the submission of an incident report under condition 6 below;</p> <p>(c) the submission of an audit report under condition 8 below; and</p> <p>(d) any modification to the conditions of this approval (unless the conditions require otherwise), the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary.</p> <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.</i></p>	<p>The register details the reviews conducted against the management plans over time. ERM observed that the plans have been subject to review following each of the following annual reviews, IEAs and approval modifications with two exceptions.</p> <p>Reviews were not conducted for the Blast and Noise Traffic Management Plans in 2021 due to these plans no longer being applicable to operations occurring at the site or in the future. Failure to review the plans constitutes an administrative non-compliance against this condition.</p> <p>It is recommended that Rocglen review all plans required under the Planning Approval or obtain written approval from the Department confirming these plans no longer require maintenance and enforcement at Rocglen.</p>	ANC	Review all plans required under the Planning Approval or, for plans no longer associated with activities at the site, obtain written approval from the Department confirming these plans do not require reviewing in accordance with this condition.
10	<p>The Proponent shall:</p> <p>(a) make copies of the following publicly available on its website:</p> <ul style="list-style-type: none"> ■ the documents referred to in Condition 2 of Schedule 2; ■ all current statutory approvals for the project; ■ all approved strategies, plans and programs required under the conditions of this approval; ■ a comprehensive summary of the monitoring results of the project, which have been reported in accordance with the conditions of this approval, or any approved plans and programs; ■ a complaints register, updated on a monthly basis; ■ minutes of CCC meetings; ■ the annual reviews of the project; ■ any independent environmental audit of the project, and the Proponent's response to the recommendations in any audit; ■ any other matter required by the Secretary; and <p>(b) keep this information up-to-date, to the satisfaction of the Secretary.</p>	<p>(a) The Rocglen website includes the documents in Condition 2 of Schedule 2 (EA, statement of commitments and a copy of this approval). The following were also identified on the website:</p> <ul style="list-style-type: none"> ■ All current approvals ■ Approved strategies, plans and programs ■ Monitoring results summaries ■ Complaints register ■ CCC meeting minutes ■ Annual reviews, IEAs and other relevant project data <p>ERM did not identify TOC results within the EPL monitoring data PDFs provided on the website for all samples reviewed, however the lab certificates demonstrated that the testing had been undertaken. Due to the failure to provide a fully comprehensive summary of the monitoring results of the project, an opportunity for improvement exists.</p>	O (NC)	Update the website with accurate EPL monitoring records.

Environmental Protection Licence 12870

01.1	<p>Licensed activities must be carried out in a competent manner.</p> <p>This includes:</p> <p>a) the processing, handling, movement and storage of materials and substances used to carry out the activity;</p> <p>and</p> <p>b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.</p>	<p>(a) The auditors observed that in general, the processing, handling, movement and storage of materials and substances used as part of the Rocglen operations were considered to be appropriate. However examples of failure to appropriately store oil and coolant IBCs were observed on-site. IBCs in the workshop area were in a concreted area with a rollover bund. Some IBCs were stored on racking within the bund such that a leak from the container has the potential to project the material outside of the bunded area.</p>	NC	Place IBCs within the bunded area such that material released in the event of a leak is unable to move outside of the bunded area.
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Item No	Assessment Requirement	Comment	Audit Classification	Response/Action																																																																								
M2.3	<p>Water and/ or Land Monitoring Requirements</p> <p>POINT 11,12</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Conductivity</td> <td>microsiemens per centimetre</td> <td>Special Frequency 1</td> <td>In situ</td> </tr> <tr> <td>Oil and Grease</td> <td>milligrams per litre</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>Special Frequency 1</td> <td>In situ</td> </tr> <tr> <td>Total organic carbon</td> <td>milligrams per litre</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> </tbody> </table> <p>POINT 13,14,15</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Conductivity</td> <td>microsiemens per centimetre</td> <td>Special Frequency 2</td> <td>In situ</td> </tr> <tr> <td>Oil and Grease</td> <td>milligrams per litre</td> <td>Special Frequency 2</td> <td>Grab sample</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>Special Frequency 2</td> <td>In situ</td> </tr> <tr> <td>Total organic carbon</td> <td>milligrams per litre</td> <td>Special Frequency 2</td> <td>Grab sample</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td>Special Frequency 2</td> <td>Grab sample</td> </tr> </tbody> </table> <p>POINT 16</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Aluminium</td> <td>milligrams per litre</td> <td>Yearly</td> <td>Grab sample</td> </tr> <tr> <td>Arsenic</td> <td>milligrams per litre</td> <td>Yearly</td> <td>Grab sample</td> </tr> <tr> <td>Bicarbonate</td> <td>milligrams per litre</td> <td>Yearly</td> <td>Grab sample</td> </tr> <tr> <td>Chloride</td> <td>milligrams per litre</td> <td>Yearly</td> <td>Grab sample</td> </tr> <tr> <td>Conductivity</td> <td>microsiemens per centimetre</td> <td>Quarterly</td> <td>In situ</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	Conductivity	microsiemens per centimetre	Special Frequency 1	In situ	Oil and Grease	milligrams per litre	Special Frequency 1	Grab sample	pH	pH	Special Frequency 1	In situ	Total organic carbon	milligrams per litre	Special Frequency 1	Grab sample	Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample	Pollutant	Units of measure	Frequency	Sampling Method	Conductivity	microsiemens per centimetre	Special Frequency 2	In situ	Oil and Grease	milligrams per litre	Special Frequency 2	Grab sample	pH	pH	Special Frequency 2	In situ	Total organic carbon	milligrams per litre	Special Frequency 2	Grab sample	Total suspended solids	milligrams per litre	Special Frequency 2	Grab sample	Pollutant	Units of measure	Frequency	Sampling Method	Aluminium	milligrams per litre	Yearly	Grab sample	Arsenic	milligrams per litre	Yearly	Grab sample	Bicarbonate	milligrams per litre	Yearly	Grab sample	Chloride	milligrams per litre	Yearly	Grab sample	Conductivity	microsiemens per centimetre	Quarterly	In situ	<p>(b) Compliance with waste management requirements is addressed in the Planning Approval table, Schedule 3, Condition 32.</p> <p>ERM reviewed the monitoring data associated with the water monitoring for the site.</p> <p>Points 11 and 12 were monitored for Conductivity, Oil & Grease, pH, Total Organic Carbon, and Total Suspended Solids at Special Frequency 1, in 2019, 2020, 2021 and 2022. The units of measurement were consistent with those required under this condition. Sampling was predominantly undertaken by ALS, with a minor quantity of sampling events undertaken in-house. Sampling methods were consistent with the requirements of this table for the ALS sampling events, however where sampling was undertaken internally, pH and conductivity were not sampled using in situ methods. For these samples pH and conductivity analyses were undertaken at the laboratory and the holding times of the samples were exceeded according to the laboratory documentation reviewed by ERM.</p> <p>Points 13, 14 and 15 were measured for Conductivity, Oil & Grease, pH, Total Organic Carbon, and Total Suspended Solids, at Special Frequency 2, in 2019, 2020, 2021 and 2022 according to the records observed by ERM. Conductivity and pH were not analysed using in situ methods.</p> <p>Point 16 was measured for Aluminium, Arsenic, Bicarbonate, Chloride, Iron, Manganese, Sodium yearly; and Conductivity, Oil & Grease, pH, TOC and TSS quarterly, in 2019, 2020, 2021 and 2022. Chloride results were not available in the 2019 monitoring data, however was reported in subsequent monitoring records. Conductivity and pH were not analysed using in situ methods.</p>	NC	Utilise the in situ sampling method for conductivity and pH.
Pollutant	Units of measure	Frequency	Sampling Method																																																																									
Conductivity	microsiemens per centimetre	Special Frequency 1	In situ																																																																									
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Item No	Assessment Requirement				Comment	Audit Classification	Response/Action
	Iron	milligrams per litre	Yearly	Grab sample			
	Manganese	milligrams per litre	Yearly	Grab sample			
	Oil and Grease	milligrams per litre	Quarterly	Grab sample			
	pH	pH	Quarterly	In situ			
	Sodium	milligrams per litre	Yearly	Grab sample			
	Total organic carbon	milligrams per litre	Quarterly	Grab sample			
	Total suspended solids	milligrams per litre	Quarterly	Grab sample			

Mining Lease 1620

7.	Disturbed land must be rehabilitated to a sustainable/agreed end land use to the satisfaction of the Director-General.	Rehabilitation has been implemented at the site, generally in accordance with the requirements of the planning documentation approved by the Department. The assessment of rehabilitation conducted during the audit period is provided against Schedule 3, Conditions 34, 35 and 36 of the Planning Approval. The end land use has been agreed by the Department and the site is enacting a rehabilitation program designed to achieve the land use in the CMOP.	NC	Duplicate of Schedule 3, Conditions 34, 35 and 36 (which included 1 NC, 1 O (NC) and 1 C)
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Mining Lease 1662

7.	Any disturbance as a result of activities under this lease must be rehabilitated to the satisfaction of the Director-General.	Rehabilitation has been implemented at the site, generally in accordance with the requirements of the planning documentation approved by the Department. The assessment of rehabilitation conducted during the audit period is provided against Schedule 3, Conditions 34, 35 and 36 of the Planning Approval. The end land use has been agreed by the Department and the site is enacting a rehabilitation program designed to achieve the land use in the CMOP.	NC	Duplicate of Schedule 3, Conditions 34, 35 and 36 (which included 1 NC, 1 O (NC) and 1 C)
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4. CONCLUSION

An audit of CoA, Environmental Protection Licence, Mining Leases and the Water Access Licences has been completed as well as a check against the commitments made in the management plans developed as part of CoA for the Rocglen Mine.

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

Table 4.1 Summary of Audit Findings

Review	Non-compliances (NC)	Administrative Non-compliance (ANC)	Observations (Obs)
Statutory Instruments	2 (2 duplicate)	2	4
Implementation of Plans	1	-	1

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

**APPENDIX A PLANNING APPROVAL CONDITIONS, ENVIRONMENT
PROTECTION LICENCE, WATER ACCESS LICENCES AND
MINING LEASES COMPLIANCE TABLES**

TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval 10_0015

Document details	
Document title	Table A1 - Project Approval
Document subtitle	Compliance with Project Approval 10_0015
Project No.	0637454
Date	18 May 2022
Version	2.1
Author	Sophie Barkla
Client Name	Whitehaven Coal Mining Limited

TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval 10_0015

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
SCHEDULE 2 – ADMINISTRATIVE CONDITIONS					
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT					
1.	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.	N/A	Compliance with this condition is detailed throughout this report.	Note	N/A
TERMS OF APPROVAL					
2.	The Proponent shall carry out the project: (a) generally in accordance with the EA; (b) in accordance with the statement of commitments; and (c) in accordance with the conditions of this approval. <i>Notes:</i> <ul style="list-style-type: none"> ■ The general layout of the project is shown in Appendix 2; and ■ The statement of commitments is reproduced in Appendix 7. 	N/A	Compliance with this condition is detailed throughout this report.	Note	N/A
3.	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.	N/A	Noted.	Note	N/A
4.	The Proponent shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: (a) any reports, strategies, plans, programs, reviews, audits or correspondence that are submitted in accordance with this approval; and (b) the implementation of any actions or measures contained in these documents.	N/A	Compliance with this condition is detailed throughout this report.	Note	N/A
LIMITS ON APPROVAL					
Mining Operations					
5.	The Proponent may carry out mining operations on the site until the end of December 2022. <i>Note: Under this approval, the Proponent is required to rehabilitate the site and carry out additional undertakings to the satisfaction of both the Secretary and DRG. Consequently, this approval will continue to apply in all other respects - other than the right to conduct mining operations - until the rehabilitation of the site and these additional undertakings have been carried out satisfactorily.</i>	N/A	Noted.	Note	N/A
Coal Extraction					
6.	The Proponent shall not extract more than 1.5 million tonnes of ROM coal from the site in a calendar year.	Annual Reviews Coal Extraction Records	According to ARs for the audit period, the following amounts of ROM coal were extracted from the site: <ul style="list-style-type: none"> ■ 2019: 470,119 t. ■ 2020: 0 t. ROM coal extraction ceased in 2019, therefore the proponent is considered compliant with this condition.	C	N/A

TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval 10_0015

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Coal Transport					
6A.	For the period up until the commissioning of the Kamilaroi Highway overpass, the Proponent: (a) may not transport more than 1.5 million tonnes of ROM coal from the site in any calendar year; (b) shall transport all coal from the site to the Whitehaven CHPP via the approved haulage route; (c) shall, together with the owners of the Tarrawonga and Vickery coal mines, ensure that the cumulative haulage of coal along the approved haulage route does not exceed 4.0 million tonnes per year during calendar years 2017 and 2018; and (d) shall, together with the owners of the Tarrawonga and Vickery coal mines, ensure that the cumulative haulage of coal along the approved haulage route does not exceed 3.5 million tonnes each year during all other calendar years.	Rocglen road haulage_2019_total tones and movements by month spreadsheet Annual review 2020 Spreadsheet detailing cumulative haulage across Rocglen, Tarrawonga and Vickery mines	The Kamilaroi Highway overpass has not been constructed.= and this condition is therefore valid for the entire audit period. (a) Total ROM coal transported from the site was 546,405 t in 2019. No movements of coal were reported to have occurred in 2020 or 2021, therefore this limit was not exceeded. (b) The approved haulage route was the only route available to transport ROM coal from the site. The management plan details the approved trucking route and ERM observed the trucking company's signed commitment to utilise the planned haulage route. Trucking ceased in 2020 and there were no indications from complaints or transport records that any routes other than the approved haulage route were used to transport ROM coal from the site. (c) This condition was not triggered during the audit period. (d) Cumulative haulage for the calendar years intersecting the audit period were: <ul style="list-style-type: none">■ 2019 (3.2M)■ 2020 (2.3M)■ 2021 (2.1M) Haulage of coal from Rocglen ceased in 2019, therefore the 2020 and 2021 cumulative haulage amounts are not considered to be relevant to this audit. There were no identified exceedances of the joint haulage limits, therefore the proponent was compliant with this condition.	C	N/A
6B.	6B For the period following the commissioning of the Kamilaroi Highway overpass, the Proponent: (a) may not transport more than 1.5 million tonnes of ROM coal from the site in any calendar year; (b) shall transport all coal from the site to the Whitehaven CHPP via the approved haulage route and the Kamilaroi Highway overpass; and (c) shall, together with the owners of the Tarrawonga and Vickery coal mines, ensure that the cumulative haulage of coal along the approved haulage route does not exceed 4.5 million tonnes.	NT	The Kamilaroi Highway overpass has not been constructed, therefore this condition was not triggered.	NT	N/A
Coal Rejects					
6C.	The proponent shall not receive more than 700,000 tonnes of coarse and/or fine rejects on the site in any calendar year.	Rocglen Reject 2019 spreadsheet	According to the tracking spreadsheet reviewed by ERM, the net sum of coarse and fine rejects was approximately 610,000 t in 2019, with no rejects received after 2019. Therefore the proponent is compliant with this condition.	C	N/A
SURRENDER OF EXISTING DEVELOPMENT CONSENT					
7.	By the end of September 2012, or as otherwise agreed by the Secretary, the Proponent shall surrender the existing approval for the Roglen Coal Mine (06_0198) in accordance with section 75YA of the EP&A Act.	Letter: Rocglen Extension Project (MP10_0015) Surrender of Project Approval (MP06_0198) 01/02/2021	ERM reviewed a letter formally surrendering the approval (06_0198) dated 1/2/21. The surrender date was after the deadline required by this condition and ERM was not provided with documentation formally extending the deadline. Given that during the audit period, the proponent held the approval (06_0198) and the deadline had passed, an administrative non-compliance has occurred within the audit period. The approval was surrendered during the audit period, therefore no further action is required to rectify this item.	ANC	N/A

TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval 10_0015

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
8.	Prior to the surrender of project approval 06_0198, the conditions of this approval shall prevail to the extent of any inconsistency between the two approvals.	N/A	Noted.	Note	N/A
STRUCTURAL ADEQUACY					
9.	The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA. <i>Notes:</i> <ul style="list-style-type: none"> • Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates (where necessary) for the proposed building works; and • Part 8 of the EP&A Regulation sets out the requirements for the certification of the project. 	NT	No new buildings were constructed during the audit period, therefore this condition has not been triggered.	NT	N/A
DEMOLITION					
10.	The Proponent shall ensure that all demolition work on site is carried out in accordance with <i>Australian Standard AS 2601-2001: The Demolition of Structures</i> , or its latest version.	Demolition Plan – Liberty Industrial Notice of approval from SafeWork NSW to commence demolition works	During the audit period, a gantry and conveyor belt with coal bin was demolished in 2019. Liberty Industrial, a qualified demolition contractor, was engaged to conduct the demolition works. Liberty Industrial prepared a demolition plan that specifically stated works were to be conducted in accordance with AS 2601-2001. The plan was certified by SafeWork NSW. ERM considers the proponent to be compliant with this condition.	C	N/A
11.	The Proponent shall ensure that all the plant and equipment used on site, or to transport coal from the site, is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Example Maintenance Sheets 2019, 2020, 2022 Example Prestart Documentation Maintenance Reports Site Inspection Management Interviews	During the site inspection it was observed that plant and equipment were generally maintained in a proper and efficient condition and operated appropriately. There were no examples of failure to maintain equipment identified by ERM. Rocglen utilises the Pulse system to track maintenance by creation of work orders that are tracked in the database and closed out upon completion of the works by verification checklists and other means. Maintenance schedules are put into the system based on manufacturers specifications when the plant/equipment is procured and ad hoc requirements are entered by site staff as needed. ERM interviewed the engineer in charge of maintaining the work order system and reviewed the open work orders for the Rocglen mine. The majority of work orders reviewed demonstrated completion of the task and close out with verification documentation. It was observed that a number of work orders associated with routine maintenance remained beyond the due date of the work order, indicating that the plant and equipment in question has not been subject to the required maintenance or servicing or that the work order system was not updated to reflect completion of the work. These work orders included maintenance for a light vehicle (alternator replacement required in 2018) and a 500 hour inspection for a dump truck (required in 2020). Site management reported that these activities were either undertaken or completed externally and that the work orders were not closed out in the system, despite the work being completed. The presence of aged, open work orders associated with Rocglen does not provide confidence that all maintenance activities are being undertaken as required and therefore	O	Review management of the Pulse system and ensure that work orders associated with Rocglen are either closed out in the system or removed from Pulse if they are not required.

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
			compliance with this condition, while likely, cannot be definitively demonstrated.		
UPDATING & STAGING STRATEGIES, PLANS OR PROGRAMS					
12.	<p>With the approval of the Secretary, the Proponent may submit any strategies, plans or programs required by this approval on a progressive basis.</p> <p>To ensure the strategies, plans or programs under the conditions of this approval are updated on a regular basis, the Proponent may at any time submit revised strategies, plans or programs to the Secretary for approval.</p> <p>With the agreement of the Secretary, the Proponent may prepare any revised strategy, plan or program without undertaking consultation with all parties under the applicable condition of this approval.</p> <p>Notes:</p> <ul style="list-style-type: none"> While any strategy, plan or program may be submitted on a progressive basis, the Proponent must ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times. If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program. 	<p>Management Plan Reviews.xlsx</p> <p>Management Plans</p>	<p>According to the management plan tracking spreadsheet, the management plans were reviewed during the audit period on the following occasions:</p> <ul style="list-style-type: none"> All management plans were reviewed in June 2020 with the only changes being updated groundwater triggers in the Water Management Plan. The Noise management plan was reviewed in September 2020. AQGG, EMS, Heritage, Noise, Biodiversity Offset, Water, Traffic in June 2021. AQGG management plan was reviewed in March 2022. <p>The Blast and Road Traffic Noise management plans are no longer considered relevant for operations at the site given that blasting and road haulage are no longer undertaken at the mine.</p>	C	N/A
13.	<p>The Proponent shall continue to implement the existing strategies, plans or programs that apply to any development on site under project approval 06_0198 until they are replaced by an equivalent strategy, plan or program approved under this approval.</p>	N/A	Noted.	Note	N/A

PROTECTION OF PUBLIC INFRASTRUCTURE					
14.	<p>Unless the Proponent and the applicable authority agree otherwise, the Proponent shall:</p> <p>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project; and</p> <p>(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the project.</p> <p>Note: This condition does not apply to any damage to roads caused as a result of general road usage.</p>	Interviews with site management	No public infrastructure required repairing or was reported as damaged by the project. In addition, no relocation or costs associated with public infrastructure were incurred as a result of the project, therefore this requirement has not been triggered.	NT	N/A

SCHEDULE 3 – ENVIRONMENTAL PERFORMANCE CONDITIONS

NOISE

Noise Criteria																			
1.	<p>The Proponent shall ensure that the noise generated by the project does not exceed the criteria in Table 1 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.</p> <p>Table 1: Noise criteria dB(A)</p> <table border="1"> <thead> <tr> <th rowspan="2">Location</th> <th>Day</th> <th>Evening</th> <th colspan="2">Night</th> </tr> <tr> <th>L_{Aeq} (15 min)</th> <th>L_{Aeq} (15 min)</th> <th>L_{Aeq} (15 min)</th> <th>L_{A1} (1 min)</th> </tr> </thead> <tbody> <tr> <td>All privately-owned land</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> </tbody> </table> <p>Note: Noise generated by the project is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy.</p> <p>However, these criteria do not apply if the Proponent has a written agreement with the relevant landowner to exceed the criteria, and the Proponent has advised the Department in writing of the terms of this agreement.</p>	Location	Day	Evening	Night		L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{A1} (1 min)	All privately-owned land	35	35	35	45	<p>Rocglen Coal Mine – Noise monitoring Quarter 3 2020.</p> <p>Rocglen Coal Mine – Noise monitoring Quarter 2 2020.</p> <p>Rocglen Coal Mine – Noise monitoring Quarter 1 2020.</p> <p>Rocglen Coal Mine – Noise monitoring Quarter 4 2019.</p> <p>Rocglen Coal Mine – Noise monitoring Quarter 3 2019.</p> <p>Rocglen Coal Mine – Noise monitoring Quarter 2 2019.</p>	<p>ERM reviewed the noise monitoring records for the audit period and did not identify any examples of noise criteria exceedances. Noise monitoring ceased following the cessation of night-shift in Q3 2020. Although noise limits are still present in the EPL, the NSW EPA provided written agreement that noise monitoring was no longer required in September 2020. As a result, noise monitoring was formally removed from the Noise Management Plan, a change which was approved by the Department in 2020.</p> <p>The noise monitoring that was conducted was undertaken for all quarters for which monitoring was formally required. No criteria exceedances were identified and there were no complaints recorded related to noise, therefore Rocglen is considered compliant with the requirements of this condition.</p>	C	N/A
Location	Day		Evening	Night															
	L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{A1} (1 min)															
All privately-owned land	35	35	35	45															

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		Rocglen Coal Mine – Noise monitoring Quarter 1 2019. 21/9/2020 – Letter from Department Approving NMP Updates 17/09/2020 – Email from EPA approving the removal of noise monitoring 19/4/2021 – EPA Approval to remove noise monitoring from the EPL			

Road Traffic Noise Criteria

2.	<p>The Proponent, together with the owners of the Tarrawonga and Vickery coal mines, shall ensure that the noise generated on public roads by the project and the other mines, does not exceed the criteria in Table 2 at any existing residence on privately-owned land.</p> <p><i>Table 2: Road traffic noise criteria dB(A)</i></p> <table border="1"> <thead> <tr> <th>Land</th> <th>Day and Evening LAeq (15 hour)</th> <th>Night LAeq (9 hour)</th> </tr> </thead> <tbody> <tr> <td>All privately-owned residences</td> <td>60</td> <td>55</td> </tr> </tbody> </table> <p>However, these criteria do not apply if the Proponent has a written agreement with the relevant landowner to exceed the criteria, and the Proponent has advised the Department in writing of the terms of this agreement.</p> <p><i>Note: Traffic noise generated by the project is to be measured in accordance with the relevant procedures in the NSW Road Noise Policy.</i></p>	Land	Day and Evening LAeq (15 hour)	Night LAeq (9 hour)	All privately-owned residences	60	55	Annual Review 2019	ERM reviewed the noise monitoring data for the audit period and did not identify any exceedances. Bulk haulage of ROM coal from the site ceased in 2019 and this condition is only considered to be applicable to the Rocglen Coal Mine up until this point. Therefore the proponent is considered compliant and this condition is not currently considered relevant to the site.	C	N/A
Land	Day and Evening LAeq (15 hour)	Night LAeq (9 hour)									
All privately-owned residences	60	55									

Operating Conditions

3.	<p>The Proponent shall:</p> <p>(a) implement best practice noise management to minimise the operational, low frequency, and road traffic noise generated by the project;</p> <p>(b) minimise the noise impacts of the project during temperature inversions; and</p> <p>(c) regularly assess the real-time noise monitoring and meteorological forecasting data and relocate, modify, and/or stop operations on site to ensure compliance with the relevant conditions of this approval, to the satisfaction of the Secretary.</p>	<p>Rocglen Coal Mine – Noise monitoring Quarter 3 2020.</p> <p>Rocglen Coal Mine – Noise monitoring Quarter 2 2020.</p> <p>Rocglen Coal Mine – Noise monitoring Quarter 1 2020.</p> <p>Rocglen Coal Mine – Noise monitoring Quarter 4 2019.</p> <p>Rocglen Coal Mine – Noise monitoring Quarter 3 2019.</p> <p>Rocglen Coal Mine – Noise monitoring Quarter 2 2019.</p> <p>Rocglen Coal Mine – Noise monitoring Quarter 1 2019.</p>	<p>(a) No examples of failure to implement best practice noise management at the site were identified by ERM. The mining and haulage operations have since ceased at the mine and therefore noise no longer represents a risk to surrounding receptors. Noise management measures include:</p> <ul style="list-style-type: none"> ■ operations restricted to day time. ■ Site personnel required to review site weather conditions and modify or stand down from operational activities if required by mine management. ■ equipment regularly serviced. ■ mid-high frequency broadband beepers fitted to mobile equipment. ■ Contractors advised of noise compliance limits prior to commencing. ■ road network well maintained to limit vehicle body noise. ■ earthmoving equipment sound power tested. ■ Equipment with lower sound power levels used in preference to more noisy equipment. <p>(b) Temperature inversions are monitored continuously by the on-site weather station and operations were adjusted were required during temperature inversion events. Given that mining and haulage operations are now complete and operations are limited to daytime hours, excessive noise during temperature inversions are unlikely to occur.</p> <p>(c) ERM reviewed evidence of regular assessments of real-time data conducted by site management. Changes to operations</p>	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			due to the risk of excessive noise were generally not required following the cessation of mining and haulage activities at the site. Monitoring records from the audit period prior to this did not indicate any failure to achieve the specified noise objectives.		

Noise Management Plan

4.	<p>The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with the EPA, and submitted to the Secretary for approval by the end of December 2011;</p> <p>(b) describe the noise mitigation measures that would be implemented to ensure compliance with the relevant conditions of this approval;</p> <p>(c) describe the measures that would be implemented to ensure the noise impacts generated by project related traffic on the Kamilaroi Highway overpass are minimised as far as practicable; and</p> <p>(d) include a noise monitoring program that:</p> <ul style="list-style-type: none"> ■ uses a combination of real-time and supplementary attended monitoring to evaluate the performance of the project; and ■ includes a protocol for determining exceedances of the relevant conditions of this approval. 	<p>Noise Management Plan 27/08/2020</p> <p>Road Traffic Noise Management Plan 18/06/2013</p> <p>Traffic Management Plan 04/04/2017</p> <p>Management Plan Reviews</p>	<p>The site operates under a Noise Management Plan, which has been in place throughout the entirety of the audit period.</p> <p>(a) This condition was required outside the audit period and is therefore not triggered.</p> <p>(b) The Noise Management Plan includes mitigation measures to ensure compliance with the approval conditions.</p> <p>(c) Kamilaroi Highway overpass has not been constructed and therefore this condition has not been triggered.</p> <p>(d) The Noise Management Plan no longer includes a noise monitoring program and monitoring is no longer required, as described in Schedule 3, Condition 1.</p> <p>The proponent is compliant with all conditions that were triggered during the audit period.</p>	C	N/A
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BLASTING

Blasting Criteria

5.	<p>The Proponent shall ensure that blasting does not cause any exceedance of the criteria in Table 3.</p> <p><i>Table 3: Blasting criteria</i></p> <table border="1"> <thead> <tr> <th>Location</th> <th>Airblast overpressure (dB(Lin Peak))</th> <th>Ground vibration (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Residence on privately-owned land</td> <td>115</td> <td>5</td> <td>5% of the total number of blasts over a period of 12 months</td> </tr> <tr> <td>120</td> <td>10</td> <td>0%</td> </tr> </tbody> </table> <p>However, these criteria do not apply if the Proponent has a written agreement with the relevant landowner to exceed the criteria, and the Proponent has advised the Department in writing of the terms of this agreement.</p>	Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance	Residence on privately-owned land	115	5	5% of the total number of blasts over a period of 12 months	120	10	0%	<p>Blast monitoring records – 2019</p> <p>Interview with Environmental Superintendent</p>	<p>A total of 8 blasts were undertaken during the 2019 calendar year. Monitoring results did not indicate exceedances of the airblast overpressure or ground vibration occurred for any blast. Blasting did not take place in the 2020 or 2021 calendar years and no complaints associated with blasting were reported for the audit period, therefore Rocglen is considered compliant with this condition.</p>	C	N/A
Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance													
Residence on privately-owned land	115	5	5% of the total number of blasts over a period of 12 months													
	120	10	0%													

Blasting Hours

6.	<p>The Proponent shall only carry out blasting on the site between 9 am and 5 pm Monday to Saturday inclusive. No blasting is allowed on Sundays, public holidays, or at any other time without the written approval of the Secretary.</p>	<p>Blasting records 2019</p> <p>Blasting Checklists (Blast 337 Checklist, Blast 338 Checklist, Blast 339 Checklist, Blast 340 Checklist, Blast 341 Checklist, Shot 334 – 190124, Shot 335 – 190207, and Shot 336 – 190215)</p> <p>Interview with Environmental Superintendent</p>	<p>The 8 Blasts in 2019, which constitute all of the blasts from the audit period, occurred within the required time frames according to the blasting checklists. Blasting is no longer occurring at the site and no complaints were identified related to blasting, therefore Rocglen is considered compliant with this condition.</p>	C	N/A
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TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval 10_0015

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Blasting Frequency					
7.	<p>The Proponent shall not carry out more than one blast a day on site, unless an additional blast is required following a blast misfire.</p> <p><i>Note: A blast may involve a number of explosions within a short period, typically less than two minutes.</i></p>	<p>Whitehaven Coal Mining Pty Limited Rocglen Coal Mine Annual Review</p> <p>Blasting Checklists (Blast 337 Checklist, Blast 338 Checklist, Blast 339 Checklist, Blast 340 Checklist, Blast 341 Checklist, Shot 334 – 190124, Shot 335 – 190207, and Shot 336 – 190215)</p>	<p>According to the blast checklists, each of the eight blasts from the audit period occurred on different dates, therefore Rocglen is considered compliant with this condition.</p>	C	N/A
Property Inspections					
8.	<p>If the Proponent receives a written request from the owner of any privately-owned land within 2 kilometres of the approved open cut mining pit on site, or other landowner nominated by the Secretary, for a property inspection to establish the baseline condition of any buildings and/or structures on their land, or to have a previous property inspection report updated, then within 2 months of receiving this request the Proponent shall:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to:</p> <ul style="list-style-type: none"> ■ establish the baseline condition of the buildings and/or structures on the land or update the previous property inspection report; and ■ identify any measures that should be implemented to minimise the potential blasting impacts of the project on these buildings and/or structures; and <p>(b) give the landowner a copy of the new or updated property inspection report.</p>	<p>Interview with site management</p> <p>Complaint Registers 2019, 2020, 2021, 2022</p>	<p>The proponent did not receive any written requests from the owner of any privately owned land within 2 km of the approved open cut mining pit, or other landowner nominated by the Secretary, for a property inspection during the audit period, therefore this condition is not triggered.</p>	NT	N/A
Property Investigations					
9.	<p>If the owner of any privately-owned land claims that the buildings and/or structures on their land have been damaged as a result of blasting on site, then within 2 months of receiving this claim the Proponent shall:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to investigate the claim; and</p> <p>(b) give the landowner a copy of the property investigation report.</p> <p>If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Proponent shall repair the damages to the satisfaction of the Secretary.</p> <p>If the Proponent or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Secretary for resolution.</p>	<p>Interview with site management</p> <p>Complaint Registers 2019, 2020, 2021, 2022</p>	<p>There were no instances identified by ERM of owners of privately-owned land claiming that buildings and/or structures on their land had been damaged as a result of blasting on site during the audit period, therefore this requirement was not triggered.</p>	NT	N/A
Operating Conditions					
10.	<p>The Proponent shall:</p> <p>(a) implement best practice blasting management to:</p> <ul style="list-style-type: none"> ■ protect the safety of people and livestock in the surrounding area; ■ protect public or private infrastructure/property in the surrounding area; ■ minimise the dust and fume emissions of the blasting; <p>(b) operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site, to the satisfaction of the Secretary.</p>	<p>Interview with site management</p> <p>Blasting Checklists (Blast 337 Checklist, Blast 338 Checklist, Blast 339 Checklist, Blast 340 Checklist, Blast 341 Checklist, Shot 334 – 190124, Shot 335 – 190207, and Shot 336 – 190215)</p> <p>Blast Management Plan</p>	<p>(a) The Environmental Blast Checklist includes checks conducted for each blast to ensure that blasts are managed appropriately:</p> <p>protect the safety and livestock of the surrounding area – this includes a review of weather and conditions, email notification of blast exclusion zone, blast monitor system is operational, monitoring of complaints.</p> <p>protect public and private infrastructure – this includes identification of blast exclusion zone, email notification of blast exclusion zone, blast monitor system is operational, monitoring of complaints.</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>ensure dust and fumes are minimised – this includes a review of weather and conditions, blast monitor system is operational, monitoring of complaints.</p> <p>(b) According to the Blast Management Plan, notification of blasting was provided to the general public via a blast notice board near the mine entrance. A contact phone number was also provided and a second blast notice board was located at the former western entrance.</p> <p>Non-compliances were not identified associated with the blasting conducted during the audit period. Blasting ceased in 2019 and there are no longer considered to be risks associated with blasting.</p>		
11.	<p>The Proponent shall not undertake blasting on-site within 500 metres of:</p> <p>(a) any public road without the approval of Council; or</p> <p>(b) any land outside of the site not owned by the Proponent, unless:</p> <ul style="list-style-type: none"> ■ the Proponent has a written agreement with the relevant landowner to allow blasting to be carried out closer to the land, and the Proponent has advised the Secretary in writing of the terms of this agreement; or ■ the Proponent has: <ul style="list-style-type: none"> ■ demonstrated to the satisfaction of the Secretary that the blasting can be carried out closer to the land without compromising the safety of the people or livestock on the land, or damaging the buildings and/or structures on the land; and ■ updated the Blast Management Plan to include the specific measures that would be implemented while blasting is being carried out within 500 metres of the land. 	<p>Previous IEA</p> <p>Blasting Checklists (Blast 337 Checklist, Blast 338 Checklist, Blast 339 Checklist, Blast 340 Checklist, Blast 341 Checklist, Shot 334 – 190124, Shot 335 – 190207, and Shot 336 – 190215)</p> <p>Blasting Management Plan Section 3.6</p>	<p>(a) According to the previous IEA, an agreement was reached with the local council agreeing to the notification approach for blasting in 2009. The blast checklists detail the completion of notifications for each blast, therefore Rocglen is considered compliant with this condition.</p> <p>(b) According to the blast checklists, the eight blasts completed during the audit period were not undertaken within 500 m of any land outside of the site not owned by the proponent, therefore this condition was not triggered.</p> <p>Blasting ceased in 2019 and there are no longer considered to be risks associated with blasting.</p>	C	N/A

Blast Management Plan

12.	<p>The Proponent shall prepare and implement a Blast Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with the EPA, and submitted to the Secretary for approval by the end of December 2011;</p> <p>(b) describe the measures that would be implemented to ensure compliance with the relevant conditions of this approval; and</p> <p>(c) include a blast monitoring program to evaluate the performance of the project.</p>	<p>Blast Management Plan 06/06/2018</p> <p>Management Plan Reviews</p>	<p>A Blast Management Plan was in force at the site for the duration of the audit period.</p> <p>(a) This date was prior to the audit period, therefore this condition has not been triggered.</p> <p>(b) Section 3 of the Blast Management Plan describes the measures implemented to ensure compliance.</p> <p>(c) Section 5 of the Blast Management Plan describes the blast monitoring program, which is checked as part of the blast preparation and monitoring and recorded in the Blast Checklists.</p> <p>Therefore Rocglen is considered compliant with this condition.</p>	C	N/A
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AIR QUALITY & GREENHOUSE GAS

Odour

13.	<p>The Proponent shall ensure that no offensive odours, as defined under the POEO Act, are emitted from the site.</p>	<p>Site observations</p> <p>Complaints Register</p>	<p>The primary source of odour identified at the site was manure, which is used as part of the seeding process. Site management reported that all manure utilised on-site is matured prior to arrival to minimise potential odour. ERM observed stockpiles containing manure and did not identify offensive odours associated with the manure. No complaints associated with odour were identified for the audit period, therefore Rocglen is considered compliant with this condition.</p>	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Greenhouse Gas Emissions					
14.	The Proponent shall implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site.	Air Quality and Greenhouse Gas Management Plan 18/05/2018 Management Plan Reviews	The site operates under the Air Quality and Greenhouse Gas Management Plan, which is designed to align with Whitehaven Group's NGERs reporting requirements. The management plan is currently under review as at 10/03/2022. The updated plan has been submitted to the Department and at the time of the audit, was awaiting formal approval. Greenhouse gas generating activities on-site were observed to be limited to earthworks associated with rehabilitation of the mine, which were generally observed to be conducted in a manner appropriate for minimising gas emissions from the site. Therefore Rocglen is compliant with this condition.	C	N/A

Additional Air Quality Mitigation Upon Request

15.	<p>The Proponent shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that the particulate emissions generated by the project do not exceed the criteria listed in Tables 4, 5 and 6 at any residence on privately-owned land or on more than 25 percent of any privately owned land.</p> <p><i>Table 4: Long-term criteria for particulate matter</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>^d Criterion</th> </tr> </thead> <tbody> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td>^a90 µg/m³</td> </tr> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>Annual</td> <td>^a30 µg/m³</td> </tr> </tbody> </table> <p><i>Table 5: Short-term criterion for particulate matter</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>^d Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>24 hour</td> <td>^a 50 µg/m³</td> </tr> </tbody> </table> <p><i>Table 6: Long-term criteria for deposited dust</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Maximum increase in deposited dust level</th> <th>Maximum total^f deposited dust level</th> </tr> </thead> <tbody> <tr> <td>^cDeposited dust</td> <td>Annual</td> <td>^b2 g/m²/month</td> <td>^a4 g/m²/month</td> </tr> </tbody> </table> <p>Notes:</p> <ul style="list-style-type: none"> ■ ^aTotal impact (i.e. incremental increase in concentrations due to the project plus background concentrations due to other sources); ■ ^bIncremental impact (i.e. incremental increase in concentrations due to the project on its own); ■ ^cDeposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method; and ■ ^dExcludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity agreed to by the Secretary in consultation with the EPA. 	Pollutant	Averaging period	^d Criterion	Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³	Pollutant	Averaging period	^d Criterion	Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³	Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total ^f deposited dust level	^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month	<p>Annual Review 2019, 2020, 2021</p> <p>Letter to DPIE re – HVAS Dust Exceedances – 13/11/2019</p> <p>Email to Rocglen – Department Response to Notification – 14/11/2019</p> <p>Letter to DPIE re – HVAS Dust Exceedances – 23/4/2020</p> <p>Rocglen Coal Mine – Community Consultative Committee December 2021.</p> <p>Rocglen Coal Mine – Community Consultative February 2021.</p> <p>Rocglen Coal Mine – Community Consultative August 2019.</p> <p>Rocglen Coal Mine – Community Consultative March 2019.</p>	<p>Air quality exceedances identified during the audit period were not attributable to mining operations and air quality issues were generally not identified for the site based on the data available.</p> <p>The site reported the following exceedances of the HVAS PM10 24 hour limit to the Department on 13/11/20:</p> <ul style="list-style-type: none"> ■ 17 September - 86.3 µg/m³ ■ 17 October 2019 - 92.5 µg/m³ ■ 23 October 2019 - 98.1 µg/m³ ■ 29 October 2019 - 114 µg/m³ <p>The causes of the exceedances were attributed to grazing activity, regional bushfires and poor air quality across the region. The Department responded on 14 acknowledging the exceedances and accepting that site activities were unlikely to be responsible for the elevated results.</p> <p>The site also reported exceedances of the HVAS PM10 24 limit to the Department on 23/4/2020:</p> <ul style="list-style-type: none"> ■ 6 January 2020 - 60.6 µg/m³ ■ 9 January 2020 - 277 µg/m³ ■ 21 January 2020 - 111 µg/m³ ■ 2 February 2020 - 61.8 µg/m³ <p>The causes of the exceedances were generally attributed to grazing activities nearby with windy conditions, bushfire smoke, a Regional Air Quality Alert issued for 9th and 21st January 2020, elevated Regional Air Quality Index on 6th, 9th and 21st January 2020, general drought conditions and feeding of cattle adjacent to the dust monitor. In general, operations at the site are unlikely to have contributed to poor air quality outcomes and poor management of site operations and air quality issues were generally not identified for the site.</p> <p>According to the Community Consultative Committee meeting minutes from December 2021, it was reported that particulate matter (PM10) exceeded the 24hr limit on three occasion – this was attributed to dry conditions and livestock in the vicinity of the monitor. Dust levels were also reported to be elevated in August 2019, March 2019 and February 2021 due to regional conditions, attributed to regional dust storms and other conditions.</p>	C	N/A
Pollutant	Averaging period	^d Criterion																										
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³																										
Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³																										
Pollutant	Averaging period	^d Criterion																										
Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³																										
Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total ^f deposited dust level																									
^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month																									

TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval 10_0015

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			In all circumstances the cause of poor air quality measurements were not attributable to mining operations. As a result, the failure of the HVAS system is considered to represent an administrative non-compliance associated with failure to monitor at the times required, noting that poor air quality outcomes were not generally identified for the site.		
Operating Conditions					
16.	<p>The Proponent shall:</p> <p>(a) implement best practice air quality management on site, including all reasonable and feasible measures to minimise odour, fume and dust emissions generated by the project, including those generated by any spontaneous combustion on site,</p> <p>(b) minimise any visible air pollution generated by the project;</p> <p>(c) minimise the surface disturbance on site; and</p> <p>(d) regularly assess the real-time air quality monitoring and meteorological forecasting data, and relocate, modify and/or stop operations on site to ensure compliance with the relevant conditions of this approval, to the satisfaction of the Secretary.</p>	<p>Air Quality and Greenhouse Gas Management Plan 18/05/2018</p> <p>CMOP</p> <p>Real time dust monitoring – D3 2019, 2020, 2021, 2022</p>	<p>(a) The AQGG management plan details the mitigation measures employed by the mine during operational activities to minimise odour, fumes and dust emissions. Specific measures are identified for vegetation clearing and soil stripping, drilling and blasting, overburden ripping and placement, coal excavation, crushing and screening, internal transport, external transport and rehabilitation. The identified controls are considered to be appropriate for managing air quality concerns. Mining operations were limited to rehabilitation and site observations did not include generation of odour, fumes and dust from operations. Complaints associated with odour, fumes and dust were not identified for the site, therefore Rocglen are considered compliant with this condition.</p> <p>(b) Real-time dust monitoring was undertaken during the audit period. ERM reviewed the results of the dust monitoring and did not identify any examples of failure to minimise visible air pollution. Operations are now limited to rehabilitation and visible air pollution has not been identified in the records available to ERM.</p> <p>(c) Surface disturbance was observed to be limited to the active mining area and ancillary site areas required for site management. Progressive rehabilitation to disturbed surface areas were observed during the site visit and the areas currently subject to disturbance were considered to be appropriate to satisfy the requirements of this condition.</p> <p>(d) ERM reviewed the real-time monitoring data from the air quality and meteorological equipment on-site and confirmed that real-time data were available and regularly reviewed. Examples of plant shut downs due to air quality concerns were identified by ERM during periods of dry regional conditions (drought) and when potential dust creating activities were observed to constitute a potential risk to regional air quality.</p> <p>ERM did not identify any non-compliances with this condition.</p>	C	N/A
Air Quality Criteria					
17.	<p>The Proponent shall prepare and implement an Air Quality & Greenhouse Gas Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with the EPA, and submitted to the Secretary for approval by the end of December 2011;</p> <p>(b) describe the measures that would be implemented to ensure compliance with the relevant conditions of this approval, including a real-time air quality management system that employs reactive and proactive mitigation measures; and</p> <p>(c) include an air quality monitoring program that:</p> <ul style="list-style-type: none"> ■ uses a combination of real-time monitors, high volume samplers and dust deposition gauges to evaluate the performance of the project; and 	<p>Air Quality and Greenhouse Gas Management Plan - 18/05/2018</p>	<p>The site operates under an AQGG management plan that has been approved by the secretary. The plan was under review as at 10/03/2022.</p> <p>(a) this condition was required prior to the audit period and therefore has not been triggered.</p> <p>(b) the plan details measures to be implemented to ensure compliance with the approval, including real-time air quality monitoring and reactive and proactive mitigation measures. A TARP for adverse weather criteria includes investigation alarms set for sustained wind speeds of 6 m/s for six consecutive 5 minute periods and an action alarm for sustained wind speeds of</p>	C	N/A

TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval 10_0015

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> includes a protocol for determining exceedances of the relevant conditions of this approval. 		<p>8 m/s for six consecutive 5 minute periods. Evidence was observed of both reactive and proactive mitigation measures associated with air quality.</p> <p>(c) real time air quality monitoring via a Tapered Element Oscillating Microbalance (TEOM) monitor (PM10) provides dust data. Dust deposition gauges are utilised for the site and ERM observed a sample of the gauges and the results of monitoring, which were generally observed to be appropriate. Methodology for determining exceedances is provided in Section 4 with responses to exceedances provided in Section 5. These are considered to be appropriate for complying with the requirements of the approval.</p> <p>No non-compliances were identified associated with this condition.</p>		
METEOROLOGICAL MONITORING					
18.	<p>During the life of the project, the Proponent shall ensure that there is a meteorological station operating in the vicinity of the site that:</p> <p>(a) complies with the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline; and</p> <p>(b) is capable of continuous real-time measurement of temperature lapse rate in accordance with the NSW Industrial Noise Policy, or as otherwise agreed by the EPA.</p>	<p>Site observations</p> <p>Real-time meteorological data</p> <p>Historical meteorological data spreadsheet</p> <p>Meteorological station calibration certificate</p>	<p>ERM was unable to visually inspect the meteorological weather station due to the condition of the road to the location of the equipment. The station was observable from a distance and ERM was able to review the real-time meteorological data and records of data obtained by the weather station.</p> <p>(a) the weather station installation certificate was observed, which described the station to have been constructed to operate in compliance with Approved Methods for Sampling of Air Pollutants in New South Wales. The weather station was not able to be inspected directly, however the real-time data provided outputs for the required analytes and examples of failure to measure in accordance with the guideline were not identified.</p> <p>(b) ERM reviewed the stability measurement in the real-time monitoring data, which is equivalent to the required temperature lapse rate designated in the approval.</p> <p>ERM did not identify any examples of non-compliances against this condition, however it is noted that the weather station was unable to be physically inspected. Notwithstanding this, the real-time data were available and calibration has been undertaken, therefore ERM does not consider it likely that non-compliances associated with this condition are likely to exist.</p>	C	N/A
AUGER MINING					
19.	<p>The Proponent shall ensure that the auger mining carried out on site:</p> <p>(a) is restricted to the areas approved for auger mining;</p> <p>(b) is designed to remain safe and stable in the long term; and</p> <p>(c) does not result in vertical subsidence of greater than 20 mm.</p>	Management interviews	Auger mining was not undertaken at any point during the audit period according to site management, therefore this condition has not been triggered.	NT	NT
SOIL AND WATER					
	<i>Under the Water Act 1912 and/or the Water Management Act 2000, the Proponent is required to obtain water licences for the project.</i>	Water Access Licence 29461 & 36758	Two water licences are held by the site for the project, therefore Rocglen is compliant with this condition.	C	N/A

Water Supply

TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval 10_0015

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
20.	The Proponent shall ensure that it has sufficient water for all stages of the project, and if necessary, adjust the scale of mining operations on site to match its available water supply to the satisfaction of the Secretary.	Water use records Water storage Site observations Interview with site management	The primary source of water consumption for the site is associated with the water cart which is utilised to manage dust along haul roads during rehabilitation activities. According to the water usage records, the site utilised approximately 1.26 ML per month over a 10 month period during current activities. The water balance records viewed by ERM indicate that the site currently has 175.9 ML of water in storage at the site, which equates to approximately 11 years of site activities. Water consumption is expected to be consistent with these rates until completion of the rehabilitation program, which is scheduled for June 2023. As a result, the site has sufficient water for activities required to complete rehabilitation and is compliant with this condition.	C	N/A
Surface Water Discharges					
21.	The Proponent shall ensure that all surface water discharges from the site comply with the discharge limits (both volume and quality) set for the project in any EPL.	Annual Reviews EPL Monitoring Records	No controlled or uncontrolled discharges of water from site occurred during the 2019 reporting period. An uncontrolled discharge occurred in February 2020, which was within the designated EPL criteria. Controlled discharges were also reported to be within criteria. Compliance with this condition is assessed in the EPL table within this report.	C	N/A
Water Management Plan					
22.	<p>The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Secretary. This plan must be prepared in consultation with the EPA, DoI Lands & Water and DRG by suitably qualified and experienced persons whose appointment has been approved by the Secretary, and submitted to the Secretary for approval by the end of February 2012. In addition to the standard requirements for management plans (see condition 2 of schedule 5), this plan must include:</p> <p>(a) a Site Water Balance that:</p> <ul style="list-style-type: none"> ■ includes details of: <ul style="list-style-type: none"> ■ sources and security of water supply; ■ water use on site; ■ water management on site; ■ any off-site water transfers; ■ describes what measures would be implemented to minimise water use on site; and ■ is to be updated each year during the annual review; <p>(b) a Surface Water Management Plan, that includes:</p> <ul style="list-style-type: none"> ■ a detailed description of the water management system on site, including the: <ul style="list-style-type: none"> ■ clean water diversion systems; ■ erosion and sediment controls; and ■ water storages; ■ detailed plans, including design objectives and performance criteria, for: <ul style="list-style-type: none"> ■ design and management of the final void; ■ reinstatement of drainage lines on the rehabilitated areas of the site; and ■ control of any potential water pollution from the rehabilitated areas of the site; ■ performance criteria for the following, including trigger levels for investigating any potentially adverse impacts: <ul style="list-style-type: none"> ■ the water management system; ■ surface water quality in Driggle Draggie Creek or the unnamed creek to the south of the site; ■ the health of any riparian vegetation in Driggle Draggie Creek or the unnamed creek to the south of the site; ■ a program to monitor: <ul style="list-style-type: none"> ■ the effectiveness of the water management system; 	Water Management Plan - 06/06/2018 Management Plans Revisions Spreadsheet Groundwater Monitoring Data spreadsheet Annual Reviews	<p>The site operates under a Water Management Plan, dated 6/6/18. The plan's original submission to the Department was required prior to this audit period, therefore the February 2012 deadline was not triggered for this audit. The current version of the plan has been endorsed by the Department and includes the following items:</p> <p>(a) a detailed site water balance – sources and security of water supply is discussed (model inputs) along with the water consumption methods (model outputs) and the measures to manage water on-site and details of any off-site water transfers, in Section 3.</p> <p>(b) a surface water management plan – this includes the water management system, displaying the storage locations, clean water diversion system and erosion and sediment controls. The design objectives and performance criteria for the final voice, drainage lines and pollution control are detailed in Section 4.</p> <p>(c) a groundwater management plan – this plan includes baseline data and assessment criteria, a detailed monitoring schedule and response plan for any identified impacts, an annual groundwater model validation program and a plan for and an exceedance response plan.</p> <p>It was observed that not all storage dams had appropriate level monitors to assess the current storage and available capacity.</p> <p>Groundwater monitoring was undertaken across the site at the locations required by the planning documentation. A comparison to trigger values was not provided in the monitoring spreadsheet but was discussed in the Annual Reviews. Quality of groundwater was identified to be generally consistent across the audit period and examples of impacts were not identified.</p>	O (NC)	Ensure that all dams contain level meters to allow for monitoring of water storage and freeboard capacity.

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> ■ surface water flows and quality in Driggle Draggie Creek and the unnamed creek to the south of the site; ■ the health of any riparian vegetation in Driggle Draggie Creek or the unnamed creek to the south of the site; and ■ a plan to respond to any exceedances of the performance criteria, and mitigate and/or offset any adverse surface water impacts of the project; <p>(c) a Groundwater Management Plan, which includes:</p> <ul style="list-style-type: none"> ■ performance criteria, including trigger levels for investigating any potentially adverse groundwater impacts; ■ a program to monitor: <ul style="list-style-type: none"> ■ groundwater inflows to the mining operations; ■ the impacts of the project on any alluvial aquifers; ■ the seepage/leachate from water storages, backfilled voids, and the final void on site; ■ a program to validate the groundwater model for the project, and calibrate it to site specific conditions; and ■ a plan to respond to any exceedances of the performance criteria, and mitigate and/or offset any adverse groundwater impacts. 				

BIODIVERSITY

Biodiversity Offset

23.	<p>By the end of June 2012, unless the Secretary agrees otherwise, the Proponent shall enter into a Biobanking agreement with the Minister for Environment and Heritage, in accordance with Part 7A of the <i>Threatened Species Conservation Act 1995</i>, to implement the Biodiversity Offset Strategy described in the EA (for the Whitehaven Regional Biobank Site), and summarised in Table 7;</p> <p><i>Table 7: Biodiversity Offset Strategy to be implemented at the Whitehaven Regional Biobank Site</i></p> <table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 50%;">Total Vegetation Clearing</th> <th style="width: 50%;">Minimum Offset to be provided</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Total of 95.44 ha of vegetation to be cleared</td> <td> <ul style="list-style-type: none"> • Retirement of 4,859 Ecosystem Credits (including 478 Ecosystem Credits for the clearing of 47.9 ha of the BOS area approved under 06_0198); • Conservation of the residual BOS area approved under 06_0198 (60 ha), at the existing location within the Whitehaven Regional Biobank Site; • Conservation of 0.62 ha of White box Grassy Woodland; • Conservation of 231.42 ha of suitable foraging habitat for the Regent Honeyeater and Swift Parrot; and • Restoration of 118.33 ha of derived grassland to woodland. </td> </tr> </tbody> </table> <p><i>Note: The Whitehaven Regional Biobank Site is shown in Figure 1 in Appendix 4.</i></p>	Total Vegetation Clearing	Minimum Offset to be provided	Total of 95.44 ha of vegetation to be cleared	<ul style="list-style-type: none"> • Retirement of 4,859 Ecosystem Credits (including 478 Ecosystem Credits for the clearing of 47.9 ha of the BOS area approved under 06_0198); • Conservation of the residual BOS area approved under 06_0198 (60 ha), at the existing location within the Whitehaven Regional Biobank Site; • Conservation of 0.62 ha of White box Grassy Woodland; • Conservation of 231.42 ha of suitable foraging habitat for the Regent Honeyeater and Swift Parrot; and • Restoration of 118.33 ha of derived grassland to woodland. 	<p>Leard Forest Regional Biodiversity Strategy Stage 2 – Strategy Report 2017</p> <p>Rocglen Coal Mine EPBC 2010/5502 (approved 21st December 2011) Compliance Report March 2021</p>	<p>ERM reviewed the biobanking agreement, which was in place for the duration of the audit period. This agreement was due in 2012, which was outside the audit period and therefore not triggered as part of this audit. The off-set conditions were reviewed and the EPBC Compliance Report concluded that mhe is complying with the off-set obligations.</p>	C	N/A
Total Vegetation Clearing	Minimum Offset to be provided								
Total of 95.44 ha of vegetation to be cleared	<ul style="list-style-type: none"> • Retirement of 4,859 Ecosystem Credits (including 478 Ecosystem Credits for the clearing of 47.9 ha of the BOS area approved under 06_0198); • Conservation of the residual BOS area approved under 06_0198 (60 ha), at the existing location within the Whitehaven Regional Biobank Site; • Conservation of 0.62 ha of White box Grassy Woodland; • Conservation of 231.42 ha of suitable foraging habitat for the Regent Honeyeater and Swift Parrot; and • Restoration of 118.33 ha of derived grassland to woodland. 								

HERITAGE

Heritage Management Plan

24.	<p>The Proponent shall prepare and implement a Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with OEH and Aboriginal stakeholders;</p> <p>(b) be submitted to the Secretary for approval by the end of December 2011;</p> <p>(c) describe the measures that would be implemented:</p> <ul style="list-style-type: none"> ■ record and salvage the Aboriginal sites within the project disturbance area, including RPS Rocglen IF1, RPS Rocglen AS1 and RPS Rocglen AS2 at locations as shown in Appendix 6 and any potential archaeological deposits; ■ store the Aboriginal objects salvaged, both during construction and in the long term; 	<p>Heritage Management Plan 21/05/2018</p> <p>Management Plan Reviews</p> <p>Site Inspection</p>	<p>The site operates under a Heritage Management Plan dated 21/5/18 and last reviewed 8/6/2021. The plan has been approved by the Department and was prepared in consultation with stakeholders.</p> <p>(a) Stakeholders are identified in Section 1.1.</p>	C	N/A
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TABLE A1 - PROJECT APPROVAL
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> ■ protect, monitor and/or manage the Aboriginal sites on site that are outside the project disturbance area on site, including measures to protect scarred trees (NPWS # 20-4-0194 and # 20-4-0195 at locations as shown in Appendix 6); ■ manage the discovery of any human remains or previously unidentified Aboriginal objects; ■ enable Aboriginal stakeholders to get reasonable access to the site during the project; ■ ensure Aboriginal stakeholders are consulted about the conservation and management of Aboriginal cultural heritage on site; and ■ ensure workers on site receive suitable heritage inductions, and that suitable records are kept of these inductions. 		<p>(b) the current version of the plan was approved by the Department, however the due date for the original plan falls outside of the audit period and has not been triggered.</p> <p>(c) measures are described throughout the management plan in Sections 4 – 7. Storage protocols are described and monitoring methods are included along with management measures in the event that remains or new objects are discovered. Access requirements are stipulated and inductions are undertaken in relation to heritage matters.</p> <p>During the site investigation, ERM observed the heritage areas to generally be fenced and banded appropriately. Operators were noted to have been trained and familiar, with a demonstrated understanding of the locations of heritage areas.</p> <p>No clearing has reportedly taken place at the site during the audit period. Therefore, Rocglen are considered to be compliant with this condition.</p>		
TRANSPORT					
Road Works					
25.	By the end of December 2012, unless the Secretary agrees otherwise, the proponent shall upgrade and tar seal Wean Road to the satisfaction of Council from the northern end of the existing tar seal to the point of the Gunnedah/Narrabri Shire Council boundary, in general accordance with Council's Rural Local Roads Standard.	NT	This requirements of this condition were not triggered during the audit period.	NT	N/A
Road Maintenance					
26.	During the project, the Proponent shall contribute towards the maintenance of the public roads used by the project, in accordance with the existing road maintenance agreement between the Proponent and Council, as may be modified from time to time through the agreement of both parties. If there is a dispute in relation to this agreement, then either party may refer the matter to the Secretary for resolution.	Road Maintenance Council Agreement Records of Payments Invoice from Council	This requirement is only applicable where the roads are in use for the purposes of the project. Haulage ceased in 2019 and contributions to council for the maintenance of the roads also ceased at this time. ERM reviewed the invoice and agreement with council and confirmed that payments were made during the period of mining covered by the audit period, therefore Rocglen is compliant with this condition.	C	N/A
Traffic Management Plan					
27.	<p>The Proponent shall prepare a Traffic Management Plan for the Project, to the satisfaction of the Secretary.</p> <p>This plan must:</p> <p>(a) be prepared in consultation with RMS, Gunnedah Shire Council, and the owners of the Tarrawonga and Vickery coal mines;</p> <p>(b) be submitted to the Secretary for approval by 31 March 2017;</p> <p>(c) include a program for implementing Whitehaven's commitments in the EA;</p> <p>(d) include transport protocols that describe control measures for coal haulage:</p> <ul style="list-style-type: none"> • during school bus hours; • on the Kamilaroi Highway; and • during seasonal and event based peak traffic periods. <p>(e) include a driver's Code of Conduct to include but not limited to:</p> <ul style="list-style-type: none"> • behavioural safety practises and initiatives used by drivers to implement the transport protocols; • induction process for vehicle operators and regular toolbox meetings; and • complaint resolution and disciplinary procedures; <p>(f) describe measures to minimise dust from roads that may be used for access to the mine site;</p>	Traffic Management Plan 04/05/2017 Management Plan Reviews	<p>The site operates under a traffic management plan, dated 4/5/17. The management plan was reportedly last reviewed on 08/06/2021.</p> <p>(a) The TMP was prepared in consultation with the RMS, Gunnedah Shire Council, Narrabri Shire Council and the owners of Tarrawonga and Vickery mines.</p> <p>(b) The current version of the TMP was approved by the Department. The due date stipulated in the approval was not triggered as part of this audit.</p> <p>(c) Programs to implement the commitments of Whitehaven are presented throughout the TMP.</p> <p>(d) The TMP includes measures to manage traffic during school bus hours, related to the Kamilaroi Highway and during seasonal and event based peak periods.</p>	C	N/A

TABLE A1 - PROJECT APPROVAL
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	(g) arrangements to comply with cumulative coal haulage limits from the project and the Tarrawonga and Vickery coal mines; and (h) a monitoring program to audit vehicle movements, including the origin and destination of employees, against predictions in the EA.		(e) the drivers code of conduct is presented in Section 3 and includes behavioural practices, an induction process and complaint procedures. (f) Dust minimisation measures are specifically identified in Section 3.3 (g) cumulative tonnage haulage limitations management measures are detailed in Section 3.4. (h) A monitoring program to audit vehicles is described in Section 3.5. Haulage was undertaken during the audit period, however was ceased in 2019. There were no examples of failure to comply with the TMP during the audit period identified by ERM. However, it is noted that haulage truck practices were unable to be reviewed and limited information was available to verify that practices were in accordance with the TMP during the periods when haulage was taking place. Trucking audits were not undertaken, although cameras present at the receiving facility were utilised to monitor truck behaviour. ERM considers Rocglen to be compliant with this condition.		
Operating Conditions					
28.	The Proponent shall ensure all coarse and fine rejects are transported from the Whitehaven CHPP to the site by road, using only the designated transport route shown in Figure 3 of Appendix 2.	Traffic Management Plan Interview with Site Management	The approved haulage route was the only route available to transport rejects to the site. The management plan details the approved trucking route and ERM observed the trucking company's signed commitment to utilise the planned haulage route. Trucking ceased in 2020 and there were no indications from complaints or transport records that any routes other than the approved haulage route were used to transport coarse and fine rejects to the site.	C	N/A
28A.	The Proponent shall maximise the backfilling of haul trucks with coarse and/or fine rejects from the Whitehaven CHPP to minimise the number of heavy vehicles on the designated transport route.	Traffic Management Plan Rocglen Reject Haulage Spreadsheet	The haulage data generally indicated that trucks carting rejects were filled to capacity. Evidence of unnecessarily large numbers of trucks was not identified by ERM. Trucking ceased in 2020 and there were no indications from complaints or transport records that any routes other than the approved haulage route were used to transport coarse and fine rejects to the site.	C	N/A
29.	The Proponent shall only dispatch coal from the site by road or receive coarse and/or fine rejects on the site between the hours of: (a) 7 am to 9.15 pm, Monday to Friday; (b) 7 am to 5.15 pm Saturday; and (c) at no time on Sundays and public holidays.	Rocglen Reject Haulage Spreadsheet	Haulage records indicate that coal dispatch occurred only within the stipulated hours of this condition. No complaints were identified related to truck operations outside of the designated hours.	C	N/A
29A.	The Proponent shall ensure that: (a) trucks travelling to and from the site do not exceed 40 kilometres per hour in the vicinity of the school bus when it is operating near school bus stops along the approved haulage route, unless an alternative protocol is agreed by the Secretary; and (b) spillage from haulage vehicles is minimised and promptly managed.	Trucking Management Plan	Conditions from the management plan avoid school bus routes and dictate a 40 km/hr limit around bus stops. The bus route, located on Wean Rd, is different to the haulage route, which was previously on a different road to the west. Haulage has ceased in 2019, therefore interactions with trucks and school buses is no longer possible. The management plans require tarps to cover all loads leaving the site. Other measures to prevent spillage included cameras at the CHPP, which would report any trucking issues observed, routine trips to the Gunnedah wash plant for trucks every 3 – 5 loads and sealed roads to the ROM pad.	C	N/A

TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval 10_0015

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			No instances of non-compliance with this condition were identified.		
Monitoring of Coal Transport					
30.	The Proponent shall: (a) keep accurate records of the amount of coal transported (on a monthly basis) from the site, as well as the number of coal truck movements generated by the project; and (b) make these records publicly available on its website at the end of each calendar year.	Rocglen Coal Mine Transport and Truck Movements 2019 Rocglen Website	(a) ERM reviewed the monthly coal tonnage and movements spreadsheet which provided data on a monthly basis up until August 2019, after which point coal was not transported from the site. (b) Coal movements were also published online up until 2019.	C	N/A
VISUAL					
Visual Amenity and Lighting					
31.	The Proponent shall: The Proponent shall: (a) implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the project; (b) establish and maintain an effective vegetative screen along the boundary of the site that adjoins public roads; (c) ensure that no outdoor lights shine above the horizontal; and (d) ensure that all external lighting associated with the project complies with <i>Australian Standard AS4282 (INT) 1995 - Control of Obtrusive Effects of Outdoor Lighting</i> , or its latest version.	Annual Reviews Certificates of Installation Site Observations	According to the 2019 Annual Review, the existing vegetative screen has been augmented with additional planting undertaken during the 2019 reporting period. ERM observed the vegetation screen and found that it was not yet established as required by the conditions of this approval. However, it is noted that the vegetation screen was primarily designed for controlling visual amenity during the operation of the mine. Mining has since ceased and therefore the lack of an established visual screen does not represent a major risk to visual amenity. Night works have also ceased since 2019 and therefore outdoor lights are no longer utilised at the during night time hours. Lighting was installed according to AS4282 based on documents reviewed by ERM. No non-compliances were identified in relation to this condition.	C	N/A
WASTE					
32.	The Proponent shall: (a) minimise the waste generated by the project; and (b) ensure that the waste generated by the project is appropriately stored, handled and disposed of in a lawful manner.	Waste Transport Spreadsheet Monthly Environmental Checklist Site Observations	(a) Waste generated by the site is generally limited to waste oil, waste tyres, domestic waste and sewage. Waste was not observed to be generated in quantities exceeding the reasonable expectations of this type of site. Namoi Waste conduct all waste management services for the site and ERM reviewed the waste transport spreadsheet associated with waste removal from the site. Excessive waste removal was not identified. (b) ERM reviewed example checklists that demonstrated that waste management is audited regularly and continuous improvement is taking place at the site. ERM observed waste oil stored in a tank within a sea container in the vicinity of the maintenance area. The sea container was not stored within a bunded area. The bunding for the tank included a dedicated spill tray around the tank and a leak tray in the base of the sea container. The dedicated spill tray was observed not to be in accordance with the requirements of AS1940-2017, which require a minimum of 1 m distance from the tank to the bund. The capacity and integrity of the sea container leak tray are unknown, therefore it is unclear whether the secondary containment for the waste oil storage tank is in compliance with AS1940-2017. The site was issued with an official caution from the NSW EPA on 30/7/21 in relation to burial of end of life tyres at the Rocglen	O (NC)	Review the waste oil storage tank secondary containment against the requirements of AS1940-2017 and if required, adjust the secondary containment to be compliant with AS1940-2017.

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			mine. ERM reviewed the tyres present on-site and observed end of life tyres to be stored at the mine in preparation for recycling or disposal to an appropriately licenced receiver off-site. Evidence of salvaging tyres used around the site was observed and management of end of life tyres was considered to be appropriate.		

BUSHFIRE MANAGEMENT

33.	The Proponent shall: (a) ensure that the project 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 in the surrounding area.	CMOP PIRMP Site Observations	The site operates under the CMOP, which includes measures to manage the risks associated with bushfires. Bushfire mitigation actions include monitoring, managing fuel loads, fire-breaks maintenance, stocking firefighting equipment and securing access points, storage and handling practices, welding procedures and smoking restrictions. The site maintains a water truck and earth moving equipment to assist with bushfires and regularly liaises with the RFS, including when bushfires are in the area. Water storage is maintained at various locations around the site and LRM Fire and Rescue are maintained on retainer to assist in case of fire. No evidence of non-compliance with this condition was identified.	C	N/A
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REHABILITATION

Rehabilitation Objectives

34.	<p>The Proponent shall rehabilitate the site to the satisfaction of DRG. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the EA (and depicted conceptually in Figure 1 in Appendix 5), and comply with the objectives in Table 8.</p> <p><i>Table 8: Rehabilitation Objectives</i></p> <table border="1"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>Mine site (as a whole)</td> <td>Safe, stable and non-polluting</td> </tr> <tr> <td>Final void</td> <td> <ul style="list-style-type: none"> Minimise the size and depth of the final void as far as is reasonable and feasible; and The final void is to be safe, stable and non-polluting </td> </tr> <tr> <td>Surface infrastructure</td> <td>To be decommissioned and removed, unless the Secretary agrees otherwise</td> </tr> <tr> <td>Other land affected by the project</td> <td>Restore ecosystem function, including maintaining or establishing self-sustaining eco-systems comprised of: <ul style="list-style-type: none"> local native plant species; at least 206 hectares of woodland (see Figure 1 in Appendix 5); and a landform consistent with the surrounding environment </td> </tr> <tr> <td>Community</td> <td>Minimise the adverse socio-economic effects associated with mine closure</td> </tr> </tbody> </table>	Feature	Objective	Mine site (as a whole)	Safe, stable and non-polluting	Final void	<ul style="list-style-type: none"> Minimise the size and depth of the final void as far as is reasonable and feasible; and The final void is to be safe, stable and non-polluting 	Surface infrastructure	To be decommissioned and removed, unless the Secretary agrees otherwise	Other land affected by the project	Restore ecosystem function, including maintaining or establishing self-sustaining eco-systems comprised of: <ul style="list-style-type: none"> local native plant species; at least 206 hectares of woodland (see Figure 1 in Appendix 5); and a landform consistent with the surrounding environment 	Community	Minimise the adverse socio-economic effects associated with mine closure	<p>Section 240 Notice Management Plan Reviews. CMOP Annual Rehabilitation Plan Rehabilitation Monitoring Reports</p>	<p>In relation to the rehabilitation program being generally consistent with the proposed strategy described in the 2011 EA, ERM identified differences between the EA rehabilitation strategy and the strategy currently being implemented at the site. The primary difference is in the progressive rehabilitation program undertaken for the site, with the EA displaying a more advanced state of rehabilitation for the period covered by the audit than has been achieved. The site has updated rehabilitation planning documents, (including as part of the response to the Section 240 notice) since the EA was published in 2011 and the updated plans have been approved by the Department, therefore Rocglen's divergence from the EA rehabilitation strategy is not considered to represent a non-compliance.</p> <p>In relation to the objectives in Table 8, the final landform has been designed to be a safe, stable and non-polluting landform. Erosive features were observed in the pit void during the audit inspection. Erosion is monitored by the site and repaired where necessary. The extent of rehabilitation is not yet at a stage of maturity where a robust data set is available to demonstrate the mine site, although monitoring is undertaken by the site, including in the final pit void, to assess the site as safe, stable and non-polluting. The final void size and depth has been minimised as far as practicable and the landform is being established consistent with the surrounding environment, therefore Rocglen is compliant with the mine site (as a whole) and final void rows of Table 8.</p> <p>Surface infrastructure remains at the site and is earmarked for decommissioning as part of future stages of rehabilitation,</p>	O (NC)	Prepare and implement a plan to address the dominance of exotic grass species in the woodland ecosystem areas and promote further establishment of native woodland species.
Feature	Objective																
Mine site (as a whole)	Safe, stable and non-polluting																
Final void	<ul style="list-style-type: none"> Minimise the size and depth of the final void as far as is reasonable and feasible; and The final void is to be safe, stable and non-polluting 																
Surface infrastructure	To be decommissioned and removed, unless the Secretary agrees otherwise																
Other land affected by the project	Restore ecosystem function, including maintaining or establishing self-sustaining eco-systems comprised of: <ul style="list-style-type: none"> local native plant species; at least 206 hectares of woodland (see Figure 1 in Appendix 5); and a landform consistent with the surrounding environment 																
Community	Minimise the adverse socio-economic effects associated with mine closure																

TABLE A1 - PROJECT APPROVAL
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>therefore Rocglen is compliant with the surface infrastructure row of Table 8.</p> <p>Other land affected by the project, specifically ecosystem functionality is being established in the rehabilitated areas of the site, with the CMOP designating the woodland ecosystem extent planned to be achieved by the rehabilitation program. Planting and vegetation establishment is ongoing across the site, with the northern emplacement area comprising the most established rehabilitation work during the audit period. Based on ecological monitoring data from the northern emplacement area from the audit period, the woodland ecosystem areas assessed are dominated by exotic grass species, including pasture species. Trees <2 m tall were observed to be absent in 42% of Rehabilitation Point Assessment areas assessed in 2020 with a decrease observed in 2021.</p> <p>According to the data available and the conclusions of the monitoring reports, further works to promote the native woodland ecosystem in these areas is required. Additional works are being implemented and have been implemented by the site during the audit period to this end, including infill planting. Site management also reported that a plan is in development with expert advice to address the grass species dominant in the woodland ecosystem areas of the northern emplacement area and ensure the rehabilitation of woodland ecosystems is on a trajectory to achieve the outcomes required by this condition. At the time of the audit, this plan had not been finalised or implemented. ERM's observation against this condition is that the woodland ecosystem areas are currently dominated by grasses and without remedial actions, which have not been undertaken during the audit period, to address the prevalence of grasses and promote development of native woodland ecosystem, some areas earmarked for woodland ecosystems are not being established successfully.</p> <p>Adverse socio-economic impacts associated with the mine closure have not been identified during the audit period.</p>		
Progressive Rehabilitation					
35.	The Proponent shall carry out the rehabilitation of the site progressively, that is, as soon as reasonably practicable following disturbance.	Section 240 Notice Management Plan Reviews. CMOP Annual Rehabilitation Plan Rehabilitation Monitoring Reports	<p>The site received a Section 240 notice from the Resources Regulator that raised concerns relating to rehabilitation, including a lack of successful progressive rehabilitation at the site. The notice required an assessment of progressive rehabilitation planning and implementation and identification of corrective actions to mitigate the risks of adverse impact to the environment. The site response to the notice, provided on 18th December 2020 addressed the requirements of the Section 240 notice.</p> <p>Due to the receipt of the Section 240 notice within the audit period, Rocglen were non-compliant with this condition during the audit period under assessment. The site has implemented numerous improvement measures throughout the audit period, including updated planning documentation, improved and newly developed procedures, improved monitoring and maintenance processes and remedial works for rehabilitation areas identified to have limited success.</p> <p>The 2019 CMOP, which was in force during the audit period, contains plans related to the progressive rehabilitation program committed to by the site during the audit period. Plans 3A, 3B</p>	NC	Update the figures in the RMP to display a rehabilitation program consistent with the program currently being implemented at the site.

TABLE A1 - PROJECT APPROVAL
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			and 3C from Appendix A in the 2019 CMOP present indicative figures of the rehabilitation program that was planned for the audit period. The rehabilitation status observed during the audit period and presented in the Annual Reviews and the Annual Site Rehabilitation Plan generally aligns with the quantitative measures from the 2019 CMOP (Total Disturbance Footprint, Total Active Disturbance, Rehabilitation Land Preparation, Ecosystem and Land Use Establishment and Ecosystem and Land Use Development) but does not match the spatial plans presented in Plans 3A, 3B and 3C from Appendix A of the CMOP. Site management advised that the CMOP was under review at the time of the audit.		

Rehabilitation Management Plan

36.	The Proponent shall prepare and implement a Rehabilitation Management Plan to the satisfaction of DRG. This plan must: (a) be prepared in consultation with the Department, DoI Lands & Water, OEH, Council and the CCC; (b) be submitted to DRG by the end of February 2012; (c) be prepared in accordance with any relevant DRG guideline; (d) describe the measures that would be implemented to ensure compliance with the relevant conditions of this approval; (e) address all aspects of rehabilitation including mine closure, final landform, and final land use; and (f) build to the maximum extent practicable on the other management plans required under this approval.	Management Plan Reviews. CMOP Annual Rehabilitation Plan Rehabilitation Monitoring Reports	The 2019 CMOP is the Rehabilitation Management Plan (RMP) in place for the site during the audit period. (a) the CMOP was prepared in consultation with the Department, DoI Lands & Water (Water NSW), OEH (NSW Environment and Heritage), local Councils and the CCC. (b) The CMOP has been in force for the duration of the audit period, therefore this condition was not triggered. (c) The CMOP was prepared in accordance with relevant guidelines. (d) The CMOP includes measures to ensure compliance with the requirements of the planning documentation, summarised in Section 4.1. (e) the CMOP addresses all aspects of rehabilitation including mine closure, final landform shaping and final land use (f) the CMOP was prepared with regard to the other management plans required under the approval. Therefore, Rocglen are compliant with this condition.	C	N/A
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SCHEDULE 4 – ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS/TENANTS

1.	By the end of December 2011, the Proponent shall notify in writing the owners of “Brolga”, “Surrey” and any privately-owned land within 2 kilometres of the proposed footprint of the open-cut pit that they are entitled to ask for an inspection to establish the baseline condition of any buildings or structures on their land, or to have a previous property inspection report updated.	NT	This requirement was not triggered during the audit period.	NT	N/A
2.	As soon as practicable after obtaining monitoring results showing: (a) an exceedance of the relevant criteria in Schedule 3, the Proponent shall notify the affected landowner and/or tenants in writing of the exceedance, and provide regular monitoring results to each of these parties until the project is complying with the relevant criteria again; and (b) an exceedance of the relevant air quality criteria in Schedule 3, the Proponent shall send a copy of the NSW Health fact sheet entitled “Mine Dust and You” (as may be updated from time to time) to the affected landowners and/or existing tenants of the land (including tenants of any mine-owned land).	NT	Exceedances against the criteria in Schedule 3 were not attributed to site operations, therefore this requirement was not triggered during the audit period.	NT	N/A

INDEPENDENT REVIEW

TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval 10_0015

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Landowners					
3.	<p>If an owner of privately-owned land considers the project to be exceeding the relevant criteria in Schedule 3, then they may ask the Secretary in writing for an independent review of the impacts of the project on their land.</p> <p>If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision the Proponent shall:</p> <p>(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to:</p> <ul style="list-style-type: none"> ■ consult with the landowner to determine his/her concerns; ■ conduct monitoring to determine whether the project is complying with the relevant criteria in Schedule 3; and ■ if the project is not complying with these criteria then identify the measures that could be implemented to ensure compliance with the relevant criteria; and <p>(b) give the Secretary and landowner a copy of the independent review.</p>	NT	This requirement was not triggered during the audit period.	NT	N/A
4.	<p>If the independent review determines that the project is complying with the relevant criteria in Schedule 3, then the Proponent may discontinue the independent review with the approval of the Secretary.</p> <p>If the independent review determines that the project is not complying with the relevant impact assessment criteria in Schedule 3, then the Proponent shall:</p> <p>(a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent person, and conduct further monitoring until the project complies with the relevant criteria; or</p> <p>(b) secure a written agreement with the landowner to allow exceedances of the relevant criteria, to the satisfaction of the Secretary.</p>	NT	This requirement was not triggered during the audit period.	NT	N/A

SCHEDULE 5 - ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1.	<p>The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Secretary. This strategy must:</p> <p>(a) be submitted to the Secretary for approval by the end of December 2011;</p> <p>(b) provide the strategic framework for environmental management of the project;</p> <p>(c) identify the statutory approvals that apply to the project;</p> <p>(d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;</p> <p>(e) describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"> ■ keep the local community and relevant agencies informed about the operation and environmental performance of the project; ■ receive, handle, respond to, and record complaints; ■ resolve any disputes that may arise during the course of the project; ■ respond to any non-compliance; ■ respond to emergencies; and <p>(f) include:</p> <ul style="list-style-type: none"> ■ copies of any strategies, plans and programs approved under the conditions of this approval; and ■ a clear plan depicting all the monitoring required to be carried out under the conditions of this approval. 	<p>Environmental Management Strategy 18/05/2018</p> <p>Management Plan Reviews</p>	<p>The site operates under an EMS, approved for use by the Department. The EMS will be reportedly subject to review on 08/06/2021.</p> <p>(a) This requirement was not triggered in the current audit period. The existing EMS has been approved by the Department.</p> <p>(b) The document details the overall strategy to manage environmental considerations during the lifetime of the mine.</p> <p>(c) the statutory approvals are detailed in Section 3.</p> <p>(d) Roles, responsibilities, authorities and accountabilities of key personnel are detailed in Section 4.</p> <p>(e) Procedures to inform local communities, manage complaints, resolve disputes and respond to non-compliances and emergencies are detailed in Section 4.</p> <p>(f) Management plan, strategies and programs are not specifically included as part of the EMS but were provided in accompaniment to the EMS. A monitoring plan is provided in Section 2.</p>	C	N/A
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TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval 10_0015

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			ERM found the EMS to be generally appropriate for the intended use and generally did not identify failures to adhere to the EMS, therefore Rocglen is considered compliant with this condition.		
Adaptive Management					
Management Plan Requirements					
2.	<p>The Proponent shall ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p> <ul style="list-style-type: none"> ■ the relevant statutory requirements (including any relevant approval, licence or lease conditions); ■ any relevant limits or performance measures/criteria; ■ the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures; <p>(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> ■ impacts and environmental performance of the project; ■ effectiveness of any management measures (see (c) above); <p>(e) a contingency plan to manage any unpredicted impacts and their consequences;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the project over time;</p> <p>(g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> ■ incidents; ■ complaints; ■ non-compliances with statutory requirements; and ■ exceedances of the impact assessment criteria and/or performance criteria; and <p>(h) a protocol for periodic review of the plan.</p> <p><i>Note: The Secretary may waive any of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>	<p>AQGG, Biodiversity Offset Management, Blast Management, CMOP, EMS, Heritage Management, Noise Management, PIRMP, Rehabilitation Management, Road Traffic Noise Management, Traffic Management, Water Management Plans</p> <p>2021 Management Plan Register</p>	<p>The management plans reviewed by ERM were observed to contain detailed baseline data. All management plans were observed to contain the statutory requirements relevant to the topic covered, the limits and performance measurements and the indicators used to judge performance. The Management Plan Review Register sets out the reviews conducted for the management plans. Monitoring and reporting is covered in individual management plans and contingency measures are generally identified for unpredictable impacts.</p> <p>Improvement opportunities are identified as part of the annual reviews and continuous improvement of site management and activities was observed during the site visit. Management plans include protocols for managing incidents, complaints, non-compliances and exceedances. Therefore, Rocglen is considered compliant with this condition.</p>	C	N/A
Annual Review					
3.	<p>By the end of each December, the Proponent shall review the environmental performance of the project to the satisfaction of the Secretary. This review must:</p> <p>(a) describe the development (including any rehabilitation) that was carried out in the past year, and the development that is proposed to be carried out over the next year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the project over the past year, which includes a comparison of these results against the</p> <ul style="list-style-type: none"> ■ relevant statutory requirements, limits or performance measures/criteria; ■ monitoring results of previous years; and ■ relevant predictions in the EA; <p>(c) identify any non-compliance over the past year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(d) identify any trends in the monitoring data over the life of the project;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and</p> <p>(f) describe what measures will be implemented over the next year to improve the environmental performance of the project.</p>	<p>Annual Reviews</p> <p>Annual Review Submissions</p>	<p>Annual Reviews were reviewed by ERM. The reviews generally include descriptions of the development including the rehabilitation stages and activities carried out over the preceding 12 months plus a look forward towards the subsequent 12 months.</p> <p>(a) the detailed descriptions are provided in the Annual Reviews.</p> <p>(b) monitoring results and complaints are summarised and discussed in the reviews.</p> <p>(c) non-compliances were identified in the reviews and attributed to causes where possible. Rectification and management measures were also identified where relevant.</p> <p>(d) Each review includes a discussion of the trends identified in the data collected over the preceding 12 months and generally provides a comparison against historical trends.</p> <p>(e) Discrepancies between measured and actual impacts are identified and discussed where applicable.</p>	C	N/A

TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval 10_0015

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			(f) Future measures to target for environmental performance improvements are also discussed in each review.		
Revision of Strategies, Plans and Programs					
4.	<p>Within 3 months of:</p> <p>(a) the submission of an annual review under condition 3 above;</p> <p>(b) the submission of an incident report under condition 6 below;</p> <p>(c) the submission of an audit report under condition 8 below; and</p> <p>(d) any modification to the conditions of this approval (unless the conditions require otherwise), the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary.</p> <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.</i></p>	2021 Management Plan Register	<p>The register details the reviews conducted against the management plans over time. ERM observed that the plans have been subject to review following each of the following annual reviews, IEAs and approval modifications with two exceptions.</p> <p>Reviews were not conducted for the Blast and Noise Traffic Management Plans in 2021 due to these plans no longer being applicable to operations occurring at the site or in the future. Failure to review the plans constitutes an administrative non-compliance against this condition.</p> <p>It is recommended that Rocglen review all plans required under the Planning Approval or obtain written approval from the Department confirming these plans no longer require maintenance and enforcement at Rocglen.</p>	ANC	Review all plans required under the Planning Approval or, for plans no longer associated with activities at the site, obtain written approval from the Department confirming these plans do not require reviewing in accordance with this condition.
Community Consultative Committee					
5.	<p>The Proponent shall operate a Community Consultative Committee (CCC) for the project in general accordance with the <i>Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects</i> (Department of Planning, 2007, or its latest version), and to the satisfaction of the Secretary.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> ■ <i>The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Proponent complies with this approval; and</i> ■ <i>In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the Proponent, Council and the local community.</i> 	CCC Meeting Minutes and Environmental Report 2019/2021.	A Community Consultative Committee (CCC) is in place for Rocglen and the meeting minutes were provided to ERM for review. The CCC normally meets twice per year in accordance with the guidelines, however the CCC only formally met one time in 2021, postponing the second meeting due to flooding and the pandemic. The Chairperson of the CCC formally postponed the second 2021 meeting. No non-compliances against this finding were identified.	C	N/A
REPORTING					
Incident Reporting					
6.	As soon as is practicable after the Proponent becomes aware of any incident associated with the project, the Proponent shall notify the Secretary and any other relevant agencies of the incident. Within 7 days of the date of the incident, the Proponent shall provide the Secretary and any relevant agencies with a detailed report on the incident.	Annual Reviews	Incidents requiring notifying to the Department were generally not identified for the audit period. The HVAS exceedances were reported to the Department with an explanatory letter attributing exceedances to causes other than site operations, therefore these events are not considered to trigger this condition.	NT	N/A
Regular Reporting					
7.	The Proponent shall provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval.	<p>IEA Report - 2013, 2016, 2019</p> <p>EPBC Compliance Report – 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022</p> <p>Environmental Management Plans</p> <p>EPL Monitoring 2013 – 2022</p>	All documents mentioned were available on their website.	C	N/A

TABLE A1 - PROJECT APPROVAL
Compliance with Project Approval 10_0015

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
AUDITING					
Independent Environmental Audit					
8.	<p>By the end of March 2013, and every 3 years thereafter, unless the Secretary directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:</p> <p>(a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</p> <p>(b) include consultation with the relevant agencies;</p> <p>(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);</p> <p>(d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and</p> <p>(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.</p> <p><i>Note: This audit team must be led by a suitably qualified auditor and include experts in any field specified by the Secretary.</i></p>	<p>Independent Environmental Audit (IEA) Report 2011, 2013, 2016, 2019</p> <p>IEA Terms of Reference</p>	<p>IEAs have been conducted for the site routinely in accordance with the requirements of this condition and were observed to meet the requirements of this condition.</p>	C	N/A
9.	<p>Within six weeks of the completion of this audit, or as otherwise agreed by the Secretary, 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.</p>	<p>Independent Environmental Audit (IEA) Report 2019</p>	<p>The previous IEA was submitted to the Department along with an Audit Action Plan, which was generally implemented during the audit period.</p>	C	N/A
ACCESS TO INFORMATION					
10.	<p>The Proponent shall:</p> <p>(a) make copies of the following publicly available on its website:</p> <ul style="list-style-type: none"> ■ the documents referred to in Condition 2 of Schedule 2; ■ all current statutory approvals for the project; ■ all approved strategies, plans and programs required under the conditions of this approval; ■ a comprehensive summary of the monitoring results of the project, which have been reported in accordance with the conditions of this approval, or any approved plans and programs; ■ a complaints register, updated on a monthly basis; ■ minutes of CCC meetings; ■ the annual reviews of the project; ■ any independent environmental audit of the project, and the Proponent's response to the recommendations in any audit; ■ any other matter required by the Secretary; and <p>(b) keep this information up-to-date,</p> <p>to the satisfaction of the Secretary.</p>	<p>Rocglen Website</p>	<p>(a) The Rocglen website includes the documents in Condition 2 of Schedule 2 (EA, statement of commitments and a copy of this approval). The following were also identified on the website:</p> <ul style="list-style-type: none"> ■ All current approvals ■ Approved strategies, plans and programs ■ Monitoring results summaries ■ Complaints register ■ CCC meeting minutes ■ Annual reviews, IEAs and other relevant project data <p>ERM did not identify TOC results within the EPL monitoring data PDFs provided on the website for all samples reviewed, however the lab certificates demonstrated that the testing had been undertaken. Due to the failure to provide a fully comprehensive summary of the monitoring results of the project, an opportunity for improvement exists.</p>	O (NC)	<p>Update the website with accurate EPL monitoring records.</p>

TABLE A2 - EPL

Compliance with Environment Protection Licence (EPL) 12870

Document details	
Document title	Table A2 - EPL
Document subtitle	Compliance with Environment Protection Licence (EPL) 12870
Project No.	0637454
Date	18 May 2022
Version	2.1
Author	Sophie Barkla
Client Name	Whitehaven Coal

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations									
A1 What the licence authorises and regulates														
A1.1	<p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.</p> <p>Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.</p>	N/A	Noted.	Note	N/A									
A1.2	<table border="1"> <thead> <tr> <th>Scheduled Activity</th> <th>Fee Based Activity</th> <th>Scale</th> </tr> </thead> <tbody> <tr> <td>Coal works</td> <td>Coal works</td> <td>0 - 2000000 T annual handing capacity</td> </tr> <tr> <td>Mining for coal</td> <td>Mining for coal</td> <td>0 - 500000 T annual production capacity</td> </tr> </tbody> </table>	Scheduled Activity	Fee Based Activity	Scale	Coal works	Coal works	0 - 2000000 T annual handing capacity	Mining for coal	Mining for coal	0 - 500000 T annual production capacity	Coal Extraction Records Coal Handling Records Haulage Records	<p>The site has completed mining activities, and therefore tonnage of coal works and mining for coal is no longer relevant. However the audit period includes the final months of the mining activities, and the 2019 tonnage is provided, and is well within licence limits.</p> <p>According to ARs for the audit period, 470,119 t of coal was extracted from the site in 2019, therefore Rocglen is considered compliant with this condition.</p>	C	N/A
Scheduled Activity	Fee Based Activity	Scale												
Coal works	Coal works	0 - 2000000 T annual handing capacity												
Mining for coal	Mining for coal	0 - 500000 T annual production capacity												
A2 Premises or plant to which this licence applies														
A2.1	<p>The licence applies to the following premises:</p> <p>Premises Details</p> <p>ROCGLLEN COAL MINE</p> <p>WEAN ROAD</p> <p>GUNNEDAH</p> <p>NSW 2380</p> <p>THE LAND BOUND WITHIN MINING LEASES ML1662 & ML1620 AS SHOWN ON THE MAP ENTITLED 'FIGURE 1 - ROCGLLEN COAL MINE EPL MONITORING SITES' RECEIVED BY THE EPA ON 24 APRIL 2017 (DOC17/291855).</p>	N/A	Noted.	Note	N/A.									
A3 Information supplied to the EPA														
A3.1	<p>Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.</p> <p>In this condition the reference to "the licence application" includes a reference to:</p> <p>a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and</p> <p>b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</p>	N/A	Compliance with this is assessed throughout this document.	N/A	N/A									

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations																				
2. Discharges to Air and Water and Applications to Land																									
P1 Location of monitoring/discharge points and areas																									
P1.1	The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.	N/A	Noted.	N/A.	N/A																				
P1.2	<p>The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.</p> <p style="text-align: center;">Air</p> <table border="1"> <thead> <tr> <th>EPA identification no.</th> <th>Type of Monitoring Point</th> <th>Type of Discharge Point</th> <th>Location Description</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>Ambient air monitoring</td> <td></td> <td>Location labelled BD4 (Surrey) as shown on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).</td> </tr> <tr> <td>6</td> <td>Ambient air monitoring</td> <td></td> <td>Location labelled BD6 (Roseberry) as shown on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).</td> </tr> <tr> <td>10</td> <td>Ambient air monitoring</td> <td></td> <td>PM10 monitoring location on the property 'Roseberry' labelled 'BA2' on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).</td> </tr> <tr> <td>17</td> <td>Ambient air monitoring</td> <td></td> <td>Real time air quality monitor located on the property 'Roseberry' labelled 'BR1' on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).</td> </tr> </tbody> </table>	EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	4	Ambient air monitoring		Location labelled BD4 (Surrey) as shown on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).	6	Ambient air monitoring		Location labelled BD6 (Roseberry) as shown on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).	10	Ambient air monitoring		PM10 monitoring location on the property 'Roseberry' labelled 'BA2' on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).	17	Ambient air monitoring		Real time air quality monitor located on the property 'Roseberry' labelled 'BR1' on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).	<p>N/A</p> <p>Continuous TEOM PM10 monitoring data</p> <p>HVAS Monitoring Data</p> <p>ROC-CCC Environmental Monitoring Report December 2021.pdf</p> <p>Annual Reviews</p> <p>Annual Returns</p> <p>EPL monthly monitoring reports</p>	<p>All points were monitored for ambient air characteristics, including deposited dust monitoring (at Point 4 and 6), PM₁₀ (at Point 10) and air quality at point 17. The monitoring points at Roseberry were observed by the auditors and were identified to be in a reasonable condition and suitable for the intended purposes.</p> <p>See Section M2.2 for more information.</p>	C	N/A
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description																						
4	Ambient air monitoring		Location labelled BD4 (Surrey) as shown on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).																						
6	Ambient air monitoring		Location labelled BD6 (Roseberry) as shown on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).																						
10	Ambient air monitoring		PM10 monitoring location on the property 'Roseberry' labelled 'BA2' on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).																						
17	Ambient air monitoring		Real time air quality monitor located on the property 'Roseberry' labelled 'BR1' on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).																						
P1.3	<p>The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.</p> <p style="text-align: center;">Water and Land</p> <table border="1"> <thead> <tr> <th>EPA identification no.</th> <th>Type of Monitoring Point</th> <th>Type of Discharge Point</th> <th>Location Description</th> </tr> </thead> <tbody> </tbody> </table>	EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	<p>EPL Monitoring D</p> <p>Wet Weather Discharge Monitoring Spreadsheet</p> <p>Annual Returns</p> <p>Water Management Plan</p> <p>Site observations</p>	<p>There are two Licenced Discharge Points (LDPs) nominated in the current EPL 12870, LDP11 to the south of the site, and LDP12 to the north of the site.</p> <p>According to the records available to ERM, wet weather discharges from LDP11 included the following events:</p> <ul style="list-style-type: none"> 9th February 2020 	C	N/A																
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description																						

Item	Assessment Requirement			Reference/ Evidence	Comments	Compliance	Recommendations	
11	Wet weather discharge	Wet Weather Discharge	Discharge location labelled 'LDP11' on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).		<ul style="list-style-type: none"> ■ 10th March 2021 ■ 15th March 2021 ■ 10th June 2021 ■ 13th October 2021 ■ 8th November 2021 ■ 22nd November 2021 ■ 8th December 2021 <p>Wet weather discharges from LDP12 during the audit period included the following:</p> <ul style="list-style-type: none"> ■ 15th March 2021 ■ 25th March 2021 ■ 22nd November 2021 ■ 8th December 2021. <p>Ambient water quality monitoring at Point 13 included the following:</p> <ul style="list-style-type: none"> ■ 1st April 2019 ■ 12th February 2020 ■ 15th March 2021 ■ 10th June 2021 ■ 8th November 2020 ■ 22nd November 2021 ■ 8th December 2021 <p>Ambient water quality monitoring at Point 14 included the following:</p> <ul style="list-style-type: none"> ■ 1st April 2019 ■ 15th March 2021 ■ 10th June 2021 ■ 13th October 2021 ■ 8th November 2021 ■ 22nd November 2021 ■ 8th December 2021 ■ 28th March 2022 <p>Ambient water quality monitoring at Point 15 was only undertaken on 10th June 2021.</p> <p>Surface water quality monitoring was recorded for Point 16 on 25th March 2021.</p> <p>All points listed are included in the EPL Monitoring Data documents and ERM did not identify evidence of failure to monitor any required points, therefore Rocglen is compliant with this condition. See Section M2.3 for more information.</p>			
	Discharge water quality monitoring	Discharge water quality monitoring	Discharge location labelled 'LDP12' on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).					
	12	Wet Weather Discharge	Wet Weather Discharge					Discharge location labelled 'LDP12' on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).
	13	Ambient water quality monitoring						Monitoring location to the north-west of the mining lease labelled 'Driggle Draggie Creek (DDCK) on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).
	14	Ambient water quality monitoring						Monitoring location to the south of the mining lease labelled 'Unnamed Drainage Channel (UNDC)' on the map entitled 'Figure 1 – Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).
	15	Ambient water quality monitoring						Monitoring location on the eastern side of the mining lease labelled 'SD7' on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).
16	Surface Water Quality Monitoring		Monitoring location labelled 'Void Water Dam' on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).					
P1.4	The following point(s) in the table are identified in this licence for the purpose of the monitoring of weather parameters at the point.			EPL Monitoring Data Annual Returns Annual Reviews Site observations	Weather monitoring point W1 identified in Figure 1 – EPL 12870 Monitoring Locations aerial map in the EPL Monitoring data documents. ERM was unable to visually inspect the meteorological weather station due to the condition of the road to the location of the equipment. The station was observable from a	C	N/A	
	EPA identification no.	Type of Monitoring Point	Location Description					

Item	Assessment Requirement		Reference/ Evidence	Comments	Compliance	Recommendations	
	W1	Weather Analysis	Weather station as shown on the map entitled 'Rocglen EPL 12870 Weather Station Relocation' received by the EPA on 20 September 2021 (DOC21/914970).		<p>distance and ERM was able to review the real-time meteorological data and records of data obtained by the weather station.</p> <p>The real-time data provided outputs for the required analytes and examples of failure to measure in accordance with the guideline were not identified.</p> <p>ERM did not identify any examples of non-compliances against this condition, however it is noted that the weather station was unable to be physically inspected.</p>		

3 LIMIT CONDITIONS

L1 Pollution of Waters

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.	Annual Returns EPL Monitoring Data Wet Weather Discharge Monitoring Records Groundwater Monitoring Results Air Quality Data Complaints Register	<p>The site has generally maintained compliance with the monitoring requirements of the EPL throughout the audit period. Exceptions to this tend to be limited to equipment failures or attributable to regional conditions and/or not to site operations. Complaints associated with environmental impacts were not identified during the audit period exceedances of environmental criteria were limited and did not indicate gross contamination or pollution.</p> <p>Applied limits relate to Point 11 and 12 against Oil and Grease, pH, and Total Suspended Solids.</p> <ul style="list-style-type: none"> ■ The acceptable pH is between 6.5 - 8.5 for Points 11 and 12 only. pH was within the allowable range for the audit period. ■ The limit for Oil and Grease is 10 mg/L (100 percentile concentration limit). There were no exceedances recorded for Oil and Grease during the audit period. ■ The limit for Total Suspended Solids is 50 mg/L (applicable to Points 11 and 12 only) (100 percentile concentration limit). Total suspended solids exceeded the limit on multiple occasions, which occurred following wet weather events and the TSS limit was therefore not applicable. However one event at Point 11 with a result of 370 mg/L in December 2020 was not able to be attributed to a wet weather event based on the information available to ERM, however the rainfall data from BOM indicates that heavy rainfall was experienced in the Gunnedah region at this time, therefore it is highly likely that this event was also a wet weather discharge event. 	C	In response to the similarities between EPL Monitoring reports from March and April 2021, the Site should ensure that the data is being reported correctly and the reports should be updated to reflect correct data for each month.
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Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
			Instances of pollution were generally not identified in the records observed by ERM. The exceedance of the TSS limit in December 2020 was not recorded in the Wet Weather Discharge Monitoring Records spreadsheet, therefore it is unclear whether the TSS limit applies to this event or not. However, given records available to ERM, it is likely that this event was attributable to a wet weather discharge event. Therefore, Rocglen is considered compliant with this condition.		

L2 Concentration Limits

L2.1	For each monitoring/discharge point or utilisation area specified in the table(s) below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	N/A	See L1.1 for details.	N/A	N/A																								
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.	EPL Monitoring summary	See L1.1 for details.	N/A	N/A																								
L2.3	To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table(s).	N/A	Noted.	Note	N/A																								
L2.4	Water and/or Land Concentration Limits POINT 11,12	EPL Monitoring data Wet Weather Discharge Records Annual Returns Laboratory Analysis Documents	Monitoring was observed to have been undertaken during discharge events and reported in the Annual Reviews and assessed for compliance in the Annual Returns. Exceedances of the discharge limits were not identified with the exception of TSS for one event in December 2020 that was likely attributable to wet weather discharge and therefore not considered an exceedance for TSS. Monitoring and analysis methodologies were generally considered to be appropriate for the analytes assessed, however pH was identified in the laboratory documentation as being analysed beyond the recommended holding time, as a result the pH results are potentially unreliable. In addition, it was identified that when wet weather discharge events occur, although TSS limits do not apply in accordance with Condition L2.5, pH and oil & grease results are not always being assessed for compliance. ERM did not identify TOC results within the EPL monitoring data PDFs provided on the website for all samples reviewed, however the lab certificates demonstrated that the testing had been undertaken. Site management reported that the wet weather discharge points regularly do not flow even	NC	It is recommended that the site conduct in situ pH and conductivity monitoring to ensure results are reliable. Ensure that future wet weather discharge events results are compared against the licence criteria for pH and oil & grease during wet weather events. Update the website to ensure that all monitoring data required to be recorded is provided. Review the suitability of the wet weather discharge monitoring points and engage with the EPA to ensure that wet weather discharges are not occurring that are not being subject to monitoring.																								
	<table border="1"> <thead> <tr> <th>Pollutant</th> <th>Unit of measure</th> <th>50 percentile concentration limit</th> <th>90 percentile concentration limit</th> <th>3DGM concentration limit</th> <th>100 percentile concentration limit</th> </tr> </thead> <tbody> <tr> <td>Oil and grease</td> <td>milligrams per litre</td> <td></td> <td></td> <td></td> <td>10</td> </tr> <tr> <td>pH</td> <td>pH</td> <td></td> <td></td> <td></td> <td>6.5 – 8.5</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td></td> <td></td> <td></td> <td>50</td> </tr> </tbody> </table>	Pollutant	Unit of measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit	Oil and grease	milligrams per litre				10	pH	pH				6.5 – 8.5	Total suspended solids	milligrams per litre				50				
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Total suspended solids	milligrams per litre				50																								

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations										
			though dam overtopping events occur, due to the monitoring points being located away from the dams and the water dispersing along a broad area prior to reaching the monitoring point. Therefore, there are discharges occurring that are not being monitored.												
L2.5	<p>The Total Suspended Solids concentration limits specified for Points 11 and 12 may be exceeded for water discharged provided that:</p> <p>(a) the discharge occurs solely as a result of rainfall measured at the premises that exceeds 38.4 millimetres over any consecutive 5-day period immediately prior to the discharge occurring; and</p> <p>(b) all practical measures have been implemented to dewater all sediment dams within 5 days of rainfall such that they have sufficient capacity to store run off from a 38.4 millimetre, 5-day rainfall event.</p> <p>Note: 38.4 mm equates to the 5 day 90%ile rainfall depth for Gunnedah sourced from Table 6.3a Managing Urban Stormwater: Soils and Construction Volume 1: 4th edition, March 2004.</p>	<p>Water Management Plan</p> <p>Site Observations</p> <p>Wet Weather Discharge Records</p> <p>Annual Returns</p>	<p>During the audit period, the discharge events at Points 11 and 12 only occurred as a result of rainfall exceeding the 38.4 mm limit over a 5 day period preceding the discharge event, as evidenced by the weather monitoring data.</p> <p>The site maintains dams with sufficient freeboard storage capacity to store a 38.4 mm rainfall event and actively reduce water levels prior to anticipated rainfall events.</p> <p>Therefore the TSS limits did not apply during the wet weather discharge events from the audit period and no examples of non-compliance were identified.</p>	C	N/A										
L3 Waste															
L3.1	Reject material from the Whitehaven CHPP can be disposed of at the premises in accordance with the Project Approval 10_0015 as modified.	Note	This condition is addressed in Schedule 2, Condition 6c and Schedule 3, Conditions 28 - 29 of the Planning Approval table.	N/A	N/A										
L4 Noise limits															
L4.1	<p>Noise generated at the premises must not exceed the noise limits in the table below.</p> <table border="1"> <thead> <tr> <th>Locality and Location</th> <th>Day- LAeq (15 minute)</th> <th>Evening- LAeq (15 minute)</th> <th>Night- LAeq (15 minute)</th> <th>Night- LA1 (1 minute)</th> </tr> </thead> <tbody> <tr> <td>All surrounding residences</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> </tbody> </table>	Locality and Location	Day- LAeq (15 minute)	Evening- LAeq (15 minute)	Night- LAeq (15 minute)	Night- LA1 (1 minute)	All surrounding residences	35	35	35	45	<p>Noise Monitoring Reports</p> <p>Notice of Intent to Commence Demolition Work</p> <p>Attended Noise Monitoring Results</p> <p>Letter from EPA</p>	<p>Quarterly noise monitoring results:</p> <p>There are seven attended noise monitoring reports conducted by SLR and Wilkinson Murray in 2020, that were sighted for the audit, from quarters 1-4 in 2019 and quarters 1-3 in 2020. There were no recorded non-compliances.</p> <p>As noted in the SafeWork NSW 'Notice of intent to commence demolition work' dated 21/10/2019, no explosives were used in the demolition works conducted at the Site in 2019. Demolition works were part of the decommissioning of the site and included removal of pavement and remnant concrete, demountable buildings, footings and services, as described in the Liberty Industrial 'Fixed Plant and Infrastructure Decommissioning Study' for the Rocglen and Sunnyside Coal Mine sites, dated 10/07/2019. Awareness of compliance with noise requirements and regulations was noted within this document.</p> <p>Night works have now ceased at the Rocglen mine site, so these limits are not currently</p>	C	N/A
Locality and Location	Day- LAeq (15 minute)	Evening- LAeq (15 minute)	Night- LAeq (15 minute)	Night- LA1 (1 minute)											
All surrounding residences	35	35	35	45											

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
			<p>relevant, however night works were conducted at the beginning of this audit period in 2019, and as such these noise monitoring results have been included in this audit.</p> <p>The EPL has been amended during the audit period to no longer require noise monitoring, however the limits remain. Proof of this was sighted in an email from an EPA officer, approving the amended licence requirements. This is as a result of the site being decommissioned and now in a rehabilitation phase. Noise-producing activities are now limited and restricted to day time hours.</p> <p>Approval of new noise management plan from EPA was dated from 21/09/2020 and a 19/4/21 dated letter from the EPA provided notice that a variation of the EPL included removal of licence requirements for noise monitoring. An email in September 2020 from Simon Lund stated the EPA was satisfied with the removal of the noise monitoring requirements from the EPL. As a result, Rocglen are compliant with this condition.</p>		
L4.2	<p>The noise limits identified in the above table do not apply at privately owned residences that are:</p> <p>a) identified as residences subject to acquisition or noise mitigation on request within the Project Approval; or b) subject to a private agreement, relating to the noise levels, between the licensee and the land owner.</p>	N/A	<p>There are two Whitehaven-owned residences on the opposite side of Wean Road to the mine site. There are no residences subject to acquisition/noise mitigation or private agreement relating to noise levels.</p>	Note	N/A
L4.3	<p>For the purpose of the table above:</p> <p>a) Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays; b) Evening is defined as the period from 6pm to 10pm; c) Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.</p>	Operational Noise Monitoring Records	<p>The auditors reviewed the noise monitoring reports and confirmed that Day, Evening, and Night periods were all monitored for noise levels when noise monitoring was a requirement of the Site, separated as the hours specified here.</p>	C	N/A
L4.4 Determining Compliance					
L4.4	<p>To determine compliance:</p> <p>a) with the Leq(15 minute) noise limits in the Noise Limits table, the noise measurement equipment must be located:</p> <p>i) approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or ii) within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable</p>	<p>Noise Monitoring Reports</p> <p>Real time noise monitoring records</p> <p>Attended noise monitoring data</p> <p>Demolition records</p>	<p>Noise monitoring reports include the requirements listed against this condition in the methodology sections, indicating that monitoring was carried out in accordance with these requirements. ERM was unable to observe noise monitoring being undertaken as it has ceased for the site. Noise surveys were conducted over three consecutive days, quarterly, at two locations (ID numbers - N1 and N2) surrounding</p>	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	<p>iii) within approximately 50 metres of the boundary of a National Park or a Nature Reserve.</p> <p>b) with the LA1(1 minute) noise limits in the Noise Limits table, the noise measurement equipment must be located within 1 metre of a dwelling façade.</p> <p>c) with the noise limits in the Noise Limits table, the noise measurement equipment must be located:</p> <p>i) at the most affected point at a location where there is no dwelling at the location; or</p> <p>ii) at the most affected point within an area at a location prescribed by part (a) or part (b) of this condition.</p>		<p>the mine during the day, evening and night-time periods, in both 2019 and 2020.</p> <p>Most site related noise events were measured as inaudible (I/A) for the 2019 monitoring period. Measurements are recorded at two locations: Location N1 (Retreat) and Location N2 (Surrey). ERM considers Rocglen compliant with the requirements of this condition.</p>		
L4.5	<p>The noise limits set out in the Noise Limits table apply under all meteorological conditions except for the following:</p> <p>a) Wind speeds greater than 3 metres/second at 10 metres above ground level; or</p> <p>b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or</p> <p>c) Stability category G temperature inversion conditions.</p> <p>For the purposes of this condition:</p> <p>a) Data recorded by the meteorological station identified as EPA Identification Point(s) W1 must be used to determine meteorological conditions; and</p> <p>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.</p>	<p>Find examples where noise limits were in exceedance, and noted that any of these conditions were present./checking where they have justified an exceedance based on these rules and confirm whether they are implemented properly.</p>	<p>The exclusions stated here are reported in all noise monitoring reports for the audit period.</p> <p>Weather conditions and other ambient noise sources are recorded during noise monitoring surveys to determine how much noise is a result of the Site and how much is not attributable to Site operations. Ambient noise sources include transport, fauna, the natural environment (e.g. wind), and domestic noises.</p> <p>(a) Data recorded by the meteorological station identified as EPA Identification Point(s) W1 is stated in the reports as informing meteorological conditions.</p> <p>(b) Temperature inversion conditions (stability category) are determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.</p> <p>Rocglen are considered to be compliant with this condition.</p>	C	N/A
L4.6	<p>For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.</p>	<p>Operational Noise Monitoring records</p>	<p>The Operational Noise Monitoring documents sighted for each quarter for 2019, and quarters 1 to 3 for 2020 include the requirement that the modification factors in Section 4 of the NSW Industrial Noise Policy be applied to the measured noise levels where applicable. Noise monitoring was carried out by qualified consultants and this requirement was included in their methodology statement, therefore Rocglen are considered compliant with the requirements of this condition.</p>	C	N/A
L4.7	<p>The noise limits set by this licence do not apply where a current legally binding agreement exists between the licensee and the occupant of a residential property that:</p> <p>a) agrees to an alternative noise limit for that property; or</p> <p>b) provides an alternative means of compensation to address noise impacts from the premises.</p> <p>A copy of any agreement must be provided to the EPA before the licensee can take advantage of the agreement.</p>	<p>NT</p>	<p>This requirements of this condition were not triggered during the audit period.</p>	<p>NT</p>	<p>N/A</p>

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
L5 Blasting					
L5.1	The airblast overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	Blast Checklists and Monitoring Records	Overpressure and vibration measurements for blasts were sighted in the Blast Checklist documents, dated 24/01/2019, 07/02/2019, 15/02/2019, 8/03/2019, 28/03/2019, 03/03/2019, 13/05/2019, 18/06/2019. Both the Surrey and Retreat Monitor locations were measured for Peak Overpressure/Air Blast (dB) and Peak Vibration/Resultant (mm/s) for all blast events. All Peak Overpressure/Air Blast (dB) and Peak Vibration/Resultant (mm/s) measurements were reported below the threshold criteria.	C	N/A
L5.2	The airblast overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	Blast Checklists and Monitoring Records	Refer to L5.1	C	N/A
L5.3	Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 5mm/sec at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	Blast Checklists and Monitoring Records	Refer to L5.1	C	N/A
L5.4	Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/sec at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	Blast Checklists and Monitoring Records	Refer to L5.1	C	N/A
L5.5	Offensive blast fume must not be emitted from the premises. Definition: Offensive blast fume means post-blast gases from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances: 1. are harmful to (or likely to be harmful to) a person that is outside the premises from which it is emitted, or 2. interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.	Blast Checklists and Monitoring Records Complaints Register	No blast fumes were noted in the Blast Checklist documents. One occurrence was noted in the Blast Checklist document dated 28/03/2019 of a minor dust cloud occurrence. It was noted that it did not leave the pit/overburden dump area. The weather observations were included in the Blast Checklist documents showing that it is reviewed before each blast is conducted. This includes the checking of wind direction, which would impact blast fume emission to surrounding receptors. Blasts were noted to be postponed on the occasion that the weather was not suitable for blast conduction. This was observed in the 24/01/2010 Blast Checklist document, whereby the blast was postponed three hours as the conditions forecasted were unsuitable for blasting.	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
			No complaints related to offensive fumes were recorded during the audit period, therefore ERM considers Rocglen compliant with this condition.		
4 OPERATING CONDITIONS					
O1 Activities must be carried out in a competent manner					
O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	Waste Management Plan Site observations Official Caution from EPA – 30/7/21	(a) The auditors observed that in general, the processing, handling, movement and storage of materials and substances used as part of the Rocglen operations were considered to be appropriate. However examples of failure to appropriately store oil and coolant IBCs were observed on-site. IBCs in the workshop area were in a concreted area with a rollover bund. Some IBCs were stored on racking within the bund such that a leak from the container has the potential to project the material outside of the bunded area. (b) Compliance with waste management requirements is addressed in the Planning Approval table, Schedule 3, Condition 32.	NC	Place IBCs within the bunded area such that material released in the event of a leak is unable to move outside of the bunded area.
O2 Maintenance of plant and equipment					
O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	N/A	The requirements of this condition are addressed in Schedule 2, Condition 11 of the Planning Approval table.	N/A	N/A
O3 Dust					
O3.1	All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.	N/A	The requirements of this condition are addressed in Schedule 3, Condition 16 of the Planning Approval table.	N/A	N/A
O3.2	Trucks transporting coal from the premises must be covered immediately after loading to prevent wind blown emissions and spillage. The covering must be maintained until immediately before unloading the trucks.	Traffic Management Plan Complaints Register Annual Returns	The Traffic Management Plan requires trucks transporting coal from the site to be covered immediately after loading. Complaints from the community related to dust or spillage from trucks were not identified from the audit period. Site inductions were undertaken for staff and drivers, and examples of non-compliance with this condition were not identified during the audit.	C	N/A
O4 Other Operating Conditions					
Blast fumes					

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
O4.1	<p>Offensive blast fume must not be emitted from the premises.</p> <p>Definition: Offensive blast fume means post-blast gases (whether visible or invisible, odorous or odourless) from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances:</p> <p>(i) are harmful to (or is likely to be harmful to) a person that is outside the premises from which it is emitted, or</p> <p>(ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.</p>	N/A	Noted. See findings against condition L5.5 for an assessment of compliance.	Note	N/A
O4.2	<p>Pollution Incident Response Management Plan</p> <p>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.</p>	Pollution Incident Response Management Plan	A PIRMP is in place for the site that documents the notification requirements in the event of a pollution event. The document does not include procedures to be followed to manage pollution events beyond notification to Whitehaven and relevant agencies. The Environmental Management Strategy states that the responses to individual situations are recorded in an Emergency Management Plan for the site which includes both health & safety and environmental considerations. Therefore Rocglen is considered compliant with this condition.	C	N/A
O4.3	The licensee must keep the PIRMP on the premises at all times.	Site observations	The auditors observed a copy of the PIRMP at the premises.	C	N/A

5 MONITORING AND RECORDING CONDITIONS

M1 Monitoring Records					
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	<p>EPL Monitoring Data</p> <p>Annual Returns</p> <p>Wet Weather Monitoring Spreadsheet</p>	<p>Monitoring results required under this licence were recorded and retained in various spreadsheets and PDFs and were generally observable on the Rocglen website, with exceptions identified limited to mistakes in preparing the documents and not failure to obtain the monitoring results.</p> <p>ERM reviewed results related to surface water, ground water, noise, blast and dust monitoring data and did not identify any examples of non-compliance with this condition.</p>	C	N/A
M1.2	<p>All records required to be kept by this licence must be:</p> <p>a) in a legible form, or in a form that can readily be reduced to a legible form;</p> <p>b) kept for at least 4 years after the monitoring or event to which they relate took place; and</p> <p>c) produced in a legible form to any authorised officer of the EPA who asks to see them.</p>	<p>EPL Monitoring Data</p> <p>Annual Returns</p>	<p>All records required for the licence reviewed by ERM were considered to be in compliance with this condition.</p> <p>Records reviewed were found to be:</p>	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations																								
			<p>a) in a legible form, or in a form that can readily be reduced to a legible form;</p> <p>b) kept for at least 4 years after the monitoring or event to which they relate took place; and</p> <p>c) produced in a legible form to any authorised officer of the EPA who asks to see them.</p>																										
M1.3	<p>The following records must be kept in respect of any samples required to be collected for the purposes of this licence:</p> <p>a) the date(s) on which the sample was taken;</p> <p>b) the time(s) at which the sample was collected;</p> <p>c) the point at which the sample was taken; and</p> <p>d) the name of the person who collected the sample.</p>	<p>Laboratory Certificates of Analysis</p> <p>Monitoring Spreadsheets</p> <p>Chain of Custody Documentation</p>	<p>ERM reviewed documentation related to the sampling undertaken at the site and identified the following:</p> <ul style="list-style-type: none"> ■ The name of the person who collected the sample is not included in the EPL monitoring data report, however these are recorded in the Chains of Custody (COCs). ■ The records of the remaining details are generally included in the Certificates of Analysis. 	C	N/A																								
M2 Requirement to monitor concentration of pollutants discharged																													
M2.1	<p>For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:</p>	N/A	Noted. In general, monitoring was identified to be undertaken in accordance with the licence.	Note	N/A																								
M2.2	<p>Air Monitoring Requirements</p> <p>POINT 4,6</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Particulates – Deposited Matter</td> <td>grams per square metre per month</td> <td>Continuous</td> <td>AM-19</td> </tr> </tbody> </table> <p>POINT 10</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>PM10</td> <td>micrograms per cubic metre</td> <td>Every 6 days</td> <td>AM-18</td> </tr> </tbody> </table> <p>POINT 17</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>PM10</td> <td>micrograms per cubic metre</td> <td>Continuous</td> <td>AM-22</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	Particulates – Deposited Matter	grams per square metre per month	Continuous	AM-19	Pollutant	Units of measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Every 6 days	AM-18	Pollutant	Units of measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Continuous	AM-22	<p>EPL Monitoring Data</p> <p>ROC-CCC Environmental Monitoring Reports</p> <p>Annual Returns</p> <p>Air Quality Monitoring Records</p>	<p>ERM reviewed the monitoring data associated with air quality and found that the points identified in this condition were monitored during the audit period. The units of measurement were in accordance with this condition and the sampling methodology was consistent with those required under this condition.</p> <p>In relation to frequency of monitoring, some data were not captured at the required frequency during the audit period due to data interruption, power failure or calibration error in the continuous monitoring equipment, however these interruptions were generally not a result of failure to monitor and therefore Rocglen are considered compliant with this condition.</p>	C	N/A
Pollutant	Units of measure	Frequency	Sampling Method																										
Particulates – Deposited Matter	grams per square metre per month	Continuous	AM-19																										
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M2.3	<p>Water and/ or Land Monitoring Requirements</p> <p>POINT 11,12</p>	<p>EPL Monitoring Data</p> <p>Annual Returns</p>	ERM reviewed the monitoring data associated with the water monitoring for the site.	NC	Utilise the in situ sampling method for conductivity and pH.																								

Item	Assessment Requirement				Reference/ Evidence	Comments	Compliance	Recommendations
	Pollutant	Units of measure	Frequency	Sampling Method		<p>Points 11 and 12 were monitored for Conductivity, Oil & Grease, pH, Total Organic Carbon, and Total Suspended Solids at Special Frequency 1, in 2019, 2020, 2021 and 2022. The units of measurement were consistent with those required under this condition. Sampling was predominantly undertaken by ALS, with a minor quantity of sampling events undertaken in-house. Sampling methods were consistent with the requirements of this table for the ALS sampling events, however where sampling was undertaken internally, pH and conductivity were not sampled using in situ methods. For these samples pH and conductivity analyses were undertaken at the laboratory and the holding times of the samples were exceeded according to the laboratory documentation reviewed by ERM.</p> <p>Points 13, 14 and 15 were measured for Conductivity, Oil & Grease, pH, Total Organic Carbon, and Total Suspended Solids, at Special Frequency 2, in 2019, 2020, 2021 and 2022 according to the records observed by ERM. Conductivity and pH were not analysed using in situ methods.</p> <p>Point 16 was measured for Aluminium, Arsenic, Bicarbonate, Chloride, Iron, Manganese, Sodium yearly; and Conductivity, Oil & Grease, pH, TOC and TSS quarterly, in 2019, 2020, 2021 and 2022. Chloride results were not available in the 2019 monitoring data, however was reported in subsequent monitoring records. Conductivity and pH were not analysed using in situ methods.</p>		
	Conductivity	microsiemens per centimetre	Special Frequency 1	In situ				
	Oil and Grease	milligrams per litre	Special Frequency 1	Grab sample				
	pH	pH	Special Frequency 1	In situ				
	Total organic carbon	milligrams per litre	Special Frequency 1	Grab sample				
	Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample				
	POINT 13,14,15							
	Pollutant	Units of measure	Frequency	Sampling Method				
	Conductivity	microsiemens per centimetre	Special Frequency 2	In situ				
	Oil and Grease	milligrams per litre	Special Frequency 2	Grab sample				
	pH	pH	Special Frequency 2	In situ				
	Total organic carbon	milligrams per litre	Special Frequency 2	Grab sample				
	Total suspended solids	milligrams per litre	Special Frequency 2	Grab sample				
	POINT 16							
	Pollutant	Units of measure	Frequency	Sampling Method				
	Aluminium	milligrams per litre	Yearly	Grab sample				
	Arsenic	milligrams per litre	Yearly	Grab sample				
	Bicarbonate	milligrams per litre	Yearly	Grab sample				
	Chloride	milligrams per litre	Yearly	Grab sample				
	Conductivity	microsiemens per centimetre	Quarterly	In situ				
	Iron	milligrams per litre	Yearly	Grab sample				
	Manganese	milligrams per litre	Yearly	Grab sample				
	Oil and Grease	milligrams per litre	Quarterly	Grab sample				

Item	Assessment Requirement				Reference/ Evidence	Comments	Compliance	Recommendations
	pH	pH	Quarterly	In situ				
	Sodium	milligrams per litre	Yearly	Grab sample				
	Total organic carbon	milligrams per litre	Quarterly	Grab sample				
	Total suspended solids	milligrams per litre	Quarterly	Grab sample				
M2.4	For the purposes of the table(s) above Special Frequency 1 means the collection of samples as soon as practicable after each discharge commences and in any case not more than 12 hours after each discharge commences.				N/A	Noted.	Note	N/A
M2.5	For the purposes of the table(s) above Special Frequency 2 means the collection of samples quarterly (in the event of a flow during the quarter) at a time when there is flow and as soon as practicable after each wet weather discharge from points 11 and 12 commences and in any case not more than 12 hours after each discharge commences. Note: Groundwater monitoring is not included in the EPL as this is addressed in the Department of Planning and Environments' project approvals. Groundwater monitoring must be undertaken in accordance with the currently approved water management plan.				N/A	Noted.	Note	N/A
M2.6	At Monitoring Point 16, monitoring is not required when the monitoring site is dry or inadequate water is available to collect a sample.				N/A	Noted.	Note	N/A
M3 Testing methods – concentration limits								
M3.1	Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with: a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place. Note: The Protection of the Environment Operations (Clean Air) Regulation 2021 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".				Air Quality and Greenhouse Gas Management Plan Annual Returns EPL Monitoring Data	The air quality management measures employed for the project are based on the recommendations of the NSW Coal Mining Benchmarking Study: International Best Practice Measures to Prevent and/or Minimise Emissions of Particulate Matter from Coal Mining (Donnelly et al., 2011) (the Best Practice Report), a study that was commissioned by the NSW EPA. ERM did not identify any examples of failure to monitor pollutant concentrations not in accordance with methodologies required under the act or otherwise approved by the EPA.	C	N/A
M3.2	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.				Water Management Plan	Monitoring is generally undertaken by ALS, or by site staff depending on the nature of the monitoring. In general, ERM found that the methodology employed was in accordance with the requirements of the approved methods publication.	C	N/A
M4 Weather monitoring								

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations																																																		
M4.1	For each monitoring point specified in the table below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.	N/A	Noted. The site conducts monitoring of the parameters listed in the table.	Note	N/A																																																		
	<p>POINT W1</p> <table border="1" data-bbox="278 506 1308 1478"> <thead> <tr> <th>Parameter</th> <th>Units of measure</th> <th>Frequency</th> <th>Averaging period</th> <th>Sampling method</th> </tr> </thead> <tbody> <tr> <td>Rainfall</td> <td>mm/h</td> <td>Continuous</td> <td>1 hour</td> <td>AM-4</td> </tr> <tr> <td>Wind Speed @ 10 metres</td> <td>m/s</td> <td>Continuous</td> <td>15 minutes</td> <td>AM-2 & AM-4</td> </tr> <tr> <td>Wind Direction @ 10 metres</td> <td>°</td> <td>Continuous</td> <td>15 minutes</td> <td>AM-2 & AM-4</td> </tr> <tr> <td>Temperature @ 2 metres</td> <td>°C</td> <td>Continuous</td> <td>15 minutes</td> <td>AM-4</td> </tr> <tr> <td>Temperature @ 10 metres</td> <td>°C</td> <td>Continuous</td> <td>15 minutes</td> <td>AM-4</td> </tr> <tr> <td>Sigma theta @ 10 metres</td> <td>°</td> <td>Continuous</td> <td>15 minutes</td> <td>AM-2 & AM-4</td> </tr> <tr> <td>Solar Radiation</td> <td>W/m2</td> <td>Continuous</td> <td>15 minutes</td> <td>AM-4</td> </tr> <tr> <td>Additional Requirements: - Siting</td> <td>-</td> <td>-</td> <td>-</td> <td>AM-1 & AM-4</td> </tr> <tr> <td>Additional Requirements: - Measurement</td> <td>-</td> <td>-</td> <td>-</td> <td>AM-2 & AM-4</td> </tr> </tbody> </table>	Parameter	Units of measure	Frequency	Averaging period	Sampling method	Rainfall	mm/h	Continuous	1 hour	AM-4	Wind Speed @ 10 metres	m/s	Continuous	15 minutes	AM-2 & AM-4	Wind Direction @ 10 metres	°	Continuous	15 minutes	AM-2 & AM-4	Temperature @ 2 metres	°C	Continuous	15 minutes	AM-4	Temperature @ 10 metres	°C	Continuous	15 minutes	AM-4	Sigma theta @ 10 metres	°	Continuous	15 minutes	AM-2 & AM-4	Solar Radiation	W/m2	Continuous	15 minutes	AM-4	Additional Requirements: - Siting	-	-	-	AM-1 & AM-4	Additional Requirements: - Measurement	-	-	-	AM-2 & AM-4	Weather Station Monitoring Data Site observations	ERM was unable to visually inspect the meteorological weather station due to the condition of the road to the location of the equipment. The station was observable from a distance and ERM was able to review the real-time meteorological data and records of data obtained by the weather station. Real-time data provided outputs for the required analytes continuously and examples of failure to measure were not identified. Sampling methods were reportedly in accordance with the methods described in the table. ERM did not identify any examples of non-compliances against this condition, however it is noted that the weather station was unable to be physically inspected. Notwithstanding this, the real-time data were available and calibration has been undertaken, therefore ERM does not consider it likely that non-compliances associated with this condition are likely to exist.	C	N/A
Parameter	Units of measure	Frequency	Averaging period	Sampling method																																																			
Rainfall	mm/h	Continuous	1 hour	AM-4																																																			
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Additional Requirements: - Siting	-	-	-	AM-1 & AM-4																																																			
Additional Requirements: - Measurement	-	-	-	AM-2 & AM-4																																																			
M4.2	The meteorological weather station must be maintained so as to be capable of continuously monitoring the parameters specified in this section.	Weather Station Monitoring Data Site observations	The meteorological weather station is subject to routine maintenance and calibration. The continuous data stream was reviewed and examples of failure to monitor continuously during the audit period were not identified.	C	N/A																																																		
M5 Recording of Pollution Complaints																																																							
M5.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	Community Complaints Register (2019, 2020, 2021, 2022) Rocglen Website	A summary of all complaints received either directly to the Site or via regulators are recorded on the Rocglen website, as well as in the ROC-Community Consultative Committee (CCC)	C	N/A																																																		

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
		Annual Returns	Environmental Monitoring Reports and Annual Returns.		
M5.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	Community Complaints Register (2019, 2020, 2021, 2022)	The complaints register includes details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken. Therefore Rocglen is considered compliant with this condition.	C	N/A
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Community Complaints Register (2019, 2020, 2021, 2022)	The Site retains records of complaints for each year are maintained from 2008 on the company website, which is greater than four years prior to the start of the audit period, therefore Rocglen is compliant with this condition.	C	N/A
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Site management interviews	According to site management, authorised officers of the EPA did not request to see the complaints record during the audit period, therefore this condition was not triggered.	NT	N/A
M6 Telephone complaints Line					
M6.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	ROC Complaints Registers for 2019, 2020, 2021 and 2022 Rocglen website Annual Returns	Rocglen maintains complaints registers covering the entirety of the audit period. Complaints recorded were limited to 1 telephone complaint in 2021 that related to erratic driving and tailgating. This complaint was investigated and closed out and is not considered to constitute environmental harm. The public is notified of complaints in the Community Consultative Committee meetings according to the meeting minutes. In addition, the complaints are reported in the Annual Returns and are presented on the Rocglen website. C	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
M6.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	Rocglen website	The telephone complaints line is listed on the Rocglen website (link: Rocglen Mine – Whitehaven Coal), with a preface of 'Contact us for more information, to provide feedback or to lodge a complaint.'	C	N/A
M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	N/A	The licence was issued greater than 3 months prior to the audit period, therefore this condition was not triggered.	NT	N/A

M7 Blasting

M7.1	<p>To determine compliance with condition(s) L5.1, L5.2, L5.3 and L5.4:</p> <p>a) Airblast overpressure and ground vibration levels experienced at the following noise sensitive locations must be measured and recorded for all blasts carried out in or on the premises and electronically recorded at points BB1 and BB3.</p> <p>b) Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard AS 2187.2-2006.</p> <p>Note: A breach of the licence will still occur where airblast overpressure or ground vibration levels from the blasting operations at the premises exceeds the limit specified in the conditions of this licence at any "noise sensitive locations" other than the locations identified in the above condition.</p> <p>M7.2 For the purpose of condition M7.1, the blast monitoring locations are described as:</p> <table border="1" data-bbox="278 1050 1314 1432"> <thead> <tr> <th>EPA Identification No.</th> <th>Description of Location</th> </tr> </thead> <tbody> <tr> <td>BB1</td> <td>Property 'Retreat' residence labelled 'BB1' on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017(DOC17/291855)</td> </tr> <tr> <td>BB3</td> <td>Property 'Surrey' residence labelled 'BB3' entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).</td> </tr> </tbody> </table>	EPA Identification No.	Description of Location	BB1	Property 'Retreat' residence labelled 'BB1' on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017(DOC17/291855)	BB3	Property 'Surrey' residence labelled 'BB3' entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).	<p>Blast records</p> <p>Blast checklists</p> <p>Noise monitoring reports</p>	Both BB1 and BB3 monitoring sites were assessed for airblast overpressure and ground vibration levels for each blast event, according to the Blast checklists.	C	N/A
EPA Identification No.	Description of Location										
BB1	Property 'Retreat' residence labelled 'BB1' on the map entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017(DOC17/291855)										
BB3	Property 'Surrey' residence labelled 'BB3' entitled 'Figure 1 - Rocglen Coal Mine EPL Monitoring Sites' received by the EPA on 24 April 2017 (DOC17/291855).										

6 Reporting Conditions

R1	Annual return documents				
R.1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: <ul style="list-style-type: none"> 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 	Annual Returns	The Annual Returns for the audit period were prepared according to the EPA preferred method using the online form. All of the required sections were completed, signed and submitted to the EPA for each year in the audit period.	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	<p>6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and</p> <p>7. a Statement of Compliance - Environmental Management Systems and Practices.</p> <p>At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.</p>				
R1.2	<p>An Annual Return must be prepared in respect of each reporting period, except as provided below.</p> <p>Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.</p>	Annual Returns	The Annual Returns were prepared and submitted to the EPA for each year in the audit period.	C	N/A
R1.3	<p>Where this licence is transferred from the licensee to a new licensee:</p> <p>a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and</p> <p>b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.</p> <p>Note: An application to transfer a licence must be made in the approved form for this purpose.</p>	Site management interviews	The licence was not transferred during the audit period, therefore this condition was not triggered.	NT	N/A
R1.4	<p>Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:</p> <p>a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or</p> <p>b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.</p>	Site management interviews	The licence was not surrendered during the audit period, therefore this condition was not triggered.	NT	N/A
R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	Annual Return submission records	The Annual Returns from years 2018, 2019 and 2020 were submitted on time via eConnect EPA.	C	N/A
R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.				
R1.7	<p>Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:</p> <p>a) the licence holder; or</p> <p>b) by a person approved in writing by the EPA to sign on behalf of the licence holder.</p>	Annual Returns	Annual Returns reviewed by ERM from the audit period included a signed Statement of Compliance.	C	N/A
R2	Notification of environmental harm				
	Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.	<p>Site management interviews</p> <p>Annual Returns</p> <p>Annual Reviews</p>	Environmental incidents were generally limited to air quality monitoring failures during the audit period, which were not identified as causing or threatening environmental harm. Therefore this	NT	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
			requirement was not triggered during the audit period.		
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Site management interviews Annual Returns Annual Reviews	Environmental incidents were generally limited to air quality monitoring failures during the audit period, which were not identified as causing or threatening environmental harm. Therefore this requirement was not triggered during the audit period.	NT	N/A
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident.	Site management interviews Annual Returns Annual Reviews	Environmental incidents were generally limited to air quality monitoring failures during the audit period, which were not identified as causing or threatening environmental harm. Therefore this requirement was not triggered during the audit period.	NT	N/A
R3	Written report				
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.	Site management interviews Annual Returns Annual Reviews	Site management reported that written requests from the EPA had not been received during the audit period.	NT	N/A
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	Site management interviews Annual Returns Annual Reviews	Site management reported that written requests from the EPA had not been received during the audit period.	NT	N/A
R3.3	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters.	Site management interviews Annual Returns Annual Reviews	Site management reported that written requests from the EPA had not been received during the audit period.	NT	N/A

TABLE A2 - EPL
Compliance with Environment Protection Licence (EPL) 12870

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.	Site management interviews Annual Returns Annual Reviews	Site management reported that written requests from the EPA had not been received during the audit period.	NT	N/A
R4	Other reporting conditions				
R4.1	The licensee must report any exceedance of the licence blasting limits to the regional office of the EPA as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents.	Blast Checklists Annual Reviews	Blasting limits were not exceeded during the audit period according to the blast monitoring checklists and annual reviews.	C	N/A

7 GENERAL CONDITIONS

G1	Copy of licence kept at the premises or plant				
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Site observations	The EPL is available from the Rocglen website and is stored in hard copy at the site.	C	N/A
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Interview with site management	Site management reported that the licence had not been requested by an authorised officer of the EPA during the audit period, therefore this requirements was not triggered.	NT	N/A
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Site observations	The EPL is available from the Rocglen website and is stored in hard copy at the site.	C	N/A

TABLE A3 – MINING LEASE 1620
Compliance with Mining Lease 1620

Document details	
Document title	Table A3 – Mining Lease 1620
Document subtitle	Compliance with Mining Lease 1620
Project No.	0637454
Date	18 May 2022
Version	2.1
Author	Sophie Barkla
Client Name	Whitehaven Coal

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Mining Lease Conditions 2010					
Notice to Landholders					
1.	<p>Within a period of three months from the date of grant/renewal of this lease or within such further time as the Minister may allow, the lease holder must serve on each landholder of the land a notice in writing indicating that this lease has been granted/renewed and whether the lease includes the surface. An adequate plan and description of the lease area must accompany the notice.</p> <p>If there are ten or more landholders affected, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease is situated. The notice must indicate that this lease has been granted/renewed; state whether the lease includes the surface and must contain an adequate plan and description of the lease area.</p>	NT	This condition was not triggered during the audit period.	NT	N/A
Environmental Harm					
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.	N/A	Noted. Compliance with this condition is assessed throughout this report.	Note	N/A
Mining Operations Plan					
3.	<p>(a) Mining operations must not be carried out otherwise than in accordance with: a Mining Operations Plan (MOP) which has been approved by the Director-General of the Department of Primary Industries.</p> <p>(b) The MOP must:</p> <ol style="list-style-type: none"> identify areas that will be disturbed by mining operations; detail the staging of specific mining operations; identify how the mine will be managed to allow mine closure; identify how mining operations will be carried out on site in order to prevent and or minimise harm to the environment; reflect the conditions under: <ul style="list-style-type: none"> - the <i>Environmental Planning and Assessment Act 1979</i> - the <i>Protection of the Environment Operations Act 1997</i> - and any other approvals relevant to the development including the conditions of this lease; and vi) have regard to any relevant guidelines adopted by the Director-General. <p>(c) The titleholder may apply to the Director-General to amend an approved MOP at any time.</p> <p>(d) It is not a breach of this condition if:</p> <ol style="list-style-type: none"> the operations constituting the breach were necessary to comply with a lawful order or direction given under the <i>Mining Act 1992</i>, the <i>Environmental Planning and Assessment Act 1979</i>, <i>Protection of the Environment Operations Act 1997</i> or the <i>Occupational Health and Safety Act 2000</i>; and the Director-General had been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out. <p>(e) A MOP ceases to have affect 7 years after date of approval of other such period as identified by the Director-General. An approved amendment to the MOP under condition 5 does not constitute an approval for the purpose of this paragraph unless otherwise identified by the Director-General.</p>	Closure Mining Operations Plan	<p>Mining operations are carried out in accordance with the Closure Mining Operations Plan (CMOP), which was approved by the Department.</p> <p>a) The CMOP:</p> <ol style="list-style-type: none"> Identifies areas that will be disturbed by mining operations, as sighted in Section 2.3 of the CMOP; detail the staging of specific mining operations, as sighted in Section 2.3 of the CMOP; identify how the mine will be managed to allow mine closure, as sighted in Sections 5, 7, 8 and 9 of the CMOP; identifies how mining operations will be carried out on site in order to prevent and or minimise harm to the environment, as sighted in Section 3 of the CMOP; reflects the conditions under: <ul style="list-style-type: none"> - the <i>Environmental Planning and Assessment Act 1979</i> - the <i>Protection of the Environment Operations Act 1997</i> - and any other approvals relevant to the development including the conditions of this lease; - as seen in Sections 1.4 and 4.1 of the CMOP; and 	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			vi) has regard to any relevant guidelines adopted by the Director-General, as sighted in Section 1.4 of the CMOP. (c) Noted. (d) Noted. (e) Noted. Active mining operations ceased in 2019 and records available to ERM indicate that mining was generally carried out in accordance with the CMOP. Therefore ERM considers Rocglen compliant with this condition.		
Environmental Management Report					
4.	The lease holder must lodge Environmental Management Reports (EMR) with the Director-General annually or at dates otherwise directed by the Director-General.	Annual Reviews	Rocglen has lodged Annual Reviews with the Department each year during the audit period.	C	N/A
5.	The EMR must: i) report against compliance with the MOP; ii) report on progress in respect of rehabilitation completion criteria; iii) report on the extent of compliance with regulatory requirements; and have regard to any relevant guidelines adopted by the Director-General;	Annual Reviews Annual Returns	The Annual Reviews include reports related to compliance with the CMOP, rehabilitation progress and compliance against regulatory instruments. Dedicated assessment against the EPL requirements is also included in the Annual Returns. Both Annual Reviews and Annual Returns were submitted to the relevant agencies for the periods covered by the audit.	C	N/A
Additional Environmental Reports					
6.	Additional environmental reports may be required on specific surface disturbing operations or environmental incidents from time to time as directed in writing by the Director-General and must be lodged as instructed.	Noted	Noted. Reports requested by the Department include a response to the Section 240 notice issued in relation to rehabilitation, which was responded to formally by the site.	C	N/A
Rehabilitation					
7.	Disturbed land must be rehabilitated to a sustainable/agreed end land use to the satisfaction of the Director-General.	Rehabilitation Management Plan Rehabilitation Monitoring Documents Annual Rehabilitation Plan Site observations Site Management interviews	Rehabilitation has been implemented at the site, generally in accordance with the requirements of the planning documentation approved by the Department. The assessment of rehabilitation conducted during the audit period is provided against Schedule 3, Conditions 34, 35 and 36 of the Planning Approval. The end land use has been agreed by the Department and the site is enacting a rehabilitation program designed to achieve the land use in the CMOP.	NC	Duplicate of Schedule 3, Conditions 34, 35 and 36 (which included 1 NC, 1 O (NC) and 1 C)
Subsidence Management					

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
8. (a)	The lease holder shall prepare a Subsidence Management Plan prior to commencing any underground mining operations which will potentially lead to subsidence of the land surface.	N/A	The requirements of this condition were not triggered during the audit period.	NT	N/A
8. (b)	Underground mining operations which will potentially lead to subsidence include secondary extraction panels such as longwalls or miniwalls, associated first workings (gateroads, installation roads and associated main headings, etc), and pillar extractions, and are otherwise defined by the <i>Applications for Subsidence Management Approvals guidelines (EDG17)</i>	N/A	The requirements of this condition were not triggered during the audit period.	NT	N/A
8. (c)	The lease holder must not commence or undertake underground mining operations that will potentially lead to subsidence other than in accordance with a Subsidence Management Plan approved by the Director-General, an approval under the <i>Coal Mine Health and Safety Act 2002</i> , or the document <i>New Subsidence Management Plan Approval Process - Transitional Provisions (EDP09)</i> .	N/A	The requirements of this condition were not triggered during the audit period.	NT	N/A
8. (d)	Subsidence Management Plans are to be prepared in accordance with <i>the Guideline for Applications for Subsidence Management Approvals</i> .	N/A	The requirements of this condition were not triggered during the audit period.	NT	N/A
8. (e)	Subsidence Management Plans as approved shall form part of the Mining Operations Plan required under Condition 2 and will be subject to the Annual Environmental Management Report process as set out under Condition 3. The SMP is also subject to the requirements for subsidence monitoring and reporting set out in the document <i>New Approval Process for Management of Coal Mining Subsidence - Policy</i> .	N/A	The requirements of this condition were not triggered during the audit period.	NT	N/A
Working Requirement					
9.	<p>The lease holder must:</p> <p>(a) ensure that at least fifteen (15) competent people are efficiently employed on the lease area on each week day except Sunday or any week day that is a public holiday,</p> <p>OR</p> <p>(b) expend on operations carried out in the course of prospecting or mining the lease area, an amount of not less than \$262,500 per annum whilst the lease is in force.</p> <p>The Minister may at any time or times, by instrument in writing served on the lease holder, increase or decrease the expenditure required or the number of people to be employed.</p>	<p>Site Financial Records</p> <p>Site observations</p>	Less than 15 competent people may operate the Rocglen Mine on any given day, however the site spends more than the minimum required amount per annum (\$262,500) as sighted on site financial records. For example, Rocglen total spending for 2020 was \$2.3 million. Therefore, Rocglen is compliant with this condition.	C	N/A
Control of Operations					
10.	<p>(a) If an Environmental Officer of the Department believes that the lease holder is not complying with any provision of the Act or any condition of this lease relating to the working of the lease, he may direct the lease holder to: -</p> <p>i) cease working the lease; or</p> <p>ii) cease that part of the operation not complying with the Act or conditions; until in the opinion of the Environmental Officer the situation is rectified.</p> <p>(b) The lease holder must comply with any direction given. The Director-General may confirm, vary or revoke any such direction.</p>	N/A	The requirements of this condition were not triggered during the audit period.	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	(c) A direction referred to in this condition may be served on the Mine Manager.				
Reports					
11.	<p>The lease holder must provide an exploration report, within a period of twenty-eight days after each anniversary of the date this lease has effect or at such other date as the Director-General may stipulate, of each year. The report must be to the satisfaction of the Director-General and contain the following:</p> <ul style="list-style-type: none"> (a) Full particulars, including results, interpretation and conclusions, of all exploration conducted during the twelve months period; (b) Details of expenditure incurred in conducting that exploration; (c) A summary of all geological findings acquired through mining or development evaluation activities; (d) Particulars of exploration proposed to be conducted in the next twelve months period; (e) All plans, maps, sections and other data necessary to satisfactorily interpret the report. 	NT	Exploration was not conducted during the audit period, therefore the requirements of this condition were not triggered.	NT	N/A
Licence to Use Reports					
12.	<ul style="list-style-type: none"> (a) The lease holder grants to the Minister, by way of a non-exclusive licence, the right in copyright to publish, print, adapt and reproduce all exploration reports lodged in any form and for the full duration of copyright. (b) The non-exclusive licence will operate as a consent for the purposes of section 365 of the Mining Act 1992. 	N/A	Noted.	Note	N/A
Confidentiality					
13.	<ul style="list-style-type: none"> (a) All exploration reports submitted in accordance with the conditions of this lease will be kept confidential while the lease is in force, except in cases where: <ul style="list-style-type: none"> (i) The lease holder has agreed that specified reports may be made non-confidential. (ii) Reports deal with exploration conducted exclusively on areas that have ceased to be part of the lease. (b) Confidentiality will be continued beyond the termination of a lease where an application for a flow-on title was lodged during the currency of the lease. The confidentiality will last until that flow-on title of any subsequent flow-on title, has terminated. (c) The Director-General may extend the period of confidentiality. 	N/A	Noted.	Note	N/A
Terms of the non-exclusive licence					
14.	<p>The terms of the non-exclusive copyright licence granted under condition 12 are:</p> <ul style="list-style-type: none"> (a) the Minister may sub-licence others to publish, print, adapt and reproduce but not on-licence reports. (b) the Minister and any sub- licensee will acknowledge the lease holder's and any identifiable consultant's ownership of copyright in any reproduction of the reports, including storage of reports onto an electronic database. 	N/A	Noted.	Note	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>(c) the lease holder does not warrant ownership of all copyright works in any report and, the lease holder will use best endeavours to identify those parts of the report for which the lease holder owns the copyright.</p> <p>(d) there is no royalty payable by the Minister for the licence.</p> <p>(e) if the lease holder has reasonable grounds to believe that the Minister has exercised his rights under the non-exclusive copyright licence in a manner which adversely affects the operations of the lease holder, that licence is revocable on the giving of a period of not less than three months notice.</p>				
Blasting					
Ground Vibration					
15. (a)	The lease holder must ensure that the ground vibration peak particle velocity generated by any blasting within the lease area does not exceed 10 mm/second and does not exceed 5 mm/second in more than 5% of the total number of blasts over a period of 12 months at any dwelling or occupied premises as the case may be, unless determined otherwise by the Department of Environment and Climate Change.	N/A	Compliance with this condition is assessed against the conditions under Section L5 of the EPL Table.	N/A	N/A
Blast Overpressure					
15. (b)	The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 dB (linear) and does not exceed 115 dB (linear) in more than 5% of the total number of blasts over a period of 12 months, at any dwelling or occupied premises, as the case may be, unless determined otherwise by the Department of Environment and Climate Change.	N/A	Compliance with this condition is assessed against the conditions under Section L5 of the EPL Table.	N/A	N/A
Safety					
16.	Operations must be carried out in a manner that ensures the safety of persons or stock in the vicinity of the operations. All drill holes shafts and excavations must be appropriately protected, to the satisfaction of the Director-General, to ensure that access to them by persons and stock is restricted. Abandoned shafts and excavations opened up or used by the lease holder must be filled in or otherwise rendered safe to a standard acceptable to the Director-General.	Site observations CMOP	The site has planning documentation and a robust procedure of inductions and access restrictions to ensure that only qualified, trained and approved personnel can access the Rocglen Mine. The mine is fenced and stock and persons not associated with the mine are restricted from entering the Rocglen Mine area. Rocglen is therefore considered compliant with this condition.	C	N/A
Exploratory Drilling					
17.	<p>(a) At least twenty eight days prior to commencement of drilling operations the lease holder must notify the relevant Department of Water and Energy Regional Hydrologist of the intention to drill exploratory drill holes together with information on the location of the proposed holes.</p> <p>(b) If the lease holder drills exploratory drill holes he must satisfy the Director-General that:-</p> <p>(i) all cored holes are accurately surveyed and permanently marked in accordance with Departmental guidelines so that their location can be easily established;</p>	NT	Exploration was not conducted during the audit period, therefore the requirements of this condition were not triggered.	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>(ii) all holes cored or otherwise are sealed to prevent the collapse of the surrounding surface;</p> <p>(iii) all drill holes are permanently sealed with cement plugs to prevent surface discharge of groundwaters;</p> <p>(iv) if any drill hole meets natural or noxious gases it is plugged or sealed to prevent their escape;</p> <p>(v) if any drill hole meets an artesian or sub-artesian flow it is effectively sealed to prevent contamination of aquifers.</p> <p>(vi) once any drill hole ceases to be used the hole must be sealed in accordance with Departmental guidelines. Alternatively, the hole must be sealed as instructed by the Director-General.</p> <p>(vii) once any drill hole ceases to be used the land and its immediate vicinity is left in as clean, tidy and stable condition.</p>				
Prevention of soil erosion and pollution					
18.	Operations must be carried out in a manner that does not cause or aggravate air pollution, water pollution (including sedimentation) or soil contamination or erosion, unless otherwise authorised by a relevant approval, and in accordance with an accepted Mining Operations Plan. For the purpose of this condition, water shall be taken to include any watercourse, waterbody or groundwaters. The lease holder must observe and perform any instructions given by the Director-General in this regard.	Annual Review 2019 Annual Review 2020	Compliance against this condition is discussed in the EPL audit table, Planning Approval audit table, and throughout the review of the Management Plans.	N/A	N/A
Transmission lines, Communication lines and Pipelines					
19.	Operations must not interfere with or impair the stability or efficiency of any transmission line, communication line, pipeline or any other utility on the lease area without the prior written approval of the Director-General and subject to any conditions he may stipulate.	Management interviews	According to site management, operations during the audit period did not interfere with any transmission line, communication line, pipeline or any other utility on the lease area, therefore Rocglen is compliant with this condition.	C	N/A
Fences, Gates					
20.	<p>(a) Activities on the lease must not interfere with or damage fences without the prior written approval of the owner thereof or the Minister and subject to any conditions the Minister may stipulate.</p> <p>(b) Gates within the lease area must be closed or left open in accordance with the requirements of the landholder.</p>	Management interviews	According to site management, operations during the audit period did not cause damage to any fence. ERM did not identify any examples of gates being managed inappropriately, therefore Rocglen is compliant with this condition.	C	N/A
Roads and Tracks					
21. (a)	Operations must not affect any road unless in accordance with an accepted Mining Operations Plan or with the prior written approval of the Director-General and subject to any conditions he may stipulate.	NT	No roads were impacted during the audit period, therefore the requirements of this condition were not triggered.	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
21. (b)	The lease holder must pay to the designated authority in control of the road (generally the local council or the Roads and Traffic Authority) the cost incurred in fixing any damage to roads caused by operations carried out under the lease, less any amount paid or payable from the Mine Subsidence Compensation Fund.	N/A	The requirements of this condition are assessed against Schedule 3, Condition 26 in Planning Approval table.	N/A	N/A
22.	Access tracks must be kept to a minimum and be positioned so that they do not cause any unnecessary damage to the land. Temporary access tracks must be ripped, topsoiled and revegetated as soon as possible after they are no longer required for mining operations. The design and construction of access tracks must be in accordance with specifications fixed by the Department of Environment and Climate Change.	Site observations	Access tracks were generally observed to be limited to those required to undertake existing operations at the site. The former access track for trucks has been closed off during the audit period and no evidence of non-compliance against this condition was identified.	C	N/A
Trees and Timber					
23. (a)	The lease holder must not fell trees, strip bark or cut timber on the lease without the consent of the landholder who is entitled to the use of the timber, or if such a landholder refuses consent or attaches unreasonable conditions to the consent, without the approval of a warden.	Site management interviews Site observations	Rocglen Mine management reported that the site did not undertake any activities involving felling trees, stripping bark or cutting timber during the audit period. ERM did not observe any evidence of such activities, therefore Rocglen is compliant with this condition.	C	N/A
23. (b)	The lease holder must not cut, destroy, ringbark or remove any timber or other vegetative cover on the lease area except such as directly obstructs or prevents the carrying on of operations. Any clearing not authorised under the Mining Act 1992 must comply with the provisions of the <i>Native Vegetation Act 2003</i> .	Site management interviews Site observations	Rocglen Mine management reported that the site did not undertake any activities involving cutting, destroying, ring barking or removing timber or other vegetative cover on the lease area separate to that which was required for conducting operations during the audit period. ERM did not observe any evidence of such activities, therefore Rocglen is compliant with this condition.	C	N/A
23. (c)	The lease holder must obtain all necessary approvals or licences before using timber from any Crown land within the lease area.	N/A	Timber was not utilised from any Crown land within the lease area during the audit period, therefore the requirements of this condition were not triggered.	NT	N/A
Resource Recovery					
25.	<p>(a) Notwithstanding any description of mining methods and their sequence or of proposed resource recovery contained within the Mining Operations Plan, if at any time the Director-General is of the opinion that minerals which the lease entitles the lease holder to mine and which are economically recoverable at the time are not being recovered from the lease area, or that any such minerals which are being recovered are not being recovered to the extent which should be economically possible or which for environmental reasons are necessary to be recovered, he may give notice in writing to the lease holder requiring the holder to recover such minerals.</p> <p>(b) The notice shall specify the minerals to be recovered and the extent to which they are to be recovered, or the objectives in regard to resource recovery, but shall not specify the processes the lease holder shall use to achieve the specified recovery.</p> <p>(c) The lease holder must, when requested by the Director-General, provide such information as the Director-General may specify about the recovery of the mineral resources of the lease area.</p>	N/A	No notice related to the recovery of resources was received during the audit period, therefore the requirements of this condition were not triggered.	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>(d) The Director-General shall issue no such notice unless the matter has firstly been thoroughly discussed with and a report to the Director-General has incorporated the views of the lease holder.</p> <p>(e) The lease holder may object to the requirements of any notice issued under this condition and on receipt of such an objection the Minister shall refer it to a Warden for inquiry and report under Section 334 of the <i>Mining Act, 1992</i>.</p> <p>(f) After considering the Warden's report the Minister shall decide whether to withdraw, modify or maintain the requirements specified in the original notice and shall give the lease holder written notice of the decision. The lease holder must comply with the requirements of this notice.</p>				
Indemnity					
26.	The lease holder must indemnify and keep indemnified the Crown from and against all actions, suits, 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 in 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 lease area or in connection with any of the operations notwithstanding that all other conditions of this lease 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.	N/A	Noted.	Note	N/A
Security					
19.	<p>(a) A security in the sum of \$100,000 must be given and maintained with the Minister by the lease holder for the purpose of ensuring the fulfilment by the lease holder of obligations under this lease. If the lease holder fails to fulfil any one or more of such obligations the said sum may be applied at the discretion of the Minister towards the cost of fulfilling such obligations. For the purpose of this clause the lease holder shall be deemed to have failed to fulfil the obligations of this lease if the lease holder fails to comply with any condition or provision hereof, any provision of the Act or regulations made thereunder or any condition or direction imposed or given pursuant to a condition or provision hereof or of any provision of the Act or regulations made thereunder.</p> <p>(b) The lease holder must provide the security required by sub-clause (a) in one of the following forms:</p> <p>(i) cash,</p> <p>(ii) a security certificate in a form approved by the Minister and issued by an authorised deposit-taking institution.</p>	Draft Security Deed	ERM reviewed the draft security deed, which included an amount of \$100,000. Formal documentation confirming the finalisation of the security deed was not available for review. However, ERM understands that operations at the mine would not be approved without such a security deposit having been received by the Department, therefore Rocglen is considered compliant with this condition.	C	N/A

TABLE A3 – MINING LEASE 1662
Compliance with Mining Lease 1662

Document details	
Document title	Table A3 – Mining Lease 1662
Document subtitle	Compliance with Mining Lease 1662
Project No.	0637454
Date	18 May 2022
Version	2.1
Author	Sophie Barkla
Client Name	Whitehaven Coal

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Mining Lease Conditions 2010					
Notice to Landholders					
1.	<p>(a) Within a period of three months from the date of grant/renewal of this lease or within such further time as the Minister may allow, the lease holder must serve on each landholder of the land a notice in writing indicating that this lease has been granted/renewed and whether the lease includes the surface. An adequate plan and description of the lease area must accompany the notice.</p> <p>(b) If there are ten or more landholders affected, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease area is situated. The notice must indicate that this lease has been granted/renewed; state whether the lease includes the surface and must contain an adequate plan and description of the lease area.</p>	NT	This condition was not triggered during the audit period.	NT	N/A
Environmental Harm					
2.	<p>(a) The lease holder must implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or rehabilitation of any activities under this lease.</p> <p>(b) For the purposes of this condition:</p> <p>(i) environment means components of the earth, including:</p> <p>(A) land, air and water, and</p> <p>(B) any layer of the atmosphere, and</p> <p>(C) any organic or inorganic matter and any living organism, and</p> <p>(D) human-made or modified structures and area,</p> <p>and includes interacting natural ecosystems that include components referred to in paragraphs (A)-(C).</p> <p>(ii) harm to the environment includes any direct or indirect alteration of the environment that has the effect of degrading the environment and, without limiting the generality of the above, includes any act or omission that results in pollution, contributes to the extinction or degradation of any threatened species, populations or ecological communities and their habitats and causes impacts to places, objects and features of significance to Aboriginal people.</p>	N/A	Noted. Compliance with this condition is assessed throughout this report.	Note	N/A
Mining Operations Plan					
3.	<p>(a) Mining operations must not be carried out otherwise than in accordance with a Mining Operations Plan (MOP) which has been approved by the Director-General.</p> <p>(b) The MOP must:</p> <p>(i) identify areas that will be disturbed by mining operations;</p> <p>(ii) detail the staging of specific mining operations;</p> <p>(iii) identify how the mine will be managed to allow mine closure;</p> <p>(iv) identify how mining operations will be carried out in order to prevent and or minimise harm to the environment;</p> <p>(v) reflect the conditions under:</p> <ul style="list-style-type: none"> the <i>Environmental Planning and Assessment Act 1979</i> 	Closure Mining Operations Plan	<p>Mining operations are carried out in accordance with the Closure Mining Operations Plan (CMOP), which was approved by the Department.</p> <p>a) The CMOP:</p> <p>i) Identifies areas that will be disturbed by mining operations, as sighted in Section 2.3 of the CMOP;</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> the <i>Protection of the Environment Operations Act 1997</i> and any other approvals relevant to the development including the conditions of this lease; and have regard to any relevant guidelines adopted by the Director-General. <p>(c) The leaseholder may apply to the Director-General to amend an approved MOP at any time.</p> <p>(d) It is not a breach of this condition if:</p> <ol style="list-style-type: none"> the operations constituting the breach were necessary to comply with a lawful order or direction given under the <i>Mining Act 1992</i>, the <i>Environmental Planning and Assessment Act 1979</i>, <i>Protection of the Environment Operations Act 1997</i>, <i>Mine Health and Safety Act 2004 / Coal Mine Health and Safety Act 2002</i> and <i>Mine Health and Safety Regulation 2007 / Coal Mine Health and Safety Regulation 2006</i> or the <i>Occupational Health and Safety Act 2000</i>; and the Director-General had been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out. <p>(e) A MOP ceases to have affect 7 years after date of approval of other such period as identified by the Director-General.</p>		<ol style="list-style-type: none"> detail the staging of specific mining operations, as sighted in Section 2.3 of the CMOP; identify how the mine will be managed to allow mine closure, as sighted in Sections 5, 7, 8 and 9 of the CMOP; identifies how mining operations will be carried out on site in order to prevent and or minimise harm to the environment, as sighted in Section 3 of the CMOP; reflects the conditions under: <ul style="list-style-type: none"> the <i>Environmental Planning and Assessment Act 1979</i> the <i>Protection of the Environment Operations Act 1997</i> and any other approvals relevant to the development including the conditions of this lease; as seen in Sections 1.4 and 4.1 of the CMOP; and has regard to any relevant guidelines adopted by the Director-General, as sighted in Section 1.4 of the CMOP. <p>(c) Noted. (d) Noted. (e) Noted.</p> <p>Active mining operations ceased in 2019 and records available to ERM indicate that mining was generally carried out in accordance with the CMOP. Therefore ERM considers Rocglen compliant with this condition.</p>		

Environmental Management Report

4.	<p>(a) The lease holder must lodge Environmental Management Reports (EMR) with the Director-General annually or at dates otherwise directed by the Director-General.</p> <p>(b) The EMR must:</p> <ol style="list-style-type: none"> report against compliance with the MOP; report on progress in respect of rehabilitation completion criteria; report on the extent of compliance with regulatory requirements; and <p>have regard to any relevant guidelines adopted by the Director-General;</p>	Annual Reviews	Rocglen has lodged Annual Reviews with the Department each year during the audit period. The Annual Reviews include reports related to compliance with the CMOP, rehabilitation progress and compliance against regulatory instruments. Dedicated assessment against the EPL requirements is also included in the Annual Returns. Both Annual Reviews and Annual Returns were submitted to the relevant agencies for the periods covered by the audit.	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Environmental Incident Report					
5.	<p>(a) The lease holder must report any environmental incidents. The report must:</p> <ul style="list-style-type: none"> (i) be prepared according to any relevant Departmental guidelines; (ii) be submitted within 24 hours of the environmental incident occurring; <p>(b) For the purposes of this condition, environmental incident includes:</p> <ul style="list-style-type: none"> (i) any incident causing or threatening material harm to the environment (ii) any breach of Conditions 1 to 9 and 11 to 24; (iii) any breach of environment protection legislation; or, (iv) a serious complaint from landholders or the public. <p>(c) For the purposes of this condition, harm to the environment is material if:</p> <ul style="list-style-type: none"> (i) it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or (ii) it results in actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or (iii) it results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, where loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment. 	N/A	Compliance with this condition is detailed against Schedule 5, Condition 6 of the Planning Approval table.	N/A	N/A
Additional Environmental Reports					
6.	Additional environmental reports may be required from time to time as directed in writing by the Director-General and must be lodged as instructed.	Noted	<p>Noted.</p> <p>Reports requested by the Department include a response to the Section 240 notice issued in relation to rehabilitation, which was responded to formally by the site.</p>	C	N/A
Rehabilitation					
7.	Any disturbance as a result of activities under this lease must be rehabilitated to the satisfaction of the Director-General.	<p>Rehabilitation Management Plan</p> <p>Rehabilitation Monitoring Documents</p> <p>Annual Rehabilitation Plan</p> <p>Site observations</p> <p>Site Management interviews</p>	Rehabilitation has been implemented at the site, generally in accordance with the requirements of the planning documentation approved by the Department. The assessment of rehabilitation conducted during the audit period is provided against Schedule 3, Conditions 34, 35 and 36 of the Planning Approval. The end land use has been agreed by the Department and the site is enacting a rehabilitation program designed to achieve the land use in the CMOP.	NC	Duplicate of Schedule 3, Conditions 34, 35 and 36 (which included 1 NC, 1 O (NC) and 1 C)
Blasting					
Ground Vibration					
10. (a)	The lease holder must ensure that the ground vibration peak particle velocity generated by any blasting within the lease area does not exceed 10 mm/second and does not exceed 5 mm/second in more than 5% of the total number of blasts over a period of 12 months at any dwelling or occupied premises as the case may be,	N/A	Compliance with this condition is assessed against the conditions under Section L5 of the EPL Table.	N/A	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	unless determined otherwise by the Department of Environment and Climate Change.				
Blast Overpressure					
10. (b)	The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 dB (linear) and does not exceed 115 dB (linear) in more than 5% of the total number of blasts over a period of 12 months, at any dwelling or occupied premises, as the case may be, unless determined otherwise by the Department of Environment, Climate Change and Water.	N/A	Compliance with this condition is assessed against the conditions under Section L5 of the EPL Table.	N/A	N/A
Safety					
11.	Operations must be carried out in a manner that ensures the safety of persons or stock in the vicinity of the operations. All drill holes shafts and excavations must be appropriately protected, to the satisfaction of the Director-General, to ensure that access to them by persons and stock is restricted. Abandoned shafts and excavations opened up or used by the lease holder must be notified in writing to the Department and filled in or otherwise rendered safe to a standard acceptable to the Director-General.	Site observations CMOP	The site has planning documentation and a robust procedure of inductions and access restrictions to ensure that only qualified, trained and approved personnel can access the Rocglen Mine. The mine is fenced and stock and persons not associated with the mine are restricted from entering the Rocglen Mine area. Rocglen is therefore considered compliant with this condition.	C	N/A
Prevention of soil erosion and pollution					
12.	Prospecting operations must be carried out in a manner that does not cause or aggravate air pollution, water (including groundwater) pollution, soil contamination or erosion, unless otherwise authorised by a relevant approval, and in accordance with an accepted Mining Operations Plan.	N/A	Prospecting was not undertaken during the audit period, therefore the requirements of this condition were not triggered.	NT	N/A
Transmission lines, Communication lines and Pipelines					
13.	Operations must not interfere with or impair the stability or efficiency of any transmission line, communication line, pipeline or any other utility on the lease area without the prior written approval of the Director-General and subject to any conditions stipulated.	Management interviews	According to site management, operations during the audit period did not interfere with any transmission line, communication line, pipeline or any other utility on the lease area, therefore Rocglen is compliant with this condition.	C	N/A
Roads and Tracks					
14. (a)	The lease holder must pay to the relevant roads authority in control of the road or track the reasonable costs incurred by the roads authority in making good any damage to roads or tracks caused by operations carried out under this lease less any amount paid or payable from the Mine Subsidence Compensation Fund.	N/A	The requirements of this condition are assessed against Schedule 3, Condition 26 in Planning Approval table.	N/A	N/A
14. (b)	During wet weather the use of any road or track must be restricted so as to prevent damage to the road or track.	Site observations	Evidence of use of tracks during wet weather causing damage to the tracks was not observed during the audit period, therefore Rocglen are compliant with this condition.	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
14. (c)	Existing access tracks should be used for all operations where reasonably practicable. New access tracks must be kept to a minimum and be positioned in order to minimise damage to the land, watercourses or vegetation.	Site observations	Access tracks were generally observed to be limited to those required to undertake existing operations at the site. The former access track for trucks has been closed off during the audit period and no evidence of non-compliance against this condition was identified.	C	N/A
14. (d)	Temporary access tracks must be rehabilitated and revegetated to the satisfaction of the Director-General as soon as reasonably practicable after they are no longer required under this lease.	Site observations CMOP	The results of decommissioning of access tracks, as reported in the CMOP was sighted. Access tracks used to create the final landform are planned to be decommissioned and rehabilitated. This requirement is currently in progress according to the CMOP. ERM did not observe any evidence of failure to rehabilitate access tracks, therefore Rocglen is compliant with this condition.	C	N/A
Trees and Vegetation					
15. (a)	The lease holder must not fell trees, strip bark or cut timber on any land subject of this lease without the consent of the landholder who is entitled to the use of the timber.	Site management interviews Site observations	Rocglen Mine management reported that the site did not undertake any activities involving felling trees, stripping bark or cutting timber during the audit period. ERM did not observe any evidence of such activities, therefore Rocglen is compliant with this condition.	C	N/A
15. (b)	The lease holder contact Forests NSW and obtain any required permit, licence or approval before taking timber from any Crown land within the lease area. <i>Note: Any clearing not authorised under the Act must comply with the requirements of the Native Vegetation Act 2003. Any clearing or taking of timber on Crown land is subject to the requirements of the Forestry Act 1916.</i>	N/A	Timber was not utilised from any Crown land within the lease area during the audit period, therefore the requirements of this condition were not triggered.	NT	N/A
Indemnity					
18.	The lease holder must indemnify and keep indemnified the Crown from and against all actions, suits, 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 in 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 lease area or in connection with any of the operations notwithstanding that all other conditions of this lease 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.	N/A	Noted.	Note	N/A
Single Security (extended)					
21.	The single security given and maintained with the Minister by the lease holder for the purpose of ensuring the fulfilment by the lease holder of obligations under Mining Lease No. 1620 (Act 1992) is extended to apply to this lease.	Draft Security Deed	ERM reviewed the draft security deed, which included an amount of \$100,000. Formal documentation confirming the finalisation of the security deed was not available for review.	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			However, ERM understands that operations at the mine would not be approved without such a security deposit having been received by the Department, therefore Rocglen is considered compliant with this condition.		
Cooperation Agreement					
24.	<p>The lease holder must make every reasonable attempt, and be able to demonstrate their attempts, to enter into a cooperation agreement with the holder(s) of any overlapping title(s). The cooperation agreement should address but not be limited to issues such as:</p> <ul style="list-style-type: none"> ■ access arrangements ■ operational interaction procedures ■ dispute resolution ■ information exchange ■ well location ■ timing of drilling ■ potential resource extraction conflicts and ■ rehabilitation issues. <p><i>Note: <u>Exploration Reports (Geological and Geophysical)</u></i></p> <p><i>The lease holder must lodge reports to the satisfaction of the Director-General in accordance with section 163C of the Mining Act 1992 and in accordance with clause 57 of the Mining Regulation 2010.</i></p> <p><i>Reports must be prepared in accordance with <u>Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales</u> (Department of Trade and Investment; Regional Infrastructure and Services 2010).</i></p>	N/A	Overlapping titles were not identified associated with Rocglen Mine, therefore the requirements of this condition were not triggered during the audit period.	NT	N/A

TABLE A3 – WATER LICENSE 29461
Compliance with Water License 29461

Document details	
Document title	Table A3 – Water License 29461
Document subtitle	Compliance with Water License 29461
Project No.	0637454
Date	18 May 2022
Version	2.1
Author	Ariana Makinson, Sophie Barkla
Client Name	Whitehaven Coal Mining Limited

TABLE A3 – WATER LICENSE 29461
Compliance with Water License 29461

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Plan Conditions					
Take of Water					
MW0716-00001	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 new amount of any water allocation assigned to or from the water allocation account for this licence under section 71T of the ACT; plus (D) Any water allocation re-credited to the water allocation account for this licence in accordance with section 76 of the act in that water year.	Water Usage Records	The volume of water taken in 2019 was 124 ML, which is greater than the licence amount of 120 ML but less than the aggregated amount between the two licences of 820 ML. This volume does not exceed the sum of water allocations accrued to the account for the year. Water take was approximately 92 ML in 2020, 62 ML in 2021 and 12.6 ML in 2022 up until the audit period. In all years covered by the audit period, the limits were not exceeded for the aggregate license allocation.	C	N/A
	Share components (units or ML) 700.00	Water Usage Records	The volume of water taken during the audit period was: ■ 2019 - 124 ML ■ 92 ML in 2020 ■ 62 ML in 2021 ■ 12.6 ML in 2022	C	N/A
MW0631-00001	Water must not be taken under this access licence otherwise that in compliance with the conditions of the nominated water supply work approval	Noted	Compliance with this condition is assessed throughout this table.	Note	N/A
Monitoring and recording					
MW0635-00001	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.	Water Meter Readings spreadsheet	The site records the volume of water taken in each water year in a spreadsheet. The spreadsheet includes a comparison to the maximum volume of water permitted to be taken in that water year, therefore Rocglen are compliant with this condition.	C	N/A
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 purposed for which the water taken on that date.	Water Meter Readings spreadsheet	Water was not extracted from the production bore associated with this license during the audit period, therefore this condition has not been triggered.	NT	N/A
MW0639-00001	When directed by the Minister by notice in writing, the licence holder of an access licence that nominates only a metered water supply work a data logger must keep a logbook in accordance with any requirement that are specified in the notice.	NT	The site was not subject to a direction by the minister during the audit period, therefore this condition was not triggered.	NT	N/A
MW0636-00001	The license holder must produce the logbook to the minister for inspection when requested.	NT	The site was not requested to produce the logbook by the minister during the audit period, therefore this condition was not triggered.	NT	N/A
MW0632-00001	The licence holder must keep a log book except where the access licence nominated only a metered work with a data logger. A “logbook” means a written record, keep in hard copy or electronic form, which accurately records all information required to be kept for this licence.	FY19 Water Usage – Rocglen (Email), FY20 Water Take, FY21 RCM Water Usage, FY22 RCM Water usage to date.	The site records the usage of water for each year in a spreadsheet that tracks water inputs and outputs and calculates water take, which accurately records the information required by this licence, with the exception of observations noted above.	C	N/A

TABLE A3 – WATER LICENSE 29461
Compliance with Water License 29461

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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.	Water Usage Records	The site records were observed to extend to greater than 5 years prior to the commencement of the audit period.	C	N/A
Reporting					
MW0831-00001	The licence holder must notify the Minister, in writing, immediately upon becoming aware of a breach of any conditions of this licence. Note: a notification does not authorise a breach, or continuing breach, of a condition of this licence.	NT	The site did not breach the licence conditions during the audit period, therefore this condition was not triggered.	NT	N/A
Additional Conditions					
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 licence 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.	N/A	Noted.	Note	N/A

TABLE A1 – WATER LICENCE 36758
Compliance with Water License 36758

Document details	
Document title	Table A1 – Water Licence 36758
Document subtitle	Compliance with Water License 36758
Project No.	0637454
Date	18 May 2022
Version	2.1
Author	Ariana Makinson, Sophie Barkla
Client Name	Whitehaven Coal Mining Limited

TABLE A1 – WATER LICENCE 36758
Compliance with Water License 36758

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Plan Conditions					
Take of Water					
MW0716-00001	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 new amount of any water allocation assigned to or from the water allocation account for this licence under section 71T of the ACT; plus (D) Any water allocation re-credited to the water allocation account for this licence in accordance with section 76 of the act in that water year.	Water Usage Records	The volume of water taken in 2019 was 124 ML, which is greater than the licence amount of 120 ML but less than the aggregated amount between the two licences of 820 ML. This volume does not exceed the sum of water allocations accrued to the account for the year. Water take was approximately 92 ML in 2020, 62 ML in 2021 and 12.6 ML in 2022 up until the audit period. In all years covered by the audit period, the limits were not exceeded for the aggregate license allocation.	C	N/A
	Share components (units or ML) 700.00	Water Usage Records	The volume of water taken during the audit period was: ■ 2019 - 124 ML ■ 92 ML in 2020 ■ 62 ML in 2021 12.6 ML in 2022	C	N/A
MW0631-00001	Water must not be taken under this access licence otherwise that in compliance with the conditions of the nominated water supply work approval	Noted	Compliance with this condition is assessed throughout this table.	Note	N/A
Monitoring and recording					
MW0635-00001	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.	FY19 Water Usage – Rocglen (Email), FY20 Water Take, FY21 RCM Water Usage, FY22 RCM Water usage to date.	The site records the volume of water taken in each water year in a spreadsheet. The spreadsheet includes a comparison to the maximum volume of water permitted to be taken in that water year, therefore Rocglen are compliant with this condition.	C	N/A
MW0639-00001	When directed by the Minister by notice in writing, the licence holder of an access licence that nominates only a metered water supply work a data logger must keep a logbook in accordance with any requirement that are specified in the notice.	NT	The site was not subject to a direction by the minister during the audit period, therefore this condition was not triggered.	NT	N/A
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 purposed for which the water taken on that date.	FY19 Water Usage – Rocglen (Email), FY20 Water Take, FY21 RCM Water Usage, FY22 RCM Water usage to date.	Water usage associated with this license was limited to groundwater inflows to the pit void, which were quantified based on the groundwater model, according to the tracking spreadsheet reviewed by ERM. Due to this, it is not possible to record the daily water take. Therefore non-compliances against this condition have not been identified.	C	N/A
MW0636-00001	The license holder must produce the logbook to the minister for inspection when requested.	NT	The site was not requested to produce the logbook by the minister during the audit period, therefore this condition was not triggered.	NT	N/A
MW0632-00001	The licence holder must keep a log book except where the access licence nominated only a metered work with a data logger. A “logbook” means a written record, keep in hard copy or electronic form, which accurately records all information required to be kept for this licence.	FY19 Water Usage – Rocglen (Email), FY20 Water Take, FY21 RCM Water Usage, FY22 RCM Water usage to date.	The site records the usage of water for each year in a spreadsheet that tracks water inputs and outputs and calculates water take, which accurately records the information required by this licence, with the exception of observations noted above.	C	N/A

TABLE A1 – WATER LICENCE 36758
Compliance with Water License 36758

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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.	Water Usage Records	The site records were observed to extend to greater than 5 years prior to the commencement of the audit period.	C	N/A
Reporting					
MW0831-00001	The licence holder must notify the Minister, in writing, immediately upon becoming aware of a breach of any conditions of this licence. Note: a notification does not authorise a breach, or continuing breach, of a condition of this licence.	NT	The site did not breach the licence conditions during the audit period, therefore this condition was not triggered.	NT	N/A
Additional Conditions					
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 licence 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.	N/A	Noted.	Note	N/A

APPENDIX B DEPARTMENTAL CORRESPONDENCE

From: [Brigitte Healey](#)
To: [Dean Kerr](#)
Subject: FW: Rocglen Independent Environmental Audit
Date: Friday, 25 March 2022 8:34:31 AM
Attachments: [image001.png](#)
[0637454 Rocglen IEA ToR.pdf](#)

No response from the CCC

From: Brigitte Healey
Sent: Friday, March 4, 2022 5:53 PM
To: admin@gunnedahnewsagency.com.au
Cc: Heather McKay <Heather.McKay@erm.com>
Subject: Rocglen Independent Environmental Audit

Dear John,

ERM is currently completing the Independent Environmental Audit (IEA) for Rocglen Extension Project on the Conditions of Approval (CoA) Conditions 8 & 9 of Schedule 5 of the Project Approval number 10_0015. The project is also governed by EPL 12870.

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.

The attached Terms of Reference outlines the audit process, and also introduces the approved team of suitably qualified, experienced and independent experts who will be undertaking the audit. The site inspection will be completed between 23-24 March 2022, therefore it would be appreciated if there are any concerns, areas of focus etc., they are raised by 16 March 2022.

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

Kind regards

Brigitte Healey
Consultant

ERM
Level 15 | 309 Kent Street | Sydney NSW 2000
T +61 2 8584 8863 **M** +61 422 902 109
E Brigitte.Healey@erm.com | **W** www.erm.com



From: [Brigitte Healey](#)
To: [Dean Kerr](#)
Subject: FW: Rocglen Independent Environmental Audit
Date: Friday, 25 March 2022 8:34:47 AM
Attachments: [image001.png](#)
[0637454 Rocglen IEA ToR.pdf](#)

No response from council

From: Brigitte Healey
Sent: Friday, March 4, 2022 5:52 PM
To: council@infogunnedah.com.au
Cc: Heather McKay <Heather.McKay@erm.com>
Subject: Rocglen Independent Environmental Audit

To whom it may concern,

ERM is currently completing the Independent Environmental Audit (IEA) for Rocglen Extension Project on the Conditions of Approval (CoA) Conditions 8 & 9 of Schedule 5 of the Project Approval number 10_0015. The project is also governed by EPL 12870.

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.

The attached Terms of Reference outlines the audit process, and also introduces the approved team of suitably qualified, experienced and independent experts who will be undertaking the audit. The site inspection will be completed between 23-24 March 2022, therefore it would be appreciated if there are any concerns, areas of focus etc., they are raised by 16 March 2022.

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

Kind regards

Brigitte Healey
Consultant

ERM
Level 15 | 309 Kent Street | Sydney NSW 2000
T +61 2 8584 8863 **M** +61 422 902 109
E Brigitte.Healey@erm.com | **W** www.erm.com



From: [Brigitte Healey](#)
To: [Dean Kerr](#)
Subject: FW: Rocglen Independent Environmental Audit
Date: Friday, 25 March 2022 8:35:22 AM
Attachments: [image001.png](#)
[0637454 Rocglen IEA ToR.pdf](#)

No response from Narrabri council

From: Brigitte Healey
Sent: Friday, March 4, 2022 5:51 PM
To: council@narrabri.nsw.gov.au
Subject: Rocglen Independent Environmental Audit

To whom it may concern,

ERM is currently completing the Independent Environmental Audit (IEA) for Rocglen Extension Project on the Conditions of Approval (CoA) Conditions 8 & 9 of Schedule 5 of the Project Approval number 10_0015. The project is also governed by EPL 12870.

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.

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

Kind regards

Brigitte Healey
Consultant

ERM
Level 15 | 309 Kent Street | Sydney NSW 2000
T +61 2 8584 8863 **M** +61 422 902 109
E Brigitte.Healey@erm.com | **W** www.erm.com



From: [Brigitte Healey](#)
To: [Dean Kerr](#)
Subject: FW: Rocglen Independent Environmental Audit
Date: Friday, 25 March 2022 8:36:24 AM
Attachments: [image004.png](#)
[image001.png](#)

From: Joel Curran <Joel.Curran@planning.nsw.gov.au>
Sent: Monday, March 7, 2022 8:26 AM
To: Brigitte Healey <Brigitte.Healey@erm.com>
Subject: RE: Rocglen Independent Environmental Audit

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

Hi Brigitte

Thanks for getting in touch.

Given Rocglen is in closure, the Department would like a focus on all Rehabilitation aspects including, but not limited to, quality, quantity, comparison to rehabilitation goals.

Regards

Joel Curran
Senior Compliance Officer

Planning & Assessment | Department of Planning and Environment
T 02 4904 2702 | **M** 0412 323 331 | **E** joel.curran@planning.nsw.gov.au
PO Box 1226 | Newcastle NSW 2300

Please direct all email correspondence to compliance@planning.nsw.gov.au
www.dpie.nsw.gov.au



The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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

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

From: Brigitte Healey <Brigitte.Healey@erm.com>
Sent: Friday, 4 March 2022 5:49 PM

To: James Epstein <James.Epstein@planning.nsw.gov.au>
Cc: Heidi Watters <Heidi.Watters@Planning.nsw.gov.au>; DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>; Heather McKay <Heather.McKay@erm.com>
Subject: Rocglen Independent Environmental Audit

Dear James,

ERM is currently completing the Independent Environmental Audit (IEA) for Rocglen Extension Project on the Conditions of Approval (CoA) Conditions 8 & 9 of Schedule 5 of the Project Approval number 10_0015. The project is also governed by EPL 12870.

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.

The attached Terms of Reference outlines the audit process, and also introduces the approved team of suitably qualified, experienced and independent experts who will be undertaking the audit. The site inspection will be completed between 23-24 March 2022, therefore it would be appreciated if there are any concerns, areas of focus etc., they are raised by 16 March 2022.

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

Kind regards

Brigitte Healey
Consultant

ERM

Level 15 | 309 Kent Street | Sydney NSW 2000
T +61 2 8584 8863 M +61 422 902 109
E Brigitte.Healey@erm.com | W www.erm.com



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From: [Brigitte Healey](#)
To: [Dean Kerr](#)
Subject: FW: Rocglen Independent Environmental Audit [ref:_00D7F6iTix._5007F1GC1i8:ref]
Date: Friday, 25 March 2022 8:33:29 AM
Attachments: [image001.png](#)
[0637454 Rocglen IEA ToR.pdf](#)
[image001.png](#)

No response further than the email below

From: Environment Line <info@environment.nsw.gov.au>
Sent: Monday, March 7, 2022 10:59 AM
To: compliance.services@epa.nsw.gov.au
Cc: Brigitte Healey <Brigitte.Healey@erm.com>
Subject: FW: Rocglen Independent Environmental Audit [ref:_00D7F6iTix._5007F1GC1i8:ref]

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Hi Team,

The inquiry below received via Environment Line is passed on to you.

Kind regards,

Hillan

Environment Line Information Officer | Corporate Services Department of Planning, and Environment
T 131 555 | E info@environment.nsw.gov.au
4 Parramatta Square, 12 Darcey St, Parramatta NSW 2150
<https://www.epa.nsw.gov.au/about-us/contact-us/environmentline>
www.dpie.nsw.gov.au

----- Forwarded Message -----

From: Brigitte Healey [brigitte.healey@erm.com]
Sent: 4/03/2022 5:50 PM
To: info@epa.nsw.gov.au
Cc: heather.mckay@erm.com
Subject: Rocglen Independent Environmental Audit

To whom it may concern,

ERM is currently completing the Independent Environmental Audit (IEA) for Rocglen Extension Project on the Conditions of Approval (CoA) Conditions 8 & 9 of Schedule 5 of the Project Approval number 10_0015. The project is also governed by EPL 12870.

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.

The attached Terms of Reference outlines the audit process, and also introduces the approved team

of suitably qualified, experienced and independent experts who will be undertaking the audit. The site inspection will be completed between 23-24 March 2022, therefore it would be appreciated if there are any concerns, areas of focus etc., they are raised by 16 March 2022.

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

Kind regards

Brigitte Healey
Consultant

ERM

Level 15 | 309 Kent Street | Sydney NSW 2000

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E Brigitte.Healey@erm.com | W www.erm.com



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PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL



ref:_00D7F6iTix._5007F1GC1i8:ref

From: [Lindsay Fulloon](#)
To: [Dean Kerr](#)
Cc: [Simon Lund](#)
Subject: FW: Whitehaven Coal - Rocglen IEA 2022 - Request for Consultation [ref:_00D7F6iTix._5007F1IJ4N8:ref]
Date: Monday, 4 April 2022 5:02:10 PM
Attachments: [image001.png](#)
[image001.png](#)
[0637454 Rocglen IEA ToR.pdf](#)
[image001.png](#)

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Hello Dean

Apologies for the delayed response but your e-mail has only just reached me. The EPA is aware of one remaining issue at the site that Whitehaven needs to resolve, and that is the disposal of some waste heavy plant tyres which were stockpiled at the site before it ceased operations. DPE Planning and Assessments have confirmed that the site project approval does not permit the burial of these tyres on the site. They cannot be transferred for burial at one of Whitehaven's other sites. Whitehaven are actively looking for recycling opportunities to enable their removal from the premises.

Cheers

Lindsay Fulloon

Manager Regional Operations
Regulatory Operations Regional West
NSW Environment Protection Authority
D: 02 6773 7016 M: 0419 418 577

NSW EPA logo



[@NSW_EPA](http://www.epa.nsw.gov.au)

The EPA acknowledges the traditional custodians of the land and waters where we work. As part of the world's oldest surviving culture, we pay our respect to Aboriginal elders past, present and emerging.

Report pollution and environmental incidents 131 555 or +61 2 9995 5555

From: Environment Line <info@environment.nsw.gov.au>
Sent: Thursday, 31 March 2022 4:54 PM
To: EPA Delivery Hub Mailbox <EPA.DeliveryHub@epa.nsw.gov.au>
Subject: FW: Whitehaven Coal - Rocglen IEA 2022 - Request for Consultation [ref:_00D7F6iTix._5007F1IJ4N8:ref]

Regards

Barbara
Dept of Planning, Industry and Environment
Tel 131 555/1300 361 967

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----- Forwarded Message -----

From: Dean Kerr [dean.kerr@erm.com]
Sent: 28/03/2022 10:02
To: info@environment.nsw.gov.au
Cc: sophie.barkla@erm.com; heather.mckay@erm.com
Subject: Whitehaven Coal - Rocglen IEA 2022 - Request for Consultation

To whom it may concern

ERM is currently completing the Independent Environmental Audit (IEA) for the Rocglen Extension Project on the Conditions of Approval (CoA) Conditions 8 & 9 of Schedule 5 of the Project Approval number 10_0015. The project is also governed by EPL 12870.

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The attached Terms of Reference outlines the audit process, and also introduces the approved team of suitably qualified, experienced and independent experts who will be undertaking the audit. The site inspection will be completed between 6-7 April 2022, therefore it would be appreciated if there are any concerns, areas of focus etc., they are raised by 1 April 2022.

I can be contacted at the details outlined below if you wish to discuss this in person.

Kind regards

Dean Kerr

Senior Environmental Scientist

ERM

Level 15 | 309 Kent St | Sydney NSW 2000

T +61 2 8584 8819 | **M** +61 423 166 368

E dean.kerr@erm.com | **W** www.erm.com



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ref:_00D7F6iTix._5007F1IJ4N8:ref

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From: [Alex Bowlay](#)
To: [Dean Kerr](#)
Subject: RE: Whitehaven Coal - Rocglen IEA 2022 - Request for Consultation
Date: Wednesday, 30 March 2022 8:48:08 AM
Attachments: [image001.png](#)

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Hi Dean thanks for the email. I understand that an appropriate section within NRAR/DPE Water will respond as this will be more in line with their functions than mine as an investigator

Regards

Alex Bowlay
Senior Investigator
NRAR
(02) 4904 2557
0428 953 378

From: Dean Kerr <dean.kerr@erm.com>
Sent: Monday, 28 March 2022 10:02 AM
To: Alex Bowlay <alex.bowlay@nrar.nsw.gov.au>
Cc: Heather McKay <Heather.McKay@erm.com>; NRAR Enquiries Mailbox <nrar.enquiries@nrar.nsw.gov.au>; Sophie Barkla <Sophie.Barkla@erm.com>
Subject: Whitehaven Coal - Rocglen IEA 2022 - Request for Consultation

Dear Alex

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Janet Rose

From: Brigitte Healey
Sent: Friday, 25 March 2022 8:36 AM
To: Dean Kerr
Subject: FW: AREQ0025987 | RocGlen Open Cut Coal Mine | Enquiry (external) | Other Enquiry | 04 Mar 2022 17:50:25
Attachments: ERM_Rocglen_2022.pdf

From: Resources Regulator <nswresourcesregulator@service-now.com>
Sent: Wednesday, March 16, 2022 6:59 AM
To: Brigitte Healey <Brigitte.Healey@erm.com>
Subject: AREQ0025987 | RocGlen Open Cut Coal Mine | Enquiry (external) | Other Enquiry | 04 Mar 2022 17:50:25

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

Dear Ms Healey,

Please find attached the Regulator's response to your request for consultation on the independent environmental audit of the RocGlen Coal Mine.

Regards,

Jenny Ehmsen
Principal Compliance Auditor
MAI - Enforcement | Resources Regulator
T 4063 6443 M 0438 735 010



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Ref:MSG0635826_id3oPwyrMn98aULKgaT

AREQ0025987

Ms Brigitte Healey
ERM
Level 15
309 Kent Street
Sydney NSW 2000
By email: Brigitte.Healey@erm.com

Dear Ms Healey

Subject: RocGlen Coal Mine – Independent Environmental Audit

Thank you for your email dated 4 March 2022 requesting consultation on the independent audit to be undertaken of the RocGlen Coal Mine which is covered by mining leases ML1620 (1992) and ML1662 (1992).

The Resources Regulator requires that the following issues be addressed in independent environmental audits undertaken in accordance with a planning consent condition.

- Review relevant mining leases and exploration licences as agreed with Resources Regulator.
- Undertake an assessment of compliance against the conditions of title related to environmental management.
- Verify that there is a current Mining Operations Plan (MOP) in place and it has been approved by the Regulator – review compliance against any conditions of approval of the MOP.
- Undertake a critical review of the MOP, including an assessment of its compatibility with the description of operations contained in the planning approval. In particular:
 - Review the rehabilitation strategy as outlined in the MOP to determine if it is consistent with the Project Approval in terms of progressive rehabilitation schedule; and proposed final land use(s).
 - Review the rehabilitation objectives and completion criteria as outlined in the MOP to determine if they have been developed in accordance with the proposed final land use(s) as outlined in the Project Approval.
- Review the development and implementation of any rehabilitation monitoring programs to assess performance against the nominated objectives and

completion criteria – verified by reviewing monitoring reports and rehabilitation inspection records.

- Determine if a rehabilitation care and maintenance program has been developed and implemented based on the outcomes of monitoring program – verified by reviewing Annual Rehabilitation Programs or similar documentation.
- Confirm that mining operations are being conducted in accordance with the approved MOP (production, mining sequence etc.), including within the designated MOP approval boundary – to be verified by site plans and site inspection.
- Confirm that rehabilitation progress is consistent with the approved MOP as verified by site plans and a site inspection. This should include an evaluation against rehabilitation targets and whether the final landform is being developed in accordance with conceptual final landform in the Project Approval.
- Based on a visual inspection, determine if there are any rehabilitation areas that appear to have failed or that have incurred an issue that may result in a delay in achieving the successful rehabilitation outcomes.

In addition to the above, the audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice.

It would be appreciated if a copy of the final audit report could be sent to the Regulator at nswresourcesregulator@service-now.com upon completion of the audit.

Yours sincerely

Jenny Ehmsen
Principal Compliance Auditor

16 March 2022

Janet Rose

From: DPIE Water Assessments Mailbox <water.assessments@dpie.nsw.gov.au>
Sent: Wednesday, 30 March 2022 2:42 PM
To: Dean Kerr
Subject: RE: Whitehaven Coal - Rocglen IEA 2022 - Request for Consultation

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Hi Dean,

Thanks for your email.

I can advise that there is nothing specific that DPE Water requires addressing in the audit.

In future can you please submit your request for advice on post approval matters through the Major Projects Portal?

Regards,

Judy Court

Assistant Project Officer

Water Group

Department of Planning and Environment

T 02 9842 8126 | E judy.court@dpie.nsw.gov.au

www.dpie.nsw.gov.au

4 Parramatta Square
12 Darcy St
Parramatta, NSW 2150

Working days Monday to Thursday.



I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

Please consider the environment before printing this email

From: Dean Kerr <dean.kerr@erm.com>
Sent: Monday, 28 March 2022 10:02 AM
To: DPIE Water Enquiries Mailbox <water.enquiries@dpie.nsw.gov.au>
Cc: Heather McKay <Heather.McKay@erm.com>; Sophie Barkla <Sophie.Barkla@erm.com>
Subject: Whitehaven Coal - Rocglen IEA 2022 - Request for Consultation

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