

Sunnyside Coal Mine

Conditions of Approval Independent Environmental Audit Report

Whitehaven Coal Limited

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Sunnyside Coal Mine

Conditions of Approval Independent Environmental Audit

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Whitehaven Coal Limited

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EXECUTIVE SUMMARY

Environmental Resources Management Australia Pty Ltd (ERM) was commissioned to perform an independent environmental audit (IEA) of the Sunnyside Coal Mine located 15km west of Gunnedah, NSW on behalf of Whitehaven Coal (herein referred to as WHC). The primary purpose of the audit was to satisfy the Department of Planning and Environment (DPE) Ministers' Conditions of Approval (MCoA) Schedule 5, Condition 6 of PA 06_0308 (Modification 1), which requires the commissioning of an independent audit by the end of September 2010, and every 3 years thereafter.

The audit included a review of:

- *DP&E, Ministers Conditions of Approval MCoA PA 06_0308 (Modification 1) approved 3 November 2015;*
- *Mining Lease 1624;*
- *Environment Protection Licence 12957;*
- *Water Access Licence; and*
- *implementation of Management Plans developed as part of the Ministers Conditions of Approval.*

Overall, conformance was achieved with the audit documents that were reviewed. 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 DP&E 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 below:

Summary of Audit Findings

Non conformances	Administrative Non - conformances	Observations
<i>Statutory Instruments</i>		
17	8	17
High (1), Medium (10), Low (6)		
<i>Implementation of Plans</i>		
2	1	-

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

ABBREVIATIONS AND GLOSSARY

Term	Description
AEMR (AR)	Annual Environmental Management Report (Annual Review)
ANC	Administrative Non Compliance – audit finding
C	Compliant - audit finding
CCC	Community Consultative Committee
CHPP	Coal handling and preparation plant
DP&E	Department of Planning and Environment (formerly Department of Planning & Infrastructure)
DP&I	Department of Planning and Infrastructure (now Department of Planning & Environment)
DPI (Water)	Department of Primary Industries (Water) formerly NSW Office of Water
DRE	Department of Industry (Division of Resources and Energy)
DSEWPaC (now DoEE)	Department of Sustainability, Environment, Water, Population and Communities (now Department of Environment and Energy)
EMS	Environment Management Strategy
EP&A Act	Environment & Planning Act
EPA	Environment Protection Authority
EPL	Environment Protection Licence
EPBC	Environment Protection and Biodiversity Conservation Act 1999
ERM	Environmental Resources Management Australia Pty Ltd
IEA	Independent Environmental Audit
MCoA	Ministers Conditions of Approval
mAHD	metres Above Height Datum
ML	Mining Lease
MOP	Mining Operations Plan
NC	Non-compliant - audit finding
NOW	New South Wales Office of Water
NT	Not triggered – audit finding
NV	Not Verified – audit finding
O	Observation – audit finding
RMP	Rehabilitation Monitoring Program
ROM	Run of Mine
SWL	Standing Water Level

INTRODUCTION

Environmental Resources Management Australia Pty Ltd (ERM) was commissioned to perform an IEA of the Sunnyside Coal Mine located 15km west of Gunnedah, NSW on behalf of Whitehaven Coal (herein referred to as WHC). The primary purpose of the audit was to satisfy the Department of Planning and Environment (DPE) Ministers' Conditions of Approval (MCoA) Schedule 5, Condition 6 of PA 06_0308 (Modification 1), which requires the commissioning of an independent audit by the end of September 2010, and every 3 years thereafter, unless the Director General directs otherwise. The audit period assessed in this IEA is 1 October 2013 through 30 September 2016, the audit must:

- (a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
- (b) include consultation with the relevant agencies;
- (c) assess the environmental performance of the project and assess whether it is complying with the requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals);
- (d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and
- (e) recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under the abovementioned approvals.

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.

1.1

MINE HISTORY & APPROVALS

Sunnyside Coal Mine is a conventional open-cut operation originally approved by the former NSW Department of Planning (now Department of Planning and Environment) under Part 3A of the EP&A Act on the 24 September 2008 (Project Approval PA 06_0308). Subsequently Mining Lease (ML) 1624 was issued to Namoi Mining Pty Ltd by the Minister for Mineral Resources on 5 November 2008.

Mining commenced at Sunnyside Coal Mine in late 2008. The Project Approval (PA 06_0308) approves the extraction of approximately 7 million tonnes of run of mine (ROM) coal at a maximum rate of 1 million tonnes per year. During operations ROM coal was crushed and screened onsite and then transported by truck to the Whitehaven Siding Coal Handling and Preparation Plant (CHPP) near Gunnedah.

In late 2012, Sunnyside Coal Mine ceased production as a consequence of the falling coal prices. Re-commencement of production is dependent upon the mine being economically viable, including an improvement in coal prices and / or identification of lower cost mining technique. Sunnyside notified the DRE on 23rd November 2012 that the site was being placed in care and maintenance.

The most recent independent audit was conducted in October 2013 in accordance with Condition of Consent 6 (Schedule 5) of the Project Approval.

1.2 OVERVIEW OF OPERATIONS

Sunnyside Coal Mine is located within Mining Lease 1624 which is issued to Namoi Mining Pty Ltd (NMPL) and is 233.9 hectares in size. Sunnyside is wholly owned by NMPL, a wholly owned subsidiary of Whitehaven Coal Limited (WCL) which is a publically listed company on the Australian Stock Exchange.

In addition to the extraction of Run of Mine Coal (ROM), the approval also allows for the crushing and screening of ROM coal at Sunnyside, prior to transport to the Whitehaven CHPP near Gunnedah, approximately 16km away.

ERM understands that the Sunnyside Coal Mine has been in care and maintenance since November 2012 and that no mining has occurred during the subject audit period. During the audit period remedial works were undertaken to manage an area affected by spontaneous combustion.

It is estimated that approximately 1 Mt of mineable coal reserve remains within the current open cut consent area. Whitehaven may recommence operations, if economically viable.

1.2.1 *Description of primary processes undertaken during the audit period*

Current activities at the site include the following:

Construction

Operations used existing infrastructure and facilities with no upgrades or additional works completed during the audit period.

Land Preparation – Vegetation Clearing

No vegetation clearing was conducted during the audit period.

Land Preparation - Soil Stripping and Stockpiling

During the audit period remedial works were undertaken to manage an area affected by spontaneous combustion. Between January and March 2014 four blasts were initiated to win overburden prior to emplacement over the affected area.

Mining Operations

No mining operations occurred during the audit period.

Maintenance/Workshop Area

The contractor maintenance workshop and associated amenities were used by third party contractors, with oversight from Whitehaven employees, during the works to address spontaneous combustion. The main workshop area is provided with oil water separator for treatment of any runoff prior to reporting to the mines network of water storage dams. The contractor workshop surface runoff does not however report to the separator. During this period of work there was no bulk storage of fuel at Sunnyside with all refuelling infrastructure previously decommissioned and removed from site.

Coal Processing and Transport

During the audit period there was no coal handling, processing or off site transport of coal.

Waste Management

Access to Sunnyside during the audit period was restricted to third party contractors and Whitehaven employees attending site for monitoring and minor site maintenance activities. Waste produced during these visits was removed from Site.

The auditor was advised that amenities were made available for contractors during the spontaneous combustion remedial works in 2014.

Rehabilitation

No new areas of rehabilitation were established in during the audit period.

1.3

AUDIT OBJECTIVES

The primary objectives of the audit included:

- assessment of the environmental performance of the site, and its effects on the surrounding environment and sensitive receivers;
- assessment of whether the site is complying with the requirements in the Project Approval, EPL 12957, Mining Lease 1624 and relevant Water Access Licences (including any assessment, plan or program required under these approvals);
- review of the adequacy of any approved strategy, plan, or program required under the abovementioned consents/approvals; and
- recommendation of measures or actions to improve the environmental performance of Sunnyside, and/or any strategy/plan/program required under these consents/approvals.

1.4

AUDIT SCOPE

- the audit to be completed in accordance with DP&E's Guidelines for Independent Audits (Oct 2015);
- the audit to also be completed in accordance with AS/NZS ISO 19011:2003: Guidelines for quality and/or environmental management systems auditing;
- review of compliance against the documentation identified in the MCoA (as it relates to the current activities) which will include:
 - document review of compliance against the MCoA, and any other relevant consents/approvals;
 - site inspection to assess compliance against field implementation of active MCoA;
 - review of supporting plans developed as part of the MCoA and assessment of their adequacy towards effective environmental performance;
- review of monitoring results and trends with comparison of monitoring results against regulatory limits and MCoA limits (where applicable);
- confirmation if any additional monitoring required for identified trends;
- community complaints with review completed for any trends and identifying the source of an established trend;

- review of any regulatory actions including any letters, penalty notices and prosecutions;
- review of previous Independent Environment Audit (issued 2013) report to verify close-out of actions;
- consultation with the relevant agencies such as Department of Planning and Environment (DP&E), Environment Protection Agency (EPA), NSW Department of Industry (Division of Resource and Energy (DRE)) and DPI - Water and Gunnedah Shire Council (GSC);
- draft report with results of compliance assessment to be issued for comment to WHC; and
- final report issued for submission to the DPE.

The audit covers the period 1 October 2013 through 30 September 2016 (date of site inspection). The Site inspection was conducted Thursday 10th to Friday 11th November 2016.

1.5

AUDIT CRITERIA

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

- Conditions of consent PA 06_0308 including Statement of Commitments
- EPL 12957
- Mining Leases 1624
- Water Access Licence
- Management plans - the commitments in the management plans developed as part of the CoA have been implemented including:
 - Mining Operations Plan - Care and Maintenance
 - Aboriginal Cultural Heritage Management Plan (Sch3 C33)
 - Energy Saving Action Plan (Sch3 C42)
 - Air Quality Management Plan (Sch3 C19A)
 - Environment Management Strategy (Sch5 C1)
 - Environmental Monitoring Program (Sch5 C2)
 - Noise Management Plan (Sch3 C9A)

- Blast Management Plan (Sch3 C17B)
- Site Water Management Plan (Sch3 C22)
- Waste Management Plan (Sch3 C43)
- Rehabilitation and Landscape Management Plan (Sch3 C30)
- Mine Closure Plan (Sch3 C31)

1.6 *LIMITATIONS OF THIS REPORT*

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- 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.

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The audit comprised a site inspection, interviews with key personnel and review of records and other related documentation over the period 10 - 11 November 2016. The audit process included the following primary components:

- development of a Terms of Reference developed which included:
 - audit scope and objectives;
 - date and location of audit;
 - members of audit team;
 - list of people to be audited; and
 - list of reference documents and audit criteria.
- a project inception meeting was held on 26 October 2016 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 10 November 2016 at site to confirm the audit objectives and scope for the site inspection. Attendees included:
 - Oliver Moore (ERM Lead Auditor);
 - William Weir (ERM Support Auditor);
 - Tony Dwyer (WHC Group Superintendent - Environment (Compliance))
 - Maddie Whitten (WHC Graduate Environmental Officer)
 - Andrew Wright (WHC Biodiversity Specialist)
- site inspections were undertaken between 10 and 11 November 2016;
- 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 11 November 2016 to discuss initial findings and recommendations. Attendees included the same participants as the opening meeting with the exception of Maddie Whitten;
- preparation of draft audit report (this report);

- response to comments developed by WHC Sunnyside; and
- preparation of a final audit report.

2.2 *AGENCY AND COMMUNITY CONSULTATION*

As part of this audit, ERM and WHC consulted with the following agencies and stakeholders:

- Department of Planning and Environment (DPE);
- NSW Environment Protection Agency (EPA);
- NSW Department of Industry (Division of Resource and Energy (DRE));
- Office of Environment and Heritage (OEH); and
- Gunnedah Shire Council (GSC)

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.

2.2.1 *Summary of consultation*

The Terms of Reference were submitted to the DPE on 6 September 2016 and EPA, DRE, OEH and GSC on 31 October 2016, prior to the site inspection to obtain feedback and draw attention to any key issues, within the agreed scope of the audit.

At the time of reporting responses had been received from DPE and DRE.

DPE responded requesting the addition of a water specialist to the site audit team and subsequently confirming the audit team and Terms of Reference met the requirements of the IEA. DP&E also requested the scope include:

- effectiveness and currency of environmental inspections;
- effectiveness of erosion and sediment controls and dams; and
- effectiveness and health of rehabilitation.

DRE responded with a request for the audit to focus on various aspects of rehabilitation and biodiversity including progress and accordance with the MOP, Project Approvals and Management Plans. Assessment of the commitments in the MOP and the success of monitoring / implementation of the rehabilitation care and maintenance management plans.

No response had been obtained from EPA, OEH and GSC by the time that this report was completed.

The Community Consultative Committee (CCC) for Sunnyside meets on an annual basis and last met in November 2015.

The CCC was not consulted prior to this audit. It is recommended that the final audit report is tabled at the next Sunnyside CCC.

Refer to *Annex E* for copies of correspondence completed as part of the consultation process.

2.3

CLASSIFICATION OF AUDIT FINDINGS

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

- **Compliant (C):** the intent and all elements of the audit criteria requirements have been complied with within the scope of the audit.
- **Not Verified (NV):** insufficient verifiable evidence to demonstrate that the intent and all elements of the audit criteria have been complied with within the scope of the audit.
- **Non-compliant (NC):** the intent of one or more specific elements of the regulatory approval have not been complied with within the scope of the audit.
- **Administrative Non-compliance (ANC):** technical non-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).
- **Observation (O):** Observations are recorded where the audit identified issues of concern which do not strictly relate to the scope of the audit or assessment of compliance.
- **Not Triggered (NT)** - A regulatory approval requirement has an activation or timing trigger that had not been met at the time of the audit inspection, and therefore a determination of compliance could not be made.
- **Note:** A statement or fact, where no assessment of compliance is required.

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 DPE 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
- **Administrative non-compliance:** Only to be applied where the non-compliance does not result in any risk of environmental harm (e.g. submitting a report to government later than required under approval conditions).

3 *AUDIT FINDINGS*

3.1 *PREVIOUS AUDIT FOLLOW - UP*

An audit was completed in December 2013 with site inspection completed 17 October 2013. The 2013 audit reported on the audit actions from the audit completed in 2010 with actions completed with the exception of submission of reports within the required timeframes. A summary of the previous non-compliances and their status is summarised below in *Table 3.1 to Table 3.5*.

Table 3.1 Previous Audit Findings: Project Approval 06_0308

Condition	Evidence	Proposed Actions/Response	Due Date	Progress Update 2016
2.1	Site inspection identified spontaneous combustion of carbonaceous material in stockpiles within the pit. Also, given that the mine is now in care and maintenance, review and detailed development of the Mine Closure Plan is considered appropriate at this stage.	Detailed spontaneous combustion management plan submitted to EPA in response to the issue of a Clean Up Notice, and works have commenced. DRE are aware of the project and have indicated that EPA is the relevant authority for these works. Newsletter issued to surrounding landholders, Council etc in December 2013. Care and Maintenance MOP, comprising a Mine Closure Plan, is currently being developed and will be submitted to DRE for review and approval.	End March 2014 End of April 2014	Spontaneous combustion works were completed in April 2014. MOP amended for Care and Maintenance in September 2009. Extension sought in November 2011, and October 2015. Care and Maintenance MOP submitted and accepted by DRE in April 2016.
2.2(e)	A number of non-compliances with the Project Approval were identified during the audit as noted in the report.	Nil. Non compliances addressed elsewhere.	N/A	N/A
3.3	Noise exceedances identified between August 2011 and September 2012. It is considered that Whitehaven's actions in investigating the noise exceedances and the actions taken in response were appropriate and, given that mining operations have now cease on site, no further actions are considered to be required.	Nil. Non compliances addressed at the time and site now in care and maintenance phase.	N/A	N/A
3.10	Blast results reviewed during the audit identified several blast exceedances in May, June and October 2011 and January 2012.	Nil. Given the mine is now in care and maintenance and blasting has ceased on site, no further actions are considered to be required, unless mining activity recommences.	N/A	N/A

Table 3.2 Previous Audit Findings: EPL 12957

Condition	Evidence	Proposed Actions/Response	Due Date	Progress Update 2016
L6.1	Noise exceedances identified between August 2011 and September 2012. It is considered that Whitehaven's actions in investigating the noise exceedances and the actions taken in response were appropriate and, given that mining operations have now cease on site, no further actions are considered to be required.	Nil. Non compliances addressed at the time and site now in care and maintenance phase.	N/A	N/A
L7.1 & L7.2	Blast results reviewed during the audit identified several blast exceedances in May, June and October 2011 and January 2012.	Nil. Given the mine is now in care and maintenance and blasting has ceased on site, no further actions are considered to be required, unless mining activity recommences.	N/A	N/A
M2.1	Not all PM10 samples have been collected at monitoring points 7 and 8. Power outages and machine failure have resulted in several samples being missed.	Nil. Air quality monitoring is continuing to be undertaken during the care and maintenance phase, however, given that power outages and machine failures are intermittent and sometimes beyond the control of Whitehaven, no further actions are considered to be required.	N/A	N/A
M2.8(a)	It was noted that a blast monitor malfunction resulted in no monitoring of blast No 46 at "Innisvale" in March 2012.	Nil. At the time Whitehaven undertook an investigation and the monitor was repaired such that all further blasts have been monitored as required.	N/A	N/A

Table 3.3 Previous Audit Findings: ML 1624

Condition	Evidence	Proposed Actions/Response	Due Date	Progress Update 2016
2	<p>Site inspection identified spontaneous combustion of carbonaceous material in stockpiles within the pit.</p> <p>Also, given that the mine is now in care and maintenance, review and detailed development of the Mine Closure Plan is considered appropriate at this stage.</p>	<p>Detailed spontaneous combustion management plan submitted to EPA in response to the issue of a Clean Up Notice, and works have commenced. DRE are aware of the project and have indicated that EPA is the relevant authority for these works. Newsletter issued to surrounding landholders, Council etc in December 2013.</p> <p>Care and Maintenance MOP, comprising a Mine Closure Plan, is currently being developed and will be submitted to DRE for review and approval.</p>	<p>End March 2014</p> <p>End of April 2014</p>	<p>Spontaneous combustion works were completed in April 2014.</p> <p>MOP amended for Care and Maintenance in September 2009. Extension sought in November 2011, and October 2015. Care and Maintenance MOP submitted and accepted by DRE in April 2016.</p>
18	<p>There are currently issues with spontaneous combustion in the southern end of the pit. Since the audit site inspection was undertaken, it is understood that the EPA has issued a cleanup notice to Whitehaven in relation to the spontaneous combustion issue.</p>	<p>Detailed spontaneous combustion management plan submitted to EPA in response to the issue of a Clean Up Notice, and works have commenced. DRE are aware of the project and have indicated that EPA is the relevant authority for these works. Newsletter issued to surrounding landholders, Council etc in December 2013.</p>	<p>End March 2014</p>	<p>As above.</p>

Table 3.4 Previous Audit Findings: Management Plan Recommendations

Condition	Evidence	Proposed Actions/Response	Due Date	Progress Update 2016
Site Water Management Plan	Given the site is no longer manned on a daily basis, it is recommended that the Site Water Management Plan be reviewed and amended to ensure that appropriate strategies and controls are in place to minimise the potential for off-site discharges to occur.	Site Water Management Plan to be updated for care and maintenance phase.	End of April 2014 consistent with MOP timing	Site Water Management Plan updated for Care and Maintenance phase in November 2013.
Mine Closure Plan	Given that mining has not progressed to the extent envisaged by the current Plan, and the Plan was fairly conceptual in nature, it is recommended that the Plan be reviewed and amended to address the current care and maintenance phase and potential move to closure.	Care and Maintenance MOP, comprising a Mine Closure Plan, is currently being developed and will be submitted to DRE for review and approval.	End of April 2014 consistent with MOP timing	MOP amended for Care and Maintenance in September 2009. Extension sought in November 2011, and October 2015. Care and Maintenance MOP submitted and accepted by DRE in April 2016.

Table 3.5 Previous Audit Findings: Environmental Performance

Condition	Evidence	Proposed Actions/Response	Due Date	Progress Update 2016
Spontaneous Combustion	There are currently issues with spontaneous combustion in the southern end of the pit. Since the audit site inspection was undertaken, it is understood that the EPA has issued a cleanup notice to Whitehaven in relation to the spontaneous combustion issue.	Detailed spontaneous combustion management plan submitted to EPA in response to the issue of a Clean Up Notice, and works have commenced. Newsletter issued to surrounding landholders, Council etc in December 2013.	End March 2014	Spontaneous combustion works were completed in April 2014.
Rehabilitation and Mine Closure	There are areas of the site (such as the top of the waste emplacement and areas around the southern end of the pit) which could have rehabilitation commenced. It is recommended that Whitehaven consider further rehabilitation of the site in preparation of the revised MOP for the care and maintenance phase.	Spontaneous combustion management plan will address rehabilitation of the southern end of the pit. At completion of the current rehabilitation works associated with spontaneous combustion management, areas available for rehabilitation on the plateau of the retained emplacement or fringe of the southern void area will be undertaken.	End March 2014	Further rehabilitation on the plateau of the retained emplacement was not undertaken, as this area will need to be reworked for final rehabilitation and closure.
Koala Enhancement Areas and Koala Fencing	The koala fence installed around the southern boundary of the pit was observed to be still in place, however it was noted that maintenance of the fence is required in several sections missing the colourbond sheeting or where holes are present.	Koala fence to be repaired.	Complete	Repairs were made to the relevant sections of the koala fence immediately following the audit. The fence is subject to monitoring during the monthly inspection regime.

3.2

COMPLAINTS SUMMARY

Complaints received over the auditing period include:

2013

Between 9 October 2013 and 11 December 2013 Sunnyside received seven odour complaints related to spontaneous combustion. WHC identified capping of the source area as the most appropriate course of action to address spontaneous combustion and resulting odour. The EPA was advised WHC had discussed the issue with the complainants and a newsletter was distributed to local residents.

No complaints were received during 2014 or 2015 however a complaint relating to odour was received on 14 April 2016. WHC report notes that there was no indication of odour at the site at the time of the complaint. In response WHC was requested to issue details of spontaneous combustion monitoring to the EPA. This was completed by 28 April 2016 as required. No further action was taken.

3.3

ENVIRONMENTAL MONITORING PERFORMANCE

3.3.1

Noise

DP&I approved the cessation of quarterly noise monitoring while the site is in care and maintenance (16 January 2013) however this agreement was not reflected in the EPL updated in July 2015. The EPL variation includes noise limits. There is not a condition stating quarterly noise monitoring should be completed, however within *R4 Other monitoring and recording conditions* of the EPL, there is a requirement for noise monitoring compliance assessment report to be submitted to the EPA within thirty (30) days of the completion of the quarterly noise monitoring.

No noise monitoring was completed during the audit period. WHC submitted a licence variation application in February 2016 requesting removal of noise monitoring requirements. The variation was approved and EPL reissued 1 November 2016.

No noise complaints were received during the audit period, more specifically no noise issues were raised following the four blast events.

3.3.2

Blasting

Although no coal mining activities occurred during the audit period, four blast events were initiated between January and March 2014 for the purpose of extracting material for management of areas susceptible to spontaneous combustion.

Blast monitoring was initiated during these events, three of the events proceeded with ground vibration and overblast pressure being within the permitted limit at the four monitoring locations. One blast event resulted in an exceedance of overblast pressure.

Whitehaven issued an email to the DP&I and NSW EPA on 26 February 2014 to advise of an exceedance in blast criteria at Sunnyside Mine. During the blast on 26 February, at 12:57pm, blast monitors recorded the exceedance of criteria at Innisvale and Plainview.

The affected landowners were notified. No complaints were received from neighbouring landowners.

3.3.3

Air

Weekly site condition observations are undertaken by an environmental officer to monitor the areas affected by spontaneous combustion. Initial works have been completed to manage spontaneous combustion however ongoing efforts to identify hot spots continue.

Monthly monitoring for dust deposition is conducted by ALS and although elevated dust results were recorded at several monitoring locations, levels were within the stipulated criteria during the reporting period. The PM₁₀ results for the reporting period show compliance with the 24hr criteria, and the annual average criteria.

Sunnyside is required to have a suitable continuously operating meteorological station on site however they currently rely on data from an alternative meteorological station at Whitehaven's CHPP near Gunnedah, 16km from the Site.

3.3.4

Water Management

Surface Water

Surface water management, including clean and dirty water diversion drains, water storage dams and sediment dams appeared to be established generally in accordance with the approved Water Management Plan. The licenced surface water discharge point dams (Dam 3 and Dam 4) were mostly empty at the time of the site inspection. There have been no surface water discharge events during the audit period.

The large clean water diversion drain constructed up hydraulic gradient of the mine void was observed to be substantially over grown with weeds, with the potential to restrict the flow and subsequently the drainage efficiency of the diversion.

Some shallow erosion gullies were identified on the north eastern toe of the main overburden stockpile where ground stabilisation had not been fully established. Some minor erosion was also observed on the in-flow embankments to Dams 3 and 4 with the potential to add to the sediment load and worsen with more overland flows.

While the site is not currently operational it was noted that one of the two established on-site workshops, the Contractor 'igloo' workshop, was not reporting surface runoff to the oil-water separator system. This would need to be considered for any future maintenance, and any associated potential hydrocarbon impacted wash-down water emanating from this area.

Groundwater

Groundwater management and monitoring has been undertaken generally in accordance with the approved Water Management Plan. The water management plan has been written in such a way as to directly reflect the requirements in the MCoA. However, groundwater impact criteria have not been clearly established and documented in the plan as required. It is noted that a various groundwater and stock watering impact assessment criteria have being referenced in the WMP and AEMR/AR, but this should be refined to criteria specifically relevant to the regional and local water quality, and activities of the mine.

Water transfers in relation to the No. 5 underground workings are not addressed in the WMP. The site is licenced to extract water from the workings and/or return water if required to manage the site water balance (primarily for operational purposes). No water has been transferred to or from the underground workings during the audit period.

A Post Mining Groundwater Assessment for Mine Modification, Geo Terra (25 February 2015 Ref. SUN4-R1A) was commissioned to summarise previous 2008 groundwater assessments and a review of all data collected since 2008. The report concludes that data collected since 2008 supports predictions of limited change in regional or local groundwater levels and no impact to private bores.

3.3.5

Rehabilitation

Rehabilitation was observed during the site visit as being generally in accordance with the MOP (Care and Maintenance) Plan 2 (current status at MOP commencement) with the exception of some of the Koala corridor connectivity issues (discussed elsewhere). No areas of rehabilitation were established during the temporal scope of this audit period. Actions regarding

rehabilitation were limited to those listed in the monthly monitoring checklist, which are specifically limited to qualitative observation of risks to rehabilitation (weeds, vertebrate pests, rehabilitation condition and erosion) and undertaking periodic weed control.

A number of monitoring actions listed in the Rehabilitation and Landscape Management Plan are not being undertaken.

3.4

COMPLIANCE WITH REGULATORY INSTRUMENTS

A compliance check of the MCoA, EPL, MLs and water access licence conditions has been completed. Non-compliances and observations for each component are summarised in *Table 3.2*.

A full review and audit findings for each component are under the following Annexures:

- *Annex A* - MCoA PA 06_0308
- *Annex B* - Statement of Commitments
- *Annex C* - EPL 12957
- *Annex D* - Mining Leases 1624

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

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

Table 3.6 Summary of Audit Findings

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action						
<i>Minister's Conditions of Approval PA 06_0308</i>										
3.10	The Proponent shall ensure that the airblast overpressure level from blasting at the project does not exceed the criteria in Table 5 at any residence on privately-owned land. <i>Table 5: Airblast overpressure impact assessment criteria</i>	<p>Although no coal mining activities occurred during the audit period, four blast events were initiated between January and March 2014 for the purpose of extracting topsoil for management of areas susceptible to spontaneous combustion.</p> <p>Whitehaven issued an email to the DP&I and NSW EPA on 26 February 2014 to advise of an exceedance in blast criteria at Sunnyside Mine. The blast event occurred in relation to works to manage an area of spontaneous combustion which required drill and blast to access suitable capping material. During the blast on 26 February, at 12:57pm, blast monitors recorded the exceedance of criteria at Innisvale and Plainview.</p> <p>The affected landowners were notified. No complaints were received from neighbouring landowners.</p>	NC							
	<table border="1"> <thead> <tr> <th>Airblast overpressure level (dB(Lin Peak))</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td>115</td> <td>5% of the total number of blasts in a 12 month period</td> </tr> <tr> <td>120</td> <td>0%</td> </tr> </tbody> </table>	Airblast overpressure level (dB(Lin Peak))	Allowable exceedance	115	5% of the total number of blasts in a 12 month period	120	0%			
Airblast overpressure level (dB(Lin Peak))	Allowable exceedance									
115	5% of the total number of blasts in a 12 month period									
120	0%									
3.20	During the project, the Proponent shall ensure there is a suitable continuously operating meteorological station on site that complies with the requirements	No meteorological station on site. Site relies on data from nearby WHC	NC							

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
	in Approved Methods for Sampling of Air Pollutants in New South Wales (DECC, 2007), or its latest version.	site. It is recommended that clarification is sought from the regulator with regard to the need for a meteorological station on site during the care and maintenance phase, or any future operational phase of the project.		
3.23	The Site Water Balance must: (a) include details of: sources and security of water supply; water use on site; water management on site; off-site water transfers; reporting procedures; (b) describe measures to minimise water use by the project; and (c) be reviewed and recalculated each year using the most recent water monitoring data.	(a) Water transfers are not addressed in the WMP. No water has been transferred from the site to the No. 5 underground workings during the audit period. (b) Section 2.4 of WMP Section 2.4.1 of WMP - Review prior to recommencement of mining.	O	
3.26	The Groundwater Monitoring Program must include: (a) further development of the regional and local groundwater model; (b) detailed baseline data to benchmark the natural variation in groundwater levels, yield and quality (including at any privately owned bores in the vicinity of the site); (c) groundwater impact assessment criteria; (d) a program to monitor the impact of the project	(a) Section 5.3 of WMP. A Post Mining Groundwater Assessment for Mine Modification, Geo Terra (25 February 2015 Ref. SUN4-R1A) was commissioned to summarise previous 2008 groundwater assessments and review all data collected since 2008. The report concludes that data collected since 2008 supports predictions of limited change in groundwater levels and no impact to private bores.	ANC	

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
	<p>on groundwater levels, yield and quality; and</p> <p>(e) procedures for reporting the results of this monitoring.</p>	<p>(b) Section 5.3 of WMP</p> <p>(c) Section 5.3 of the WMP - Groundwater Chemistry provides baseline groundwater data with values compared up ANZECC 2000 default trigger values for upland rivers in one instance and 95% trigger values for toxicants in another. Section 5.5.2 of the WMP refers to assessment of data being provided in AEMR. The AEMR assesses groundwater data against criteria for stock watering. Impact assessment criteria are not clearly defined in the WMP.</p> <p>(d) Section 5.5 of the WMP</p> <p>(e) Section 5.5.2 of the WMP addresses reporting to CCC and AEMR.</p> <p>Clearly define groundwater impact assessment criteria and update WMP.</p>	ANC	
3.27	<p>The Groundwater Contingency Plan must:</p> <p>(a) provide measures to mitigate any impacts of the mine on the quality or quantity of groundwater supplies available on privately-owned land;</p> <p>(b) establish trigger levels, benchmarks and contingency criteria; and</p> <p>(c) provide for negotiated agreements with</p>	<p>(a) Section 6.2 of WMP</p> <p>(b) Section 6.2 discussed exceedance of trigger values and responses, however trigger values are not clearly defined in the WMP.</p> <p>(c) Section 6.3 of WMP</p>		

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
	affected landowners, including compensation where mining impacts result in increased extraction costs for landowners.			
3.28	<p>The Proponent shall implement the koala habitat management and enhancement actions described in the EA (shown conceptually in Figure 6 in Appendix 4) in consultation with the OEH and to the satisfaction of the Secretary</p> <p><i>Note: Conditions 29 – 31 must be read in conjunction with Section 17 of the Statement of Commitments.</i></p>	<p>Apparent typographical error in condition. Figure 5 in Koala Management Plan was treated as this figure. Site visit confirmed onsite actions are partially in compliance with figure.</p> <p>Evidence of satisfaction of the Secretary predates the scope of this audit.</p> <p>Modification EA (s4.5) (2015) states that a Koala Management Plan has been developed (consistent with this condition 28) and would continue to be implemented.</p> <p>Previous IEA identified damaged or missing sections of the southern koala fence. The fence was observed during the site visit to be in good condition.</p> <p>Koala habitat corridor enhancement planting was observed experiencing good tree growth of koala feed tree species listed in SEPP 44 White Box (<i>Eucalyptus albens</i>) and Bimble Box and the secondary feed tree species listed in the Western Slopes and Plains Koala Management Area Yellow Box (<i>E. melliodora</i>) Kurrajong</p>	NC	

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		(<i>Brachychiton populneus</i>) . Connectivity is good where Coochoonah Lane meets the western mine boundary koala corridor although an approximate 30m gap exists between the eastern corridor and the Coochoonah Lane Koala habitat (note this is not able to be closed further due to neighbouring land owner). Connectivity between the southern end of the eastern boundary Koala corridor and the bushland to the south is absent and should be improved.		
3.37	Within 6 months of this approval the Proponent shall enter into an agreement with Council for the maintenance of the section of the Oxley Highway between Coochoonah Lane and Blackjack Road.	The Road Maintenance Agreement was established outside of the required 6 month timeframe, however this is outside the current audit period.	O	
3.40	The Proponent shall minimise the visual impacts of the project to the satisfaction of the Secretary	The Auditor was informed that the Department has not been contacted to seek approval of for this condition. Although the site is non-operational and there have been no complaints regarding visual impact, this is considered and administrative non-compliance.	ANC	
5.2	The Proponent shall prepare and implement an Environmental Monitoring Program for the project to the satisfaction of the Secretary. This program	The current version of the EMP, prepared 19 November 2013. EMP indicates the program has been	NC	

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
	must be submitted to the Secretary within 6 months of this approval and consolidate the various monitoring requirements in schedule 3 of this approval into a single document.	approved by the Director General of the DP&I, however the most recent approval for the EMP is dated 10 October 2011. The program consolidates the monitoring commitments made in the various management plans / monitoring programs.		
5.5A	Within 3 months of the submission of an: (a) AEMR under condition 5 of schedule 5 above; (b) incident report under condition 4 of schedule 5 above; (c) audit under condition 6 below; or (d) any modification to the conditions of this approval, the proponent shall review, and if necessary revise, the strategies, plans and programmes required under this approval to the satisfaction of the Secretary. Where this review leads to revision of any plan then within four weeks of the review the revised document must be submitted to the Secretary and any other relevant agency for approval.	Whitehaven does not maintain a system for tracking updates to AEMR, IEAs or modifications to approvals and therefore has limited ability to track the need to update or revise documents. Develop document and record tracking system to track revisions and to ensure the condition is met.	ANC	
<i>Statement of Commitments</i>				
7.5	Direct all water from wash-down areas and workshops, except some mobile equipment to oil / water separators and containment systems	One of the two on-site workshops (the contractor workshop) is not connected to the water collection and oil separation system. These workshops have not been in use during the audit period. Ensure that the potentially	O	

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		contaminated wash down water can be collected and treated from all workshop areas if operational in future.		
7.7	Construct two turkey's nest dams for the storage of any surplus open cut pit inflows (rather than direct placement into underground workings).	<p>Only one dam has been constructed to date. The auditor was advised that up until the time of moving to care and maintenance, and during this recent non-operational period there has not been a need for the second dam. This situation may however change should the mine be brought back into operation, thus requiring dewatering of the mine void.</p> <p>Review the need for a second dam for operational purposes and construct as may be required.</p>	ANC	
9.3	Erect a Koala-proof fence around the active mine area.	<p>Koala proof fencing observed separating the mine pit and the woodland to the south. Fence of cyclone wire to 1.5m tall with metal sheeting on the outside top 40cm of the fence. Fence appeared in good condition.</p> <p>No fencing separates the koala habitat corridors which run along the western and eastern boundaries</p>	O	

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		<p>of the site from the mine pit.</p> <p>When active mining recommences a koala proof fence should separate active mine and koala habitats (including corridors for connectivity) to reflect requirements of the EA.</p>		
9.4	Restrict speeds of all vehicles on the Project	<p>Minesite in care and maintenance with very few vehicles. Operational vehicular traffic ceased prior to the scope of this audit. Although noted that the condition applies to the entire mine life.</p> <p>No evidence of speed restrictions in place, Whitehaven general site rules restrict speed to 60km/h.</p> <p>Opportunity to rectify in future with minimal impacts due to being in care and maintenance.</p>	O	
9.11	Control noxious weeds at all times.	<p>Declared noxious weeds observed onsite included Prickly Pear (<i>Opuntia stricta</i> var. <i>stricta</i>) and Patterson's Curse (<i>Echium plantagineum</i>). It was noted that the only Prickly Pear observed onsite was two individuals in the south eastern corner of the site which were both senescent.</p> <p>Generally weed control is ad-hoc</p>	NC	

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		<p>with no monitoring data collection providing triggers for management actions. Programs exist for weed monitoring and they are not being implemented.</p> <p>Weeds are controlled, as reported by the AEMR / AR, in a manner triggered by monthly inspections. Sampled monthly inspection forms that would have triggered reported weed treatment in August and October 2015 contain no weed management actions being required.</p> <p>Weed control is not being recorded to the level of detail described in the Rehabilitation and Landscape Management Plan.</p> <p>No evidence of weed monitoring activities being undertaken as listed in Rehabilitation and Landscape Management Plan. These include:</p> <ul style="list-style-type: none"> - vegetation cover transects in rehabilitation areas; - weed control species and control actions by treatment personnel; and - bi-annual ML-wide weed surveys. <p>Field observations identified an abundance of locally common weed</p>		

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		species across the site. Two individuals of the noxious weed Prickly Pear were observed in the field in senescence.		
9.12	Adopt a strategy to rehabilitate specific areas of the Project Site to native vegetation, create and / or improve habitat corridors on and adjacent to the Project Site, and protect areas of native vegetation from agricultural activities on NMPL land external to the Project Site.	<p>Rehabilitation and Landscape Management Plan (EcoLogical 2011) satisfies this requirement for a plan to be adopted. Table 5 identifies the rehabilitation actions as being to revegetate in accordance with the Koala Management Plan and contains the completion criteria for native woodland areas which is to achieve 18.8ha of koala habitat corridor.</p> <p>Koala Management Plan (KMA 2007) satisfies this requirement for a plan to be adopted</p> <p>MOP (Care and Maintenance) Plans 2 (2016) and 4 (final) demonstrate rehabilitation plans.</p> <p>Site visit identified MOP (Care and Maintenance) Plan 2 (2016) site conditions reflected the plan, with the exception of 2009-2010 woodland rehabilitation which has largely failed. Koala habitat corridors along the western and eastern boundaries are in place and exhibiting good tree</p>	NC	

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		<p>growth. In general all native woodland rehabilitation and koala enhancement woodland has poor non-tree native species and very high weed species presence. Weed species in the non-tree layer should not impact the utility of the areas to the koala, however species composition is currently inconsistent with MOP (Care and Maintenance) rehabilitation objectives described in Table 6 (although acknowledged that these are final landuse goals and the mine is not yet at closure planning or relinquishment. It is noted now as these areas would require renewed rehabilitation effort to achieve the relinquishment condition.</p> <p>Habitat linkages observed along western and eastern minesite boundaries for Koala habitat enhancement experiencing good tree growth although linkage missing between eastern corridor and Coochoonah Lane (approximately 30m gap). The eastern Koala enhancement corridor does not currently connect to the woodland south of mine area as shown in MOP (Care and Maintenance) Plan 2.</p>		

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		<p>Corridors will require enhancement plantings to improve connectivity linkages especially the eastern boundary corridor.</p> <p>Future work towards mine closure and relinquishment will require significant renewed rehabilitation efforts to improve the currently poor native non-tree species presence (e.g. ground and shrub layers).</p>		
9.13	Maintain, expand and / or create several koala habitat corridors to promote the linkage of remnant vegetation in the local area.	<p>Good tree growth observed along western and eastern minesite boundaries providing habitat linkages for koalas. However the linkage is missing between the eastern corridor and Coochoonah Lane (approximately 30m gap). The eastern Koala enhancement corridor does not currently connect to the woodland south of mine area as shown in MOP (Care and Maintenance) Plan 2.</p> <p>Corridors will require enhancement plantings to improve connectivity linkages especially the eastern boundary corridor.</p>	NC	
9.15	Carry out, where possible, tree removal, especially the mature trees in late spring and early autumn to	No clearing has occurred during the period covered by this audit scope.	NT / O	

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
	avoid spring nesting birds and over-wintering bats.	No Flora and Fauna Management Procedures (FFMP) was provided during the audit, although this requirement would only be triggered by clearing, of which there was none during the audit period. A suggested improvement is to incorporate this condition into any future FFMP should mining minesite be recommenced.		
9.16	Undertake inspections of mature trees for nesting birds and roosting bats prior to each clearing campaign where mature tree with hollows are to be removed.	No clearing has occurred during the period covered by this audit scope. No Flora and Fauna Management Procedures (FFMP) was provided during the audit, although this requirement would only be triggered by clearing, of which there was none during the audit period. A suggested improvement is to incorporate this condition into any future FFMP should mining minesite be recommenced.	NT / O	
9.17	Relocate any nesting and roosting hollows, as well as nests, used by listed threatened species to appropriate locations nearby.	No clearing has occurred during the period covered by this audit scope. No Flora and Fauna Management Procedures (FFMP) was provided during the audit, although this requirement would only be triggered by clearing, of which there was none	NT / O	

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		during the audit period. A suggested improvement is to incorporate this condition into any future FFMP should mining minesite be recommenced.		
9.18	Bury all stumps, branches and tree trunks from felled timber within the overburden emplacements.	No clearing has occurred during the period covered by this audit scope. No Flora and Fauna Management Procedures (FFMP) was provided during the audit, although this requirement would only be triggered by clearing, of which there was none during the audit period. A suggested improvement is to incorporate this condition into any future FFMP should mining minesite be recommenced.	NT / O	
9.19	Commence post-mining rehabilitation of the Box Cut area as soon as possible. Re- establish the connectivity of habitat corridor along Coochoonah Lane. Commence post- mining establishment of the koala habitat corridors between Coochoonah Lane and the remnant woodlands south of the Project Site as soon as practicable to re- establish and enhance the connectivity of local koala habitat corridors.	Good tree growth observed along western and eastern minesite boundaries providing habitat linkages for koalas. However the linkage is missing between the eastern corridor and Coochoonah Lane (approximately 30m gap). The eastern Koala enhancement corridor does not currently connect to the woodland south of mine area as shown in MOP (Care and Maintenance) Plan 2.	NC	

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		Corridors will require enhancement plantings to improve connectivity linkages especially the eastern boundary corridor.		
9.20	Include a vertebrate pest control program as part of the mining operation and management plan.	<p>Rehabilitation and Landscape Management Plan describes pest management in these sections:</p> <p>6.7.2 describes feral species control measures as being baiting for the two identified declared pests (Wild Dog and Rabbit) and warren destruction for the rabbit.</p> <p>Note that the Feral Pig was not considered in the strategy as may not have been identified onsite prior.</p> <p>7.7 describes feral pest completion criteria as being control undertaken in accordance with the LHPA officer.</p> <p>8.4.2 describes recording requirements for feral pest control efforts including bait emplacement and take rates, and rabbit warren destruction activities. The latter should be followed by monitoring rabbit and warren activity.</p> <p>Selection of monthly inspection forms (June through to November 2015, February and July 2016)</p>	NC	

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		<p>sighted and contains rudimentary section for feral species observations.</p> <p>AEMR 2013/2014 s3.18 states that due to the low frequency of feral animals that no targeted baiting programs are undertaken beyond monthly monitoring. The section reports that Feral Pig trapping has occurred since mid-2013 with nine pigs captured (although does state the fate of the animals).</p> <p>AEMR 2014/2015 s6.2.4 states that due to the low frequency of feral animals that no targeted management programs are undertaken beyond monthly monitoring.</p> <p>No evidence was provided to justify the alteration in vertebrate pest management as outlined in the Rehabilitation and Landscape Management Plan to the current practice.</p> <p>Site visit observed Feral Pigs on minesite and one trap which could be set for pigs.</p> <p>Activities described in the Rehabilitation and Landscape Management Plan were not</p>		

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		undertaken in the 2013/2014 or 2014/2015 AEMR periods because of low feral species prevalence. Pig trapping is ongoing.		
10.3	Direct all water from wash-down areas and workshops to oil/water separators and containment systems.	<p>The "igloo" contractor workshop washdown area does not report to the oil/water separators and containment systems. This workshop is not currently in use.</p> <p>Ensure that the potentially contaminated wash down water can be collected and treated from all workshop areas if operational in future.</p>	O	
10.10A	Minimisation of erosion and sedimentation.	<p>The auditor observed on section of the overburden emplacement whereby rehabilitation was not fully established and some shallow gully erosion was occurring. Overall the remainder of the site was well established with stabilising vegetation.</p> <p>It is recommended that the area with gully erosion be rectified and stabilised to prevent further erosion.</p>	O	
11.1	Fence off all land which is not to be disturbed to encourage natural regeneration.	No fencing was observed separating the mine site operational areas from the regeneration areas (those	O	

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		<p>relevant being the wildlife corridors along the eastern, northern and western boundaries of the site.</p> <p>Identify areas suitable for fencing to encourage natural regeneration in those boundary corridors as stated.</p>		
11.29	<p>Undertake an air quality monitoring program to demonstrate compliance with the nominated goals specified in the Environment Protection Licence.</p> <p>Deposited dust at selected residences and strategic locations surrounding the Project Site.</p> <p>Continuous wind speed and direction at the Project Site weather station.</p> <p>PM10 dust at a residence six day cycle.</p>	<p>The monitoring program in place reflects the intent of the condition, with the exception of the requirement to monitor wind speed and direction at the site. Whitehaven to seek confirmation that this condition can be satisfied with weather monitoring from the Gunnedah CHPP.</p>	ANC	
11.34	<p>Install and maintain an automatic weather station within the Project Site.</p>	<p>There is no functioning weather station on site. Whitehaven to seek confirmation that this condition can be satisfied with weather monitoring from the Gunnedah CHPP.</p>	NC	
14.3	<p>Strip further subsoil to bedrock and segregate each SMU</p>	<p>Soil segregation not observable in the field due to pasture vegetation growth on stockpiles.</p> <p>End of month survey plan from the period when site mining activities last occurred has topsoil areas labelled.</p>	NC	

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		No evidence of SMU segregation aside from topsoil emplacement.		
14.4	Place higher alkalinity soils over the surface of the overburden emplacement to provide neutralising capacity in the event pockets of acid forming rock are encountered	<p>Higher alkalinity soils emplacement not observable.</p> <p>No evidence available to confirm if triggered.</p> <p>Anecdotal evidence that acid forming rock is known or that there is some capacity or ability to detect when this becomes a problem.</p> <p>Recommended that soil pH is recorded during soil management and emplacement.</p>	O	
14.5	Install erosion protection around stockpiles of this material with direct transfer from source to sink commenced as soon as practicable	<p>No transfer from source to sink observable. South eastern corner stockpile protected by contour bank and dense pasture and weedy vegetation growth.</p> <p>No observation of recent stockpile emplacement to inspect sediment fencing or drainage controls.</p> <p>If mining is recommended in future, recommendation for sediment fencing around bare stockpiles.</p>	O	
14.6	Topsoil stockpiles not exceed 2m in height and where practicable, be maintained as windrows in	Labelled topsoil stockpiles on the end of month survey plan from 2012	NC	

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
	preference to larger structures	(last time soils were moved) show soil stockpiles at 4m or greater above surrounding ground level. Confirmed by field observation. Topsoil stockpiles exceed committed height.		
14.8	Subsoil stockpiles to generally not exceed 3m in height and typically be placed in larger stockpiles than the topsoil	No subsoil stockpiles observable on the only available plan. Soil segregation in stockpiling unclear.	O	Soil stockpile segregation should be improved.
14.12	Monitor erosion from soil stockpiles or rehabilitated surfaces throughout the life of the Project with remedial works undertaken should erosion be observed.	Selection of monthly inspection forms (June through to November 2015, February and July 2016) sighted and contains rudimentary section for erosion observations. Periodic noting of erosion presence however not accompanied by recommended actions, nor does it report on erosion control actions performance. AEMR 2013/2014 s5.2.10 reported minor erosion presence on the western area of soil cover on the overburden emplacement. The report stated control actions being seeding of a cover crop and installation of contour banks. Cover crop was observed during the site visit however no contour banks were	O	Monitoring is occurring on a monthly basis (with some months in which no inspections apparent). Unidentifiable consequence of erosion risks identified (e.g. recommended control measures or later inspection of erosion control measures undertaken). AEMR 2013/2014 contains recommendations to control some erosion areas on the western side of the overburden emplacement however no follow up reporting is detailed in the AEMR 2014/2015.

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		<p>observed.</p> <p>AEMR 2014/2015 made no mention of erosion or follow up of the above proposed actions beyond that erosion monitoring would be ongoing.</p> <p>Site visit identified areas of erosion rilling down slope observed in area of soil shaping and emplacement on western side of overburden emplacement.</p>		
17.5	<p>Rehabilitate out-of-pit emplacement with agricultural pasture species and incorporate random tree plantings</p>	<p>Site visit observed out-of-pit emplacement rehabilitated with pasture species common to the pastures of the region (listed above). No random tree planting in pasture areas.</p> <p>Tree planting not random in 2010-2011 rehabilitation, rather species listed in rehabilitated areas above planted at regular spacing along cross-slope channels (approximately 5m apart) in regularly spaced parallel cross-slope rows (approximately 5m apart).</p> <p>General failure of 2009-2010 rehabilitation has resulted in a more random tree distribution but has</p>	<p>NC</p>	

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		<p>created a sparse tree layer.</p> <p>Future tree planting should be done with a more random planting.</p>		
<i>EPL 12957</i>				
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</p> <p>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>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 Noise Monitoring Program stipulates these criteria however no noise monitoring was completed during the audit period. Although DP&I approved the cessation of quarterly noise monitoring while the site is in care and maintenance (16 January 2013) this agreement was not reflected in the EPL updated in July 2015. WHC submitted a licence variation application in February 2016 requesting removal of noise monitoring requirements. The variation was approved and EPL reissued 1 November 2016 however this is not updated on the WHC website.</p>	ANC	

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
L5.1	<p>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</p>	<p>Although no coal mining activities occurred during the audit period, four blast events were initiated between January and March 2014 for the purpose of extracting topsoil for management of areas susceptible to spontaneous combustion.</p> <p>Whitehaven issued an email to the DP&I and NSW EPA on 26 February 2014 to advise of an exceedance in blast criteria at Sunnyside Mine. The blast event occurred in relation to works to manage an area of spontaneous combustion which required drill and blast to access suitable capping material. During the blast on 26 February, at 12:57pm, blast monitors recorded the exceedance of criteria at Innisvale and Plainview.</p> <p>The affected landowners were notified. No complaints were received from neighbouring landowners.</p>	NC	
L5.2	<p>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</p>	Refer L5.1	NC	

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
	not the limit has been exceeded.			
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	<p>One incident of environmental harm occurred during the audit period and this relates to the blast overpressure exceedance. Whitehaven emailed NSW EPA and DP&I on the day of the incident but no record of receipt or telephone communication was able to be provided.</p> <p>Ensure records of decision process for determination of environmental harm are kept when determining the requirement to notify. If notification is required maintain records of receipt or telephone communications are recorded and maintained in relation to incident notifications.</p>	ANC	
R4.4	<p>A noise compliance assessment report must be submitted to the EPA within thirty (30) days of the completion of the quarterly noise monitoring. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include:</p> <p>a) an assessment of compliance with noise limits detailed in the limit conditions of this licence; and</p> <p>b) an outline of any management actions taken within the monitoring period to address any exceedance of the limits detailed in the limit conditions of this licence.</p>	<p>A letter from DP&E, dated 16 January 2013 approves the cessation of quarterly noise monitoring while the site is in care and maintenance. As such a noise compliance assessment report has not been issued during the reporting period.</p> <p>Confirm with EPA that requirement for reporting noise monitoring is superseded to align with cessation of quarterly monitoring. WHC requested removal of condition in October 2016.</p>	NC	

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
Mining Lease 1624				
15. b	<p data-bbox="286 347 517 379">Blast Overpressure</p> <p data-bbox="286 395 913 659">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.</p>	<p data-bbox="936 347 1384 411">Refer PA 06_0308 Schedule 3 Condition 10</p>	<p data-bbox="1458 347 1514 379">NC</p>	

3.5

REVIEW OF MANAGEMENT PLANS IMPLEMENTATION

A review of commitments made in the management plans developed as part of the statutory instruments for the site was completed. Non-conformances and observations for each commitment in the plans are summarised by exception in *Table 3.3*.

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

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

Table 3.7 Summary of Plan Implementation Review Findings

Section	Assessment Requirement	Comment	Audit Classification	Recommended Action
<i>Environment Management Strategy</i>				
	<p>The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Secretary. This strategy must be submitted to the Secretary prior to the commencement of construction activities, and:</p> <p>(a) provide the strategic context for environmental management of the project;</p> <p>(b) identify the statutory requirements that apply to the project;</p> <p>(c) describe in general how the environmental performance of the project would be monitored and managed;</p> <p>(d) describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"> • keep the local community and relevant agencies informed about the operation and environmental performance of the 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; • manage cumulative impacts; and • respond to emergencies; and (e) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project. 	<p>EMS in place and presented on website which meets criteria.</p>	<p>C</p>	

Section	Assessment Requirement	Comment	Audit Classification	Recommended Action
<i>Noise Management Plan</i>				
3.9A	<p>The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Secretary. The plan must</p> <p>(a) be prepared in consultation with the EPA and be submitted to the Secretary for approval prior to recommencing operations;</p> <p>(b) describe the measures that would be implemented to ensure compliance with the noise criteria and operating conditions in this approval;</p> <p>(c) describe the proposed noise management system in detail;</p> <p>(d) include a monitoring programme that:</p> <p>a. evaluates and reports on:</p> <p>i. the effectiveness of the noise management system;</p> <p>ii. compliance against the noise criteria in this approval; and iii. compliance against the noise operating conditions; and</p> <p>b. defines what constitutes a noise incident, and include a protocol for identifying and notifying the Department and relevant stakeholders of any noise incidents</p>	<p>A Noise Management Plan has been revised and implemented to reflect the care and maintenance status of the Site. Documentary evidence that the NMP has approval from the DG was not available however it is not required to be implemented until operations recommence.</p>	NT	
<i>Blast Management Plan</i>				
3.17	<p>The Proponent shall not undertake blasting on-site within 500 metres of any public road or any land outside the site not owned by the Proponent unless the Proponent has undertaken the following to the satisfaction of the Secretary:</p> <p>(a) demonstrated that the blasting can be carried out closer to the infrastructure or land without compromising the safety of the people or</p>	<p>The Blast Management Plan was most recently updated September 2009.</p> <p>The BMP is implemented to reflect limited blasting and care and maintenance status of the site during the audit period, however the management plan in place reflects the intent of the</p>	C	

Section	Assessment Requirement	Comment	Audit Classification	Recommended Action
	<p>livestock or damaging the infrastructure and / or other buildings and structures;</p> <p>(b) included specific measures in the Blast Management Plan, required under condition 17B, that would be implemented while blasting is being carried out within 500 metres of the infrastructure or land; or</p> <p>(c) provided a written agreement with the relevant infrastructure owner or landowner to allow blasting to be carried out closer to the infrastructure or land, and the Proponent has advised the Department in writing of the terms of this agreement.</p>	<p>condition should blasting re-commence.</p> <p>The program states it is to be revised at least every two years. WHC to update AQMP as per commitment to update every two years.</p>		
<i>Air Quality Management Plan</i>				
3.19A	<p>The Proponent shall prepare and implement an Air Quality Management Plan for the project to the satisfaction of the Secretary. The plan must:</p> <p>(a) be prepared in consultation with the EPA and submitted to the Secretary for approval prior to recommencing any ROM coal mining operations on site;</p> <p>(b) describe the measures that would be implemented to ensure compliance with the relevant air quality criteria and operating conditions of this approval;</p> <p>(c) describe the air quality management system in detail; and</p> <p>(d) include an air quality monitoring programme that:</p> <p>a. uses air quality monitors to evaluate the performance of the project against the air quality criteria in this approval;</p> <p>b. adequately supports the air quality management system;</p>	<p>The management plan in place reflects the intent of the condition and implemented to reflect the care and maintenance status of the Site.</p> <p>The program states it is to be revised at least every two years. WHC to update AQMP as per commitment to update every two years.</p>	C	

Section	Assessment Requirement	Comment	Audit Classification	Recommended Action
	<p>c. evaluates and reports on the effectiveness of the air quality management system and compliance against the air quality operating conditions; and</p> <p>d. defines what constitutes an air quality incident and includes a protocol for determining and notifying the Department and relevant stakeholders of any air quality incidents.</p>			
<i>Water Management Plan</i>				
3.22	<p>The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Secretary. This plan must be submitted to the Secretary for approval prior to the commencement of construction activities (not including public road upgrades other than the realignment of Coccooboonah Lane) in consultation with the EPA and DPI Water by suitably qualified expert/s whose appointment/s have been approved by the Secretary and include a:</p> <p>(a) Site Water Balance;</p> <p>(b) Erosion and Sediment Control Plan; (c) Surface Water Monitoring Plan;</p> <p>(d) Groundwater Monitoring Program; and</p> <p>(e) Groundwater Contingency Plan</p>	<p>The WMP generally addresses the requirements of this condition in the following sections.</p> <p>(a) Section 2 of WMP (b) Section 3 of WMP (c) Section 4 of WMP (d) Section 5 of WMP (e) Section 6 of WMP</p> <p>Groundwater assessment criteria needs to be clearly identified in the relevant section as discussed below.</p>	C	

Section	Assessment Requirement	Comment	Audit Classification	Recommended Action
<i>Rehabilitation and Landscape Management Plan</i>				
3.30	<p>The Proponent shall prepare and implement a detailed Rehabilitation and Landscape Management Plan for the site to the satisfaction of the Secretary and DRE. This plan must:</p> <p>(a) be prepared in consultation with OEH, DPI Water and Council by suitably qualified expert/s whose appointment/s have been approved by the Secretary; and</p> <p>(b) be submitted to the Secretary and DRE for approval by 1 March 2009;</p> <p>(c) include:</p> <ul style="list-style-type: none"> the rehabilitation objectives for the site; a description of how the rehabilitation of the site would be integrated with the landscape of the surrounding area; detailed performance and completion criteria for the rehabilitation of the site; a detailed description of the measures that would be implemented to achieve the performance and completion criteria for each site, including the procedures to be implemented for <ul style="list-style-type: none"> - protection and enhancement of koala habitat; - progressively rehabilitating the areas disturbed by mining operations; - restoration of agricultural land suitability; - revegetating the site; - protecting and/or enhancing areas in the vicinity of the disturbance area; 	<p>Rehabilitation and Landscape Management Plan (EcoLogical 2011) predates this IEA. Addressed in 2013 IEA (Umwelt).</p>	C	

Section	Assessment Requirement	Comment	Audit Classification	Recommended Action
-	conserving and re-using any topsoil;			
-	controlling weeds and feral pests;			
-	controlling access; and			
-	bushfire management.			
	<p>a program to monitor the performance of the rehabilitation against the stated objectives, performance and completion criteria;</p> <p>a description of the potential risks to successful rehabilitation, and a description of the contingency measures that would be implemented to minimise these risks; and</p> <p>details of who is responsible for monitoring, reviewing and implementing the plan.</p>			
<i>Mine Closure Plan</i>				
3.31	<p>At least 2 years prior to the cessation of mining operations on the site the Proponent shall prepare a Mine Closure Plan. This plan must:</p> <p>(a) define the objectives and criteria for mine closure; (b) investigate options for the future use of the site;</p> <p>(c) provide a detailed methodology for decommissioning the site's storage dams;</p> <p>(d) investigate ways to minimise the adverse socio-economic effects associated with mine closure, including reduction in local and regional employment levels;</p> <p>(e) describe the measures that would be implemented to minimise or manage the on-going environmental effects of the project; and</p> <p>(f) describe how the performance of these measures would be monitored over time.</p>	<p>The Site is currently in care and maintenance with the current life of mine through to 2020. This condition is currently not triggered in MOP until 2018</p>	NT	

Section	Assessment Requirement	Comment	Audit Classification	Recommended Action
<i>Aboriginal Cultural Heritage Management Plan</i>				
3.33	<p>The Proponent shall prepare and implement an Aboriginal Cultural Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be submitted to the Secretary prior to the commencement of construction activities (not including public road upgrades other than the realignment of Coocooboona Lane);</p> <p>(b) be prepared in consultation with the OEH and the local Aboriginal community;</p> <p>(c) include a protocol for the ongoing consultation and involvement of Aboriginal communities in the conservation and management of Aboriginal heritage on site; and</p> <p>(d) describe the measures that would be implemented to protect Aboriginal sites on site, or if any new Aboriginal objects or skeletal remains are discovered during the project.</p>	<p>The ACHMP was most recently updated in February 2016 to reflect conditions of PA 06_0308 MOD 1 and generally reflects the intent of the condition.</p> <p>a) Secretary Approval dated 13 July 2016. b) Section 1 c) Section 5 d) Section 4</p>	C	
<i>Energy Saving Action Plan</i>				
3.42	<p>The Proponent shall prepare and implement an Energy Savings Action Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in accordance with the <i>Guidelines for Energy Savings Action Plans</i> (DEUS, 2005), or its latest version;</p> <p>(b) include consideration of energy use by mobile equipment;</p> <p>(c) be submitted to the Secretary for approval</p>	<p>Not compliant as not updated in accordance with Cond 5(5A)</p>	NC	

Section	Assessment Requirement	Comment	Audit Classification	Recommended Action
	<p>within 3 months of this approval; and</p> <p>(d) include a program to monitor the effectiveness of measures to reduce energy use on site.</p>			
<i>Waste Management Plan</i>				
3.43	<p>The Proponent shall prepare and implement a Waste Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be submitted to the Secretary for approval prior to commencing of construction; (b) identify the various waste streams of the project;</p> <p>(c) describe what measures would be implemented to reuse, recycle, or minimise the waste generated by the project;</p> <p>(d) ensure irrigation of treated wastewater is undertaken in accordance with <i>Environmental Guidelines: Use of Effluent by Irrigation</i> (DEC, 2004), or its latest version; and</p> <p>(e) include a program to monitor the effectiveness of these measures.</p>	Not compliant as not updated in accordance with Cond 5(5A)	NC	
<i>Additional Plans</i>				
18.17	Bushfire Management Plan.	The Bushfire Management Plan was developed in November 2009 and states it is to be revised at least every two years.	ANC	WHC to update BMP as per commitment to update every two years.

CONCLUSION

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

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

Table 4.1 *Summary of Audit Findings*

Non conformances	Administrative Non - conformances	Observations
<i>Statutory Instruments</i>		
17	8	17
High (1), Medium (10), Low (6)		
<i>Implementation of Plans</i>		
2	1	-

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

Annex A

Audit Table A.1 – Conditions of Approval

Table A.1: Compliance with Ministers Conditions of Approval DA 06_0308 (Modification 1 issued 3 November 2015)

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
SCHEDULE 2 - ADMINISTRATIVE CONDITIONS					
Obligation to Minimise Harm to the Environment					
2.1	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.	This audit	Review of management plans, implementation of plans and site inspection to confirm - refer tables of this audit.	C	
Terms of Approval					
2.2	The Proponent shall carry out the project generally in accordance with the: (a) EA; (b) Sunnyside Coal Project Response to Public and Government Agency Submissions (June 2008); (c) Sunnyside Coal Project Supplementary Response to Submissions (July 2008); (d) Statement of Commitments (see Appendix 3); and (e) conditions of this approval.	Sunnyside Project Environmental Assessment	Review against MCoA and Statement of Commitments which generally reflect the EA commitments and undertakings for current stage of works. Refer to Statement of Commitments Table A.2 below for assessment of compliance.	C	
2.3	If there is any inconsistency between the above documents, the latter document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency	Note	Noted	Note	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
2.4	The Proponent shall comply with any reasonable and feasible requirements of the Secretary arising from the Department's assessment of: (a) any reports, plans, programs, strategies or correspondence that are submitted in accordance with the conditions of this approval; and (b) the implementation of any actions or measures contained in these reports, plans, programs, strategies or correspondence.	This audit	Review of Department correspondence, management plans, implementation of plans and site inspection to confirm - refer tables of this audit.	Note	
Limits On Approval					
<i>Note: Under this Approval, the Proponent is required to rehabilitate the site to the satisfaction of the Secretary and DRE. Consequently this approval will continue to apply in all other respects other than the right to conduct mining operations until the site has been rehabilitated to a satisfactory standard.</i>					
2.5	The Proponent may carry out mining operations on the site until 5 November 2020.	Interview - Group Superintendent - Environment (Compliance)	PA 06_0308 MOD 1 was approved on the 3rd November 2015, to extend the expiry of the Consent to 5 November 2020. Production at the Site stopped in 2012 and is currently on care and maintenance.	C	
COAL EXTRACTION					
2.6	The Proponent shall not extract more than 1 million tonnes of ROM coal a year from the site.	Interview - Group Superintendent - Environment (Compliance) PA 5-5-1 Sunnyside AEMR_2013-14 PA 5-5-1 Sunnyside Annual Review_2014-15	Volume of extraction of coal confirmed through review of the AMER and Site observations. No ROM coal was extracted during the audit period	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
2.7	The Proponent shall use the coal transport route shown in Figure 2 of Appendix 2 to transport all coal from the site to the Whitehaven Siding CHPP	Interview - Group Superintendent - Environment (Compliance) PA 5-5-1 Sunnyside AEMR_2013-14 PA 5-5-1 Sunnyside Annual Review_2014-15	Production at the Site ceased in October 2012 with remaining ROM coal transported to the CHPP until May 2013, the mine is currently on care and maintenance. No material was removed from the Site during the audit period.	NT	
Hours of Operation					
2.8	Construction activities may take place only between 7 am to 6 pm each Monday to Friday and 7 am to 4 pm on Saturdays, and not on Public Holidays.	Interview - Group Superintendent - Environment (Compliance) Site observations	The auditor was advised there were construction activities during audit period.	NT	
2.9	Mining operations may take place only between 7 am to 10 pm each Monday to Friday and 7 am to 6 pm on Saturdays, and not on Public Holidays.	Interview - Group Superintendent - Environment (Compliance) Site observations PA 5-5-1 Sunnyside AEMR_2013-14: Appendix 7 - Blast Monitoring Results	Production at the Site ceased in October 2012, the mine is currently on care and maintenance. Although no coal mining activities occurred during the audit period, four blast events were initiated between January and March 2014 for the purpose of extracting topsoil for management of areas susceptible to spontaneous combustion. These blast events were conducted within the permitted hours of operation.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
2.10	Transport of coal may take place only between 7 am to 6 pm Monday to Friday (or between 7 am to 8 pm during Eastern Summer Time) and between 7 am to 4 pm on Saturdays, and not on Public Holidays	Interview - Group Superintendent - Environment (Compliance) Site observations	Production at the Site ceased in October 2012 with remaining ROM coal transported to the CHPP until May 2013, the mine is currently on care and maintenance. No transport of coal during the audit period.	NT	
Management Plans/Monitoring Programs					
2.11	With the approval of the Secretary, the Proponent may submit any management plan or monitoring program required by this approval on a progressive basis	Note	Noted	Note	
Structural Adequacy					
<i>Notes:</i> <i>Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works.</i> <i>Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.</i>					
2.12	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.	PA 2-12-1 Occupation Certificate PA 2-12-2 Occupation Certificate - Portable Ablution block	The auditor was advised that there was no construction of buildings or structures during the audit period.	NT	
Demolition					
2.13	The Proponent shall ensure that all demolition work is carried out in accordance with <i>Australian Standard AS 2601-2001: The Demolition of Structures</i> , or its latest version.	Interview - Group Superintendent - Environment (Compliance)	The auditor was advised that there was no demolition work undertaken during the audit period.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Operation Of Plant And Equipment					
2.14	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.	Interview - Group Superintendent - Environment (Compliance)	No operational mining plant or equipment currently used on site. During the 2014 spontaneous combustion rectification work plant equipment were brought in from other sites and/or were contractors. Some plant and equipment is brought to site on a campaign basis for maintenance of the site. The coal loadout plant and one unused haul truck remain on site.	C	
Community Enhancement Funds					
2.15	By 31 November 2008, and on each anniversary of that date until and including 2012, the Proponent shall provide development contributions of \$100,000 per annum to the Gunnedah Shire Council for expenditure by the Council on community enhancement projects.	Pulse reports - \$100k payments NVI - 2008 \$100k payment	Documentation sighted by the auditor demonstrating payments made.	C	
SCHEDULE 3 - ENVIRONMENTAL PERFORMANCE CONDITIONS					
ACQUISITION OF AFFECTED PROPERTIES					
Acquisition Upon Request					
3.1	Upon receiving a written request for acquisition from the owner of "Lilydale", the Proponent shall acquire the land in accordance with the procedures in conditions 8-10 of schedule 4.	PA 3-1-1 Purchase of Lillydale	Namoi Mining Company Pty Ltd acquired "Lilydale" 26 September 2008 as evidenced by the legal purchase agreement.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations				
Noise									
<i>Note: These conditions must be read in conjunction with Section 8 of the Statement of Commitments</i>									
Construction Noise Impact Assessment Criteria									
3.2	<p>The Proponent shall ensure that the noise generated during the construction of the project does not exceed the level set out in Table 1.</p> <table border="1"> <thead> <tr> <th>Day/Evening LAeq(15 minute)</th> <th>Land</th> </tr> </thead> <tbody> <tr> <td>35</td> <td>Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")</td> </tr> </tbody> </table> <p><i>Table 1: Construction noise impact assessment criterion dB(A)</i></p>	Day/Evening LAeq(15 minute)	Land	35	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")	<p>Interview - Group Superintendent - Environment (Compliance)</p>	<p>No construction of buildings or structures during the audit period.</p>	NT	.
Day/Evening LAeq(15 minute)	Land								
35	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")								
Operational Noise Impact Assessment Criteria									
3.3	<p>The Proponent shall ensure that the noise generated during mining operations and other activities on the site does not exceed the level set out in Table 2:</p>	<p>Interview - Group Superintendent - Environment (Compliance)</p> <p>Interview - Environment Manager Sunnyside AEMR_2013-14</p> <p>Sunnyside Annual Review_2014-15</p>	<p>Private Noise Agreement signed by the Property Owner and Whitehaven Director stipulates that noise levels associated with the mine in the development consent are no longer applicable at the "Plainview" property.</p> <p>The EPL and Project Approval detail the noise criteria for site operations</p>	NT					

No	Assessment Requirement		Reference/ Evidence	Comments	Compliance Status	Recommendations				
	<table border="1"> <tr> <th data-bbox="215 276 472 336">Day/Evening LAeq(15 minute)</th> <th data-bbox="472 276 741 336">Land</th> </tr> <tr> <td data-bbox="215 336 472 539">40</td> <td data-bbox="472 336 741 539">Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")</td> </tr> </table>	Day/Evening LAeq(15 minute)	Land	40	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")		PA 3-3-1 Private Agreement Noise - Plainview - Howarth PA 3-3-3 Noise Monitoring Email	and coal haulage, however a letter from DP&I, dated 16 January 2013 approves the cessation of quarterly noise monitoring while the site is in care and maintenance.		
Day/Evening LAeq(15 minute)	Land									
40	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")									
3.4	<p>If the noise generated by the project exceeds the level in Table 3, the Proponent shall, upon receiving a written request for acquisition from the landowner, acquire the land in accordance with the procedures in conditions 8-10 of schedule 4.</p> <p><i>Table 3: Land acquisition criterion dB(A)</i></p> <table border="1"> <tr> <th data-bbox="215 1369 483 1399">Day/Evening</th> <th data-bbox="483 1369 741 1399">Land</th> </tr> </table>		Day/Evening	Land	Interview - Group Superintendent - Environment (Compliance) PA 3-3-3 Noise Monitoring Email	No noise monitoring conducted during audit period. Correspondence with DP&I, dated 16 January 2013 approves cessation for quarterly noise monitoring while Sunnyside Coal Mine is in care and maintenance.	NT			
Day/Evening	Land									

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations				
	<table border="1" data-bbox="219 277 745 520"> <tr> <td data-bbox="219 277 483 312">LAeq(15 minute)</td> <td data-bbox="483 277 745 312"></td> </tr> <tr> <td data-bbox="219 312 483 347">40</td> <td data-bbox="483 312 745 520">Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")</td> </tr> </table> <p data-bbox="219 528 763 619"><i>Note: Noise generated by the project is to be measured in accordance with the notes presented below Table 1.</i></p>	LAeq(15 minute)		40	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")				
LAeq(15 minute)									
40	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")								
Additional Operational Noise Mitigation Measures									
3.5	<p data-bbox="219 683 763 740">Upon receiving a written request from the landowner of:</p> <p data-bbox="219 751 763 786">(a) "Illili", "Ferndale", or</p> <p data-bbox="219 791 763 1054">(b) any residence on privately owned land where noise generated by the project exceeds 37 dB(A) LAeq(15 minute), the Proponent shall implement additional noise mitigation measures such as double glazing, insulation, and/or air conditioning at any residence on the land in consultation with the landowner.</p> <p data-bbox="219 1066 763 1123">These additional mitigation measures must be reasonable and feasible.</p> <p data-bbox="219 1134 763 1366">If within 3 months of receiving this request from the landowner, the Proponent and the landowner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.</p> <p data-bbox="219 1377 763 1402">Within 3 months of this approval, the</p>	<p data-bbox="790 683 1079 887">Interview - Group Superintendent - Environment (Compliance) PA 3-7-1 dy10808 PA 3-7-2 dy10908</p>	<p data-bbox="1111 683 1543 740">No requests for acquisition made during the audit period.</p> <p data-bbox="1111 751 1543 911">Correspondence with property owners at "Illili" and "Ferndale" notifying them of their entitlements under this condition, dated 29 December 2008.</p>	C					

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations				
	Proponent shall notify all applicable landowners of their entitlements under this condition.								
Traffic Noise Impact Assessment Criteria									
3.6	<p>The Proponent shall implement all reasonable and feasible measures to ensure that the traffic noise generated by the project combined with the traffic noise generated by other mines does not exceed the level in Table 4:</p> <table border="1"> <thead> <tr> <th>Day/Evening LAeq(15 minute)</th> <th>Road</th> </tr> </thead> <tbody> <tr> <td>55</td> <td>Any residence adjacent to Torrens Road</td> </tr> </tbody> </table> <p><i>Table 4: Traffic noise criterion dB(A)</i></p> <p><i>Note: Traffic noise generated by the project is to be measured in accordance with the relevant procedures in the EPA's NSW Road Noise Policy.</i></p>	Day/Evening LAeq(15 minute)	Road	55	Any residence adjacent to Torrens Road	<p>Interview - Group Superintendent - Environment (Compliance) PA 5-5-1 Sunnyside AEMR_2013-14 PA 5-5-1 Sunnyside Annual Review_2014-15</p>	<p>Production at the Site ceased in November 2012 with remaining ROM coal transported to the CHPP until May 2013, the mine is currently on care and maintenance. No transport of coal has occurred during the audit period.</p>	NT	
Day/Evening LAeq(15 minute)	Road								
55	Any residence adjacent to Torrens Road								
Additional Traffic Noise Mitigation Measures									
3.7	If the traffic noise generated by the project exceeds the criterion in Table 4, the Proponent shall, upon receiving a written request from any landowner adjacent to Torrens Road, implement noise mitigation measures such as double glazing, insulation, and/or air conditioning at any residence on	<p>Interview - Group Superintendent - Environment (Compliance) PA 3-7-1 dy10808 PA 3-7-2 dy10908 PA 3-7-3 dy11008</p>	<p>No requests for acquisition made During the audit period. Correspondence with property owners at "Illili", "Ferndale", "Roslyn" and "Costalot" notifying them of their entitlements under this condition, dated 29 December 2008.</p>	C					

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>the land in consultation with the landowner.</p> <p>These additional mitigation measures must be reasonable and feasible.</p> <p>If within 3 months of receiving this request from the landowner, the Proponent and the landowner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.</p> <p>Within 3 months of this approval, the Proponent shall notify all applicable landowners of their entitlements under this condition</p>	PA 3-7-4 dy11108			

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Continuous Improvement					
3.8	<p>The Proponent shall:</p> <p>(a) implement all reasonable and feasible best practice noise mitigation measures;</p> <p>(b) investigate ways to reduce the noise generated by the project, including off-site road noise; and</p> <p>(c) report on these investigations and the implementation and effectiveness of these measures in the AEMR, to the satisfaction of the Secretary</p>	<p>PA 3-8-1 Sunnyside Noise Monitoring Program</p> <p>PA 5-5-1 Sunnyside AEMR_2013-14</p> <p>PA 5-5-1 Sunnyside Annual Review_2014-15</p>	<p>The current Noise Management Plan was revised 19 November 2013. Changes were made to reflect care and maintenance at the site.</p> <p>Noise is reported upon in the AMER for this audit period.</p>	C	
Operating Conditions					
3.9	<p>The Proponent shall undertake the following to the satisfaction of the Secretary:</p> <p>(a) implement all reasonable and feasible measures to minimise the operational and road noise generated by the development;</p> <p>(b) operate a comprehensive noise management system on site to guide the day-to-day planning of mining operations, and the implementation of noise mitigation mining measures to ensure compliance with the relevant conditions of this approval;</p> <p>(c) minimise the noise impacts of the development during meteorological conditions when the noise limits in this approval do not apply; and</p> <p>(d) carry out attended noise monitoring, when required by the Secretary, to determine whether the development is complying with the relevant conditions of this approval.</p>	<p>PA 3-8-1 Sunnyside Noise Monitoring Program</p> <p>PA 5-5-1 Sunnyside AEMR_2013-14</p> <p>PA 5-5-1 Sunnyside Annual Review_2014-15</p>	<p>Condition included November 2015, no operations during this period.</p>	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Noise Management Plan					
3.9A	<p>The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Secretary. The plan must</p> <ul style="list-style-type: none"> (a) be prepared in consultation with the EPA and be submitted to the Secretary for approval prior to recommencing operations; (b) describe the measures that would be implemented to ensure compliance with the noise criteria and operating conditions in this approval; (c) describe the proposed noise management system in detail; (d) include a monitoring programme that: <ul style="list-style-type: none"> a. evaluates and reports on: <ul style="list-style-type: none"> i. the effectiveness of the noise management system; ii. compliance against the noise criteria in this approval; and iii. compliance against the noise operating conditions; and b. defines what constitutes a noise incident, and include a protocol for identifying and notifying the Department and relevant stakeholders of any noise incidents 	<p>Letter from DPE dated 26/2/2016 PA 3-8-1 Sunnyside Noise Monitoring Program</p>	<ul style="list-style-type: none"> a) A Noise Management Plan was approved by DPE on 26 February 2016 this has subsequently been revised. Documentary evidence that the NMP has approval from the DG was not available. b) Section 3.1 c) Section 3.2 – 3.4 d) Section 5.& Appendix 7 	NC	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations						
BLASTING AND VIBRATION											
<i>Note: These conditions should be read in conjunction with section 8 of the Statement of Commitments.</i>											
Airblast Overpressure Limits											
3.10	<p>The Proponent shall ensure that the airblast overpressure level from blasting at the project does not exceed the criteria in Table 5 at any residence on privately-owned land.</p> <table border="1"> <thead> <tr> <th>Airblast overpressure level (dB(Lin Peak))</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td>115</td> <td>5% of the total number of blasts in a 12 month period</td> </tr> <tr> <td>120</td> <td>0%</td> </tr> </tbody> </table> <p><i>Table 5: Airblast overpressure impact assessment criteria</i></p>	Airblast overpressure level (dB(Lin Peak))	Allowable exceedance	115	5% of the total number of blasts in a 12 month period	120	0%	<p>JJ02514_EPA re Sunnyside overpressure exceedance</p> <p>JJ02614_DoPI re Sunnyside overpressure exceedance</p> <p>Advice of Exceedance to Agencies (email)</p> <p>PA 5-5-1 Sunnyside AEMR_2013-14: Appendix 7 - Blast Monitoring Results</p>	<p>Although no coal mining activities occurred during the audit period, four blast events were initiated between January and March 2014 for the purpose of extracting topsoil for management of areas susceptible to spontaneous combustion.</p> <p>Whitehaven issued an email to the DP&I and NSW EPA on 26 February 2014 to advise of an exceedance in blast criteria at Sunnyside Mine. The blast event occurred in relation to works to manage an area of spontaneous combustion which required drill and blast to access suitable capping material. During the blast on 26 February, at 12:57pm, blast monitors recorded the exceedance of criteria at Innisvale and Plainview.</p> <p>The affected landowners were notified. No complaints were received from neighbouring landowners.</p>	NC	
Airblast overpressure level (dB(Lin Peak))	Allowable exceedance										
115	5% of the total number of blasts in a 12 month period										
120	0%										

Ground Vibration Impact Assessment Criteria

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations						
3.11	<p>The Proponent shall ensure that the ground vibration level from blasting, or any other activity at the project does not exceed the levels in Table 6 at any residence on privately-owned land.</p> <table border="1" data-bbox="219 491 745 767"> <thead> <tr> <th data-bbox="219 491 481 624">Airblast overpressure level (dB(Lin Peak))</th> <th data-bbox="481 491 745 624">Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td data-bbox="219 624 481 724">5</td> <td data-bbox="481 624 745 724">5% of the total number of blasts in a 12 month period</td> </tr> <tr> <td data-bbox="219 724 481 767">10</td> <td data-bbox="481 724 745 767">0%</td> </tr> </tbody> </table> <p><i>Table 6: Ground vibration impact assessment criteria</i></p>	Airblast overpressure level (dB(Lin Peak))	Allowable exceedance	5	5% of the total number of blasts in a 12 month period	10	0%	<p>JJ02514_EPA re Sunnyside overpressure exceedance JJ02614_DoPI re Sunnyside overpressure exceedance EPL 12957 L-5.1-1 Sunnyside Blast Monitoring Results</p>	<p>Although no coal mining activities occurred during the audit period, four blast events were initiated between January and March 2014 for the purpose of extracting topsoil for management of areas susceptible to spontaneous combustion. These blast events were conducted within the permitted limits.</p>	C	
Airblast overpressure level (dB(Lin Peak))	Allowable exceedance										
5	5% of the total number of blasts in a 12 month period										
10	0%										
Blasting Hours											
3.12	<p>The Proponent shall carry out blasting on site only between 10 am and 5 pm each Monday to Friday and 10 am and 2 pm on Saturdays (excepting Public Holidays).</p>	<p>EPL 12957 L-5.1-1 Sunnyside Blast Monitoring Results</p>	<p>Although no coal mining activities occurred during the audit period, four blast events were initiated between January and March 2014 for the purpose of extracting topsoil for management of areas susceptible to spontaneous combustion. These blast events were conducted within the permitted hours of operation.</p>	C							

Blasting Frequency

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
3.13	The Proponent shall not carry out more than: (a) 2 blasts a day; and (b) 5 blasts a week, averaged over any 12 month period; on site.	EPL 12957 L-5.1-1 Sunnyside Blast Monitoring Results	Four blast events were initiated on separate days between January and March 2014	C	
Property Inspections					
3.14	At least 2 months before carrying out any blasting on the site, the Proponent shall advise all landowners within 2 km of proposed blasting activities, and any other landowner nominated by the Secretary, that they are entitled to a property inspection to establish the baseline condition of the property.	Interview - Group Superintendent - Environment (Compliance) Pre-blast Inspection reports 2008_10_Requests for property inspections	Baseline property inspections were completed by Kelley Covey Group prior to initial basting (2008)	C	
3.15	If the Proponent receives a written request for a property inspection from any such landowner, the Proponent shall: (a) commission a suitably qualified person, whose appointment has been approved by the Secretary, to inspect and report on the condition of any building or structure on the land, and recommend measures to mitigate any potential blasting impacts; and (b) give the landowner a copy of this property inspection report.	Interview - Group Superintendent - Environment (Compliance)	Site management report that no request was made for property inspection during the audit period (refer 3.14 for previous inspections)	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Property Investigations					
<i>Note: It is preferable for the property inspection to be carried out prior to the commencement of blasting activities on the site, and the Proponent should facilitate this occurring wherever possible.</i>					
3.16	<p>If any landowner within 2 km of proposed blasting activities, or any other landowner nominated by the Secretary, claims that his/her property, including vibration-sensitive infrastructure such as water supply or underground irrigation mains, has been damaged as a result of blasting at the project, the Proponent shall within 3 months of receiving this request:</p> <p>(a) commission a suitably qualified person whose appointment has been approved by the Secretary to investigate the claim and prepare a property investigation report; and</p> <p>(b) give the landowner a copy of the report.</p> <p>If this independent investigation confirms the landowner's claim, and both parties agree with these findings, then the Proponent shall repair the damage 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>	Interview - Group Superintendent - Environment (Compliance)	The auditor was advised that that no claims were made for property damage during the audit period. Minimal blasting was undertaken during the audit period for spontaneous combustion remedial purposes.	NT	
Operating Conditions					

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
3.17	<p>During mining operations on site, the Proponent shall:</p> <p>(a) implement best practice to manage potential blasting impacts associated with the project to: protect the safety of people and livestock in the surrounding area; protect public or private infrastructure/property in the surrounding area from any damage; and minimise the dust and fume emissions of any blasting;</p> <p>(b) operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site.</p>	<p>Interview - Group Superintendent - Environment (Compliance)</p> <p>PA 3-17-1 Sunnyside Blast Monitoring Program</p>	<p>The Blast Management Plan was most recently updated September 2009.</p> <p>Limited blasting completed during the audit period, however the management plan in place reflects the intent of the condition should blasting re-commence.</p>	NT	
Blast Management Plan					
3.17A	<p>The Proponent shall not undertake blasting on-site within 500 metres of any public road or any land outside the site not owned by the Proponent unless the Proponent has undertaken the following to the satisfaction of the Secretary:</p> <p>(a) demonstrated that the blasting can be carried out closer to the infrastructure or land without compromising the safety of the people or livestock or damaging the infrastructure and / or other buildings and structures;</p> <p>(b) included specific measures in the Blast Management Plan, required under condition 17B, that would be implemented while blasting is being carried out within 500 metres of the infrastructure or land; or</p>	<p>Interview - Group Superintendent - Environment (Compliance)</p> <p>PA 3-17-1 Sunnyside Blast Monitoring Program</p>	<p>No blasts occurred within 500m of any public roads or land not owned by the proponent.</p>	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations															
	(c) provided a written agreement with the relevant infrastructure owner or landowner to allow blasting to be carried out closer to the infrastructure or land, and the Proponent has advised the Department in writing of the terms of this agreement.																			
AIR QUALITY																				
Air Quality Impact Assessment Criteria																				
3.18	<p>The Applicant shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not cause exceedances of the criteria listed in Tables 7, 8 and 9 at any residence on privately owned land.</p> <table border="1"> <thead> <tr> <th><i>Pollutant</i></th> <th><i>Average period</i></th> <th><i>Criterion</i></th> </tr> </thead> <tbody> <tr> <td>TSP Matter</td> <td>Annual</td> <td>90 µg/m³</td> </tr> <tr> <td>PM₁₀</td> <td>Annual</td> <td>30 µg/m³</td> </tr> </tbody> </table> <p><i>Table 7: Long term impact assessment criteria for particulate matter</i></p> <table border="1"> <thead> <tr> <th><i>Pollutant</i></th> <th><i>Average period</i></th> <th><i>Criterion</i></th> </tr> </thead> <tbody> <tr> <td>PM₁₀</td> <td>24hrs</td> <td>50 µg/m³</td> </tr> </tbody> </table> <p><i>Table 8: Short term impact assessment criterion for particulate matter</i></p>	<i>Pollutant</i>	<i>Average period</i>	<i>Criterion</i>	TSP Matter	Annual	90 µg/m ³	PM ₁₀	Annual	30 µg/m ³	<i>Pollutant</i>	<i>Average period</i>	<i>Criterion</i>	PM ₁₀	24hrs	50 µg/m ³	<p>PA 5-5-1 Sunnyside AEMR_2013-14 PA 5-5-1 Sunnyside Annual Review_2014-15</p>	<p>Although elevated dust results were recorded at several monitoring locations, levels were within the stipulated criteria during the reporting period.</p> <p>Section 6.1.3 of 2014-2015 Review discusses PM10 result. No standalone data is provided. Section 3.2 of previous AEMR showed graph of real time data.</p>	C	Opportunity to utilise dust carts / water spraying during ad-hoc site works.
<i>Pollutant</i>	<i>Average period</i>	<i>Criterion</i>																		
TSP Matter	Annual	90 µg/m ³																		
PM ₁₀	Annual	30 µg/m ³																		
<i>Pollutant</i>	<i>Average period</i>	<i>Criterion</i>																		
PM ₁₀	24hrs	50 µg/m ³																		

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations								
	<table border="1" data-bbox="219 312 748 453"> <thead> <tr> <th data-bbox="219 312 351 384"><i>Pollutant</i></th> <th data-bbox="351 312 483 384"><i>Average period</i></th> <th data-bbox="483 312 616 384"><i>Max increase</i></th> <th data-bbox="616 312 748 384"><i>Max Total</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="219 384 351 453"><i>Deposited Dust</i></td> <td data-bbox="351 384 483 453"><i>Annual</i></td> <td data-bbox="483 384 616 453"><i>2 g/m²/month</i></td> <td data-bbox="616 384 748 453"><i>4 g/m²/month</i></td> </tr> </tbody> </table> <p data-bbox="219 459 748 523"><i>Table 9: Long term impact assessment criteria for deposited dust</i></p>	<i>Pollutant</i>	<i>Average period</i>	<i>Max increase</i>	<i>Max Total</i>	<i>Deposited Dust</i>	<i>Annual</i>	<i>2 g/m²/month</i>	<i>4 g/m²/month</i>				
<i>Pollutant</i>	<i>Average period</i>	<i>Max increase</i>	<i>Max Total</i>										
<i>Deposited Dust</i>	<i>Annual</i>	<i>2 g/m²/month</i>	<i>4 g/m²/month</i>										
Operating Conditions													
3.19	The Proponent shall implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site.	PA 3-19-1 Sunnyside Spontaneous Combustion Management Plan FINAL PA 3-19-2 SCMP Appendix 1 PA 3-19-3 Sunnyside Air Quality Monitoring Program	The Site has implemented a Spontaneous Combustion Management Program (SCMP) to provide a framework for the prevention and mitigation of spontaneous combustion occurrences in the open cut and coal processing and stockpile facilities at the mine.	C									
Air Quality Management Plan													
3.19A	The Proponent shall prepare and implement an Air Quality Management Plan for the project to the satisfaction of the Secretary. The plan must: (a) be prepared in consultation with the EPA and submitted to the Secretary for approval prior to recommencing any ROM coal mining operations on site; (b) describe the measures that would be implemented to ensure compliance with the relevant air quality criteria and operating	PA 3-19-3 Sunnyside Air Quality Monitoring Program PA 3-22-2 Sunnyside Management Plans APPROVAL	The management plan in place reflects the intent of the condition. a) The Air Quality Monitoring Program dated 8 August 2008 was approved by DP&I 20 October 2008. b) Section 3.2 and 3.3 c) Section 3.3 d) Section 3.7 and 5	C									

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>conditions of this approval;</p> <p>(c) describe the air quality management system in detail; and</p> <p>(d) include an air quality monitoring programme that:</p> <p>a. uses air quality monitors to evaluate the performance of the project against the air quality criteria in this approval;</p> <p>b. adequately supports the air quality management system;</p> <p>c. evaluates and reports on the effectiveness of the air quality management system and compliance against the air quality operating conditions; and</p> <p>d. defines what constitutes an air quality incident and includes a protocol for determining and notifying the Department and relevant stakeholders of any air quality incidents.</p>				
METEOROLOGICAL MONITORING					
<i>Note: This condition must be read in conjunction with Section 11 of the Statement of Commitments</i>					
3.20	During the project, the Proponent shall ensure there is a suitable continuously operating meteorological station on site that complies with the requirements in <i>Approved Methods for Sampling of Air Pollutants in New South Wales</i> (DECC, 2007), or its latest version.	<p>Interview - Environment Officer</p> <p>Site Inspection</p> <p>Meteorological Data - Sentinex</p>	No meteorological station on site. Site relies on data from nearby WHC site.	NC	It is recommended that clarification is sought from the regulator with regard to the need for a meteorological station on site during the care and maintenance phase, or any future operational phase of the project.
WATER MANAGEMENT					

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<i>Note: These conditions must be read in conjunction with Section 7 & 10 of the Statement of Commitments.</i>					
Discharge					
3.21	Except as may be expressly provided for by an EPL, or in accordance with section 120 of the <i>Protection of the Environment Operations Act 1997</i> , the Proponent shall not discharge any mine water from the site.	Interview Environment Officer -	The auditor was advised that no water was discharged from site during audit period.	C	
Water Management Plan					
3.22	The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Secretary. This plan must be submitted to the Secretary for approval prior to the commencement of construction activities (not including public road upgrades other than the realignment of Coccooboonah Lane) in consultation with the EPA and DPI Water by suitably qualified expert/s whose appointment/s have been approved by the Secretary and include a: (a) Site Water Balance; (b) Erosion and Sediment Control Plan; (c) Surface Water Monitoring Plan; (d) Groundwater Monitoring Program; and (e) Groundwater Contingency Plan	PA 3-22-3 WHC_PLN_SUN_Water Management Plan (WMP) Rev 2, Feb 2016 Independent Environmental Compliance Audit - Umwelt (2013)	The WMP generally addresses the requirements of this condition in the following sections. (a) Section 2 of WMP (b) Section 3 of WMP (c) Section 4 of WMP (d) Section 5 of WMP (e) Section 6 of WMP Groundwater assessment criteria needs to be clearly identified in the relevant section as discussed below.	C	
Site Water Balance					
3.23	The Site Water Balance must: (a) include details of: sources and security of water supply; water use on site; water management on site; off-site water transfers;	PA 3-22-3 WHC_PLN_SUN_Water Management Plan (WMP) Rev 2, Feb 2016	(a) Water transfers are not addressed in the WMP. No water has been transferred to or from the No. 5 underground	O	Review Section 2.4.1 of WMP prior to recommencement of mining.

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	reporting procedures; (b) describe measures to minimise water use by the project; and (c) be reviewed and recalculated each year using the most recent water monitoring data.	PA 5-5-1 Sunnyside AEMR_2013-14 PA 5-5-1 Sunnyside Annual Review_2014-15	workings during the audit period. (b) Section 2.4 of WMP (c) AEMR and AR adequately address water management for the care and maintenance phase.		
Erosion and Sediment Control					
3.24	The Erosion and Sediment Control Plan must: (a) be consistent with the requirements of <i>Managing Urban Stormwater: Soils and Construction</i> manual (Landcom, 2004), or its latest version; (b) identify activities that could cause soil erosion and generate sediment; (c) describe measures to minimise soil erosion and the potential for transport of sediment to downstream waters; (d) describe the location, function, and capacity of erosion and sediment control structures; and (e) describe what measures would be implemented to monitor and maintain the structures over time.	PA 3-22-3 WHC_PLN_SUN_Water Management Plan (WMP) Rev 2, Feb 2016 Refer Independent Environmental Compliance Audit - Umwelt (2013).	The WMP adequately address requirements of this condition. (a) Section 3.1 confirms that the Erosion and Sediment Control Plan was developed in accordance with the manual. (b) Section 3.1 of the WMP (c) Section 3.3 of the WMP (d) Section 3.4 of the WMP (e) Section 3.5 of the WMP	C	
Surface Water Monitoring Program					
3.25	The Surface Water Monitoring Program must include: (a) detailed baseline data on surface water flows and quality in creeks and other waterbodies that could be affected by the	PA 3-22-3 WHC_PLN_SUN_Water Management Plan (WMP) Rev 2, Feb 2016	The WMP adequately address requirements of this condition. (a) Section 4.2 of WMP (b) Section 4.3 of WMP	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>project;</p> <p>(b) surface water impact assessment criteria;</p> <p>(c) a program to monitor the impact of the project on surface water flows and quality; and</p> <p>(d) procedures for reporting the results of this monitoring.</p>		<p>(c) Section 4.4 of WMP</p> <p>(d) Section 4.5 of WMP</p>		
Groundwater Monitoring Program					
3.26	<p>The Groundwater Monitoring Program must include:</p> <p>(a) further development of the regional and local groundwater model;</p> <p>(b) detailed baseline data to benchmark the natural variation in groundwater levels, yield and quality (including at any privately owned bores in the vicinity of the site);</p> <p>(c) groundwater impact assessment criteria;</p> <p>(d) a program to monitor the impact of the project on groundwater levels, yield and quality; and</p> <p>(e) procedures for reporting the results of this monitoring.</p>	<p>PA 3-22-3 WHC_PLN_SUN_Water Management Plan (WMP) Rev 2, Feb 2016 Post Mining Groundwater Assessment for Mine Modification, Geo Terra (25 February 2015 Ref. SUN4-R1A)</p>	<p>(a) Section 5.3 of WMP. A Post Mining Groundwater Assessment for Mine Modification, Geo Terra (25 February 2015 Ref. SUN4-R1A) was commissioned to summarise previous 2008 groundwater assessments and review all data collected since 2008. The report concludes that data collected since 2008 supports predictions of limited change in groundwater levels and no impact to private bores.</p> <p>(b) Section 5.3 of WMP</p> <p>(c) Section 5.3 of the WMP - Groundwater Chemistry provides baseline groundwater data with values compared up ANZECC 2000 default trigger values for upland rivers in one instance and 95% trigger values for toxicants in another. Section</p>	ANC	Clearly define groundwater impact assessment criteria and update WMP.

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>5.5.2 of the WMP refers to assessment of data being provided in AEMR. The AEMR assesses groundwater data against criteria for stock watering. Impact assessment criteria are not clearly defined in the WMP.</p> <p>(d) Section 5.5 of the WMP</p> <p>(e) Section 5.5.2 of the WMP addresses reporting to CCC and AEMR.</p>		

Groundwater Contingency Plan					
3.27	<p>The Groundwater Contingency Plan must:</p> <p>(a) provide measures to mitigate any impacts of the mine on the quality or quantity of groundwater supplies available on privately-owned land;</p> <p>(b) establish trigger levels, benchmarks and contingency criteria; and</p> <p>(c) provide for negotiated agreements with affected landowners, including compensation where mining impacts result in increased extraction costs for landowners.</p>	<p>PA 3-22-3 WHC_PLN_SUN_Water Management Plan (WMP) Rev 2, Feb 2016</p>	<p>(a) Section 6.2 of WMP</p> <p>(b) Section 6.2 discussed exceedance of trigger values and responses, however trigger values are not clearly defined in the WMP.</p> <p>(c) Section 6.3 of WMP</p>	ANC	As above.
LANDSCAPE MANAGEMENT					

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Koala Habitat					
<i>Note: This condition must be read in conjunction with Sections 2, 9 and 18 of the Statement of Commitments.</i>					
3.28	<p>The Proponent shall implement the koala habitat management and enhancement actions described in the EA (shown conceptually in Figure 6 in Appendix 4) in consultation with the OEH and to the satisfaction of the Secretary</p> <p><i>Note: Conditions 29 - 31 must be read in conjunction with Section 17 of the Statement of Commitments.</i></p>	<p>Sunnyside ACHMP Independent Environmental Compliance Audit - Umwelt (2013) WHC Generic Induction</p>	<p>Apparent typographical error in condition. Figure 5 in Koala Management Plan was treated as this figure. Site visit confirmed onsite actions are partially in compliance with figure.</p> <p>Evidence of satisfaction of the Secretary predates the scope of this audit.</p> <p>Modification EA (s4.5) (2015) states that a Koala Management Plan has been developed (consistent with this condition 28) and would continue to be implemented.</p> <p>Previous IEA identified damaged or missing sections of the southern koala fence. The fence was observed during the site visit to be in good condition.</p> <p>Koala habitat corridor enhancement planting was observed experiencing good tree growth of koala feed tree species listed in SEPP 44 White Box (<i>Eucalyptus albens</i>) and Bimble Box and the secondary feed tree species listed in the Western Slopes and Plains Koala Management Area Yellow Box (<i>E. melliodora</i>) Kurrajong (<i>Brachychiton populneus</i>).</p>	NC	<p>Connectivity between the southern end of the eastern boundary Koala corridor and the bushland to the south is absent and should be improved.</p>

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>Connectivity is good where Coccoofoonah Lane meets the western mine boundary koala corridor although an approximate 30m gap exists between the eastern corridor and the Coccoofoonah Lane Koala habitat (note this is not able to be closed further due to neighbouring land owner). Connectivity between the southern end of the eastern boundary Koala corridor and the bushland to the south is absent and should be improved.</p>		

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
REHABILITATION					
3.29	The Proponent shall rehabilitate the site to the satisfaction of the Secretary and DPI Water	Interview	Mine still in operation. Not yet at relinquishment, which is the time that will trigger this requirement for satisfaction.	NT	
Rehabilitation and Landscape Management Plan					
3.30	<p>The Proponent shall prepare and implement a detailed Rehabilitation and Landscape Management Plan for the site to the satisfaction of the Secretary and DRE. This plan must:</p> <p>(a) be prepared in consultation with OEH, DPI Water and Council by suitably qualified expert/s whose appointment/s have been approved by the Secretary; and</p> <p>(b) be submitted to the Secretary and DRE for approval by 1 March 2009;</p> <p>(c) include:</p> <p>the rehabilitation objectives for the site;</p> <p>a description of how the rehabilitation of the site would be integrated with the landscape of the surrounding area;</p> <p>detailed performance and completion criteria for the rehabilitation of the site;</p> <p>a detailed description of the measures that would be implemented to achieve the performance and completion criteria for each site, including the procedures to be implemented for</p> <p>- protection and enhancement of koala</p>	<p>Rehabilitation and Landscape Management Plan (EcoLogical 2011)</p> <p>Independent Environmental Compliance Audit (Umwelt 2013)</p>	Satisfaction of condition predates this IEA. Address in 2013 IEA (Umwelt).	NA	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	habitat; - progressively rehabilitating the areas disturbed by mining operations; - restoration of agricultural land suitability; - revegetating the site; - protecting and/or enhancing areas in the vicinity of the disturbance area; - conserving and re-using any topsoil; - controlling weeds and feral pests; - controlling access; and - bushfire management. - a program to monitor the performance of the rehabilitation against the stated objectives, performance and completion criteria; - a description of the potential risks to successful rehabilitation, and a description of the contingency measures that would be implemented to minimise these risks; and - details of who is responsible for monitoring, reviewing and implementing the plan.				

Mine Closure Plan					
3.31	At least 2 years prior to the cessation of	Mining Operations Plan	The Site is currently in care and	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>mining operations on the site the Proponent shall prepare a Mine Closure Plan. This plan must:</p> <ul style="list-style-type: none"> (a) define the objectives and criteria for mine closure; (b) investigate options for the future use of the site; (c) provide a detailed methodology for decommissioning the site's storage dams; (d) investigate ways to minimise the adverse socio-economic effects associated with mine closure, including reduction in local and regional employment levels; (e) describe the measures that would be implemented to minimise or manage the on-going environmental effects of the project; and (f) describe how the performance of these measures would be monitored over time. 	Care and Maintenance	maintenance with the current life of mine through to 2020. This condition is currently not triggered in MOP until 2018		

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
HERITAGE					
<i>Note: These conditions must be read in conjunction with Section 12 of the Statement of Commitments.</i>					
Aboriginal Cultural Heritage Management Plan					
3.32	The Proponent shall not destroy any known Aboriginal objects (as defined in the <i>National Parks and Wildlife Act 1974</i>) without the written approval of the Secretary.	Interview - Group Superintendent - Environment (Compliance)	Whitehaven advised no Aboriginal objects have been impacted or disturbed during project development.	C	
3.33	The Proponent shall prepare and implement an Aboriginal Cultural Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must: (a) be submitted to the Secretary prior to the commencement of construction activities (not including public road upgrades other than the realignment of Coccooboonah Lane); (b) be prepared in consultation with the OEHL and the local Aboriginal community; (c) include a protocol for the ongoing consultation and involvement of Aboriginal communities in the conservation and management of Aboriginal heritage on site; and (d) describe the measures that would be implemented to protect Aboriginal sites on site, or if any new Aboriginal objects or skeletal remains are discovered during the project.	PA 3-33-1 Sunnyside ACHMP_final	The ACHMP was most recently updated in February 2016 to reflect conditions of PA 06_0308 MOD 1 and generally reflects the intent of the condition. a) Secretary Approval dated 13 July 2016. b) Section 1 c) Section 5 d) Section 4	C	

TRANSPORT

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
<i>Note: These conditions must be read in conjunction with Section 2 of the Statement of Commitments.</i>					
Monitoring of Coal Transport					
3.34	The Proponent shall keep records of the amount of coal transported from the site each year, and include these records in the AEMR.	Interview - Group Superintendent - Environment (Compliance) Site observations PA 5-5-1 Sunnyside AEMR_2013-14 PA 5-5-1 Sunnyside Annual Review_2014-15	Production at the Site ceased in November 2012 with remaining ROM coal transported to the CHPP until May 2013, the mine is currently on care and maintenance. No transport of coal during the audit period, this is recorded in the annual reports	C	
Traffic Management					
3.35	Prior to transporting any coal off-site, the Proponent shall: (a) construct a realignment of Coccoofoonah Lane to the satisfaction of the landowner and Council; (b) upgrade the intersection of Coccoofoonah Lane and the Oxley Highway to the satisfaction of the RMS and Council; (c) upgrade the intersection of the Oxley Highway and Blackjack Road to the satisfaction of the RMS and Council; (d) upgrade the section of Blackjack Road to be used for coal transport to the satisfaction of Council; (e) upgrade the intersection of Blackjack Road and Quia Road to the satisfaction of Council; (f) upgrade the section of Quia Road to be	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	used for coal transport to the satisfaction of Council; (g) upgrade the intersection of Quia Road and Farrar Road to the satisfaction of Council; (h) upgrade the intersection of Quia Road and Torrens Road to the satisfaction of Council; and (i) upgrade Torrens Road to the satisfaction of Council				
3.36	Prior to carrying out any development on site, the Proponent shall prepare, and subsequently implement, a Construction Traffic Management Plan for the project to the satisfaction of the RMS and Council	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA.	C	
3.37	Within 6 months of this approval the Proponent shall enter into an agreement with Council for the maintenance of the section of the Oxley Highway between Coccooboonah Lane and Blackjack Road.	PA 3-37-1 Road Maintenance Agreement (August 2009)	The Road Maintenance Agreement was established outside of the required 6 month timeframe, however this is outside the current audit period.	O	
3.38	Prior to transporting coal from the site the Proponent shall construct 2 bus stops on the Oxley Highway to the satisfaction of Council.	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA.	C	
3.39	Notwithstanding condition 10 of Schedule 2, the Proponent shall ensure no coal is transported from the site during AgQuip.	Interview - Group Superintendent - Environment (Compliance)	The mine is currently in care and maintenance, no coal was transported from Site during the audit period and specifically during AgQuip.		
VISUAL IMPACT					
Visual Amenity					

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
3.40	The Proponent shall minimise the visual impacts of the project to the satisfaction of the Secretary	Interview - Group Superintendent - Environment (Compliance)	The Auditor was informed that the Department has not been contacted to seek approval of for this condition. Although the site is non-operational and there have been no complaints regarding visual impact, this is considered and administrative non-compliance.	ANC	
Lighting Emissions					
3.41	The Proponent shall ensure that: (a) no outdoor lights shine above the horizontal; and (b) all external lighting associated with the project complies with <i>Australian Standard AS4282 (INT) 1995 - Control of Obtrusive Effects of Outdoor Lighting</i> .	Site observations	There is currently no outdoor lighting at the site.	NT	
GREENHOUSE GAS					
Energy Saving Action Plan					
3.42	The Proponent shall prepare and implement an Energy Savings Action Plan for the project to the satisfaction of the Secretary. This plan must: (a) be prepared in accordance with the <i>Guidelines for Energy Savings Action Plans (DEUS, 2005)</i> , or its latest version; (b) include consideration of energy use by mobile equipment; (c) be submitted to the Secretary for approval within 3 months of this approval; and	PA 3-42-1 Energy Savings Action Plan Independent Environmental Compliance Audit (Umwelt 2013)	As stated in the previous IEA the Energy Saving Action Plan was prepared May 2009 and approved by DP&I July 2009.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	(d) include a program to monitor the effectiveness of measures to reduce energy use on site.				
WASTE					
Waste Minimisation					
3.43	The Proponent shall prepare and implement a Waste Management Plan for the project to the satisfaction of the Secretary. This plan must: (a) be submitted to the Secretary for approval prior to commencing of construction; (b) identify the various waste streams of the project; (c) describe what measures would be implemented to reuse, recycle, or minimise the waste generated by the project; (d) ensure irrigation of treated wastewater is undertaken in accordance with <i>Environmental Guidelines: Use of Effluent by Irrigation</i> (DEC, 2004), or its latest version; and (e) include a program to monitor the effectiveness of these measures.	PA 3-43-1 Sunnyside Waste Management Plan ver.1 PA 3-43-2 Letter of Approval Independent Environmental Compliance Audit (Umwelt 2013) PA 5-5-1 Sunnyside AEMR_2013-14 PA 5-5-1 Sunnyside Annual Review_2014-15 PA 2-12-1, PA 2-12-2 Gunnedah Shire Council - Occupation certificates for ablution block and other site amenities	As identified in the previous 2013 IEA the Waste Management Plan was prepared August 2008 and with Secretary approval dated October 2008. Waste volumes are reported in the annual reports during the audit period. The effluent irrigation system was approved by Gunnedah Shire Council. The auditor was advised that ablution facilities were utilised during 3 month window for restorative works related to spontaneous combustion in 2014.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
SCHEDULE 4 ADDITIONAL PROCEDURES					
NOTIFICATION OF LANDOWNERS					
4.1	Within 1 month of this approval, the Proponent shall notify the owner of "Lilydale" in writing that he/she has the right to require the Proponent to acquire their land at any stage during the project.	Independent Environmental Compliance Audit - Umwelt (2013)	"Lilydale" was acquired by the mine in 2008.	C	
4.2	If the results of monitoring required in schedule 3 identify that impacts generated by the project are greater than the relevant impact assessment criteria in schedule 3, then the Proponent shall notify the Secretary and the affected landowners and/or existing or future tenants (including tenants of mine owned properties) accordingly, and provide quarterly monitoring results to each of these parties until the results show that the project is complying with the criteria in schedule 3. However, no notification is required if the impact is predicted in the EA or where an agreement has been negotiated with a landowner that excludes the requirement for ongoing notification of such impacts.		<i>Refer Schedule 3 Condition 10</i>	-	
INDEPENDENT REVIEW					
4.3	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. If the Secretary is satisfied that an	Interview - Group Superintendent - Environment (Compliance)	The auditor was advised that no claims were received or independent reviews requested during the audit period.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>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>				
4.4	<p>If a landowner considers the project to be exceeding the impact assessment criteria in schedule 3, except where this is predicted in the EA, then he/she may ask the Secretary in writing for an independent review of the impacts of the project on his/her land.</p> <p>If the Secretary is satisfied that an independent review is warranted, the Proponent shall within 2 months of the Secretary's decision:</p> <p>(a) consult with the landowner to determine his/her concerns;</p> <p>(b) commission a suitably qualified,</p>	Interview - Group Superintendent - Environment (Compliance)	As above	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>experienced and independent person, whose appointment has been approved by the Secretary, to conduct monitoring on the land, to:</p> <ul style="list-style-type: none"> - determine whether the project is complying with the relevant impact assessment criteria in schedule 3; and - identify the source(s) and scale of any impact on the land, and the project's contribution to this impact; and <p>(c) give the Secretary and landowner a copy of the independent review.</p> <p>If the independent review determines that the project is complying with the relevant impact assessment criteria in schedule 3, then the Proponent may discontinue the independent review with the approval of the Secretary.</p>				
4.5	<p>If further monitoring under condition 4(b) determines that measures implemented under condition 4(a) have not achieved compliance with the land acquisition criteria in schedule 3, and the Proponent cannot then secure within 3 months a written agreement with the landowner under condition 4(c) to allow these exceedances, then the Proponent shall, upon receiving a written request from the landowner, acquire all or part of the landowner's land in accordance with the procedures in conditions 7-9 below</p>	<p>Interview - Group Superintendent - Environment (Compliance)</p>	<p>As above</p>	<p>NT</p>	
4.6	<p>If: (a) the landowner disputes the results of the</p>	<p>Interview - Group Superintendent -</p>	<p>As above</p>	<p>NT</p>	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>independent review; or</p> <p>(b) the Proponent is unable to secure a written agreement under condition 4(c) with the landowner</p> <p>then (subject to condition 5) either the Proponent or the landowner may refer the matter to Secretary for resolution.</p> <p>Where matters referred to the Secretary under this condition cannot be resolved by the Secretary within 28 days, the Secretary shall refer the matter to an Independent Dispute Resolution Process.</p>	Environment (Compliance)			
LAND ACQUISITION					
4.7	<p>Within 3 months of receiving a written request from a landowner with acquisition rights, the Proponent shall make a binding written offer to the landowner based on:</p> <p>(a) the current market value of the landowner's interest in the property at the date of this written request, as if the property was unaffected by the project the subject of the project application, having regard to the:</p> <p>existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and;</p> <p>presence of improvements on the property and/or any approved building or structure which has been physically commenced at the</p>	Interview - Group - Superintendent - Environment (Compliance)	The auditor was advised that no written requests for acquisition during the audit period.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>date of the landowner's written request, and is due to be completed subsequent to that date, but excluding any improvements that have resulted from the implementation of the 'additional noise mitigation measures' in conditions 5 and 7 of schedule 3;</p> <p>(b) the reasonable costs associated with: relocating within the Gunnedah local government area, or to any other local government area determined by the Secretary;</p> <p>obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is required; and</p> <p>(c) reasonable compensation for any disturbance caused by the land acquisition process.</p> <p>However, if at the end of this period, the Proponent and landowner cannot agree on the acquisition price of the land, and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Secretary for resolution.</p> <p>Upon receiving such a request, the Secretary shall request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer or Fellow of the Institute, to consider submissions from both parties, and determine a fair and reasonable acquisition price for the land, and/or terms upon which the land is to be acquired.</p>				

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>The appointed valuer is to provide a full report and explanation of the determination and proposed terms to the Proponent, landowner and the Secretary.</p> <p>Within 14 days of receiving the independent valuer's determination, the Proponent shall make a written offer to purchase the land at a price not less than the independent valuer's determination.</p> <p>If the landowner refuses to accept this offer within 6 months of the date of the Proponent's offer, the Proponent's obligations to acquire the land shall cease, unless otherwise agreed by the Secretary.</p>				
4.8	The Proponent shall bear the costs of any valuation or survey assessment requested by the independent valuer, or the Secretary and the costs of determination referred above.	Interview - Group Superintendent - Environment (Compliance)	As above	NT	
4.9	If the Proponent and landowner agree that only part of the land shall be acquired, then the Proponent shall pay all reasonable costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of the plan at the Office of the Registrar-General	Interview - Group Superintendent - Environment (Compliance)	As above	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
SCHEDULE 5 - ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING					
<i>Note: This schedule must be read in conjunction with section 18 of the Statement of Commitments.</i>					
ENVIRONMENTAL MANAGEMENT					
Environmental Management Strategy					
5.1	<p>The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Secretary. This strategy must be submitted to the Secretary prior to the commencement of construction activities, and:</p> <p>(a) provide the strategic context for environmental management of the project; (b) identify the statutory requirements that apply to the project;</p> <p>(c) describe in general how the environmental performance of the project would be monitored and managed;</p> <p>(d) describe the procedures that would be implemented to: 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; manage cumulative impacts; and respond to emergencies; and</p> <p>(e) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management</p>	PA 5-1-1 Sunnyside EMS_final	<p>The Environmental Management Strategy was updated in February 2016, (Department approval dated 13 July 2016) to reflect the care and maintenance status of the site. The Strategy meets the intent of the condition and is set out to meet the conditions in the following sections:</p> <p>a) Section 1 b) Section 2 c) Section 3 d) Section 4 e) Section 5</p>	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	of the project.				
ENVIRONMENTAL MONITORING PROGRAM					
5.2	The Proponent shall prepare and implement an Environmental Monitoring Program for the project to the satisfaction of the Secretary. This program must be submitted to the Secretary within 6 months of this approval and consolidate the various monitoring requirements in schedule 3 of this approval into a single document.	PA 5-2-1 Sunnyside Environmental Monitoring Program_Rev_2 final (1) PA 5-2-2 RLMP and EMP Approval	The current version of the EMP, prepared 19 November 2013. EMP indicates the program has been approved by the Director General of the DP&I, however the most recent approval for the EMP is dated 10 October 2011. The program consolidates the monitoring commitments made in the various management plans / monitoring programs.	NC	
REPORTING					
Incident Reporting					
5.3	As soon as practicable, and in any event within 24 hours of detecting an exceedance of the limits/performance criteria in this approval or the occurrence of an incident that causes (or may cause) material harm to the environment, the Proponent shall notify the Department and other relevant agencies of the exceedance/incident.	JJ02514_EPA re Sunnyside overpressure exceedance JJ02614_DoPI re Sunnyside overpressure exceedance	The blast exceedance in February 2014 was reported to the DP&I and EPA within 24hrs of the incident.	C	
Annual Reporting					
5.4	Within 12 months of this approval, and annually thereafter, the Proponent shall submit an AEMR to the Secretary and to all relevant agencies. This report must: (a) identify the standards and performance	PA 5-5-1 Sunnyside AEMR_2013-14 PA 5-5-1 Sunnyside Annual Review_2014-15	AEMR and AR were submitted during the audit period which meet the intent of the condition.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>measures that apply to the project;</p> <p>(b) describe the works carried out in the last 12 months;</p> <p>(c) describe the works that would be carried out in the next 12 months;</p> <p>(d) include a summary of the complaints received during the past year, and compare this to the complaints received in previous years;</p> <p>(e) include a summary of the monitoring results for the project during the past year; (f) include an analysis of these monitoring results against the relevant:</p> <p>impact assessment criteria/limits;</p> <p>monitoring results from previous years; and</p> <p>predictions in the EA;</p> <p>(g) identify any trends in the monitoring results over the life of the project;</p> <p>(h) identify any non-compliance during the previous year; and</p> <p>(i) describe what actions were, or are being, taken to ensure compliance.</p>				

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Revision of Strategies, Plan and Programs					
<i>Note: This is to ensure the strategies, plans and programmes are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project."</i>					
5.5A	Within 3 months of the submission of an: (a) AEMR under condition 5 of schedule 5 above; (b) incident report under condition 4 of schedule 5 above; (c) audit under condition 6 below; or (d) any modification to the conditions of this approval, the proponent shall review, and if necessary revise, the strategies, plans and programmes required under this approval to the satisfaction of the Secretary. Where this review leads to revision of any plan then within four weeks of the review the revised document must be submitted to the Secretary and any other relevant agency for approval.	Interview - Group Superintendent - Environment (Compliance)	Whitehaven does not maintain a system for tracking updates to AMER, IEAs or modifications to approvals and therefore has limited ability to track the need to update or revise documents.	ANC	Develop document and record tracking system to track revisions and to ensure the condition is met.
INDEPENDENT ENVIRONMENTAL AUDIT					
<i>Note: This audit team must be led by a suitably qualified auditor and include experts in the fields of water, noise management and mine rehabilitation.</i>					
5.6	Within 2 years of this approval, 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: (a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; (b) include consultation with the relevant	Independent Environmental Compliance Audit - Umwelt (2013)	Umwelt conducted IEA in 2013. Whitehaven received approval from DP&I dated 22 September 2016 for the current audit.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>agencies;</p> <p>(c) assess the environmental performance of the project and assess whether it is complying with the relevant requirements of this approval and any relevant mining lease or EPL (including any strategy, plan or program required under these approvals);</p> <p>(d) review the adequacy of strategies, plans or programs required under these approvals; and, if appropriate,</p> <p>(e) recommend measures or actions to improve the environmental performance of the project, and/or any strategy, plan or program required under these approvals.</p>				
5.7	<p>Within 6 weeks of the completing 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>	Noted	Noted	Note	
5.8	<p>Within 3 months of submitting the audit report to the Secretary, the Proponent shall review, and if necessary revise the strategies/plans/programs required under this approval to the satisfaction of the Secretary.</p>	Noted	Noted	Note	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
COMMUNITY CONSULTATIVE COMMITTEE					
5.9	Within 3 months of this approval, the Proponent shall establish a Community Consultative Committee (CCC) for the project. This CCC must be established and operated in accordance with the <i>Guideline for Establishing and Operating Community Consultative Committees for Mining Projects (Department of Planning, 2007)</i> , or its latest version, and to the satisfaction of the <i>Secretary</i>	Minutes of Sunnyside Coal Mine CCC No 19 - 14 Oct 2014	Evidence of CCC Minutes reviewed. Committee meets on an annual basis.	C	
ACCESS TO INFORMATION					
5.10	Within 3 months of the approval of any strategy/plan/ program required under this approval (or any subsequent revision of these strategies/plans/ programs), or the completion of the audits or AEMRs required under this approval, the Proponent shall: (a) provide a copy of the relevant document/s to the relevant agencies and CCC; and (b) put a copy of the relevant document/s on its website.	http://www.whitehavencoal.com.au/environment/sunnyside_mine_environmental_management.cfm#	Updated strategies /plans / programs provided on the website.	C	
5.11	During the project, the Proponent shall: (a) make a summary of all monitoring results required under this approval publicly available at the mine and on its website; and (b) update these results on a regular basis (at least every three months).	http://www.whitehavencoal.com.au/environment/sunnyside_mine_environmental_management.cfm#	Updated strategies /plans / programs provided on the website.	C	

Annex B

**Audit Table A.2 –
Compliance with Statement
of Commitments**

Table A.2 Compliance with Statement of Commitments

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
APPENDIX 3 Compliance with the EA					
1. General Project Development Operate the Project to ensure that all component activities are undertaken in a responsible and proactive manner:					
1.1	All activities will be subject to the Mining, Rehabilitation and Environmental Management Process managed by the Department of Primary Industries - Mineral Resources.	Refer to MCoA, EPL and management plans assessment.	This audit - refer relevant Annexures for assessments.	Noted	
1.2	Operate the mine with comprehensive systems to manage and monitor groundwater, surface water, noise, blasting, air quality, visibility, Aboriginal heritage, flora, fauna, traffic, visual and socio-economic aspects.	This audit - refer relevant Annexures for assessments against MCoA, EPL and ML..	The site has developed an approved Environmental Management System and associated management plans are in place that are generally being implemented effectively during the care and maintenance phase.	C	
1.3	Apply for a Mining Lease with boundaries generally coincident with the Project Site.	ML 1624	Refer Mining Lease 1624 dated 5 November 2008.	C	
1.4	Obtain all necessary certifications for all buildings constructed or relocated on site from Gunnedah Shire Council.	PA 2-12-1 Occupation Certificate PA 2-12-2 Occupation Certificate - Portable Ablution block PA 2-12-3 Construction Certificate PA 2-12-4 Fire Safety Report Sunnyside	Building and occupation certificates in place.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
1.5	Seek approval from Gunnedah Shire Council to install a septic system on site.	PA 2-12-1, PA 2-12-2 Gunnedah Shire Council - Occupation certificates for ablution block and other site amenities	The effluent irrigation system was approved by Gunnedah Shire Council.	C	
1.6	Undertake all rehabilitation and site decommissioning within 12 months of the end of mining. This would include reinstating Coccooboonah Lane to its pre-mining alignment		Not triggered during the audit period.	NT	
1.7	Implement management strategies to minimise the likelihood of spontaneous combustion	PA 3-19-1 Sunnyside Spontaneous Combustion Management Plan FINAL	Spontaneous combustion management plan developed and implemented to include weekly monitoring by an Environmental Officer.	C	
1.8	Construct the out-of-pit overburden emplacement in a manner that would ensure the initial emplaced overburden would form an acoustic barrier around the operating area within the emplacement.	Site observation	The mining void and the loadout areas were observed to be shield by emplaced overburden.	C	
1.9	Undertake a geological and geotechnical assessment prior to any auger mining to confirm it is both safe and economic to proceed.		The auditor was advised that no auger mining was undertaken at site or during audit period.	NT	
1.10	Direct surface runoff water around the final void.	PA 3-22-3 WHC_PLN_SUN_Water Management Plan (WMP) Rev 2, Feb 2016 Site observation	Surface water diversions were observed to divert clean runoff the final void.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
1.11	Potable water would be transported from Gunnedah to supplement rainwater collected off site buildings and stored in tanks. Ablutions water would be transported from Gunnedah.	Site observation Interview - Group Superintendent - Environment (Compliance) Site observations	Care & Maintenance - there was no requirement for potable water at time of audit inspection.	NT	
General Project Development					
	Operate the Project to ensure that all component activities are undertaken in a responsible and proactive manner (Cont'd).	Interview - Group Superintendent - Environment (Compliance) Site observations	Production at the Site ceased in November 2012, the mine is currently on care and maintenance. There is no permanent plant used on site. During the audit period any plant required was brought to sight by third party contractors who maintain and refuel equipment off site.	C	
1.12	Operational water will initially be supplied from water within the Gunnedah Coal Mine No 5 Entry underground workings. This will eventually augment the pit groundwater inflow and water drawn from the various sedimentation and fresh water dams that would form part of the site surface water management system.	Interview - Group Superintendent - Environment (Compliance)	The auditor was advised that there has be no requirement to augment water supply at the site from the underground working to date of the audit.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
1.13	Power will be predominantly generated on site by diesel powered generators.	Interview - Group Superintendent - Environment (Compliance) Site observations	Production at the Site ceased in November 2012, the mine is currently on care and maintenance. There is no permanent plant used on site. During the audit period any plant required was brought to sight by third party contractors who maintain and refuel equipment off site.	C	
1.14	There will be capacity to store 68 000L of diesel and 10 000L of oil on site in self-bunded fuel tanks.	Site observations	No bulk storage of fuel currently on site.	NT	
1.15	An Environment Protection Licence to be applied for.	EPL 12957	EPL 12957 most recently updated July 2015.	C	
1.16	RMS approval to be sought for proposed roadworks along the Oxley Highway	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA.	C	
1.17	Road Construction Permit to be applied for from Gunnedah Shire Council prior to modifications and other roadworks associated with re-alignment of Coocooboonah Lane and public road intersections along the coal transport route	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
1.18	A Water Licence be applied for and granted before installation and operation of a water bore into the Gunnedah No 5 Colliery workings.	SOC 1.18-1 Water Access licence (WAL) 29537 DPI Letter of approval 90WA822534, dated 20 January 2016	Water supply and/or water use approval 90WA822534 has been extended until 17 January 2025.	C	
1.19	A licence be applied and granted from WorkCover for the installation of explosives magazine within the Project Site area	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA.	C	
2. Traffic and Transport					
2.1	Ensure all trucks transporting coal are well maintained and that drivers act in a courteous manner at all times	Interview - Group Superintendent - Environment (Compliance) Site observations PA 5-5-1 Sunnyside AEMR_2013-14 PA 5-5-1 Sunnyside Annual Review_2014-15	Production at the Site ceased in November 2012 with remaining ROM coal transported to the CHPP until May 2013, the mine is currently on care and maintenance. No transport of coal during the audit period, this is recorded in the annual reports	NT	
2.2	Avoid loading trucks that are unroadworthy or not carrying covers		Refer 2.1	NT	
2.3	Ensure all truck drivers operate in accordance with a Transport Policy and Code of Conduct		Refer 2.1	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
2.4	Contact all potentially affected landowners and surrounding residents prior to initial construction and the commencement of any upgrading works to inform / discuss the proposed works.	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA. No construction during audit period.	C	
2.5	Liase routinely with local residents to ensure their satisfaction with all aspects of changed traffic conditions	PA 5-9-1 CCC	Annual CCC meetings, most recent held November 2015	C	
2.6	Relocate part of Coccooboonah Lane to avoid disturbing remnant Koala habitat. RMS requested changes will result in approximately three trees being removed.	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA.	C	
2.7	Upgrade parts of the proposed coal transport route beyond Coccooboonah Lane and various intersections to improve traffic flow and safety aspects	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA.	C	
2.8	The truck fleet will consist of a mix of standard 28t capacity semi-trailers and 40t capacity B- Double vehicles		Refer 2.1	NT	
2.9	Develop a Road Maintenance and Capital Improvement Agreement with Gunnedah Shire Council.	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA.	C	
2.10	Erect appropriate road signage	Site observations	The site is required to have signs indicating 40km/hr speed limit as part of the fauna protection conditions. This signage was not observed during the site visit.	NC	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
2.11	Ensure all employees and contractors are regularly informed about the safe driving requirements to and from the Project Site	Interview - Group Superintendent - Environment (Compliance)	No permanent staff on site during care and maintenance.	NT	
2.12	Transport all oversize loads with all necessary permits	Interview - Group Superintendent - Environment (Compliance)	No oversize loads transported to Site during audit period.	NT	
2.13	Erect a blast board at the Project Site entrance and update at least 24 hours prior to each blast	Site observations	Site board observed to be present at Site	C	
3. Operation Hours - Site Establishment					
3.1	Undertake on-site construction within the hours of: 7.00am to 6.00pm / Monday to Friday, 7.00am to 4.00pm / Saturday.	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA.	C	
3.2	Undertake coal transport route construction within the hours of: 7:00am to 6:00pm / Monday to Friday with the contingency to extend to 8.00pm if light and seasonal conditions permit, 7.00am to 4.00pm / Saturday.	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
4. Operation Hours - Operating Management of operating hours of work in accordance with the approved consent conditions					
4.1	Undertake vegetation clearing / soil removal within the hours: 7.00am to 6.00pm Monday to Friday with a contingency to extend operations to 8.00pm if light and seasonal conditions permit. Saturday activity would be between 7.00am and 4.00pm with contingency to extend through to 6.00pm	Interview - Group Superintendent - Environment (Compliance)	No vegetation clearance during audit period.	C	
4.2	Undertake drilling within the hours: 7.00am to 8.00pm / Monday to Friday and 7.00am to 6.00pm Saturday.	Interview - Group Superintendent - Environment (Compliance)	The auditor was advised that drilling in advance of blasting occurred during permitted hours of operation.	C	
4.3	Undertake blasting within the hours: 10.00am to 5.00pm / Monday to Friday and 10.00am to 2.00pm Saturday	Interview - Group Superintendent - Environment (Compliance) Site observations PA 5-5-1 Sunnyside AEMR_2013-14 Appendix 7 - Blast Monitoring Results	Production at the Site ceased in November 2012, the mine is currently on care and maintenance. Although no coal mining activities occurred during the audit period, four blast events were initiated between January and March 2014 for the purpose of extracting topsoil for management of areas susceptible to spontaneous combustion. These blast events were conducted within the permitted hours of operation.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
4.4	Undertake overburden / interburden removal and placement within the hours 7.00am to 10.00pm Monday to Friday and 7.00am to 4.00pm Saturday.	Interview - Group Superintendent - Environment (Compliance)	The auditor was advised that overburden / interburden placement occurred during permitted hours of operation.	C	
4.5	Undertake internal transport of coal product to ROM stockpile within the hours 7.00am to 10.00pm Monday to Friday and 7.00am to 4.00pm Saturday	Interview - Group Superintendent - Environment (Compliance) Site observations	Production at the Site ceased in November 2012 with remaining ROM coal transported to the CHPP until May 2013, the mine is currently on care and maintenance. No transport of coal during the audit period.	NT	
4.6	Undertake on-site processing within the hours 7.00am to 10.00pm Monday to Friday and 7.00am to 6.00pm Saturday.	Interview - Group Superintendent - Environment (Compliance) Site observations	Production at the Site ceased in November 2012 with remaining ROM coal transported to the CHPP until May 2013, the mine is currently on care and maintenance. No processing of coal during the audit period.	NT	
4.7	Undertake coal transport to Whitehaven CHPP and Rail Loading Facility within the hours 7.00am to 6.00pm Monday to Friday with contingency to extend to 8.00pm light and seasonal conditions permitting	Interview - Group Superintendent - Environment (Compliance) Site observations	Production at the Site ceased in November 2012 with remaining ROM coal transported to the CHPP until May 2013, the mine is currently on care and maintenance. No transport of coal during the audit period.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
4.8	Undertake maintenance within the hours: 24hours over 7 days.	Interview - Group Superintendent - Environment (Compliance)	During care and maintenance ad-hoc maintenance that is required is restricted by access to site.	C	
5. Waste Management. Minimisation of general waste creation and maximisation of recycling wherever possible.					
5.1	Place all paper and general wastes originating from the Site Facilities Area, together with routine maintenance consumables from the daily servicing of equipment in garbage bins located adjacent to the various buildings. Minimisation of the potential risk of environmental impact due to waste creation, storage and/or disposal.	Interview - Group Superintendent - Environment (Compliance) Site observations	During care and maintenance, there is limited waste creation. Third party contractors are required remove their own waste from site.	C	
5.2	Collect general waste bins and place content in large waste skip bins positioned adjacent to the heavy vehicle maintenance building to await removal by licensed contractor.		Refer 5.1	C	
5.3	Collect industrial waste regularly.		Refer 5.1	NT	
5.4	Collect waste oils and grease and pump to bulk storage tanks.		Refer 5.1	NT	
5.5	Store waste oils and grease at the maintenance workshop for collection by a licensed waste recycling contractor.		Refer 5.1	NT	
5.6	Collect all parts and packaging and transfer to the maintenance workshop for disposal or recycling.		Refer 5.1	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
5.7	Install adequate toilet and ablution facilities within the mine facilities area for the site workforce and visitors.	PA 2-12-1, PA 2-12-2 Gunnedah Shire Council - Occupation certificates for ablution block and other site amenities Site observations	Facilities were only required for a short period during the audit period when spontaneous combustion remedial activities were undertaken in 2014. Infrastructure remains on-site.	C	
5.8	Direct sewage to a bio-cycle (or equivalent system) with effluent irrigation to land - to be approved by Gunnedah Shire Council.	PA 2-12-1, PA 2-12-2 Gunnedah Shire Council - Occupation certificates for ablution block and other site amenities	The effluent treatment and irrigation system was approved by Gunnedah Shire Council.	C	
5.9	Store potentially hydrocarbon-contaminated water in the oil/water separator for regular removal from site by a licensed contractor	Site observations	No significant levels of storage of hydrocarbon during audit period. As such no hydrocarbon-contaminated water for storage and removal. The oil/water separator was observed to be disconnected and out of use at the time of the audit.	NT	
5.10	Assemble all proposed waste management practices in a Waste Management Plan.	PA 3-22-3 Sunnyside WMP_final	WMP revised May 2016 and appropriate while under care and maintenance	C	
6. Safety and Security. To protect the safety of employees (including contractors), visitors to the mine, the public as well as local land owners and land users.					
6.1	Ensure compliance with statutory regulations and maintain awareness of changes	Interview - Group Superintendent - Environment (Compliance)	Management plans regularly updated.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
6.2	Eliminate or control safety and health hazards in the work environment.	Interview - Group Superintendent - Environment (Compliance) WHC-Generic Induction 28-03-2014 V9	No employees based at site. Access to site restricted while under care and maintenance. Employee induction materials prepared for future operations.	NT	
6.3	Provide relevant occupational health and safe working practices and job training.	Interview - Group Superintendent - Environment (Compliance)	No employees based at site. Access to site restricted while under care and maintenance.	NT	
6.4	Conduct regular safety meetings and provide open forum for input from all employees.	Interview - Group Superintendent - Environment (Compliance)	No employees based at site. Access to site restricted while under care and maintenance.	NT	
6.5	Provide effective emergency arrangements for all employees and general public protection	Site Observations	PIRMP available at mothballed site workshop.	C	
6.6	Undertake regular employee assessment and counselling if required.	Interview - Group Superintendent - Environment (Compliance)	No employees based at site. Access to site restricted while under care and maintenance. Employee assistance program available for future operations.	NT	
6.7	Ensure all contractors adopt the NMPL's policy objectives and maintain safety standards at all times while working on the premises.	SOC 6.7-1 Contractor Safety Standards	Risk assessment and safe work methods to be completed by all contractors prior to works.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
6.8	Develop an Occupational Health and Safety Management System and Major Hazard Management System to be approved by the Chief Inspector of Coal Mines.	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA.	C	
6.9	Erect and maintain all boundary fencing encompassing the Project Site.	Site observation	Boundary fencing observed to be in place and intact.	C	
6.10	Install lockable mine entrance gate.	Site observation	Lockable main entrance gate observed to be in place and intact.	C	
6.11	Erect appropriate security fencing signs at key locations in and around the Project Site.	Site observation	Boundary fencing observed to be appropriately sign posted as a mine site.	C	
6.12	Erect advisory truck traffic warning signage prior to intersection of private sections of the proposed coal transport route along the re-aligned Coccooboonah Lane	Interview - Group Superintendent - Environment (Compliance)	No truck movements during audit period.	NT	
6.13	Ensure all equipment complies with Mine Design Guidelines (MDG15).	Interview - Group Superintendent - Environment (Compliance) Site observations	There is no permanent plant used on site. During the audit period any plant required was brought to sight by third party contractors who maintain and refuel equipment off site.	C	
6.14	Submit Mining Operations Plan to the Department of Primary Industries	http://www.whitehavencoal.com.au/environment/docs/mining-operations-plan-care-and-maintenance.pdf	Care and Maintenance MOP updated April 2016.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
7. Groundwater Access to groundwater resources within the N° 5 underground as a supplementary water source for mine operations.					
7.1	Obtain all necessary approvals and construct a groundwater bore (see Figure A) to withdraw water collected in the void of the Gunnedah N° 5 underground workings.	SOC 1.18-1 Water Access licence (WAL) 29537 DPI Letter of approval 90WA822534, dated 20 January 2016	The auditor was advised that there has be no requirement to augment water supply at the site from the underground working to date of the audit. Approvals are however in place.	C	
	Prevention of groundwater contamination.				
7.2	Control dirty or contaminated surface water within surface structures (see Commitments in Section 10).	PA 3-22-3 WHC_PLN_SUN_Water Management Plan (WMP) Rev 2, Feb 2016 Interview - Group Superintendent - Environment (Compliance) Site observations	Surface water infrastructure was observed to be in place for the control of dirty or contaminated surface water from disturbed areas of the site.	C	
7.3	Refuel the mining fleet within designated areas of the Project surface facilities.	Interview - Group Superintendent - Environment (Compliance) Site observations	The main refuelling areas were decommission in 2012. Some minor in-pit refuelling would be expected to have occurred during the spontaneous combustion remedial works. This is not considered by the auditor to be in non-conformance with the intent of this condition.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
7.4	Undertake all maintenance works requiring the use of oils, greases and lubricants within designated areas of the Project surface facilities.	Interview - Group Superintendent - Environment (Compliance) Site observations	Some minor in-spit service work (ie. hydraulic systems etc) may have been expected to be undertaken during the sponcom restoration works. This is not considered by the auditor to be a non-conformance with the intent of this condition.	C	
7.5	Direct all water from wash-down areas and workshops, except some mobile equipment to oil / water separators and containment systems	Interview - Group Superintendent - Environment (Compliance) Site observations	One of the two on-site workshops (the contractor workshop) is not connected to the water collection and oil separation system. These workshops have not been in use during the audit period.	O	Ensure that the potentially contaminated wash down water can be collected and treated from all workshop areas if operational in future.
7.6	Ensure all storage tanks are either self-bunded tanks or bunded with an impermeable surface and a capacity to contain a minimum 110% of the largest storage tank capacity	Interview - Group Superintendent - Environment (Compliance) Site observations	No refuelling infrastructure present on-site, or other significant storages during the audit period.	NT	
7.7	Construct two turkey's nest dams for the storage of any surplus open cut pit inflows (rather than direct placement into underground workings).	Interview - Group Superintendent - Environment (Compliance) Site observations	Only one dam has been constructed to date. The auditor was advised that up until the time of moving to care and maintenance, and during this recent non-operational period there has not been a need for the second dam. This situation may however change should the mine be brought back into operation, thus requiring dewatering of the mine void.	ANC	Review the need for a second dam for operational purposes and construct as may be required.

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
7.8	Preferentially use water in the two turkey's nest dams for on-site dust suppression (rather than placing water from these dams underground).	Interview - Group Superintendent - Environment (Compliance) Site observations	No dust suppression during C&M During the site inspection no dust generation was observed from the ROM pad or roads despite a reasonable strength breeze at the time.	NT	
7.9	Construct a suitable bore and install appropriate pumping equipment to place diluted pit water (from Turkey's Nest Dam N°2) into the N° 5 underground workings. (All bores would be licenced by DPI Water).	Interview - Group Superintendent - Environment (Compliance) SOC 1.18-1 Water Access licence (WAL) 29537 DPI Letter of approval 90WA822534, dated 20 January 2016 Site observation	The bore and pumping equipment is in place, but has not been utilised during the audit period.	C	
7.10	Pump water to the N° 5 underground workings only from the second turkey's nest dam (to ensure only diluted water is placed underground). This would occur in the event of excessive wet weather when the second turkey's nest dam is approaching its capacity	Interview - Group Superintendent - Environment (Compliance) Post Mining Groundwater Assessment for Mine Modification, Geo Terra (25 February 2015 Ref. SUN4-R1A)	Geo Terra (2015) indicated no impacts to regional groundwater are expected from the mining activities..	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	Preparation of a contingency plan in the event that the availability or quality of groundwater is reduced for local groundwater users.	PA 3-22-3 WHC_PLN_SUN_Wa ter Management Plan (WMP) Rev 2, Feb 2016	Section 6 of the WMP outlines the groundwater contingency plan.	C	
7.11	Undertake remedial action if the available groundwater for existing groundwater users is reduced by over 15% due to mine activities.	PA 3-22-3 WHC_PLN_SUN_Wa ter Management Plan (WMP) Rev 2, Feb 2016 Post Mining Groundwater Assessment for Mine Modification, Geo Terra (25 February 2015 Ref. SUN4-R1A)	Geo Terra (2015) indicated no impacts to regional groundwater during the audit period.	NT	
	Implement a groundwater monitoring program to confirm predictions and to identify emerging issues.	PA 3-22-3 WHC_PLN_SUN_Wa ter Management Plan (WMP) Rev 2, Feb 2016 Post Mining Groundwater Assessment for Mine Modification, Geo Terra (25 February 2015 Ref. SUN4-R1A)	Geo Terra (2015) confirmed consistency with original predictions. The WMP outlines the groundwater monitoring program.	C	
7.12	Implement the water monitoring programme outlined in Section 4B.1.6.1 including ongoing review and modification as required	PA 3-22-3 WHC_PLN_SUN_Wa ter Management Plan (WMP) Rev 2, Feb 2016	The water monitoring programme continues to be delivered in accordance with the approved WMP during the care and maintenance phase.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
8. Noise and Vibration Noise generated by site establishment, construction and operational activities does not exceed EPA nominated criteria nor significantly impact on neighbouring landowners and/or residents.					
8.1	Seal the re-aligned Coochoonah Lane and all other upgraded road sections	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA.	C	
8.2	Regularly maintain all roads comprising the proposed coal transport route under a contribution plan with Gunnedah Shire Council	PA 3-37-1 Road Maintenance Agreement (August 2009)	No road transport of coal during audit period however a Road Maintenance Agreement (August 2009) is in place with GSC.	C	
8.3	Avoid all noisy activities occurring concurrently during construction particularly before 9.00am when the affects of local inversions may be noticeable	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA.	C	
8.4	Construct the out-of-pit overburden emplacement to provide an acoustic barrier between the open cut and Non-Project-related residences	Site observations	The overburden was observed to be emplaced in such a way as to provide an acoustic barrier to the east and northeast.	C	
8.5	Construct the amenity bund around the coal processing area to act as an acoustic barrier.	Site observations	Amenity bund sighted during audit.	C	
8.6	Adhere strictly to hours of operation, including transport activities, enforced by Mine Management.	Interview - Group Superintendent - Environment (Compliance)	Site not currently operational.	NT	
8.7	Use equipment with lower sound power levels in preference to more noisy equipment.	Interview - Group Superintendent - Environment (Compliance)	No plant permanently used or maintained on site.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
8.8	Regularly service all equipment used on site to ensure the power sound levels remain at or below the levels used in the modelling to assess generated noise levels and compliance with the criteria	Interview - Group Superintendent - Environment (Compliance)	No plant permanently used or maintained on site.	NT	
8.9	Ensure that bulldozers either operate in first gear when reversing on the out-of-pit emplacement (and demonstrating compliance with noise criteria) or suspends operations (when compliance is not achieved with noise criteria).	Interview - Group Superintendent - Environment (Compliance)	No routine bulldozer activity during audit period.	NT	
8.10	Manage scraper operations through seasonal / daily programming to avoid operations during inversion conditions and, when necessary to reduce the number of scrapers operating from two to one when noise monitoring demonstrates the LAeq (15 minute) criteria of 35dB(A) is or will be exceeded.	Interview - Group Superintendent - Environment (Compliance)	No routine scraper operations during audit period.	NT	
8.11	Confine operations to lower levels of the in-pit overburden emplacement to mitigate noise exceedances under adverse wind conditions, ie. avoid operations on elevated section of the overburden emplacements during inversions and SSW winds.	Interview - Group Superintendent - Environment (Compliance)	No mine activity during audit period.	NT	
8.12	Fit mid frequency broadband reversing beepers to mobile mining equipment, decreasing sound power levels by 2dB(A) to 3dB(A).	Interview - Group Superintendent - Environment (Compliance)	No plant permanently used or maintained on site.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
8.13	Ensure the on-site road network is well maintained to limit body noise from empty trucks travelling on internal roads.	Interview - Group Superintendent - Environment (Compliance)	Limited vehicular access and no do to day operations on site during audit period.	NT	
8.14	Maintain dialogue with neighbours and local community to ensure any concerns over construction, operational or transport noise are addressed	Interview - Group Superintendent - Environment (Compliance)	No construction or transport during audit period with limited operations. CCC meets annually to maintain dialogue with neighbours.	C	
8.15	Establish a noise monitoring program, in consultation with the EPA, prior to the commencement of the Project, designed to initially validate the predictions arising from the modelling and then record noise levels against the Project noise criteria.	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA.	C	
8.16	Document all proposed noise management strategies formally in a Noise Management Plan	PA 3-8-1 Sunnyside Noise Monitoring Program	Noise Management Plan updated November 2013 which documents noise management strategies to meet relevant project conditions.	C	
8.17	Monitor construction noise near "Lilydale" when the realignment of Coocooboonah Lane is being undertaken	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA.	C	
8.19	Conduct operational noise monitoring monthly for the first six months of mining operations, reverting to quarterly for the remainder of the year.	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
8.20	Instruct all truck drivers to avoid the use of engine brakes when approaching the Project Site entrance and coal transport route intersections and to be mindful when accelerating.	Interview - Group Superintendent - Environment (Compliance)	No road transport of coal during audit period.	NT	
8.21	Adhere strictly to approved hours of coal transportation	Interview - Group Superintendent - Environment (Compliance)	No road transport of coal during audit period.	NT	
8.22	Ensure all blasts are designed to comply with blast limits specified in the Environment Protection Licence	Interview - Group Superintendent - Environment (Compliance) WHC-PLN-Explosives Management Plan WHC-PRO-OC-Blast Clearance and Firing WHC-PRO-OC-Loading & Stemming Blast Holes WHC-PRO-OC-Tying Up Shots WHC-PRO-OC-Working in a Blast Area WHC-PRO-Planning, Design & Record Keeping	Third party qualified contractors conduct drilling and blasts to meet limits specified in EPL. Procedures in place during the four blasts during the audit period.	C	
8.23	Install a blast monitor at all residences within a 2km radius of the active blasting area to monitor blast parameters	EPL L-5.1-1 Sunnyside Blast Monitoring Results	Blast monitoring conducted at required locations.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
8.24	Use aggregates for blast hole stemming to prevent venting of explosion gases.		Blast design not verified as part of ERM audit.	NV	
8.25	Use average size blasts (MIC 960kg) when within the range of 150m to 210m of axe grinding groove (AGGI).		Blast design not verified as part of ERM audit.	NV	
9 . Flora and Fauna					
9.1	Re-align Coochoonah Lane to avoid removal of Koala habitat	Site observations	Coochoonah Lane realignment observed during site visit.	C	
9.2	Erect fencing to exclude livestock from koala habitat areas	Site observations	Fencing between agricultural land on western and eastern boundaries of minesite and the koala habitat corridors along those boundaries was observed as being livestock proof and generally in good condition.	C	
9.3	Erect a Koala-proof fence around the active mine area.	Site observations	Koala proof fencing observed separating the mine pit and the woodland to the south. Fence of cyclone wire to 1.5m tall with metal sheeting on the outside top 40cm of the fence. Fence appeared in good condition. No fencing separates the koala habitat corridors which run along the western and eastern boundaries of the site from the mine pit.	O	When active mining recommences a Koala proof fence should separate active mine and Koala habitats (including corridors for connectivity) to reflect requirements of the EA..

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
9.4	Restrict speeds of all vehicles on the Project Site to 40kph.	Interview - Group Superintendent - Environment (Compliance)	Minesite in care and maintenance with very few vehicles. Operational vehicular traffic ceased prior to the scope of this audit. Although noted that the condition applies to the entire mine life. No evidence of speed restrictions in place, Whitehaven general site rules restrict speed to 60km/h.	O	Opportunity to rectify in future with minimal impacts due to being in care and maintenance.
9.5	Utilise local tree species in revegetation of disturbed areas with an emphasis on Koala feed trees.	MOP (Care and Maintenance) PA 5-5-1 Sunnyside AEMR_2013-14 Site observations	MOP (Care and Maintenance) Table 7: Domain Rehabilitation Objectives contains statement that woodland areas (secondary domain E) would have locally collected seed used and preserved in topsoil seedbank. Major tree planting occurred as reported in 2011/2012 (7,077 in late winter 2012) and listed koala feed tree species used. This action predates the scope of this audit. Site visit identified that tree species common to, and characteristic of, native woodland of the area are being used in rehabilitation and koala enhancement areas. These include: White Box (<i>Eucalyptus albens</i>), Yellow Box (<i>E. melliodora</i>) and Kurrajong (<i>Brachychiton populneus</i>).	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
9.6	Re-establish a small area of the Endangered ecological community Native Vegetation on Cracking Clay Soils of the Liverpool Plains.	PA 5-5-1 Sunnyside AEMR_2013-14	AEMR 2014/2015 s6.2.1 states that a remnant of this EEC was to be temporarily impacted by the Coocooboonah Lane realignment but the area would be rehabilitated and enhanced following cessation of mining.	NT	
9.7	Undertake clearing so the extent is minimised and consistent with operational requirements	Interview - Group Superintendent - Environment (Compliance)	No clearing has occurred during the period covered by this audit scope.	NT	
9.8	Clearly define all areas to be cleared.	Interview - Group Superintendent - Environment (Compliance)	No clearing has occurred during the period covered by this audit scope.	NT	
9.9	Transfer soil material and biomass removed beyond the first 18 to 24 months of mining directly to an active rehabilitation area, where practicable	Interview - Group Superintendent - Environment (Compliance)	No clearing has occurred during the period covered by this audit scope.	NT	
9.10	Undertake progressive rehabilitation of all disturbed areas.	Site observations	No rehabilitation has occurred since previous IEA (Umwelt 2013) with the last soil surface reinstated in 2012. Observed rehabilitation did not show progressive rehabilitation of different years observable in progressive stages (2009-2010 woodland mostly failed; 2010-2011 woodland progressing well; 2011-2012 soils placed on slope and then left).	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
9.11	Control noxious weeds at all times.	Rehabilitation and Landscape Management Plan Weed Spraying Records (2014-2016) document PA 3-30-3 Monthly Inspection Forms Sunnyside Annual Review_2014-15 Site observations	Rehabilitation and Landscape Management Plan describes weed management in these sections: 6.7.1 describes weed control measures as being consistent with the Gunnedah Shire Council Weed Management Plans for those species. 7.7 describes weed completion criteria as being comparable to surrounding land. 8.2 describes annual vegetation cover transects required measuring performance against completion criteria in general which would also contain weed species observations. 8.4.1 describes weed monitoring requirements in rehabilitation which includes results required from weed control areas. Weed Spraying Records (2014-2016) (document PA 3-30-3) contain some detail about general location, target species, weather conditions and effort (time spent). These do not contain the level of detail outlines in the Rehabilitation and Landscape Management Plan. 8.4.1 states that bi-annual surveys will be undertaken across the ML to identify weed species presence	NC	Generally weed control is ad-hoc with no monitoring data collection providing triggers for management actions. Programs exist for weed monitoring and they are not being implemented. Weeds are controlled, as reported by the AEMR, in a manner triggered by monthly inspections. Sampled monthly inspection forms that would have triggered reported weed treatment in August and October 2015 contain no weed management actions being required. Weed control is not being recorded to the level of detail described in the Rehabilitation and Landscape Management Plan. No evidence of weed monitoring activities being undertaken as listed in Rehabilitation and Landscape Management Plan. These include: - vegetation cover transects in rehabilitation areas; - weed control species and control actions by treatment personnel; and

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>and distribution.</p> <p>Selection of monthly inspection forms (June through to November 2015, February and July 2016) sighted and contains rudimentary section for weed species observations. Does not satisfy requirements listed above for data collection in transects, weed control area results or bi-annual ML-wide weed surveys. 2015 inspections for the period June-November 2015 contain no observations triggers for the reported weed treatment in August or October 2015 (described in AEMR 2014/2015 below).</p> <p>AEMR 2014/2015 s6.2.3 and s8.1.5 states that weed inspections are undertaken monthly with treatment undertaken as required. s8.1.5 reports that weed treatment actions were undertaken at three times during that period (Jan, Aug and Oct 2015).</p> <p>Site visit observed significant amount of weeds throughout the site including Saffron Thistle (<i>Carthamus lanatus</i>), Variegated Thistle (<i>Silybum marianum</i>) and Prickly Lettuce (<i>Lactuca serriola</i>). Declared noxious weeds observed onsite included Prickly Pear</p>		<p>- bi-annual ML-wide weed surveys.</p> <p>Field observations identified an abundance of locally common weed species across the site. Two individuals of the noxious weed Prickly Pear were observed in the field in senescence.</p>

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<i>(Opuntia stricta var. stricta)</i> and Patterson's Curse (<i>Echium plantagineum</i>). It was noted that the only Prickly Pear observed onsite was two individuals in the south eastern corner of the site which were both senescent.		
9.12	Adopt a strategy to rehabilitate specific areas of the Project Site to native vegetation, create and / or improve habitat corridors on and adjacent to the Project Site, and protect areas of native vegetation from agricultural activities on NMPL land external to the Project Site.	Rehabilitation and Landscape Management Plan Koala Management Plan MOP (Care and Maintenance) Site observations	Rehabilitation and Landscape Management Plan (EcoLogical 2011) satisfies this requirement for a plan to be adopted. Table 5 identifies the rehabilitation actions as being to revegetate in accordance with the Koala Management Plan and contains the completion criteria for native woodland areas which is to achieve 18.8ha of koala habitat corridor. Koala Management Plan (KMA 2007) satisfies this requirement for a plan to be adopted MOP (Care and Maintenance) Plans 2 (2016) and 4 (final) demonstrate rehabilitation plans. Site visit identified MOP (Care and Maintenance) Plan 2 (2016) site conditions reflected the plan, with the exception of 2009-2010 woodland rehabilitation which has largely failed. Koala habitat corridors along the western and eastern boundaries are in place	NC	Corridors will require enhancement plantings to improve connectivity linkages especially the eastern boundary corridor. Future work towards mine closure and relinquishment will require significant renewed rehabilitation efforts to improve the currently poor native non-tree species presence (e.g. ground and shrub layers).

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>and exhibiting good tree growth. In general all native woodland rehabilitation and koala enhancement woodland has poor non-tree native species and very high weed species presence. Weed species in the non-tree layer should not impact the utility of the areas to the koala, however species composition is currently inconsistent with MOP (Care and Maintenance) rehabilitation objectives described in Table 6 (although acknowledged that these are final landuse goals and the mine is not yet at closure planning or relinquishment. It is noted now as these areas would require renewed rehabilitation effort to achieve the relinquishment condition.</p> <p>Habitat linkages observed along western and eastern minesite boundaries for Koala habitat enhancement experiencing good tree growth although linkage missing between eastern corridor and Coochoonah Lane (approximately 30m gap). The eastern Koala enhancement corridor does not currently connect to the woodland south of mine area as shown in MOP (Care and Maintenance) Plan 2.</p>		

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
9.13	Maintain, expand and / or create several Koala habitat corridors to promote the linkage of remnant vegetation in the local area.	Rehabilitation and Landscape Management Plan Koala Management Plan MOP (Care and Maintenance) Site observations	Koala habitat corridors along the western and eastern boundaries are in place and exhibiting good tree growth. Good tree growth observed along western and eastern minesite boundaries providing habitat linkages for koalas. However the linkage is missing between the eastern corridor and Coochoonah Lane (approximately 30m gap). The eastern Koala enhancement corridor does not currently connect to the woodland south of mine area as shown in MOP (Care and Maintenance) Plan 2.	NC	Corridors will require enhancement plantings to improve connectivity linkages especially the eastern boundary corridor.
9.14	Conserve the existing native vegetation on the Project Site during the life of the proposal and in the final landform	Interview - Group Superintendent - Environment (Compliance)	No clearing has occurred during the period covered by this audit scope.	NT	
9.15	Carry out, where possible, tree removal, especially the mature trees in late spring and early autumn to avoid spring nesting birds and over-wintering bats.	Interview - Group Superintendent - Environment (Compliance)	No clearing has occurred during the period covered by this audit scope.	NT / O	No Flora and Fauna Management Procedures (FFMP) was provided during the audit, although this requirement would only be triggered by clearing, of which there was none during the audit period. A suggested improvement is to incorporate this condition into any future FFMP should mining minesite be recommenced.

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
9.16	Undertake inspections of mature trees for nesting birds and roosting bats prior to each clearing campaign where mature tree with hollows are to be removed.	Interview - Group Superintendent - Environment (Compliance)	No clearing has occurred during the period covered by this audit scope.	NT / O	No Flora and Fauna Management Procedures (FFMP) was provided during the audit, although this requirement would only be triggered by clearing, of which there was none during the audit period. A suggested improvement is to incorporate this condition into any future FFMP should mining minesite be recommenced.
9.17	Relocate any nesting and roosting hollows, as well as nests, used by listed threatened species to appropriate locations nearby.	Interview - Group Superintendent - Environment (Compliance)	No clearing has occurred during the period covered by this audit scope.	NT / O	No Flora and Fauna Management Procedures (FFMP) was provided during the audit, although this requirement would only be triggered by clearing, of which there was none during the audit period. A suggested improvement is to incorporate this condition into any future FFMP should mining minesite be recommenced.

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
9.18	Bury all stumps, branches and tree trunks from felled timber within the overburden emplacements.	Interview - Group Superintendent - Environment (Compliance)	No clearing has occurred during the period covered by this audit scope.	NT / O	No Flora and Fauna Management Procedures (FFMP) was provided during the audit, although this requirement would only be triggered by clearing, of which there was none during the audit period. A suggested improvement is to incorporate this condition into any future FFMP should mining minesite be recommenced.
9.19	Commence post-mining rehabilitation of the Box Cut area as soon as possible. Re-establish the connectivity of habitat corridor along Coochoonah Lane. Commence post-mining establishment of the Koala habitat corridors between Coochoonah Lane and the remnant woodlands south of the Project Site as soon as practicable to re-establish and enhance the connectivity of local Koala habitat corridors.	Rehabilitation and Landscape Management Plan Koala Management Plan PA 3-30-2 Sunnyside Care and Maintenance MOP_signed Site observations	Koala habitat corridors along the western and eastern boundaries are in place and exhibiting good tree growth. Good tree growth observed along western and eastern minesite boundaries providing habitat linkages for koalas. However the linkage is missing between the eastern corridor and Coochoonah Lane (approximately 30m gap). The eastern Koala enhancement corridor does not currently connect to the woodland south of mine area as shown in MOP (Care and Maintenance) Plan 2.	NC	Corridors will require enhancement plantings to improve connectivity linkages especially the eastern boundary corridor.

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
9.20	Include a vertebrate pest control program as part of the mining operation and management plan.	Rehabilitation and Landscape Management Plan PA 5-5-1 Sunnyside AEMR_2013-14 PA 5-5-1 Sunnyside Annual Review_2014-15 Site observations	Rehabilitation and Landscape Management Plan describes pest management in these sections: 6.7.2 describes feral species control measures as being baiting for the two identified declared pests (Wild Dog and Rabbit) and warren destruction for the rabbit. Note that the Feral Pig was not considered in the strategy as may not have been identified onsite prior. 7.7 describes feral pest completion criteria as being control undertaken in accordance with the LHPA officer. 8.4.2 describes recording requirements for feral pest control efforts including bait emplacement and take rates, and rabbit warren destruction activities. The latter should be followed by monitoring rabbit and warren activity. Selection of monthly inspection forms (June through to November 2015, February and July 2016) sighted and contains rudimentary section for feral species observations. AEMR 2013/2014 s3.18 states that due to the low frequency of feral animals that no targeted baiting	NC	Activities described in the Rehabilitation and Landscape Management Plan were not undertaken in the 2013/2014 or 2014/2015 AEMR periods because of low feral species prevalence. Pig trapping is ongoing.

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>programs are undertaken beyond monthly monitoring. The section reports that Feral Pig trapping has occurred since mid-2013 with nine pigs captured (although does state the fate of the animals).</p> <p>AEMR 2014/2015 s6.2.4 states that due to the low frequency of feral animals that no targeted management programs are undertaken beyond monthly monitoring.</p> <p>No evidence was provided to justify the alteration in vertebrate pest management as outlined in the Rehabilitation and Landscape Management Plan to the current practice.</p> <p>Site visit observed Feral Pigs on minesite and one trap which could be set for pigs.</p>		
9.21	Avoid the clearing of native vegetation along the road shoulders where the proposed coal transport route utilizes public roads.	Interview - Group Superintendent - Environment (Compliance)	No clearing has occurred during the period covered by this audit scope.	NT	
10. Surface Water: Prevention of discharge of dirty, saline or contaminated water from the Project Site.					
10.1	Securely store all hydrocarbon products in accordance with the approved Hydrocarbon Management Plan.	Site observations	Only minor storage observed in closed shipping containers during the site inspection,	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
10.2	Refuel all of the NMPL's mining fleet within designated areas of the Project surface facilities.	Interview - Group Superintendent - Environment (Compliance)	In-pit refuelling considered likely to have been undertaken during spontaneous combustion restoration works in 2014. No refuelling of mining fleet during the audit period.	NT	
10.3	Direct all water from wash-down areas and workshops to oil/water separators and containment systems.	Site observation Interview - Group Superintendent - Environment (Compliance)	The "igloo" contractor workshop washdown area does not report to the oil/water separators and containment systems. This workshop is not currently in use.	O	Ensure that the potentially contaminated wash down water can be collected and treated from all workshop areas if operational in future.
10.4	Ensure all storage tanks are either self-bunded tanks or bunded with an impermeable surface and have a capacity to contain a minimum 110% of the largest storage tank capacity	Site observations Interview - Group Superintendent - Environment (Compliance)	No significant storages at site during the audit period. The fuel storage and dispensing facilities were decommissioned in 2013.	NT	
10.5	Construct catchment banks / drains directing sediment-laden water to sediment basins.	PA 3-22-3 WHC_PLN_SUN_Water Management Plan (WMP) Rev 2, Feb 2016 Interview - Group Superintendent - Environment (Compliance) Site observations	Drains were observed to be in place to direct sediment laden water to sediment basins in accordance with the WMP.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
10.6	Maintain groundcover on all land that is not being used for processing facilities, administration / maintenance facilities, roads, mining activities and the overburden emplacement.	Interview - Environmental Officer Site observations	Groundcover was generally observed to be well established on non-operational areas. Overburden stockpiles are in various levels of rehabilitation and/or stabilisation. Exposed areas limited to the ROM pad and workshop area, and site roads.	C	
10.7	Add flocculants to dirty water within the sediment basins, if required, to expedite the settlement process.	Interview - Environmental Officer	The auditor was advised that flocculent has been used to settle out sediments prior to transfer of water to the down hydraulic gradient sediment Dams 3 and 4. It is noted that the latter were empty at the time of the audit inspection.	O	
10.8	Implement the monitoring program nominated in the Environment Protection Licence to enable appropriate auditing and management.	PA 3-22-3 WHC_PLN_SUN_Wa ter Management Plan (WMP) Rev 2, Feb 2016 EPL 12957 PA 5-5-1 Sunnyside AEMR_2013-14 PA 5-5-1 Sunnyside Annual Review_2014- 15 Interview - Group Superintendent - Environment (Compliance) Site observations	The monitoring program is being delivered generally in accordance with the EPL.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
10.9	Record any periods when elevated levels of sediment occur in water discharged from site	Interview - Group Superintendent - Environment (Compliance) and Environmental Officer. Site observations	No discharges occurred during audit period	NT	
10.10	Enlarge the sediment basins or construct additional sediment basins, if required, to capture a minimum of a 5 day 90%ile storm event.	PA 3-22-3 WHC_PLN_SUN_Water Management Plan (WMP) Rev 2, Feb 2016 Interview - Group Superintendent - Environment (Compliance) Site observations	Sediment basins are constructed at site in accordance with the WMP.	C	
10.10 A	Minimisation of erosion and sedimentation.	Site observation	The auditor observed on section of the overburden emplacement whereby rehabilitation was not fully established and some shallow gully erosion was occurring. Overall the remainder of the site was well established with stabilising vegetation.	O	It is recommended that the area with gully erosion be rectified and stabilised to prevent further erosion.
10.11	Construct an additional storage dam downstream, if required. This dam would become the new site discharge point and monitoring location.	Interview - Group Superintendent - Environment (Compliance) Site observations	No second dam has been required to-date.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
10.12	Implement a 3-phase remedial action plan in the event of a major hydrocarbon spill	Interview - Group Superintendent - Environment (Compliance)	was advised that no major hydrocarbon spills occurred during the audit period.	NT	
10.12 A	Adequate water is available for site dust suppression.	Site observation	At the time of the audit inspection there was sufficient water in the void and turkeys nest dams for dust suppression if required.	C	
10.13	Prepare an annual review of the water balance for management of surface and pit water	PA 5-5-1 Sunnyside AEMR_2013-14 PA 5-5-1 Sunnyside Annual Review_2014-	The site is in care and maintenance with no water use on-site. The AEMR and AR sufficient address surface water aspects for the non-operational site.	C	
11. Air Quality Site activities are undertaken without exceeding EPA air quality criteria or goals.					
11.1	Fence off all land which is not to be disturbed to encourage natural regeneration.	Site observations	No fencing was observed separating the mine site operational areas from the regeneration areas (those relevant being the wildlife corridors along the eastern, northern and western boundaries of the site.	O	Suggest identifying areas suitable for fencing to encourage natural regeneration in those boundary corridors as stated.
11.2	Establish ground cover on disturbed areas and emplacement area as soon as possible	Interview - Group Superintendent - Environment (Compliance)	No areas of emplacement were established during the temporal scope of this audit.	NT	
11.3	Undertake soil stripping at a time when there is sufficient soil moisture to prevent significant lift-off of dust.	Interview - Group Superintendent - Environment (Compliance)	No soil stripping undertaken during the temporal scope of this audit.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
11.4	Avoid stripping soil in periods of high wind.	Interview - Group Superintendent - Environment (Compliance)	No soil stripping undertaken during the temporal scope of this audit.	NT	
11.5	Use water application for dust suppression to increase soil moisture should stripping occur during periods of high wind or low soil moisture.	Interview - Group Superintendent - Environment (Compliance) Site Observation	No stripping activities at the site at the time of the audit inspection.	NT	
11.6	Utilise water injection on the drill rigs or alternatively fit them with dust collectors.	Interview - Group Superintendent - Environment (Compliance)	No exploratory drilling activities conducted on site during the audit period.	NT	
11.7	Use aggregates for blast hole stemming to prevent venting of explosion gases		Blast design not verified as part of ERM audit.	NV	
11.8	Conduct blasting both before the establishment, and after the break-up of low-level atmospheric temperature inversions.		Blast design not verified as part of ERM audit.	NV	
11.9	Avoid ripping of softer overburden material during periods of high wind.	Interview - Group Superintendent - Environment (Compliance)	No areas of soft overburden were ripped during the temporal scope of this audit.	NT	
11.10	Spray low moisture coal with water prior to excavation to raise moisture content to >6%.		No extraction of handling of coal during the audit period.	NT	
11.11	Minimise clearing ahead of construction activities.	Interview - Group Superintendent - Environment (Compliance)	No construction during audit period.	NT	
11.13	Water cleared areas regularly during construction activities		No construction activities during the audit period.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
11.14	Minimise clearing ahead of road construction.	Interview - Group Superintendent - Environment (Compliance)	No road construction during audit period.	NT	
11.15	Water active construction areas regularly	Interview - Group Superintendent - Environment (Compliance)	No active construction areas during audit period.	NT	
11.16	Restrict truck speeds on roads under construction to <50kph.	Interview - Group Superintendent - Environment (Compliance)	No active construction areas during audit period.	NT	
11.17	Temporarily cease operation in the event of protracted dry periods, high winds and significant dust generation and dispersal towards the surrounding residences	Interview - Group Superintendent - Environment (Compliance)	Limited operations during audit period.	C	
11.18	Minimise the extent of clearing / site preparation in advance of mining.	Interview - Group Superintendent - Environment (Compliance)	No clearing / site preparation or active mining areas during audit period.	NT	
11.19	Clearly define any access or haul roads and restrict vehicles and equipment to those roads	Site observations	Access and haul roads clearly defined, noting no haulage of minimal trafficking of site roads during the audit period.	C	
11.20	Routinely apply water with or without chemical dust suppressants	Interview - Group Superintendent - Environment (Compliance) Site observations	Dust suppression is not being undertaken on the non-operation site.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
11.21	Progressively rehabilitate areas of disturbance including topsoil and subsoil stockpiles	Interview - Group Superintendent - Environment (Compliance) Site observations	No areas of rehabilitation were established during the temporal scope of this audit. Stockpiles were observed to be covered in pasture and weedy species to minimise erosion.	NT	
11.22	Install bund walls and wind breaks as required.	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA.	C	
11.23	Regularly water haul roads.		Haul roads are not in with only minimal traffic for inspections and monitoring.	NT	
11.24	Avoid coal being loaded above the truck body sides.	Interview - Group Superintendent - Environment (Compliance)	No coal processing or truck loading during audit period.	NT	
11.25	Cover all trucks carrying product coal from the mine with approved covers and securely fix the tailgates to prevent windblown dust emission or spillages.	Interview - Group Superintendent - Environment (Compliance)	No coal processing or truck loading during audit period.	NT	
11.26	Fit all earthmoving equipment on-site with exhaust controls which satisfy NSW EPA emission requirements.		Earth moving activity occurred between January and March 2013. The auditor is not able to verify exhaust controls in place.	NV	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
11.27	Ensure all equipment is properly maintained to ensure no unacceptable exhaust emissions occur and commit to the removal of any vehicle or item of mobile equipment from on-site activities which is observed not to comply with NSW EPA guidelines.	Interview - Group Superintendent - Environment (Compliance)	There is no permanent plant used on site. During the audit period a plant was brought to sight by third party contractors who maintain and refuel equipment off site.	C	
11.28	Direct the exhausts of all equipment upwards or to the side so as not to impinge on the ground and cause dust lift-off.		Earth moving activity occurred between January and March 2013. The auditor is not able to verify exhaust controls in place.	NV	
11.29	Undertake an air quality monitoring program to demonstrate compliance with the nominated goals specified in the Environment Protection Licence. Deposited dust at selected residences and strategic locations surrounding the Project Site. Continuous wind speed and direction at the Project Site weather station. PM10 dust at a residence six day cycle.	PA 3-19-3 Sunnyside Air Quality Monitoring Program Site observations	The management plan in place reflects the intent of the condition, with the exception of the requirement to monitor wind speed and direction at the site.	ANC	Whitehaven to seek confirmation that this condition can be satisfied with weather monitoring from the Gunedah CHPP.
11.30	Avoid burning vegetation	Interview - Group Superintendent - Environment (Compliance)	No vegetation was cleared during the temporal scope of this audit.	NT	
11.31	Use water injection or dust collectors during drilling	Interview - Group Superintendent - Environment (Compliance)	No exploratory drilling undertaken during the audit period.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
11.32	Avoid ripping softer overburden material during periods of high wind	Interview - Group Superintendent - Environment (Compliance)	No areas of soft overburden were ripped during the temporal scope of this audit.	NT	
11.33	Establish and maintain a dust monitoring program in line with recommended locations	EPL M-2.2-1 Sunnyside Deposited Dust Data	Monthly dust monitoring established at required locations.	C	
11.34	Install and maintain an automatic weather station within the Project Site.	Site observations	There is no functioning weather station on site.	NC	Whitehaven to seek confirmation that this condition can be satisfied with weather monitoring from the Gunedah CHPP.
11.34 A	Minimise Greenhouse Gas Emissions wherever possible.	PA 3-42-1 Energy Savings Action Plan Independent Environmental Compliance Audit (Umwelt 2013)	As stated in the previous IEA the Energy Saving Action Plan was prepared May 2009 and approved by DP&I July 2009.	C	
11.35	Adopt strategies to reduce GHG environs as nominated in EA Section 4B.5.5.4.	PA 3-42-1 Energy Savings Action Plan Independent Environmental Compliance Audit (Umwelt 2013)	As stated in the previous IEA the Energy Saving Action Plan was prepared May 2009 and approved by DP&I July 2009.	C	
11.35 A	Avoidance of accumulation of coal dust in domestic water tanks.	Site observations Interview - Group Superintendent - Environment (Compliance)	No extraction or handling of coal during the audit period.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
11.36	Install first flush devices on the domestic water tanks at "Werona", "Ivanhoe", "Mulwalla", "Mulwalla (2)", "Innisvale", "Sugarloaf", "Lilydale", "Woodlawn", "Plain View", "Illili", "Glendower", "Ferndale" and "Eulalie".	Independent Environmental Compliance Audit (Umwelt 2011)	Verified in the 2011 IEA.	C	
12. Aboriginal Heritage: Provide appropriate protection to identified Aboriginal artefacts					
12.1	Undertake medium sized blasts when open cut pit is near axe grinding groove	Interview - Group Superintendent - Environment (Compliance)	No blasts near axe grinding groove location during audit period.	NT	
12.2	Cover axe grinding groove with straw bales to prevent possible fly rock damage when blasting is nearby	Interview - Group Superintendent - Environment (Compliance)	No blasts near axe grinding groove location during audit period.	NT	
Minimise potential to impact upon unidentified Aboriginal artefacts					
12.3	Invite Aboriginal monitors to site for all soil stripping and ground disturbance activities. Manage any sites detected in accordance with the relevant acts	PA 3-33-5 Aboriginal Inspections	No soil striping during audit period. Aboriginal monitors invited to 2011 activities.	NT	
12.4	Cease work at any area if further Aboriginal objects are uncovered during the course of the Project, and contact the NSW OEH for advice	Interview - Group Superintendent - Environment (Compliance)	No Aboriginal objects uncovered during audit period.	NT	
12.5	Conduct a Cultural Heritage Awareness Induction Course for staff, contractors and any heritage monitors working on the Project Site to help raise awareness and ameliorate any impact on heritage sites during site establishment and subsequent mining activities.		No permanent staff on site during audit period.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
13. Visibility: Restriction of vantage points of Project activities from neighbouring residences and public roads					
13.1	Minimise cleared or non-vegetated areas by progressively rehabilitating the Project Site	Interview - Group Superintendent - Environment (Compliance)	No vegetation was cleared or rehabilitation areas established during the temporal scope of this audit.	NT	
13.2	Design the overburden emplacements to as much as possible, replicate existing topographic features.	Site observation	Visual observation of overburden emplacement identified that it was generally consistent with the surrounding landform topography.	C	
13.3	Minimise the extent of land disturbance / clearing in advance of mining.	Interview - Group Superintendent - Environment (Compliance)	No vegetation was cleared during the temporal scope of this audit.	NT	
13.4	Implement air quality controls as identified in Section 4B.5.5.	PA 3-19-3 Sunnyside Air Quality Monitoring Program	The management plan in place reflects the intent of the condition.	C	
13.5	Maintain the mine and associated areas of disturbance in a clean and tidy condition at all times.	Site observations	Limited operations during audit period. Housekeeping at site observed to be adequate.	C	
13.6	Construct amenity bund around coal processing area to provide visual screening	Site observations	Amenity bund sighted during audit.	C	
The operation of the Siding Springs Observatory is not affected by Project operations.					
13.7	Use a maximum of six lighting plants for night-time activities	Site observations	There is currently no outdoor lighting at the site.	NT	
13.8	Position and direct floodlights to minimize emissions.	Site observations	There is currently no outdoor lighting at the site.	NT	
Ongoing communication with neighbours.					

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
13.9	Maintain regular communications with those residents whose visual amenity is affected by the Project and implement any reasonable additional controls to further reduce the impact on their visual amenity	Minutes of Sunnyside Coal Mine CCC No 19 - 14 Oct 2014	Evidence of CCC Minutes reviewed. Committee meets on an annual basis.	C	
14. Soil ,Land, Capability and Agricultural Suitability					
	Maintenance of soil value for rehabilitation and minimisation of soil loss though erosion	Site observations Interview - Group Superintendent - Environment (Compliance)	General practice is to use stripped topsoil in rehabilitation areas with as little holding time as possible to maintain value for rehabilitation. Unobservable due to no clearing and stripping occurring in the temporal scope of this audit. Soil stockpiles observed covered with pasture grasses Kikuyu (<i>Pennisetum clandestinum</i>), Barley (<i>Hordeum leporinum</i>), Rhodes Grass (<i>Chloris gayana</i>) and Oats (<i>Avena</i> sp.) and weedy non-grasses Saffron Thistle (<i>Carthamus lanatus</i>), Variegated Thistle (<i>Silybum marianum</i>) and Prickly Lettuce (<i>Lactuca serriola</i>) minimising erosion. Soil stockpile in south east of the site observed protected from overland flows by a contour bank.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
14.1	Strip topsoil from each SMU to a depth of 15cm. Stockpile topsoil for later retrieval and spreading over specific areas during the first 18 to 24 months of mine operations. Beyond this period, Project Site topsoil would be typically directly transferred onto sections of the final landform	Site observations Interview - Group Superintendent - Environment (Compliance)	General practice is to use stripped topsoil in rehabilitation areas with as little holding time as possible to maintain value for rehabilitation. Unobservable due to no clearing and stripping occurring in the temporal scope of this audit.	NT	
14.2	Strip subsoil from each SMU to a depth of 50cm below the topsoil. Stockpiles would be available for re-spreading as areas become available for rehabilitation.	Site observations Interview - Group Superintendent - Environment (Compliance)	General practice is to use stripped topsoil in rehabilitation areas with as little holding time as possible to maintain value for rehabilitation. Unobservable due to no clearing and stripping occurring in the temporal scope of this audit.	NT	
14.3	Strip further subsoil to bedrock and segregate each SMU	Site observations End of Month Survey Report (01.12.12 to 31.12.12)	Soil segregation not observable in the field due to pasture vegetation growth on stockpiles. End of month survey plan from the period when site mining activities last occurred has topsoil areas labelled.	NC	No evidence of SMU segregation aside from topsoil emplacement.
14.4	Place higher alkalinity soils over the surface of the overburden emplacement to provide neutralising capacity in the event pockets of acid forming rock are encountered	Site observations Interview - Group Superintendent - Environment (Compliance)	Higher alkalinity soils emplacement not observable. No evidence available to confirm if triggered. Anecdotal evidence that acid forming rock is known or that there is some capacity or ability to detect when this becomes a problem.	O	Recommended that soil pH is recorded during soil management and emplacement.

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
14.5	Install erosion protection around stockpiles of this material with direct transfer from source to sink commenced as soon as practicable	Site observations	No transfer from source to sink observable. South eastern corner stockpile protected by contour bank and dense pasture and weedy vegetation growth. No observation of recent stockpile emplacement to inspect sediment fencing or drainage controls.	O	If mining is recommended in future, recommendation for sediment fencing around bare stockpiles.
14.6	Topsoil stockpiles not exceed 2m in height and where practicable, be maintained as windrows in preference to larger structures	Site observations End of Month Survey Report (01.12.12 to 31.12.12)	Labelled topsoil stockpiles on the end of month survey plan from 2012 (last time soils were moved) show soil stockpiles at 4m or greater above surrounding ground level. Confirmed by field observation.	NC	Topsoil stockpiles exceed committed height.
14.7	Seed any stockpiles with a non-persistent cover crop as soon as possible after they have been established to reduce erosion potential and assist in the maintenance of the biological viability of the soil.	Site observations Plans / Procedures	No stockpiles established in the temporal scope of this audit. All covered with pasture and weedy vegetation.	NT	
14.8	Subsoil stockpiles to generally not exceed 3m in height and typically be placed in larger stockpiles than the topsoil	Site observations End of Month Survey Report (01.12.12 to 31.12.12)	No subsoil stockpiles observable on the only available plan. Soil segregation in stockpiling unclear.	O	Soil stockpile segregation should be improved.
14.9	Maintain and regularly reconcile with rehabilitation requirements an inventory of soil resources present on the Project Site, ie. both in stockpiles and awaiting stripping	Sunnyside AEMR_2013-14 End of Month Survey Report (01.12.12 to 31.12.12)	AEMR (2013-2014) Table 11 outlines inventory of rehabilitation areas at various stages in the AEMR period. End of month survey report from 2012 (last time soils were moved) shows an inventory of areas that	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			were progressed in various stages of rehab during that period (area to waste, area reshaped, topsoiled, seeded to crop and completed).		
14.10	Utilise water management structures to divert surface water flow away from soil stockpile areas to reduce the potential for erosion	Site observations	South eastern corner stockpile protected by contour bank.	C	
14.11	Place silt-stop fencing or similar immediately downslope of stockpiles where required, until stable vegetation cover is established	Site observations	South eastern corner stockpile protected by contour bank and covered by pasture and weedy vegetation.	NT	
14.12	Monitor erosion from soil stockpiles or rehabilitated surfaces throughout the life of the Project with remedial works undertaken should erosion be observed.	Monthly Inspection Forms Sunnyside AEMR_2013-14 Sunnyside Annual Review_2014-15 Site observations	Selection of monthly inspection forms (June through to November 2015, February and July 2016) sighted and contains rudimentary section for erosion observations. Periodic noting of erosion presence however not accompanied by recommended actions, nor does it report on erosion control actions performance. AEMR 2013/2014 s5.2.10 reported minor erosion presence on the western area of soil cover on the overburden emplacement. The report stated control actions being seeding of a cover crop and installation of contour banks. Cover crop was observed during the site visit however no contour	O	Monitoring is occurring on a monthly basis (with some months in which no inspections apparent). Unidentifiable consequence of erosion risks identified (e.g. recommended control measures or later inspection of erosion control measures undertaken). AEMR 2013/2014 contains recommendations to control some erosion areas on the western side of the overburden emplacement however no follow up reporting is detailed in the AEMR 2014/2015.

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			banks were observed. AEMR 2014/2015 made no mention of erosion or follow up of the above proposed actions beyond that erosion monitoring would be ongoing. Site visit identified areas of erosion rilling down slope observed in area of soil shaping and emplacement on western side of overburden emplacement.		
14.13	Undertake all clearing and topsoil stripping in campaigns on an as-needs basis.	Interview - Group Superintendent - Environment (Compliance)	No clearing has occurred during the period covered by this audit scope.	NT	
15 .Bushfire Control Avoid fire initiation					
15.1	Clear vegetation away from blast (>20m).	Interview - Group Superintendent - Environment (Compliance)	No vegetation clearance required for the four blast events in 2014.	NT	
15.2	Remove all coal from open cut around blast.	Interview - Group Superintendent - Environment (Compliance)	No coal extraction during the audit period.	NT	
15.3	Undertake blast design by qualified personnel	Interview - Group Superintendent - Environment (Compliance)	The auditor informed that third party qualified blast contractors utilised for all blasts. Not verified by auditor.	NV	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
15.4	Undertake refueling within designated fuel bays or within cleared area of the Project Site	Interview Environment Manager	- No permanent plant used on site. During the audit period a plant was brought to sight by third party contractors who maintain and refuel equipment off site.	C	
15.5	Turn vehicle engines off during refuelling.	Interview Environment Manager	- No refuelling on site during audit period.	NT	
15.6	Enforce no smoking policy in designated areas of the Project Site.		No permanent staff on site during audit period.	NT	
15.7	Maintain fire extinguishers within all site vehicles	SOC 15.7-1 WHC-STD-OC-Fire Systems	A procedure is in place however limited site vehicles on site during audit period.	C	
15.8	Regularly inspect and water stockpiles.	Site observation	Stockpiles were observed to be mostly stabilised with vegetation.	NT	
15.9	Control stockpile height and volume to limit the duration coal is retained in stockpiles		All coal removed from site in advance of audit period.	NT	
15.10	Maintenance of housekeeping by mine management	Site observations	Limited operations during audit period. Housekeeping at site observed to be adequate.	C	
15.11	Ensure water cart is available to assist in extinguishing any fire ignited.	Interview - Group Superintendent - Environment (Compliance)	A water cart is not present on site during the care and maintenance period. Water cart can be brought to site on a campaign basis. The site cooperates with the Rural Fire Service in the event of bushfire threat.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
16. Socio - Economic					
16.1	Implement a policy which encourages employment of local district personnel with training and certification of suitable local persons provided	Interview - Group Superintendent - Environment (Compliance)	Limited operations and no recruitment during audit period.	NT	
16.2	Provide a local induction kit to any new workers (from outside the district) including contact details for community groups and services throughout the region.	Interview - Group Superintendent - Environment (Compliance)	Limited operations and no recruitment during audit period.	NT	
16.3	Inform Gunnedah Council of the predicted increase of population based on employment at the Project	Independent Environmental Compliance Audit (Umwelt 2013)	Condition satisfied at time of previous IEA.	C	
16.4	Establish a community enhancement fund to the value of \$500,000	Pulse reports - \$100k payments NVI - 2008 \$100k payment	Documentation provided demonstrating annual \$100k payments made.	C	
17. Rehabilitation: Ensure ongoing viable land use post- mining.					
17.1	Stabilise earthworks, drainage lines and disturbed areas no longer required for mine- related activities in order to minimise erosion and the associated generation of sediment- laden water, and to reduce the visibility of activities from adjacent properties and the local road network	Site observations	The non-operational areas of the sites and draining lies were observed to be mostly stabilised. The disturbed areas of the site are effectively screened from the local road network.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
17.2	Provide a low maintenance, geotechnically safe landform which is commensurate with a variety of agricultural land uses and / or nature conservation	Site observations PA 3-30-2 Sunnyside Care and Maintenance MOP_signed	Site visit observed current landform consistent with MOP Plan 2 (MOP commencement conditions i.e. 2016). Both Plan 2 (2016) and Plan 4 (final landuse) contains mixture of pasture and woodland, both commensurate with agricultural and nature conservation landuse. Site visit observed erosion rilling and early gully forming in one area left with soil coverage although not rehabilitated. Erosion control required to maintain geotechnical soundness.	C	
17.3	Blend the created landforms with the surrounding land fabric as far as practicable	Site observations PA 3-30-2 Sunnyside Care and Maintenance MOP_signed	Site visit observed rehabilitation areas sloped consistent with surrounding land. Blending with surrounding land limited by current infrastructure (tracks and stockpiles). MOP (Care and Maintenance) Plan 2 shows 2016 landform with rehabilitated areas (those in Domain 7) consistent with the surrounding agricultural landuse (pasture with woodland patches).	C	
17.4	Utilise native tree, shrub and grass species and / or pasture species comparable with either the existing vegetation communities or those which occurred in the area prior to mining and agriculture-related disturbance.	Site observations MOP (Amendment C) PA 3-30-2 Sunnyside Care and Maintenance	Observed tree species in rehabilitated woodland (years 2009-11) are tree species consistent with surrounding and pre-mining vegetation types (MOP Amendment C Plan 2)	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		MOP_signed	<p>White Box (<i>Eucalyptus albens</i>), Bimble Box (<i>E. populneus</i>), Silver-leaved Ironbark (<i>E. melanophloia</i>) and Kurrajong (<i>Brachychiton populneus</i>). Native woodland shrub, grass and herb species generally lacking with non-native species (listed below) dominating the ground layer.</p> <p>Pasture areas dominated by Kikuyu (<i>Pennisetum clandestinum</i>), Barley (<i>Hordeum leporinum</i>), Rhodes Grass (<i>Chloris gayana</i>) and Oats (<i>Avena</i> sp.) and weedy non-grasses Saffron Thistle (<i>Carthamus lanatus</i>), Variegated Thistle (<i>Silybum marianum</i>) and Prickly Lettuce (<i>Lactuca serriola</i>). Weed presence not inconsistent with pasture areas of the region.</p>		
17.5	Rehabilitate out-of-pit emplacement with agricultural pasture species and incorporate random tree plantings	Site observations	<p>Site visit observed out-of-pit emplacement rehabilitated with pasture species common to the pastures of the region (listed above). No random tree planting in pasture areas.</p> <p>Tree planting not random in 2010-2011 rehabilitation, rather species listed in rehabilitated areas above planted at regular spacing along cross-slope channels (approximately 5m apart) in regularly spaced parallel cross-</p>	NC	Future tree planting should be done with a more random planting.

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			slope rows (approximately 5m apart). General failure of 2009-2010 rehabilitation has resulted in a more random tree distribution but has created a sparse tree layer.		
18. Management Plans: Develop and implement a series of Management Plans to assist with appropriate control of potentially impacting activities.					
18.1	Mining Operations Plan.	PA 3-30-2 Sunnyside Care and Maintenance MOP_signed	Care and Maintenance MOP updated April 2016.	C	
18.2	Koala Management Plan.	Koala Management Plan Sunnyside	Koala Management Plan developed and generally implemented (with exception of corridor linkage gaps along the eastern boundary).	C	
18.3	Vegetation Management Plan.	Rehabilitation and Landscape Management Plan Sunnyside PA 3-30-2 Sunnyside Care and Maintenance MOP_signed	Rehabilitation and Landscape Management Plan and PA 3-30-2 Sunnyside Care and Maintenance MOP_signed both contain vegetation management measures.	C	
18.4	Blast Monitoring Plan.	PA 3-17-1 Sunnyside Blast Monitoring Program	BMP most recently updated September 2009. The program states it is to be revised at least every two years.	ANC	WHC to update AQMP as per commitment to update every two years.

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
18.5	Surface Water Management Plan.	PA 3-22-3 WHC_PLN_SUN_Wa ter Management Plan (WMP) Rev 2, Feb 2016	The current Waster Management Plan was updated February 2016.	C	
18.6	Waste Management Plan.	PA 3-43-1 Sunnyside Waste Management Plan ver.1	The current Waste Management Plan is date 8 August 2008.	C	
18.7	Spontaneous Combustion Monitoring Plan.	PA 3-19-1 Sunnyside Spontaneous Combustion Management Plan FINAL	The SCMP was revised in November 2013.	C	
18.8	Hydrocarbon Management Plan.	EPL R-2.1-1 2015_08_24_WHC_PL N_SUN_Pollution Incident Response Management Plan.	The PIRMP is sufficient to meet the intent of this condition.	C	
18.9	Mine Closure Plan.	Care and Maintenance Mining Operations Plan	The Site is currently in care and maintenance with the current life of mine through to 2020. This condition is currently not triggered in MOP until 2018	NT	
18.10	Prepare a Traffic Management Plan to ensure appropriate procedures are in place for public traffic during the realignment of Coochoonah Lane and intersection upgrades – for submission with Section 138 permit applications to Gunnedah Shire Council and RTA.		Previously satisfied.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
18.11	Construction Noise Management Plan.		Previously satisfied but no construction during audit period.	NT	
18.12	Operations Noise Management Plan.	PA 3-8-1 Sunnyside Noise Monitoring Program	The current Noise Management Plan was revised 19 November 2013. Changes were made to reflect care and maintenance at the site.	C	
18.13	Traffic Noise Management Plan.		Previously satisfied but no coal movements by road during audit period.	NT	
18.14	Air Quality Monitoring Plan.	PA 3-19-3 Sunnyside Air Quality Monitoring Program	The Air Quality Monitoring Program dated 8 August 2008 was approved by DP&I 20 October 2008. The program states it is to be revised at least every two years.	ANC	WHC to update AQMP as per commitment to update every two years.
18.15	Groundwater Monitoring Plan	PA 3-22-3 WHC_PLN_SUN_Water Management Plan (WMP) Rev 2, Feb 2016	The WMP addresses the groundwater monitoring plan.	C	
18.16	Archaeological Site Management Plan.	http://www.whitehavencoal.com.au/environment/docs/aboriginal-cultural-heritage-management-plan15070942.pdf	Aboriginal Cultural Heritage management Plan updated February 2016.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
18.17	Bushfire Management Plan.	http://www.whitehavencoal.com.au/environment/docs/31094939-bushfire-management-plan.pdf	The Bushfire Management Plan was developed in November 2009 and states it is to be revised at least every two years.	ANC	WHC to update BMP as per commitment to update every two years.

Annex C

Table B.1 Compliance with
Environment Protection
Licence

Table B.1 Compliance with Environment Protection Licence (EPL) 12957

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
ADMINISTRATIVE CONDITIONS					
A1 What the licence authorises and regulates					
A1.1	This licence authorises the carrying out of the scheduled development work listed below at the premises listed in A2: Construction of surface infrastructure including but not limited to access roads, intersection and surface facilities prior to mining.	Site Observations Interview - Group Superintendent - Environment (Compliance)	The auditor was advised that no construction activities were undertaken during audit period.	NT	
A1.2	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. Coal Works 0 - 2,000,000 T handled Mining for Coal 0-500,000 T produced 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.	Sunnyside AEMR_2013-14 Sunnyside Annual Review_2014-15	Production at the Site ceased in November 2012 with remaining ROM coal transported to the CHPP until May 2013, the mine is currently on care and maintenance. No coal was mined, produced or handled during the audit period.	NT	
A1.3	The licensee must not carry on any scheduled activities until the scheduled development works are completed, except as elsewhere provided in this licence.			Note	
A2 Premises or plant to which this licence applies					
A2.1	The licence applies to the following premises: SUNNYSIDE COAL MINE 259 COOCOBOONAH LAND GUNNEDAH NSW 2380 LOT 1DP 393755, LOT 3 DP 6111154, LOT 12 DP 75555503	Site Inspection	Site is at stated location.	C	

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations												
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. 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>	<p>Site Observations Interview - Group Superintendent - Environment (Compliance) EPL 12957</p>	<p>Works and activities were carried out in accordance with EPL.</p>	C													
2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND																	
P1 Location of monitoring/discharge points and areas																	
P1.1	<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> <table border="1" data-bbox="296 993 991 1719"> <thead> <tr> <th>ID</th> <th>Type</th> <th>Location</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Ambient Air Monitoring</td> <td>Deposited dust location labelled 'SD1' on property Ferndale identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 December 2008.</td> </tr> <tr> <td>2</td> <td>Ambient Air Monitoring</td> <td>Deposited dust location labelled 'SD3' on property PlainView identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 Dec 2008.</td> </tr> <tr> <td>4</td> <td>Ambient Air Monitoring</td> <td>Deposited dust location labelled 'SD5' on property Ivanhoe identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 December 2008.</td> </tr> </tbody> </table>	ID	Type	Location	1	Ambient Air Monitoring	Deposited dust location labelled 'SD1' on property Ferndale identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 December 2008.	2	Ambient Air Monitoring	Deposited dust location labelled 'SD3' on property PlainView identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 Dec 2008.	4	Ambient Air Monitoring	Deposited dust location labelled 'SD5' on property Ivanhoe identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 December 2008.	<p>PA 5-5-1 Sunnyside AEMR_2013-14 PA 5-5-1 Sunnyside Annual Review_2014-15</p>	<p>Monitoring locations are identified in the AEMR.</p> <p>A review of monitoring data indicates monitoring is conducted at the specified locations. Although elevated dust results were recorded at several monitoring locations levels were within the stipulated criteria during the reporting period.</p>	C	
ID	Type	Location															
1	Ambient Air Monitoring	Deposited dust location labelled 'SD1' on property Ferndale identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 December 2008.															
2	Ambient Air Monitoring	Deposited dust location labelled 'SD3' on property PlainView identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 Dec 2008.															
4	Ambient Air Monitoring	Deposited dust location labelled 'SD5' on property Ivanhoe identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 December 2008.															

Item	Assessment Requirement			Reference/ Evidence	Comments	Compliance	Recommendations									
	5	Ambient Air Monitoring	Deposited dust location labelled 'SD6' on property Illili identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 December 2008.													
	6	Ambient Air Monitoring	Deposited dust location labelled 'SD7' on property Innisvale identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 December 2008.													
	7	Ambient Air Monitoring	PM10 location labelled 'SA1' on property Illili identified on Figure titled "Sunnyside Coal Mine - Air Quality Monitoring Network and Sunnyside Meteorological Station, 10 December 2008" submitted to DECC in email dated 12 December 2008.													
P1.2	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.					Note										
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> <table border="1"> <thead> <tr> <th>ID</th> <th>Type</th> <th>Location</th> </tr> </thead> <tbody> <tr> <td>9</td> <td>Wet weather discharge Discharge water quality monitoring</td> <td>Discharge point from Storage Dam 3 located on northern side of premises labelled "SD3" on figure titled "Proposed Wet Weather Discharge Monitoring Points" submitted with licence variation application dated 14 May 2009</td> </tr> <tr> <td>10</td> <td>Wet weather discharge Discharge water quality monitoring</td> <td>Discharge point from Storage Dam 4 located on northern side of premises labelled "SD4" on figure titled "Proposed Wet Weather Discharge Monitoring Points" submitted with licence variation application dated 14 May 2009.</td> </tr> </tbody> </table>			ID	Type	Location	9	Wet weather discharge Discharge water quality monitoring	Discharge point from Storage Dam 3 located on northern side of premises labelled "SD3" on figure titled "Proposed Wet Weather Discharge Monitoring Points" submitted with licence variation application dated 14 May 2009	10	Wet weather discharge Discharge water quality monitoring	Discharge point from Storage Dam 4 located on northern side of premises labelled "SD4" on figure titled "Proposed Wet Weather Discharge Monitoring Points" submitted with licence variation application dated 14 May 2009.	<p>Site Inspection</p> <p>Interview - Environmental Officer</p>	<p>The auditor was advised that there have been no water discharges from site during the audit period.</p> <p>The auditor inspected each of the monitoring locations.</p>	C	
ID	Type	Location														
9	Wet weather discharge Discharge water quality monitoring	Discharge point from Storage Dam 3 located on northern side of premises labelled "SD3" on figure titled "Proposed Wet Weather Discharge Monitoring Points" submitted with licence variation application dated 14 May 2009														
10	Wet weather discharge Discharge water quality monitoring	Discharge point from Storage Dam 4 located on northern side of premises labelled "SD4" on figure titled "Proposed Wet Weather Discharge Monitoring Points" submitted with licence variation application dated 14 May 2009.														

Item	Assessment Requirement			Reference/ Evidence	Comments	Compliance	Recommendations
	11	Ambient water quality monitoring	Monitoring point on Coocooboonah Creek upstream of project site labelled "CCUS" on figure titled "Proposed Wet Weather Discharge Monitoring Points" submitted with licence variation application dated 14 May 2009.				
	12	Ambient water quality monitoring	Monitoring point on Coocooboonah Creek downstream of project site labelled "CCDS" on figure titled "Proposed Wet Weather Discharge Monitoring Points" submitted with licence variation application dated 14 May 2009.				
3 LIMIT CONDITIONS							
L1 Pollution of Waters							
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							
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.			PA 3-22-3 WHC_PLN_SUN_Water Management Plan (WMP) Rev 2, Feb 2016 Site inspection PA 5-5-1 AEMR/Annual Reviews 2012/13, 2013/14, 2014/15	No water discharges during audit period	C	
L2 Concentration Limits							
L2.1	For each monitoring/discharge point or utilisation area specified 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.			Monitoring Results - Excel Sheet covering audit period. PA 5-5-1 AEMR/Annual Reviews 2012/13, 2013/14, 2014/15 Interview - Environment Officer	As above	NT	
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.			PA 5-5-1 AEMR/Annual Reviews Monitoring Results - Excel Spreadsheet covering audit period		NT	
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\.			EPL 12957		Note	

Item	Assessment Requirement				Reference/ Evidence	Comments	Compliance	Recommendations
L2.4	Pollutant	Unit	100 percentile concentration limit		Monitoring Results - Excel Sheet covering audit period PA 5-5-1 AEMR/Annual Reviews	As above	NT	
	Oil and Grease	Mg/l	10					
	pH	pH	6.5 - 8.5					
	TSS	Mg/l	50					
L2.5	<p>The Total Suspended Solids concentration limits specified for Points 9 and 10 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>				PA 5-5-1 AEMR/Annual Reviews	As above	NT	
L3 Waste								
L3.1	The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence				PA 5-5-1 Sunnyside AEMR_2013-14 PA 5-5-1 Sunnyside Annual Review_2014-15 Site Observations Interview - Group Superintendent - Environment (Compliance)	No waste is received at the site. Access to the site is restricted, no waste observed on site and no illegal dumping reported.	C	
L3.2	This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if those activities require an environment protection licence.					Refer above.	NT	
L4 Noise Limits								
L4.1	Noise generated at the premises must not exceed the noise limits in the table below.				EPL M-6.2-1 Blast Monitoring Reports	The Site received approval from DP&I, 16 January 2013, for the cessation of quarterly noise monitoring while the site is in care and maintenance. Four blasts were initiated between January and March 2014 and no noise monitoring was completed during these events. No complaints were received for surrounding residences. However it cannot be verified that the limits were not exceeded.	NT	
		Day LAeq	Evening LAeq	Night LAeq	Night LA1			
	All surrounding residences	35	35	35	45			

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
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</p> <p>b) subject to a private agreement, relating to the noise levels, between the licensee and the land owner.</p>		Noted	Note	
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;</p> <p>b) Evening is defined as the period from 6pm to 10pm;</p> <p>c) Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.</p>		Noted	Note	
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</p> <p>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>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>	PA 3-8-1 Sunnyside Noise Monitoring Program	The Noise Monitoring Program stipulates these criteria however no noise monitoring was completed during the audit period. Although DP&I approved the cessation of quarterly noise monitoring while the site is in care and maintenance (16 January 2013) this agreement was not reflected in the EPL updated in July 2015.	ANC	WHC submitted a licence variation application in February 2016 requesting removal of noise monitoring requirements. The variation was approved and EPL reissued 1 November 2016 however this is not updated on the WHC website.
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>	PA 3-8-1 Sunnyside Noise Monitoring Program	The Noise Monitoring Program stipulates these criteria.	NT	

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	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.				
L4.6	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	PA 3-8-1 Sunnyside Noise Monitoring Program	The Noise Monitoring Program stipulates these criteria.	NT	
L4.7	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: a) agrees to an alternative noise limit for that property; or b) provides an alternative means of compensation to address noise impacts from the premises. A copy of any agreement must be provided to the EPA before the licensee can take advantage of the agreement.	PA 3-3-1 Private Agreement Noise - Plainview - Howarth	Refer to conditions in PA 3.3.1	C	
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	JJ02514_EPA re Sunnyside overpressure exceedance JJ02614_DoPI re Sunnyside overpressure exceedance Advice of Exceedance to Agencies (email) EPL L-5.1-1 Sunnyside Blast Monitoring Results	Although no coal mining activities occurred during the audit period, four blast events were initiated between January and March 2014 for the purpose of extracting topsoil for management of areas susceptible to spontaneous combustion. Whitehaven issued an email to the DP&I and NSW EPA on 26 February 2014 to advise of an exceedance in blast criteria at Sunnyside Mine. The blast event occurred in relation to works to manage an area of spontaneous combustion which required drill and blast to access suitable capping material. During the blast on 26 February, at 12:57pm, blast monitors recorded the exceedance of criteria at Innisvale and Plainview. The affected landowners were notified. No complaints were received from neighbouring landowners.	NC	
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.		Refer L5.1	NC	
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.	EPL L-5.1-1 Sunnyside Blast Monitoring Results	No exceedance of ground vibration peak particle velocity during reporting period.	C	

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
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.	EPL L-5.1-1 Sunnyside Blast Monitoring Results	No exceedance of ground vibration peak particle velocity during reporting period.	C	
L6 Hours of Operation					
L6.1	Construction activities covered by this licence must only be carried out between the hours of 0700 to 1800 hrs Monday to Friday and between 0700 and 1600 hrs Saturday and at no time on Sundays and Public Holidays.	Interview - Group Superintendent - Environment (Compliance) Site observations	The auditor was advised that there were no construction activities during audit period.	NT	
L6.2	Mining operations covered by this licence (other than transport of coal from the premises and blasting) must only be carried out between the hours of 0700 and 2200 hrs Monday to Friday, and 0700 and 1800 hrs Saturday, and at no time on Sundays and Public Holidays.	Interview - Group Superintendent - Environment (Compliance) Site observations Sunnyside AEMR_2013-14: Appendix 7 - Blast Monitoring Results	Production at the Site ceased in November 2012, the mine is currently on care and maintenance. Although no coal mining activities occurred during the audit period, four blast events were initiated between January and March 2014 for the purpose of extracting topsoil for management of areas susceptible to spontaneous combustion. These blast events were conducted within the permitted hours of operation.	C	
L6.3	Transportation of coal from the premises must only be carried out between the hours of 0700 and 1800 (Eastern Standard Time) hrs Monday to Friday, and 0700 and 2000 hrs (Eastern Summer Time) Monday to Friday, and 0700 to 1600 hrs on Saturdays, and at no time on Sundays and Public Holidays.	Interview - Group Superintendent - Environment (Compliance) Site observations	Production at the Site ceased in November 2012 with remaining ROM coal transported to the CHPP until May 2013, the mine is currently on care and maintenance. No transport of coal during the audit period.	NT	
L6.4	Blasting in or on the premises must only be carried out between the hours of 1000 and 1700 hours. Monday to Friday, and 1000 and 1400 hrs on Saturdays, and no time on Sundays and Public Holidays.		Refer L6.2	C	
L6.5	Conditions L6.1, L6.2, L6.3 and L6.4 do not apply to the delivery of material, and mining operation, if required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances notification must be provided to the EPA and affected residents as soon as practicable.		Noted	Note	
L6.6	The hours of operation specified in conditions L6.1, L6.2, L6.3 and L6.4 may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.		Noted	NT	

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
L7 Other limit conditions					
Extraction limits					
L7.1	The maximum tonnage of extraction of ROM coal at the premises during the reporting period must not exceed 1 million tonnes	Interview - Group Superintendent - Environment (Compliance) PA 5-5-1 Sunnyside AEMR_2013-14 PA 5-5-1 Sunnyside Annual Review_2014-15	There was no extraction of ROM Coal during the audit period as confirmed in the AEMR and AR	C	
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.	Interview - Group Superintendent - Environment (Compliance) Management Plan Review	Relevant Management Plans and Procedures are in place and being implemented to meet the intent of the condition.	C	
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.	Interview - Group Superintendent - Environment (Compliance)	There is currently unused coal handling plant (conveyors, hopper) and one Haul truck. No operational mining plant or equipment currently used on site. During the 2014 spontaneous combustion rectification work plant equipment were brought in from other sites and/or were contractors. Some plant and equipment is brought to site on a campaign basis for maintenance of the site. The coal loadout plant and one unused haul truck remain on site.	C	
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.	PA 5-5-1 Sunnyside AEMR_2013-14 PA 5-5-1 Sunnyside Annual Review_2014-15	Although elevated dust results were recorded at several monitoring locations levels were within the stipulated criteria during the reporting period.	C	Opportunity to utilise dust carts / water spraying during ad-hoc site works.

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
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.	Interview - Group Superintendent - Environment (Compliance) Site observations PA 5-5-1 Sunnyside AEMR_2013-14 PA 5-5-1 Sunnyside Annual Review_2014-15	Production at the Site ceased in November 2012 with remaining ROM coal transported to the CHPP until May 2013, the mine is currently on care and maintenance. No transport of coal during the audit period, this is recorded in the annual reports	NT	
O4 Other operating conditions					
Blast Fume					
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.	Interview - Group Superintendent - Environment (Compliance) EPL M-4.1-1 Complaints	The auditor was informed that no offensive blast fume was emitted from the premises during the audit period. A review of the complaints folder supports this.	C	
Pollution Incident Response Management Plan					
O4.2	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.	Site observations	The auditor observed the PIRMP as being available at the entrance to the mothballed workshop. The PIRMP is adequate for a site under care and maintenance.	C	
O4.3	The licensee must keep the PIRMP on the premises at all times.	Site observations	The auditor observed the PIRMP as being available at the entrance to the mothballed workshop. The PIRMP is adequate for a site under care and maintenance.	C	
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.		Noted	Note	

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
M1.2	All records required to be kept by this licence must be: (a) in a legible form, or in a form that can readily be reduced to a legible form; (b) kept for at least 4 years after the monitoring or event to which they relate took place; and (c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Interview - Group Superintendent - Environment (Compliance) Monitoring results EPL M-1.3-1 Monthly Dust Results EPL M-1.3-2 Groundwater EPL M-1.3-3 Surface Water	Monitoring results recorded in spreadsheet 2007 - 2016 and available. The auditor was informed that no requests have been made for a submission to the EPA. Results are also available on the website.	C	
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: (a) the date(s) on which the sample was taken; (b) the time(s) at which the sample was collected; (c) the point at which the sample was taken; and (d) the name of the person who collected the sample.	Monitoring results EPL M-1.3-1 Monthly Dust Results EPL M-1.3-2 Groundwater EPL M-1.3-3 Surface Water	Records meet the requirements of this condition.	C	
M2 Requirement to monitor concentration of pollutants discharged					
M2.1	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:		Noted	Note	
M2.2	Air Monitoring Requirements <u>Point 1,2,4,5,6</u> Particulates deposited: g/sqm/month: continuous <u>Point 7</u> PM10 micrograms/m ³ : every 6 days	EPL M-2.2-1 Sunnyside Deposited Dust Data EPL M-2.2-2 Sunnyside PM10 HVAS	Records meet the requirements of this condition.	C	
M2.3	Water and/ or Land Monitoring Requirements Point 9,10 - conductivity, oil and grease, pH, TOC, TSS Point 11,12 - conductivity, oil and grease, pH, TOC Point 13, 14, 15 - conductivity, oil and grease, pH, TOC, TSS Point 16 - Annually (Al, As, HCO ₃ , Cl, Na, Fe, Mn) and quarterly (conductivity, oil and grease, pH, , TOC, TSS) Point 11, 12	EPL M-1.3-3 Surface Water Data Results	No water discharges during audit period	NT	
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.		No water discharges during audit period	NT	

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
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 9 and 10 commences and in any case not more than 12 hours after each discharge commences.	EPL M-1.3-3 Surface Water Data Results	No water discharges during audit period	C	
Note	Water monitoring requirements will be included as part of a licence variation following completion of construction works of the approved site water management plan as documented in the report "Site Water Management Plan for the Sunnyside Coal Mine, Namoi Mining Pty. Ltd., 8/8/2008"	PA 3-22-3 WHC_PLN_SUN_Water Management Plan (WMP) Rev 2, Feb 2016		Note	
Note	Groundwater monitoring points have not been formally included in the licence. However, the licensee is required to undertake groundwater monitoring in accordance with a Department of Planning approved Water Management Plan required under Schedule 3, condition 2 Project Approval 06-0308 dated 24 May 2008. The licensee has submitted the document "Site Water Management Plan for the Sunnyside Coal Mine, Namoi Coal Mining Pty Ltd, 2008." This document has been approved by Planning following consultation by the licensee with the EPA. The results of this monitoring are required to be reported in the Annual Environmental Management Report (AEMR) and submitted to the EPA under the conditions of approval.	PA 3-22-3 WHC_PLN_SUN_Water Management Plan (WMP) Rev 2, Feb 2016 PA 5-5-1 Sunnyside AEMR_2013-14 PA 5-5-1 Sunnyside Annual Review_2014-15	The AEMR 2013-2014 presents the results of required water quality monitoring.	C	
M3 Testing Methods - concentration limits					
Note: The <i>Protection of the Environment Operations (Clean Air) Regulation 2010</i> 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".					
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.	EPL M-3.1-3 Calibration EPL M-3.1-2 ALS CBM Dust Deposition EPL M-3.1-1 ALS CBM High Volume Air Samples	ALS conduct the monitoring in accordance with approved methods as detailed in ALS Method Statements. The auditor reviewed a sample of calibration records.	C	
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.	PA 3-22-3 WHC_PLN_SUN_Water Management Plan (WMP) Rev 2, Feb 2016 Approved Methods for the Sampling and Analysis of Water Pollutants in NSW	No water has been discharged or utilised during the audit period.	NT	

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
M4 Recording of pollution complaints					
M4.1	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.	EPL M-4.1-1 Complaints Register 2013 Complaints Register 2016 EPL R-1.1-1 Annual Returns	A record of complaints is maintained for the Site. During the audit period the Register indicates seven complaints in 2013 and one in 2016 related to spontaneous combustion odour. The Annual Return indicates no complaints in 2014 and 2015.	C	
M4.2	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.	EPL M-4.1-1 Complaints Register 2013 Complaints Register 2016	Each record of complaint includes the required detail.	C	
M4.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	EPL M-4.1-1 Complaints	Records of complaint date back to 2009	C	
M4.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Interview - Group Superintendent Environment (Compliance)	The auditor was informed that no request for complaint records was made during the audit period.	NT	
M5 Telephone complaints line					
M5.1	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	http://www.whitehavencoal.com.au/environment/sunnyside_mine_environmental_management.cfm	The auditor dialled the complaints line while on site and confirmed it was operational.	C	
M5.2	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.	http://www.whitehavencoal.com.au/environment/sunnyside_mine_environmental_management.cfm	The complaints line is available on the website and advertised in the local newspaper.	C	
M5.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.		Noted	Note	
M6 Blasting					
<i>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 this licence at any "noise sensitive locations" other than the locations identified in the above condition.</i>					
M6.1	To determine compliance with condition(s) L5.1, L5.2, L5.3 and L5.4: 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 receptors R1,	EPL L-5.1-1 Sunnyside Blast Monitoring Results	Overpressure and vibration was measured and recorded at these locations during the four blasts conducted between January and March 2014.	C	

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations												
	R2, R4 and R6. b) Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard AS 2187.2-2006.																
M6.2	For the purpose of conditions M8.1 and M9.1, the noise monitoring locations are described as: <table border="1" data-bbox="296 510 988 762"> <tr> <td>ID</td> <td>Location</td> </tr> <tr> <td>R1</td> <td>Innisvale residence</td> </tr> <tr> <td>R2</td> <td>Ivanhoe residence</td> </tr> <tr> <td>R4</td> <td>Illili residence</td> </tr> <tr> <td>R5</td> <td>Ferndale residence</td> </tr> <tr> <td>R6</td> <td>Plain View residence</td> </tr> </table> <p>Note: The location, frequency of monitoring and the parameters to be monitored may be varied by the EPA once the variability of the noise impact is established.</p>	ID	Location	R1	Innisvale residence	R2	Ivanhoe residence	R4	Illili residence	R5	Ferndale residence	R6	Plain View residence	EPL 12597	Conditions M8.1 and M9.1 removed from current EPL.	NT	
ID	Location																
R1	Innisvale residence																
R2	Ivanhoe residence																
R4	Illili residence																
R5	Ferndale residence																
R6	Plain View residence																
6 Reporting Conditions																	
R1 Annual return documents																	
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.																	
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: (a) a Statement of Compliance; and (b) a Monitoring and Complaints Summary. At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.	EPL R-1.1-1 Annual Returns	Annual Returns were prepared and submitted to NSW EPA during audit period, complete with a statement of compliance, monitoring and complaints summary.	C													
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.		No licence transfer, annual returns submitted.	NT													
R1.3	Where this licence is transferred from the licensee to a new licensee: (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 (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. Note: An application to transfer a licence must be made in the approved form for this purpose		No licence transfer, annual returns submitted.	NT													

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
R1.4	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: (a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or (b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.		No licence surrender, annual returns submitted.	NT	
R1.5	The Annual Return for the reporting period must be supplied to the EPA 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').	EPL R-1.1-1 Annual Returns	Annual Return was issued within prescribed timeframe	C	
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.	EPL R-1.1-1 Annual Returns	Annual Returns are retained on file dating back to 2008	C	
R1.7	Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: (a) the licence holder; or (b) by a person approved in writing by the EPA to sign on behalf of the licence holder.	EPL annual returns sighted	Annual Returns during the audit period were signed by two directors of the company.	C	
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.					
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Advice of Exceedance to Agencies	One incident of environmental harm occurred during the audit period and this relates to the blast overpressure exceedance. Whitehaven emailed NSW EPA and DP&I on the day of the incident but no record of receipt or telephone communication was able to be provided.	ANC	Ensure records of decision process for determination of environmental harm are kept when determining the requirement to notify. If notification is required maintain records of receipt or telephone communications are recorded and maintained in relation to incident notifications.
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.	2014_03_07_RE Sunnyside Blast - EPA extension approval JJ02514_EPA re Sunnyside overpressure exceedance	Whitehaven received a week long extension for the provision of written details if the incident.	C	

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
R3 Written report					
R3.1	<p>Where an authorised officer of the EPA suspects on reasonable grounds that:</p> <p>(a) where this licence applies to premises, an event has occurred at the premises; or</p> <p>(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)</p> <p>The authorised officer may request a written report of the event.</p>	<p>Interview - Group Superintendent - Environment (Compliance) 2014_05_05_Office Caution - blast exceedance</p>	<p>The NSW EPA issued an Official Caution but did not request a further report on the incident.</p>	<p>NT</p>	
R3.2	<p>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.</p>		<p>Refer R3.1</p>	<p>NT</p>	
R3.3	<p>The request may require a report which includes any or all of the following information:</p> <p>(a) the cause, time and duration of the event;</p> <p>(b) the type, volume and concentration of every pollutant discharged as a result of the event;</p> <p>(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;</p> <p>(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;</p> <p>(e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;</p> <p>(f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and</p> <p>(g) any other relevant matters.</p>		<p>Refer R3.1</p>	<p>NT</p>	
R3.4	<p>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.</p>		<p>Refer R3.1</p>	<p>NT</p>	

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
R4 Other monitoring and recording conditions					
R4 .1 Blast Reporting					
R4.2	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.	JJ02514_EPA re Sunnyside overpressure exceedance JJ02614_DoPI re Sunnyside overpressure exceedance	One incident of environmental harm occurred during the audit period and this relates to the blast overpressure exceedance in February 2014. Whitehaven emailed NSW EPA and DP&I on the day of the incident.	C	
R4.3	The results of the blast monitoring required by this licence must be submitted to the EPA at the end of each reporting period.	PA 5-5-1 Annual Return 2013-14	Results of blast monitoring and associated exceedance of limits reported in Annual Return to the NSW EPA.	C	
R4.4	A noise compliance assessment report must be submitted to the EPA within thirty (30) days of the completion of the quarterly noise monitoring. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include: a) an assessment of compliance with noise limits detailed in the limit conditions of this licence; and b) an outline of any management actions taken within the monitoring period to address any exceedance of the limits detailed in the limit conditions of this licence.	PA 3-3-3 Noise Monitoring Email	A letter from DP&I, dated 16 January 2013 approves the cessation of quarterly noise monitoring while the site is in care and maintenance. As such a noise compliance assessment report has not been issued during the reporting period.	NC	Confirm with EPA that requirement for reporting noise monitoring is superseded to align with cessation of quarterly monitoring. WHC requested removal of condition in October 2016.
7 GENERAL CONDITIONS					
G1 Copy of licence kept at premises or plant					
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Site observations	The auditor observed the current EPL as being available at the entrance to the mothballed workshop. The PIRMP is adequate for a site under care and maintenance.	C	
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	EPL 12957	Noted	Note	
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	EPL 12957	Noted	Note	
8 POLLUTION STUDIES AND REDUCTION PROGRAMS					
U1 Coal Mine Wind Erosion of Exposed Land Assessment					
U1.1	The licensee must undertake the following steps: 1. Calculate the wind erosion exposed surface area (in hectares) within the premises as of 31 July 2015. 2. Determine the wind erosion exposed surface area (in hectares) predicted as at 31 July 2015 within the licensee's Environmental Assessment for the premises. 3. Compare the areas calculated in steps 1 and 2. 4. Submit a written report to the EPA at armidale@epa.nsw.gov.au containing the analysis required in steps 1 to 3, by 31 August 2015.	EPL U-1.1-1 Exposed Land Assessment Actual Disturbed Areas 31072015 Predicted Disturbance Areas Sunnyside Exposed Surface 150824 U1 1 Coal Mine Wind Erosion of Exposed Land Assessment-Sunnyside Coal Mine	Whitehaven issued the Coal Mine Wind Erosion of Exposed Land Area Assessment on 28 August 2015 in response to Condition 8 U1.1 which required the report to be submitted to the Environmental Protection Authority (EPA) by the 31 st of August, 2015. The required information is included in the report, with the requested shapefiles also attached in both .dxf format, and PDF format.	C	

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	<p>The report submitted to the EPA must be accompanied by spatial data to confirm the wind erosion exposed surface area calculations. The following data is required:</p> <p>Shapefiles showing the premises boundary.</p> <ul style="list-style-type: none"> · Shapefiles showing the wind erosion exposed area within the premises as of 31 July 2015 · Shapefiles showing areas classified as stabilised surface as of 31 July 2015 · Details of any studies undertaken to verify that the areas of stabilised surface meet the definition. 				
U1.2	<p><i>Definitions:</i></p> <p><i>Environmental Assessment means any environmental assessment document prepared in order to gain approval or consent under the Environmental Planning and Assessment Act (1979) under which the licensee currently operates at the premises. If the predictions made in this document do not correspond to the current year of mine operation, the licensee should extrapolate between predictions.</i></p> <p><i>Stabilised Surface means any previously disturbed surface area which shows visual or other evidence of surface crusting and is resistant to wind-driven fugitive dust and is demonstrated to be stabilised. Stabilisation can be determined in accordance with one or more of the applicable test methods contained in the Rule 403 Implementation Handbook located at: www.capcoa.org/Docs/SCAQMD%20r403%20handbook.doc.</i></p> <p><i>Wind Erosion Exposed Surface Area means the portion of the premises surface which has been physically moved, uncovered, destabilised or otherwise modified from its natural state, thereby increasing the potential for fugitive particulate matter emissions, but excluding areas which have been:</i></p> <ul style="list-style-type: none"> · paved or covered by a permanent building or structure; · maintained with a vegetative ground cover of at least 50% of ground cover for particular areas. Vegetative ground cover can be determined in accordance with the standardised procedure for revegetation assessment contained in Atyeo C. & Thackway R. (2009) located at: http://data.daff.gov.au/data/warehouse/pe_brs90000004196/revegetationManual200906_20100410_ap14.pdf or classified as a stabilised surface 		Noted	Note	
9 SPECIAL CONDITIONS					
E1 Discontinuation of Mining					
<i>The EPA understands that the licensee has ceased coal mining and handling activities at the premises. It is the EPA's intention to include Pollution Reduction Programs requiring the licensee to implement a number of best practice measures to address wheel-generated dust and the handling of overburden to reduce particulate emissions from coal mining activities, if coal mining recommences.</i>					
E1.1	The licensee must notify the EPA's Manager, Armidale Region in writing 1 month prior to mining or handling any coal on the premises	Interview - Group Superintendent - Environment (Compliance)	No mining or coal handling during the audit period.	NT	

Annex D

Table C.1 Compliance
Assessment Mining Lease

Table C1 Compliance Assessment - Mining Lease 1620

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
ML1620					
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 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>	Independent Environmental Compliance Audit - Umwelt (2013)	Previous Audit report indicated this is not applicable to environmental audit.	NT	
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.		Noted: Refer to individual management plans which generally meets the intent of this condition.	Note	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Mining Operations Plan					
3a	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.	This audit PA 3-30-2 Sunnyside Care and Maintenance MOP_signed PA 3-30-1 Namoi Coal Whitehaven Coal Sunnyside Mine ML1624 Care & Maintenance Mini...	The Mining Operations Plan was approved by the DRE 3 May 2016 and covers the period through to 20 November 2017.	C	
3b	The MOP must: i) identify areas that will be disturbed by mining operations; ii) detail the staging of specific mining operations; iii) identify how the mine will be managed to allow mine closure; iv) identify how mining operations will be carried out on site in order to prevent and or minimise harm to the environment; v) reflect the conditions of approval under: <ul style="list-style-type: none"> • <i>the Environmental Planning and Assessment Act 1979</i> • <i>the Protection of the Environment Operations Act 1997</i> 	Care and Maintenance Mining Operations Plan	i) Appendix A MOP Plans ii) Section 2 iii) Sections 4-8 iv) Section 3 v) Section 1.2 and Section 3 vi) Section 1	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> 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. 				
3c	The titleholder may apply to the Director-General to amend an approved MOP at any time~	Interview with Group Superintendent - Environment (Compliance)	Noted	Note	
3d	<p>It is not a breach of this condition if:</p> <p>i) the operations constituting the breach were necessary to comply with a lawful order or direction given under the <i>Mining Act 1992, the Environmental Planning and Assessment Act 1979, Protection of the Environment Operations Act 1997 or the Occupational Health and Safety Act 2000</i>; and</p> <p>ii) 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>	ML1620	Noted	Note	
3e	A MOP ceases to have affect 7 years after date of approval or 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	MOP (Care and Maintenance)	Noted: MOP for Sunnyside Coal Mine prepared for the period November 2015 to December 2020.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
ENVIRONMENTAL MANAGEMENT REPORTING					
4	The lease holder must lodge Environmental Management Reports (EMR) with the Director-General annually or at dates otherwise directed by the Director-General.	PA 5-5-1 AEMR/Annual Reviews 2012/13, 2013/14, 2014/15	AEMR for audit period cover ML 1624 & PA 06_0308 and is distributed to: <ul style="list-style-type: none"> • Environment Protection Authority • Department of Planning and Environment • NSW Trade and Investment - Division of Resources and Energy • NSW Trade and Investment - Department of Primary Industries • NSW Office of Water • Gunnedah Shire Council • Sunnyside Coal Mine Community Consultative Committee 	C	
5	The EMR must: <ul style="list-style-type: none"> a) report against compliance with the MOP; b) report on progress in respect of rehabilitation completion criteria; c) report on the extent of compliance with regulatory requirements; and d) have regard to any relevant guidelines adopted by the Director-General; 	PA 5-5-1 AEMR/Annual Reviews 2012/13, 2013/14, 2014/15	AEMR reviewed report against the stated criteria.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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.	PA 5-5-1 AEMR/Annual Reviews 2012/13, 2013/14, 2014/15 Interview with Group Superintendent - Environment (Compliance)	No additional reports requested.	NT	
Rehabilitation					
7	Disturbed land must be rehabilitated to a sustainable/agreed end land use to the satisfaction of the Director -General	Rehabilitation and Landscape Management Plan MOP (Care and Maintenance) Site Visit	Current rehabilitation generally in accordance with MOP (Care and Maintenance) Plan 2 (current status at MOP commencement) with the exception of some of the Koala connectivity issues (discussed elsewhere).	C	
Subsidence Management					
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. (b) Underground mining operations which will potentially lead to subsidence include secondary extraction panels such as longwalls or mini walls, associated first workings (gate roads, installation roads and associated main headings, etc.), and pillar extractions, and are otherwise defined by the Applications		No underground operations at Sunnyside mine	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>for Subsidence Management Approvals guidelines (EDG17)</p> <p>(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 Coal Mine Health and Safety Act 2002, or the document New Subsidence Management Plan Approval Process - Transitional Provisions (EDP09).</p> <p>(d) Subsidence Management Plans are to be prepared in accordance with the Guideline for Applications for Subsidence Management Approvals.</p> <p>(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 New Approval Process for Management of Coal Mining Subsidence - Policy.</p>				

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Working Requirement					
9	<p>The lease holder must:</p> <p>(a) ensure that at least ten (10) 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 \$175,000 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>	Interview with Group Superintendent - Environment (Compliance)	Suspension of mining negates ML condition.	NT	
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>	ML1624	Noted	Note	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>(b) The lease holder must comply with any direction given. The Director-General may confirm, vary or revoke any such direction</p> <p>(c) A direction referred to in this condition may be served on the Mine Manager.</p>				
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> <p>(a) Full particulars, including results, interpretation and conclusions, of all exploration conducted during the twelve months period;</p> <p>(b) Details of expenditure incurred in conducting that exploration;</p> <p>(c) A summary of all geological findings acquired through mining or development evaluation activities;</p> <p>(d) Particulars of exploration proposed to be conducted in the next twelve months period;</p> <p>(e) All plans, maps, sections and other data necessary to satisfactorily interpret the report</p>	Interview with Group Superintendent - Environment (Compliance)	Beyond the exploration period.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Licence to Use Reports					
12	<p>(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</p> <p>(b) The non-exclusive licence will operate as a consent for the purposes of section 365 of the Mining Act 1992.</p>	ML1620	Noted	Note	
Confidentiality					
13	<p>(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:</p> <p>(i) the lease holder has agreed that specified reports may be made non-confidential.</p> <p>(ii) reports deal with exploration conducted exclusively on areas that have ceased to be part of the lease.</p> <p>(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 or any subsequent flow-on title, has terminated.</p> <p>(c) The Director-General may extend the period of confidentiality.</p>	ML1624	Noted	Note	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Terms of non-exclusive licence					
14	<p>The terms of the non-exclusive copyright licence granted under condition 12 are:</p> <p>(a) the Minister may sub-licence others to publish, print, adapt and reproduce but not on-licence reports.</p> <p>(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.</p> <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>	ML1624	Noted	Note	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Blasting					
15 a	<p>Ground Vibration</p> <p>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.</p>	<p>EPL 12957 L-5.1-1 Sunnyside Blast Monitoring Results</p>	<p>Refer PA 06_0308 Schedule 3 Condition 11</p>	C	
15 b	<p>Blast Overpressure</p> <p>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.</p>	<p>EPL 12957 L-5.1-1 Sunnyside Blast Monitoring Results</p>	<p>Refer PA 06_0308 Schedule 3 Condition 10</p>	NC	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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.	PA 3-30-2 Sunnyside Care and Maintenance MOP_signed	The site is currently not operational however the Care and Maintenance MOP approved detailing restricted access to render the site safe.	C	
Exploratory Drilling					
17a	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	Interview with Group Superintendent - Environment (Compliance)	The auditor was advised that no exploratory drilling was undertaken during the audit period.	NT	
17b	If the lease holder drills exploratory drill holes he must satisfy the Director-General that:- {i) all cored holes are accurately surveyed and permanently marked in accordance with Departmental guidelines so that their location can be easily established;	Interview with Group Superintendent - Environment (Compliance)	As above	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	(ii) all holes cored or otherwise are sealed to prevent the collapse of the surrounding surface; (iii) all drill holes are permanently sealed with cement plugs to prevent surface discharge of groundwater; (iv) if any drill hole meets natural or noxious gases it is plugged or sealed to prevent their escape; (v) if any drill hole meets an artesian or sub-artesian flow it is effectively sealed to prevent contamination of aquifers. (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 (vii) once any drill hole ceases to be used the land and its immediate vicinity is left in a clean, tidy and stable condition.				
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 groundwater. The lease	Interviews with Group Superintendent - Environment (Compliance) and Environmental Officer Site Observations.	No sit operations during the audit period. Some remedial and site maintenance activities were undertaken during this time for the purpose of managing environmental site conditions.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	holder must observe and perform any instructions given by the Director-General in this regard.				
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.	Site observations	No transmission lines, communication lines, pipelines or other utility identified on the lease area.	C	
Fences, Gates					
20	(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. (b) Gates within the lease area must be closed or left open in accordance with the requirements of the landholder.	Site observation	Boundary fencing observed to be in place and intact.	C	
Roads and Trucks					
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. (b) The lease holder must pay to the designated authority in control of the road (generally the local council or the	Interview - Group Superintendent - Environment (Compliance) PA 3-37-1 Road Maintenance Agreement (August 2009)	No transport of coal during the audit period, this is recorded in the annual reports. Road maintenance agreement in place with Gunnedah Shire Council.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	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.				
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	PA 3-30-2 Sunnyside Care and Maintenance MOP_signed	No new access tracks developed or removed during the audit period.	NT	
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. (b) The lease holder must not cut, destroy, ring bark 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	Interview with Biodiversity Specialist	No clearing has occurred during the period covered by this audit scope.	NT	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>not authorised under the Mining Act 1992 must comply with the provisions of the Native Vegetation Act 2003.</p> <p>(c) The lease holder must obtain all necessary approvals or licences before using timber from any Crown land within the lease area.</p>				
Resource Recovery					
25a	<p>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>	ML1624	Noted	Note	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
25b	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.	ML1624	Noted	Note	
25c	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.	ML1624	Noted	Note	
25d	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.	ML1624	Noted	Note	
25e	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 Mining Act, 1992.	ML1624	Noted	Note	
25f	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.	ML1624	Noted	Note	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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.	Note	Noted	Note	
Security					
27a	A security in the sum of \$3,175,000 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	ML 31-1 Security	Evidence of security provided.	C	

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	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.				
27b	The lease holder must provide the security required by sub-clause (a) in one of the following forms: (i) cash, (ii) a security certificate in a form approved by the Minister and issued by an authorised deposit-taking institution.	ML1624	Noted	Note	
Corporation Agreement					
31	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 petroleum title(s). The cooperation agreement should address but not be limited to issues such as: <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. 	Interview - Group Superintendent - Environment (Compliance)	Auditor informed there are no overlapping petroleum exploration leases.	NT	

Annex E

Departmental Correspondence

Oliver Moore

From: John Trotter <john.trotter@industry.nsw.gov.au>
Sent: Monday, 31 October 2016 11:42 AM
To: Oliver Moore
Cc: Tony Dwyer; William Weir; Michael Gaggin; Matthew Flower
Subject: RE: Independent Environmental Audit - Whitehaven Sunnyside Mine

Hello Oliver,

Can you please consider the following during the IEA. As Sunnyside is under 'care & maintenance' not all bullet points will be applicable.

Audit Component - Desktop

- *Is there a current Mining Operations Plan (MOP) in place and has it been approved by DRE?*
- *Has the MOP been prepared in consultation with the relevant agencies as outlined in the Project Approval?*
- *Is the rehabilitation strategy as outlined in the MOP consistent with the Project Approval in terms of progressive rehabilitation schedule; and proposed final land use(s)?*
- *Has the rehabilitation objectives and completion criteria as outlined in the MOP been developed in accordance with the proposed final land(s) as outlined in the Project Approval?*
- *Has a rehabilitation monitoring program been developed and implemented to assess performance against the nominated objectives and completion criteria? – verified by reviewing monitoring reports and rehabilitation inspection records.*
- *Has a rehabilitation care and maintenance program been developed and implemented based on the outcomes of monitoring program? – verified by reviewing Annual Rehabilitation Programs or similar documentation.*

Audit Component - Site Inspection

- *Are mining operations 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.*
- *Is rehabilitation progress 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 Project Approval.*
- *Based on a visual inspection, are there 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?*

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

Regards,

John Trotter
Inspector Environment, Northern Region
Environmental Sustainability Unit – Mineral Resources Branch
Department of Industry – Division of Resources and Energy
516 High Street Maitland NSW 2320 | GPO Box 344 | Hunter Region Mail Centre NSW 2310
T: 0249 316553 | E: john.trotter@industry.nsw.gov.au | M: 0409 360 414 W: www.dtiiris.nsw.gov.au

From: Oliver Moore [mailto:Oliver.Moore@erm.com]
Sent: Monday, 31 October 2016 11:26 AM
To: john.trotter@industry.nsw.gov.au
Cc: Tony Dwyer; William Weir; Michael Gaggin; Matthew Flower
Subject: Independent Environmental Audit - Whitehaven Sunnyside Mine

Hello John

I am currently completing an independent environmental audit on the Conditions of Approval issued to Whitehaven Coal for the Sunnyside Mine located west of Gunnedah. The project also holds EPL12957.

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 the NSW Department of Industry to raise any questions or concerns regarding this project from an environmental management aspect.

The attached Terms of Reference outlines the audit process, and also introduces the approved team of suitably qualified, experienced and independent experts who will be undertaking the audit. The site inspection will be completed over the period 10-11 November 2016, therefore it would be appreciated if there are any concerns, areas of focus etc, they are raised before this date.

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

Kind regards

Olly

Oliver Moore
Principal Environmental Consultant
Environmental Resources Management
Level 15 | 309 Kent Street | Sydney NSW 2000
E: oliver.moore@erm.com | **W:** www.erm.com
P: (+61) 285848886 | **M:** (+61) 419222370



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Oliver Moore

From: Heidi Watters <Heidi.Watters@Planning.nsw.gov.au>
Sent: Tuesday, 8 November 2016 3:03 PM
To: Oliver Moore
Subject: RE: Independent Environmental Audit - Whitehaven Sunnyside Mine

Hi Oliver

Thank you for your email regarding the Sunnyside Mine IEA.

The Department requests the audit also include the following:

- Effectiveness and currency of environmental inspections
- Effectiveness of erosion and sediment controls and dams
- Effectiveness and health of rehabilitation

Kind regards

Heidi Watters

Senior Compliance Officer
Northern Region
Department of Planning and Environment
Level 1 Suite 14 | 1 Civic Ave | PO Box 3145 SINGLETON NSW 2330
T 02 6575 3401
E heidi.watters@planning.nsw.gov.au

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From: Oliver Moore [<mailto:Oliver.Moore@erm.com>]
Sent: Monday, 31 October 2016 11:26 AM
To: Heidi Watters <Heidi.Watters@Planning.nsw.gov.au>
Cc: Tony Dwyer <TDwyer@whitehavencoal.com.au>; William Weir <William.Weir@erm.com>; Michael Gaggin <Michael.Gaggin@erm.com>; Matthew Flower <Matthew.Flower@erm.com>
Subject: Independent Environmental Audit - Whitehaven Sunnyside Mine

Hello Heidi,

I am currently completing an independent environmental audit on the Conditions of Approval issued to Whitehaven Coal for the Sunnyside Mine located west of Gunnedah. The project also holds EPL12957.

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

Kind regards

Ollly

Oliver Moore

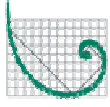
Principal Environmental Consultant

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India	Sweden
Indonesia	Taiwan
Ireland	Thailand
Italy	UK
Japan	USA
Korea	Venezuela
Malaysia	Vietnam
Mexico	


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Sydney NSW 2000
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Independent Audit Certification Form

Independent Audit Certification Form	
Development Name	Sunnyside Mine
Development Consent No.	PA 06_0308 (Modification 1)
Description of Development	Sunnyside Coal Mine is a conventional open-cut operation. Mining commenced at Sunnyside Coal Mine in late 2008. Sunnyside notified the DRE on 23rd November 2012 that the site was being placed in care and maintenance.
Development Address	259 Coocooboonah Lane, Gunnedah NSW 2380
Operator	Namoi Mining Pty Ltd.
Operator Address	231 Conadilly Street, Gunnedah NSW 2380
Independent Audit	
Title of Audit	Sunnyside Mine Conditions of Approval Independent Environmental Audit
<p><i>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:</i></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 122B(2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.</p> <p>b) The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty 2 years imprisonment or \$22,000, or both).</p>	
Signature	
Name of Lead / Principal Auditor	Oliver Moore
Address	Level 15, 309 Kent Street, Sydney NSW 2000
Email Address	oliver.moore@erm.com
Auditor Certification (if relevant)	N/A
Date	23/01/2017