



Independent Environmental Audit 2025

Sunnyside Coal Mine

PREPARED FOR



Whitehaven Coal

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Independent Environmental Audit 2025

Sunnyside Coal Mine

0792454



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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 Namoi Mining Pty Ltd, a wholly owned subsidiary of Whitehaven Coal Limited (herein referred to as WCL). The primary purpose of the audit was to satisfy the then Department of Planning and Environment (DPE)¹ Ministers' Conditions of Approval (CoA) Project Approval number PA 06_0308, which requires completion of an independent audit every three years from the date of the approval. The audit period assessed in this IEA is 8 September 2022 to 18 September 2025 (the date the site visit was completed as part of the audit).

The audit included a review of:

- Minister's Conditions of Approval PA 06_0308 issued 24 September 2008, as modified;
- Environmental Protection Licence (EPL) 12957;
- Mining Lease 1624 issued 5 November 2008; and
- Implementation of Management Plans developed as part of the Ministers Conditions of Approval.

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

A qualitative risk assessment was also completed on the findings, consistent with AS/NZS ISO31000:2018 and as described in the Department of Planning & Environment publication "Independent Audit Post Approval Requirements" (2020). The number of non-conformances with the statutory conditions and implementation of the management plans is summarised below:

SUMMARY OF AUDIT FINDINGS

Review	Non-compliances (NC)
Statutory Instruments	-
Implementation of Plans	-

¹ The Department of Planning and Environment is noted within the Conditions of Approval. The current name of this Department is Department of Planning, Housing and Infrastructure (DPHI).

1. INTRODUCTION

1.1 BACKGROUND

Environmental Resources Management Australia Pty Ltd (ERM) was commissioned by Namoi Mining Pty Ltd to perform an Independent Environmental Audit (IEA) of the Sunnyside Coal Mine (SCM). The mine is located 15 km west of Gunnedah, New South Wales (NSW), Namoi Mining Pty Ltd, a wholly owned subsidiary of Whitehaven Coal Limited (herein referred to as WCL). The purpose of the audit was to assess compliance with the requirements of the following approvals:

- Department of Planning and Environment (DPE) Minister's Conditions of Approval (CoA) Project Approval number PA 06_0308 (Modification 4);
- Mining Lease 1624, including Standard Conditions;
- Environmental Protection License 12957;
- Implementation of Management Plans developed as part of the Ministers Conditions of Approval, including:
 - Aboriginal Cultural Heritage Management Plan;
 - Air Quality Management Plan;
 - Blast Management Plan;
 - Bushfire Management Plan;
 - Energy Savings Action Plan;
 - Environmental Management Strategy;
 - Environmental Monitoring Program;
 - Koala Management Plan;
 - Noise Management Plan;
 - Pollution Incidence Response Management Plan;
 - Spontaneous Combustion Management Plan;
 - Waste Management Plan; and
 - Water Management Plan.

Under Condition 6 of Schedule 5 of PA 06_0308, completion of an independent audit is required every three years from the date of the approval. The audit must:

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

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

1.2 AUDIT TEAM AND TIMING

Dr. Toivo Zoete (lead auditor) and Mr. Andrew Osborn (rehabilitation specialist) undertook the site visit and were approved by the DPHI to conduct the audit (refer to correspondence from the DPHI at Appendix A). Qualifications and experience of these personnel are as follows:

Toivo Zoete – Lead Auditor

- Qualifications: BSc (Hons), MAppSc (Hons), PhD, EMS 14001 Lead Auditor (2015); and
- Experience: Toivo is a Principal Consultant within ERM's Sustainable Mining Team. He is an environmental professional with 30 years' experience in a range of environmental studies, including mine closure, environmental audits, environmental impact studies, ecological assessments, among others in Australia and elsewhere. Relevant projects have included numerous audits for mining and upstream CSG developments (legal compliance, HSE, and ISO 140001 certification).

Andrew Osborn – Rehabilitation Specialist

- Qualifications: BAsc, Grad Dip EnvMgt; and
- Experience: Andrew is a Principal Consultant in ERM Brisbane's Sustainable Mining Team. He has 15 years' experience managing environmental impacts in the mining, construction and waste industries, including onsite management of large open cut mine rehabilitation and consulting projects such as conceptual and detailed closure plans and designs; closure cost estimating; rehabilitation performance monitoring; acid and metalliferous drainage (AMD) guidance; mine waste facility design; and closure risk assessments facilitation.

The independent environmental audit was conducted on 18 September 2025.

1.3 AUDIT OBJECTIVES

The objectives of ERM's audit were to:

- Assess the environmental performance of the project and assess whether it is complying with the requirements in the CoA, EPL, and Mining Lease (including any assessment, plan or program required under these approvals);
- Review the adequacy of any approved strategy, plan, or program required under the abovementioned consents/approvals;
- 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;
- Consult with the relevant agencies such as DPHI, NSW Environment Protection Agency (EPA), NSW Resources Regulator, NSW Natural Resources Access Regulator, NSW Department of Climate Change, Energy, the Environment and Water, Gunnedah Shire Council (GSC) and the Community Consultative Committee (CCC).

1.4 AUDIT SCOPE

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

- The audit is to be carried out in accordance with DPIE's Independent Audits Post Approval Requirements, 2020;
- The audit will also be carried out in accordance with AS/NZS ISO 19011:2018: Guidelines for quality and/or environmental management systems auditing;
- Review of compliance against the documentation identified in the CoA (as it relates to the current activities of Sunnyside) which will include:
 - document review of compliance against the CoA, statement of commitments, and any other relevant consents/approvals;
 - site inspection to assess compliance against field implementation of active CoA; and
 - review of supporting plans developed as part of the CoA and assessment of their adequacy towards effective environmental performance.
- Review of monitoring results and trends with comparison of monitoring results against regulatory 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 (if any);
- Review of previous Independent Environment Report audit report to verify close-out of actions;
- Consultation with the relevant agencies such as DPPI, Environment Protection Agency (EPA), NSW Resources Regulator, Natural Resource Access Regulator (Water), Gunnedah Shire Council, Community Consultation Committee;
- Draft report with results of compliance assessment to be issued for comment to Sunnyside; and
- Final report issued for submission to the DPPI.

The audit covers the period 8 September 2022 to 18 September 2025 and is limited to assessing the activities completed during the audit period.

1.5 LIMITATIONS OF THIS REPORT

This disclaimer, together with any limitations specified in the report, applies to this report and its use.

This report was prepared in accordance with the contracted scope of services for the specific purpose stated and subject to the applicable cost, time and other constraints. In preparing this report, ERM relied on:

1. 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
2. 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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2. AUDIT METHODOLOGY

2.1 SELECTION AND ENDORSEMENT OF THE AUDIT TEAM

Prior to the commencement of the audit, approval of nominated audit personnel was sought from the DPHI. These were approved as per letter from the DPHI to Namoi Mining Pty Ltd, dated 9 September 2025 (attached in Appendix A). Declarations of Independence are included in Appendix B

2.2 SCOPE DEVELOPMENT

2.2.1 TERMS OF REFERENCE

Scope development for the audit included delineation of a Terms of Reference in collaboration with site personnel. The Terms of Reference included:

- Audit scope and objectives;
- Date and location of audit;
- Members of audit team;
- Compliance Evaluation Ratings (see below); and
- Audit Criteria.

2.2.2 AGENCY AND COMMUNITY CONSULTATION

The Terms of Reference were submitted to the agencies and stakeholders on 10 and 11 September 2025 to obtain feedback and draw attention to any key issues, within the agreed scope of the audit.

Agencies and stakeholders consulted include the DPHI, Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW), Resources Regulator, New South Wales Environment Protection Authority (NSW EPA), Gunnedah Shire Council, and the Community Consultative Committee (CCC).

Responses are summarised in Table 2-1 and provided in Appendix C

TABLE 2-1 AGENCY AND STAKEHOLDER CONSULTATION SUMMARY

Agency/Stakeholder	Method	Consultation Summary	Response	This audit response
NSW Department of Planning, Housing, and Infrastructure (NSW DPPI) - Planning NSW	Email 10 September 2025	Provision of audit Terms of Reference, including introduction to team, audit date, and invitation to comment	<ul style="list-style-type: none"> No areas of concern for this project; and Focus on the water management structures in place at Sunnyside Coal Mine and compare them to the requirements from any Mining Lease, EPL, Consent condition or management plan. 	Minor and localised erosion was observed at the inflow points of two of the retained dams during the audit site inspection. Monitoring of these areas is recommended to continue. If these areas do not self-stabilise or continue to erode, engineering controls such as rock lining should be installed prior to commencing rehabilitation sign-off.
NSW Environmental Protection Authority (NSW EPA)	Email 10 September 2025	Provision of audit Terms of Reference, including introduction to team, audit date, and invitation to comment	<ul style="list-style-type: none"> The EPA does not have any issues to raise or comments to make in regard to the ToR in this instance. 	N/A
NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW)	Email 11 September 2025	Provision of audit Terms of Reference, including introduction to team, audit date, and invitation to comment	<ul style="list-style-type: none"> Address compliance with requirement to: <ul style="list-style-type: none"> Prepare and implement water management plans; Prepare and implement trigger action response plans; Water supply definition; Water take at site; Water metering is in accordance with NSW Non-Urban Metering Framework where relevant; Water Access Licence details; and Annual reporting to clearly document water take, comparison with previous years, identification of exceedances. 	Sunnyside Mine is in the closure phase. No water was taken during the audit period, although the site has a groundwater licence (WAL29537) for 120 units from the Gunnedah-Oxley Basin. Two dams are retained on the site for post-mining land use (farming) purposes. These had low levels of standing water at the time of audit inspection. Water storage during previous years is reported in Annual Reviews. The site is otherwise self-draining. An approved Water Management Plan is in place containing Erosion and Sediment Control Plan, Surface water and Groundwater Monitoring Programs, and a Groundwater Contingency Plan including trigger levels.
NSW Resources Regulator	Email 10 September 2025	Provision of audit Terms of Reference, including introduction to team, audit date, and invitation to comment	<ul style="list-style-type: none"> Assessment of compliance with the requirements of Schedule 8A Standard conditions of mining leases, Part 2 Standard conditions, as set out in the Mining Regulation 2016; and Note observations where rehabilitation procedures, practices and outcomes represent best industry practice. 	This audit assesses compliance with the Standard Conditions. A final landform containing a self-draining void has been achieved, with no standing water observed during the audit site visit.
Gunnedah Shire Council	Email 10 September 2025	Provision of audit Terms of Reference, including introduction to team, audit date, and invitation to comment	No response	N/A
Community Consultation Committee (CCC)	Email 10 September 2025	Provision of audit Terms of Reference, including introduction to team, audit date, and invitation to comment	No response	N/A

2.3 CLASSIFICATION OF AUDIT FINDINGS

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

- Compliant (C): the intent and all elements of the audit criteria requirements have been complied with within the scope of the audit;
- Non-compliant (NC): Failure to meet the audit requirements, failure to achieve the field performance outcomes identified in documentation, or ineffective environmental management of the activity;
- 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; and
- 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 ISO31000:2018 and as described in the Department of Planning & Environment publication "Independent Audit Post Approval Requirements (2020)". 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.

2.4 AUDIT PROCESS

Terms of Reference, site inspection logistics and request for documentation required were arranged prior to the site inspection component of the audit.

An opening meeting was held at the Gunnedah Whitehaven Mining office on 18 September 2025 to confirm the audit objectives and scope for the site inspection. Attendees included:

- Toivo Zoete (ERM Lead Auditor);
- Andrew Osborn (ERM Rehabilitation Specialist);
- Olivia Hulbert (Adviser - Environment, WCL);
- Alison Quiroz (Officer – Environment, WCL); and
- Daryl Robinson (Manager – Environment and Mine Rehabilitation, WCL).

A site visit at Sunnyside Mine was subsequently undertaken by all of the above personnel, driving along tracks and inspecting particular points of interest (e.g., sediment dams, fences, weather station) on foot where required. Photographs and notes of relevant features were taken.

After the site visit, a further interview was held with Olivia Hulbert and Alison Quiroz (WCL) to discuss the audit criteria back at the Whitehaven office. The audit was completed with a Closing Meeting attended by Olivia Hulbert and Alison Quiroz on the afternoon of 18 September 2025.

A summary of all findings and recommendations arising as a result of the audit, are included in Section 4 of this report. Detailed compliance tables are presented in Appendix D. ERM note the audit report is based on objective evidence.

Namoi Mining Pty Ltd is required to submit a copy of this independent audit report to the DPHI within 6 weeks of completing the audit (ie six weeks from 18 September 2025), together with its response to any recommendations contained in the independent audit report.

3. SITE DESCRIPTION

3.1 APPROVALS

Sunnyside Coal Mine is an open cut coal mine which was originally approved by the Minister for Planning under Project Approval PA 06_0308 on 24 September 2008 to Namoi Mining Pty Ltd. Operations paused in 2012 until PA 06_0308 MOD 3 was approved in January 2019 which approved mining to 5 November 2020. Mining operations for coal ceased in August 2019, with coal crushing and transporting activities ceasing on the 27th of October 2019. The current PA 06_0308 MOD 4 was approved in June 2022 for inclusion of a highwall drain to divert run-off away from the highwall.

The Sunnyside Coal Mine lies within the mining lease (ML) 1624. Sunnyside Coal Mine is owned, and licences are held by Namoi Mining Pty Ltd, which is a wholly owned subsidiary of Whitehaven Coal Limited (WCL). The ML variation took effect on 17 October 2022 with inclusion of the Standard Conditions.

The current site Environmental Protection Licence (EPL) 12957, was last varied on 19 April 2021 and surrendered on 13 June 2023.

Since all mining operations, coal crushing and transportation ceased in 2019, at the time of the previous audit, the current audit period falls within the closure phase of the Sunnyside mine project. Significant reinstatement, rehabilitation and revegetation works have occurred during the audit period.

3.2 REHABILITATION UNDERTAKEN DURING THE AUDIT PERIOD

The site was rehabilitated to final landform (self-draining void), topsoiled, and seeded to final land use during the previous audit period in 2020. All infrastructure and waste were removed prior to the current audit period, except for some light vehicle tyres which were removed in 2023.

Over the current audit period, site activities primarily focused on weed control and improving native ground cover. Rehabilitation activities conducted include:

- Ongoing weed control;
- Planting of 4,980 Hiko seedlings on void slopes and newly established woodland area joining eastern conservation corridor and existing remnant woodland on Sunnyside Hill, as observed during the audit site visit (Photograph 1, Appendix E);
- Removal of sedimentation dams SD3, SB4, and SB5 (2.7ha), as observed during the audit site visit (Photograph 2, Appendix E); and
- Highwall drain works during 2023 to divert water away from the highwall, as observed during the audit site visit (Photograph 3, Appendix D). Damage to the highwall caused by run-off from the top of the highwall prior to the installation of the drain was repaired and rehabilitated (Photograph 4, Appendix E).

Rehabilitation monitoring is undertaken as detailed in the Rehabilitation Management Plan and Annual Reviews, including:

- Regular visual inspections of all phases of rehabilitation are undertaken by WCL personnel. These informal assessments facilitate early management intervention, and include;
- Monthly inspection by site environmental officer checking success of seeding and tree and shrub plantings, vegetation health/dieback, adequacy of drainage controls, presence/absence of weeds, and general stability of the rehabilitation site;
- Annual spring walkthrough by suitably qualified person to assess the general progress of completed rehabilitation and to identify areas where corrective action is necessary. This assessment has simple objectives relating to vegetation establishment, weeds, erosion presence, surface water management and erosion and sediment control structures; and
- Annual spring ecological assessment by an ecologist of grassland and woodland rehabilitation in accordance with the Whitehaven Standard Annual Rehabilitation Monitoring Methodology (WHC-STD-OC Rehabilitation Monitoring Method) based on BAM.

Rehabilitation monitoring was conducted in the months of October/November during 2022, 2023, and 2024 at a total of 11 woodland sites (including one analogue) and 14 pasture sites (including one analogue). An additional 8 sites were monitored in tree seedling planting areas.

Survey results were assessed against the completion criteria in the Rehabilitation Management Plan. The 2024 Annual Rehabilitation Report made the following observations:

- Native Vegetation Groundcover - The rehabilitation is yet to achieve the completion criterion target for native vegetation surface cover;
- Native Grass Cover – The rehabilitation is yet to achieve the completion criterion target for the indicator of native grass cover;
- Native Shrub Species Richness - Rehabilitation area established in 2021 met the completion criterion target for this indicator;
- Native Tree Species Richness – The rehabilitation areas established in 2010, 2011 and 2012 all met the completion criterion target for this indicator;
- Native Shrub Density - Of the two rehabilitation areas within the Ecosystem Establishment Phase, the rehabilitation seeded in 2019 was within the completion criterion target range;
- Surface Cover - Pasture Domain - In the 2024 monitoring year, both rehabilitation areas met the phase-specific completion criterion target for surface cover. No large bare surfaces were observed in monitoring sites located in rehabilitation areas established prior to 2019; and
- Weed Presence – Pasture domain - In the 2024 monitoring year, the rehabilitation area established in 2019 successfully met the phase-specific completion criterion target for pasture weed richness.

The 2024 Rehabilitation Monitoring Report (Aspect Ecology 2024) notes that additional planting should be undertaken in the 2019 and 2021 rehabilitation areas to increase native vegetation cover combined with additional weed control. Given the positive results obtained with respect to the pasture rehabilitation, consideration should be given to a stocking trial once the woodland and conservation domains have been fenced.

The site visit undertaken for this audit generally confirmed the above findings. The pasture areas appeared to contain good biomass, though native groundcover under the rehabilitated native woodlands was sparse. However, evidence of significant erosion was not observed in these woodland areas (Photographs 5, Appendix E).

The Sunnyside Mine lies within the catchment of the Namoi River. The majority of the surface water runoff flows northwards across the mine site. It then flows into Coochooboonah Creek which flows north-west within a constructed waterway paralleling Coochooboonah Lane. Water from SD4 is licenced to discharge if required. The Sunnyside Mine Environment and Mine Rehabilitation Manager reported that no offsite discharge events occurred during the audit period.

Site water management includes surface water and groundwater monitoring as per the Water Management Plan. Surface water is monitored only when discharging, which did not occur over the audit period. Groundwater monitoring is undertaken on a quarterly basis as per the WMP.

Infrastructure remaining on site includes:

- Two dams (SB2 and SD4) that will remain as farm dam; and
- The koala fence at the rear of the highwall will remain as site fence. The green anti-climb strips will be removed to allow crossing of the fence by koalas.

Minor, localised erosion was observed at the inflow points of two of the retained dams during site visit undertaken for this audit (Photograph 6, Appendix E). It is recommended monitoring of these areas continues. If these areas do not self-stabilise or consistently continue to erode, consider engineering controls such as rock lining prior to commencing rehabilitation sign off processes.

An operational weather station was observed on site (Photograph 7, Appendix E).

4. AUDIT FINDINGS

4.1 PREVIOUS AUDIT FOLLOW UP

The last audit was conducted by ERM for the period 13 September 2019 through 7 September 2022. A summary of the 2022 audit findings and their status is summarised below in Table 4-1.

TABLE 4-1 SUMMARY OF 2022 AUDIT FINDINGS

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action	2025 Status
Minister's Conditions of Approval PA 06_0308					
<i>Water Management Plan</i>					
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>A groundwater contingency plan is captured within the WMP (Section 6). Whilst the plan stipulates a trigger level for quantity, the WMP does not sufficiently "establish trigger levels, benchmarks and contingency criteria" for groundwater quality. The groundwater contingency plan should also define sources of groundwater data (if regional data is utilised to assess groundwater impacts) or define when SCM will undertake additional groundwater monitoring events to (beyond annual groundwater monitoring) determine whether the contingency plan should be enacted.</p> <p>The WMP was updated in February 2020 to include groundwater quality triggers, however it has not been submitted to the Department for approval and endorsement.</p> <p>It is noted that groundwater quality is monitored and samples are analysed against the Australia and New Zealand Guidelines for Fresh and Marine Water Quality (2000) (ANZECC) and reported in the Annual Review. No issues with groundwater quality have been identified.</p>	ANC	Submit the Water Management Plan (updated in February 2020) for approval by the Secretary.	<p>Approved Water Management Plan in place, including groundwater contingency plan with trigger levels for groundwater quality.</p> <p>The groundwater contingency plan was not triggered during the audit period.</p> <p>This condition is now compliant.</p>

4.2 COMPLAINTS SUMMARY

Complaints registers for the audit period were available online and/or for review. There were no complaints received during the audit period.

4.3 INCIDENT SUMMARY

A review of incidents during the audit period was undertaken through a review of monitoring data. A single incident/exceedance of assessment criteria was reported for the audit period:

- 2022 – Deposited Dust annual average of 4.28g/m²/month at monitoring point SD3 exceeded the approved criterion of 4g/m²/month.

This event was investigated and found to have been caused by agricultural activities. It was reported to the regulators as required. No regulatory action has been taken or is pending in relation to these events.

4.4 ENVIRONMENTAL MONITORING PERFORMANCE

4.4.1 NOISE

As reported by the previous Independent Environmental Audit, noise monitoring was approved by the NSW EPA to cease 17 September 2020. Approval of the Surrender of the EPA licence was dated 13 June 2023.

No noise complaints were received by Sunnyside Mine during the audit period.

4.4.2 AIR QUALITY

Dust monitoring was conducted by ALS during the audit period up to Approval of the Surrender of the EPA licence, dated 13 June 2023. Depositional dust monitoring was undertaken monthly, while PM₁₀ was measured every 6 days. As noted in Section 4.3 above, the annual depositional dust average at monitoring site SD3 was exceeded in 2022 due to agricultural activities. No PM₁₀ over the 24-hour period limit were recorded during the audit period.

4.4.3 BLASTING

No blasting activities were conducted during the audit period.

4.5 WATER MANAGEMENT

4.5.1.1 SURFACE WATER

Sedimentation dams SD3, SB4, and SB5 were removed over the audit period. Two dams remain (SB2 and SD4) which will be used to support the farming post-mining land use. Storage dam 4 (SD4) is a licenced surface water discharge point. The dams contained water levels significantly below their full capacity during the audit site visit (Photograph 8, Appendix E). No wet weather discharges were recorded over the audit period.

4.5.1.2 GROUNDWATER

Groundwater monitoring locations are stipulated within Table 8 of the approved Water Management Plan (February 2023). Neither the CoA nor EPL stipulates the frequency of groundwater monitoring to be undertaken. Rather, the EPL notes that groundwater monitoring should be undertaken in accordance with the approved WMP. It is noted that the Water Management Plan does not stipulate a frequency to groundwater monitoring. Groundwater monitoring data provided showed that monitoring is typically completed every 6 months. The Water Management Plan contains a Groundwater Management Contingency Plan.

4.5.1.3 WATER TAKE

The site holds Water Access Licence (WAL) 29537 that allows water take of 120 units from the Gunnedah – Oxley Basin. No groundwater was taken over the audit period.

4.6 MANAGEMENT PLAN ADEQUACY

The Management Plans for the site were reviewed and the adequacy in meeting the relevant approval requirements was assessed in view of current operations at the site. The site's Management Plans underwent review as per observed Sunnyside Management Plan Review schedule. The updated Air Quality Management Plan and Water Management Plan were approved over the audit period as required by the Conditions of Approval. In general, Management Plans were considered appropriate for the site's operations at the time of the audit.

4.7 ENVIRONMENTAL PROTECTION LICENCE

The site operated under Environment Protection Licence (EPL) 12957 issued to Namoi Mining Pty Ltd up to the Approval of the Surrender of the EPA licence, dated 13 June 2023. The site submitted Annual Returns to the EPA, a requirement for the audit period. The following non-compliances were noted:

2022: Nil.

2023: Nil.

Findings identified against the site's EPL are outlined in Appendix D.

4.8 MINING LEASE

Sunnyside Coal Mine lies within the mining lease (ML) 1624 issued to Namoi Mining Pty Ltd as varied on 19 August 2022. For the purpose of this audit, the key variation was the replacement of most of the conditions with the Standard Conditions as per Mining Regulation 2016, Schedule 8A, Part 2, effective 17 October 2022.

No non-compliances with the Mining Lease (including Standard Conditions) have been reported during the audit period. The Mining Lease conditions and the summary of audit findings are provided in Appendix D

4.9 COMPLIANCE WITH REGULATORY INSTRUMENTS

A compliance check of the CoA, EPL and ML conditions as well as management plan review has been completed and is provided in Appendix D. No non-compliances were recorded.

5. CONCLUSION

An audit of CoA, Mining Lease and Environmental Protection Licence conditions has been completed as well as a check against commitments made in the management plans developed as part of CoA conditions for the site.

Overall, compliance was achieved with the audit documents that were reviewed, as summarised in Table 5-1 below.

TABLE 5-1 SUMMARY OF AUDIT FINDINGS

Review	Non-compliances (NC)
Statutory Instruments	-
Implementation of Plans	-



APPENDIX A

PLANNING SECRETARY AUDIT TEAM
AGREEMENT

Department of Planning, Housing and Infrastructure

NSW Planning ref: MP06_0308-PA-20

Tony Dwyer
Group Manager - Approvals and Environment
Namoi Mining Pty Ltd
09/09/2025

Sent via the Major Projects Portal only

Subject: Sunnyside Coal - 2025 IEA auditor endorsement request

Dear Mr Dwyer

I refer to your request for the Planning Secretary's approval of suitably qualified, experienced, and independent persons to conduct an Independent Audit of the Sunnyside Coal Mine, submitted as required by Schedule 6, Condition 6 of MP06_0308 as modified (the consent) to NSW Department of Planning, Housing and Infrastructure (NSW Planning) on 2 September 2025. I also refer to your amended request, submitted in response to the NSW Planning request for information (RFI) 92907956.

NSW Planning has reviewed the amended independent auditor nominations and based on the information you have provided is satisfied that the proposed persons are suitably qualified, experienced, and independent.

In accordance with Schedule 6, Condition 6 of the consent and the NSW Planning, *Independent Audit Post Approval Requirements* (2020), as nominee of the Planning Secretary, I endorse the following independent audit team:

- Mr Toivo Zoete (Lead Auditor)
- Ms Leanne Lee (Assistant Auditor)
- Mr Andrew Osborn (Rehabilitation Specialist)

Please note:

- This correspondence must be appended to the Independent Audit Report.
- The Independent Audit must be prepared, undertaken, and finalised in accordance with the conditions of consent and the NSW Planning *Independent Audit Post Approval Requirements* (2020). Failure to meet these requirements will require revision and resubmission.
- The above audit team is approved for the current operational audit only. Additional approval must be sought from the Planning Secretary for future audits of the development.
- Any change to the auditor or auditor roles must be approved by the Planning Secretary prior to the audit commencing.

Department of Planning, Housing and Infrastructure

- The Lead Auditor must attend the site inspection component of the audit.
- Endorsed specialists must attend the site inspection component of the audit unless otherwise agreed by the Planning Secretary.
- The audit period is the day after the site inspection date of the previous audit, to the final site inspection date of the current audit.

Should you wish to discuss the matter further, please contact Joel Curran, Senior Compliance Officer on 02 4904 2702 or email compliance@planning.nsw.gov.au

Yours sincerely

A handwritten signature in black ink that reads "H Watters".

Heidi Watters
Team Leader
Compliance

As nominee of the Planning Secretary



APPENDIX B

INDEPENDENT AUDIT DECLARATION
FORM

Declaration of Independence Form

Declaration of Independence - Auditor

Project Name	Sunnyside Mine
Consent Number	PA 06_0308
Description of Development	Open cut mine
Project Address	46 Coocooboonah Ln, Gunnedah NSW
Proponent	Namoi Mining Pty Limited
Date	4 September 2025

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Proposed Auditor	Toivo Zoete
Signature	
Qualification	BSc (Hons), MAppSc (Hons), PhD
Company	Environmental Resources Management Australia Pty Ltd (ERM)



APPENDIX C CONSULTATION CORRESPONDENCE

From: [Patricia Borges](#) on behalf of [DCCEEW Water Assessments Mailbox](#)
Sent on: Monday, 15 September 2025 3:41:03 PM
To: [Toivo Zoete](#)
Subject: Sunnyside Mine - IEA
Attachments: DCCEEW Water - Sunnyside Mine - IEA.PDF (424.13 KB)

You don't often get email from water.assessments@dcceew.nsw.gov.au. [Learn why this is important](#)

EXTERNAL MESSAGE

Hi Toivo,

Please find the NSW DCCEEW Water response for Sunnyside Mine attached.

Kind Regards,

Patricia Borges

Assistant Projects Officer

Knowledge Office | Department of Climate Change, Energy, the Environment and Water

E patricia.borges@dcceew.nsw.gov.au

Level 17, 4 Parramatta Square, Parramatta NSW 2124

www.dcceew.nsw.gov.au

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

From: [Natural Resources Access Regulator](#)
Sent on: Thursday, 11 September 2025 1:22:49 PM
To: [Toivo Zoete](#)
Subject: NRAR0017212 : Sunnyside Mine Independent Environmental Audit

You don't often get email from cspconnect@service-now.com. [Learn why this is important](#)

EXTERNAL MESSAGE

Dear Toivo,

Thank you for contacting the Natural Resources Access Regulator (NRAR).

Your enquiry appears to relate to controlled activity approvals, works on waterfront land, or licences and approvals for large water users. These matters are managed by the Department of Climate Change, Energy, the Environment and Water – Water Licensing (DCCEEW – Water).

For assistance, please contact DCCEEW – Water directly via:

Email: water.enquiries@dceew.nsw.gov.au

Phone: 1300 081 047

Please note that all other water-related licences and approvals continue to be managed by WaterNSW.

We recommend forwarding your enquiry to DCCEEW – Water using the contact details above to ensure it reaches the appropriate team.

Kind regards,

Regulatory Support Team

Natural Resources Access Regulator (NRAR)

E nrar.enquiries@nrar.nsw.gov.au | W nrar.nsw.gov.au | P 1800 633 362

Postal Address: Locked Bag 5022, Parramatta NSW 2124

Working Days: Monday to Friday | 9:00am - 5:00pm



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To make a confidential report about a suspicious activity visit our [website](#)

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

From: [Ross Briggs](#)
Sent on: Friday, 12 September 2025 9:25:51 AM
To: [Toivo Zoete](#)
Subject: Sunnyside Mine – Independent Environmental Audit Terms of Reference – EPL12957
Attachments: DOC25 772915-1 OPS - OUT - No comment reponse to Sunnyside Mine Independent Environmental Audit - Namoi Mining EPL12957 - 10.09.2025.PDF (155.49 KB)

You don't often get email from ross.briggs@epa.nsw.gov.au. [Learn why this is important](#)

EXTERNAL MESSAGE

Good Morning Toivo,

Please find attached the EPA's response to your email regarding the Sunnyside Mine – Independent Environmental Audit Terms of Reference – EPL12957.

Please contact me if you have any questions.
Thankyou

Ross Briggs

Operations Officer
NSW Environment Protection Authority
D: 02 6773 7000 M: 0429 497 671

Join us on our mission to
protect tomorrow together.



www.epa.nsw.gov.au @NSW_EPA

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

I am based on Kamilaroi Country.

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

This email is intended for the addressee(s) named and may contain confidential and/or privileged information. If you are not the intended recipient, please notify the sender and then delete it immediately. Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the Environment Protection Authority.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

From: [Joel Curran](#)

Sent on: Wednesday, 10 September 2025 6:39:20 PM

To: [Toivo Zoete](#); [Olivia Hulbert](#)

Subject: RE: Sunnyside Mine Independent Environmental Audit

You don't often get email from joel.curran@planning.nsw.gov.au. [Learn why this is important](#)

EXTERNAL MESSAGE

Good evening Toivo

I do not have any areas of concern for this project.

While NSW Planning has not requested a noise specialist (not relevant for this project at its current stage) or water specialist, I would like a focus on the water management structures in place at Sunnyside Coal Mine and compare them to the requirements from any Mining Lease, EPL, Consent condition or management plan.

Regards

Joel Curran

Senior Compliance Officer

Development Assessment and Sustainability | Department of Planning, Housing and Infrastructure

T 02 4904 2702 | **M** 0412 323 331 | **E** joel.curran@planning.nsw.gov.au

PO Box 1226 | Newcastle NSW 2300

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

www.dphi.nsw.gov.au



NSW GOVERNMENT

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

From: Sarah Cavaleri <sarah.cavaleri@dpie.nsw.gov.au> **On Behalf Of** DPE PSVC Compliance Mailbox
Sent: Wednesday, 10 September 2025 4:28 PM
To: Joel Curran <Joel.Curran@planning.nsw.gov.au>
Subject: FW: Sunnyside Mine Independent Environmental Audit

From: Toivo Zoete <Toivo.Zoete@erm.com>
Sent: Wednesday, 10 September 2025 2:17 PM
To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>
Cc: Olivia Hulbert <ohulbert@whitehavencoal.com.au>; Matthew Filmer <matthew.filmer@erm.com>
Subject: Sunnyside Mine Independent Environmental Audit

Dear Sir/Madam,

ERM are currently completing the Independent Environmental Audit (IEA) for the Namoi Mining Pty Ltd's Sunnyside Mine at 46 Coocooboonah Ln, Gunnedah NSW on the Conditions of Approval issued to the mine, covered by the CoA PA 06_0308, the Environmental Protection License 12957 and Mining Lease 1624.

One of the requirements of the audit is that it is to be undertaken in consultation with relevant agencies/stakeholders. To that end, this email invites you to raise any questions or concerns regarding this project from an environmental management aspect.

The attached Terms of Reference outlines the audit process. The site inspection will be completed on September 18th 2025. If you have any concerns or comments in relation to the audit, could you please reply to this email by 16th September 2025?

Thank you very much in advance and kind regards,

Best Regards



Toivo Zoete
Principal Consultant

Brisbane
+61428382375

erm.com

Working Monday - Wednesday



This e-mail and any attachments may contain proprietary, confidential and/or privileged information. No confidentiality or privilege is waived or lost by any transmission errors. This communication is intended solely for the intended recipient, and if you are not the intended recipient, please notify the sender immediately, delete it from your system and do not copy, distribute, disclose, or otherwise act upon any part of this email communication or its attachments. To find out how the ERM Group manages personal data please review our [Privacy Policy](#).

From: info@sys.resources.nsw.gov.au
Sent on: Monday, 15 September 2025 10:27:01 AM
To: [Toivo Zoete](#)
Subject: AREQ0067744 | Sunnyside Coal Mine | Enquiry (external) | Other Enquiry | 10 Sep 2025 14:36:07
Attachments: ERM_Sunnyside MineSeptember 2025.pdf (38.02 KB)

You don't often get email from info@sys.resources.nsw.gov.au. [Learn why this is important](#)

EXTERNAL MESSAGE

Dear Mr Zoete,

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

Regards,

Jenny Ehmsen
Principal Compliance Auditor
MAI - Enforcement | Resources Regulator
T 02 4931 6420 M 0438 735 010



 [Department Regional NSW](#)

The Department of Primary Industries and Regional Development acknowledges that it stands on Country which always was and always will be Aboriginal land. We acknowledge the Traditional Custodians of the land and waters, and we show our respect for Elders past, present and emerging. We are committed to providing places in which Aboriginal people are included socially, culturally and economically through thoughtful and collaborative approaches to our work.



Ref:MSG1734900_pLIkIaLW6uiOyMb7W2ZS



APPENDIX D

CONDITIONS OF APPROVAL
ENVIRONMENTAL PROTECTION
LICENCE AND MINING LEASE
COMPLIANCE

PROJECT APPROVAL 06_0308

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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SCHEDULE 2 – ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

1.	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 project.	N/A	Noted. Compliance with this condition is detailed throughout this report.	Note	N/A
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TERMS OF APPROVAL

2.	The Proponent must carry out the project: a. generally in accordance with the EA and Statement of Commitments; and b. in accordance with the conditions of this approval. <i>Notes:</i> • The general layout of the project is shown in Figure 1 of Appendix 2; and • The Statement of Commitments is reproduced in Appendix 3.	N/A	Noted	Note	N/A
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.	N/A	Noted	Note	N/A
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.	N/A	Noted	Note	N/A

LIMITS ON APPROVAL

5.	The Proponent may carry out mining operations on the site until 5 November 2020. <i>Note: Under this Approval, the Proponent is required to rehabilitate the site to the satisfaction of the Secretary and the Resources Regulator. 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>	N/A	Noted	Note	N/A
6.	The Proponent shall not extract more than 1 million tonnes of ROM coal a year from the site.	Table 4.1 of Annual Reviews 2022, 2023, 2024	No coal was extracted over the audit period	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		Interview with WCL Rehabilitation and Closed Mines Officer			
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.	Noted	No coal was extracted or transported over the audit period	NT	N/A
HOURS OF OPERATION					
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.	Annual Reviews 2022, 2023, 2024 Interview with WCL Rehabilitation and Closed Mines Officer	No construction activities were conducted during the audit period.	NT	N/A
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.	Annual Reviews 2022, 2023, 2024 Interview with WCL Rehabilitation and Closed Mines Officer	Mining operations and rehabilitation activities were undertaken within the permitted operating times.	C	N/A
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. <i>Note: See condition 39 of Schedule 3.</i>	Annual Reviews 2022, 2023, 2024 Interview with WCL Rehabilitation and Closed Mines Officer	No coal was extracted or transported over the audit period	NT	N/A
MANAGEMENT PLANS / MONITORING PROGRAMS					
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.	N/A	Noted	Note	N/A
STRUCTURAL ADEQUACY					
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. <i>Notes:</i> <ul style="list-style-type: none"> • Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works. • Part 8 of the EP&A Regulation sets out the requirements for the certification of the project. 	Annual Reviews 2022, 2023, 2024 Interview with WCL Rehabilitation and Closed Mines Officer	No construction has taken place on site during the audit period.	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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DEMOLITION

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.	Independent Environmental Audit (ERM 2022)	Demolition was undertaken during the previous audit period.	NT	N/A
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OPERATION OF PLANT AND EQUIPMENT

14.	The Proponent shall ensure that all plant and equipment used on site is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Sentinex Weather Station Calibration Reports 7 September 2022, 26 July 2023, 24 January 2024, 9 November 2024, 30 April 2025 Acoem Calibration Reports 20 October 2022, Customer Service Report 21 October 2022	The equipment maintenance reports provided to the auditor indicate that equipment was maintained consistently.	C	N/A
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COMMUNITY ENHANCEMENT FUNDS

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.	N/A	This condition is only applicable prior to the audit period, and is not relevant to this audit.	NT	N/A
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SCHEDULE 3 – SPECIFIC ENVIRONMENTAL CONDITIONS

ACQUISITION OF AFFECTED PROPERTIES

Acquisition Upon Request

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.	Independent Environmental Audit (ERM 2022)	Confirmed in a previous IEA.	NT	N/A
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NOISE

Note: These conditions must be read in conjunction with Section 8 of the Statement of Commitments.

Construction Noise Impact Assessment Criteria

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations				
2.	The Proponent shall ensure that the noise generated during the construction of the project does not exceed the level set out in Table 1. <i>Table 1: Construction noise impact assessment criterion dB(A)</i>	Interview with WCL Rehabilitation and Closed Mines Officer	No construction was undertaken during audit period	NT	N/A				
<table border="1"> <thead> <tr> <th>Day/Evening LA10(15 minute)</th> <th>Land</th> </tr> </thead> <tbody> <tr> <td>40</td> <td>Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")</td> </tr> </tbody> </table>		Day/Evening LA10(15 minute)	Land	40	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")				
Day/Evening LA10(15 minute)	Land								
40	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")								

Operational Noise Impact Assessment Criteria

3.	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: <i>Table 2: Road traffic noise criteria dB(A)</i>	Independent Environmental Audit (ERM 2022) Letter from EPA dated 13 June 2023 stating Approval of the Surrender of a Licence 12957 Noise Management Plan 2020 Annual Reviews 2022, 2023, 2024 Complaint Register 2022, 2023, 2024, 2025	As per previous audit, noise monitoring requirements ceased in September 2020, confirmed by an email for the EPA. The EPL was varied in April 2021. Approval to Surrender the licence was issued 13 June 2023. As per Noise Management Plan 2020, attended noise monitoring is undertaken on an as needs basis. The monitoring program is considered adequate to evaluate and report on the effectiveness of the noise management system. No noise complaints registered for the audit period.	NT	N/A				
<table border="1"> <thead> <tr> <th>Day/Evening LA10(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>Notes:</p> <ul style="list-style-type: none"> To determine compliance with the $L_{Aeq(15\text{ minute})}$ limit, noise from the project is to be measured at the most affected point within the residential boundary, or at the most affected point within 30 metres of a dwelling (rural situations) where the dwelling is more than 30 metres from the boundary. Where it can be demonstrated that direct measurement of noise from the project is impractical, the EPA may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable. These limits apply under meteorological conditions of: <ul style="list-style-type: none"> wind speeds of 3 m/s at 10 metres above ground level; or up to 3°C/100 m temperature inversion strength for all receivers, plus a 2 m/s source-to-receiver component drainage flow wind at 10 metres above ground level for those receivers where applicable. <p>However, if the Proponent has a written negotiated noise agreement with the landowner of any land, and a copy of this agreement has been forwarded to the Department and EPA, then the Proponent may exceed the noise limits in Table 1 or Table 2 on that land in accordance with the negotiated noise agreement.</p>		Day/Evening LA10(15 minute)	Land	35	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")				
Day/Evening LA10(15 minute)	Land								
35	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")								

Land Acquisition Criteria

4.	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.	Interview with WCL Rehabilitation and Closed Mines Officer Independent Environmental Audit (ERM 2022)	Not triggered. Approval to no longer carry out attended noise monitoring was received from the EPA in 2020.	NT	N/A				
<table border="1"> <thead> <tr> <th>Day/Evening LA10(15 minute)</th> <th>Land</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>		Day/Evening LA10(15 minute)	Land						
Day/Evening LA10(15 minute)	Land								

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations		
	<table border="1"> <tr> <td>40</td> <td>Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")</td> </tr> </table> <p>Note: Noise generated by the project is to be measured in accordance with the notes presented below Table 1.</p>	40	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")				
40	Any residence on, or more than 25% of, any privately owned land (except at "Lilydale")						

Additional Operational Noise Mitigation Measures

5.	<p>Upon receiving a written request from the landowner of:</p> <p>(a) "Illili", "Ferndale", or</p> <p>(b) any residence on privately owned land where noise generated by the project exceeds 37 dB(A) $L_{Aeq(15 \text{ minute})}$,</p> <p>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>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>	Interview with WCL Rehabilitation and Closed Mines Officer	As for Condition 3 of Schedule 3 above	NT	N/A
----	--	--	--	----	-----

Traffic Noise Impact Assessment Criteria

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> <p>Table 4: Traffic noise criterion dB(A)</p> <table border="1"> <thead> <tr> <th>Day/Evening $L_{Aeq}(1 \text{ hour})$</th> <th>Road</th> </tr> </thead> <tbody> <tr> <td>55</td> <td>Any residence adjacent to Torrens Road</td> </tr> </tbody> </table> <p>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.</p>	Day/Evening $L_{Aeq}(1 \text{ hour})$	Road	55	Any residence adjacent to Torrens Road	Interview with WCL Rehabilitation and Closed Mines Officer	As for Condition 3 of Schedule 3 above	NT	N/A
Day/Evening $L_{Aeq}(1 \text{ hour})$	Road								
55	Any residence adjacent to Torrens Road								

Additional Traffic Noise Mitigation Measures

7.	<p>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,</p>	Interview with WCL Rehabilitation and Closed Mines Officer	As for Condition 3 of Schedule 3 above	NT	N/A
----	---	--	--	----	-----

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>insulation, and/or air conditioning at any residence on 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>				

Continuous Improvement

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>Interview with WCL Rehabilitation and Closed Mines Officer</p> <p>Annual Reviews 2022, 2023, 2024</p> <p>Independent Environmental Audit (ERM 2022)</p> <p>Letter from EPA dated 13 June 2023 stating Approval of the Surrender of a Licence 12957</p> <p>Complaint Register 2022, 2023, 2024, 2025</p>	<p>(a) Controls and mitigation measures are outlined in Section S3.2 and 3.3 of the Noise Management Plan. Table 2 notes that "EPA Armidale office have recommended that regular noise monitoring is no longer required due to closure of coaling operations, reduced equipment on site, and reduced operational hours. Monitoring will be undertaken as requested on an as needs basis."</p> <p>(b) As above</p> <p>(c) As above</p> <p>As per previous audit, noise monitoring requirements ceased September 17, 2020, with EPL amended to remove this requirement, confirmed by an email from the EPA outlining their approval for this removal of noise monitoring from the licence. The EPL was varied in April 2021. Approval to Surrender the licence was issued 13 June 2023.</p> <p>No noise complaints registered for the reporting period.</p>	C	N/A
----	--	--	---	---	-----

Operating Conditions

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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>Interview with WCL Rehabilitation and Closed Mines Officer</p> <p>Independent Environmental Audit (ERM 2022)</p> <p>Letter from EPA dated 13 June 2023 stating Approval of the Surrender of a Licence 12957</p> <p>Annual Reviews 2022, 2023, 2024</p> <p>Complaint Register 2022, 2023, 2024, 2025</p>	<p>As per previous audit, noise monitoring requirements ceased September 17, 2020, with EPL amended to remove this requirement, confirmed by an email from the EPA outlining their approval for this removal of noise monitoring from the licence. The EPL was varied in April 2021. Approval to Surrender the licence was issued 13 June 2023.</p> <p>No noise complaints registered for the reporting period.</p>	C	N/A

Noise Management Plan

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> <ol style="list-style-type: none"> a. evaluates and reports on: <ol 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>Noise Management Plan, August 2020</p> <p>Sunnyside Management Plan Reviews spreadsheet</p>	<p>The site operates under a Noise Management Plan which meets the requirements of this condition, noting that noise monitoring has not been undertaken since July 2020 following cessation of mining operations.</p> <p>No revision of the Noise Management Plan has been undertaken during the audit period.</p>	C	N/A
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BLASTING AND VIBRATION

Airblast Overpressure Limits

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations						
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> <p><i>Table 5: Airblast overpressure impact assessment criteria</i></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>Note: The overpressure values in Table 5 apply when the measurements are performed with equipment having a lower cut-off frequency of 2 Hz or less. If the instrumentation has a higher cut-off frequency a correction of 5 dB should be added to the measured value. Equipment with a lower cut-off frequency exceeding 10 Hz should not be used.</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%	Independent Environmental Audit (ERM 2022)	Blasting ceased prior to the audit period. The last blast was conducted on 5 July 2019.	NT	N/A
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

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> <p><i>Table 6: Ground vibration impact assessment criteria</i></p> <table border="1"> <thead> <tr> <th>Peal particle velocity (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td>5</td> <td>5% of the total number of blasts in a 12 month period</td> </tr> <tr> <td>10</td> <td>0%</td> </tr> </tbody> </table>	Peal particle velocity (mm/s)	Allowable exceedance	5	5% of the total number of blasts in a 12 month period	10	0%	Independent Environmental Audit (ERM 2022)	Blasting ceased prior to the audit period. The last blast was conducted on 5 July 2019. No blasting was conducted during the audit period.	NT	N/A
Peal particle velocity (mm/s)	Allowable exceedance										
5	5% of the total number of blasts in a 12 month period										
10	0%										

Blasting Hours

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>	Independent Environmental Audit (ERM 2022)	Blasting ceased prior to the audit period. The last blast was conducted on 5 July 2019. No blasting was conducted during the audit period.	NT	N/A
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Blasting Frequency

13.	<p>The Proponent shall not carry out more than:</p> <p>(a) 2 blasts a day; and</p> <p>(b) 5 blasts a week, averaged over any 12 month period;</p>	Independent Environmental Audit (ERM 2022)	Blasting ceased prior to the audit period. The last blast was conducted on 5 July 2019. No blasting was conducted during the audit period.	NT	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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on site.

Property Inspections

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.	Independent Environmental Audit (ERM 2022)	Blasting ceased prior to the audit period. The last blast was conducted on 5 July 2019. No blasting was conducted during the audit period.	NT	N/A
15.	<p>If the Proponent receives a written request for a property inspection from any such landowner, the Proponent shall:</p> <p>(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</p> <p>(b) give the landowner a copy of this property inspection report.</p> <p>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.</p>	Independent Environmental Audit (ERM 2022)	Blasting ceased prior to the audit period. The last blast was conducted on 5 July 2019. No blasting was conducted during the audit period.	NT	N/A

Property Investigations

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>	Independent Environmental Audit (ERM 2022)	Blasting ceased prior to the audit period. The last blast was conducted on 5 July 2019. No blasting was conducted during the audit period.	NT	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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Operating Conditions

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:</p> <ul style="list-style-type: none"> protect the safety of people and livestock in the surrounding area; protect public or private infrastructure/property in the surrounding area from any damage; and minimise the dust and fume emissions of any blasting; <p>(b) operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site.</p>	Independent Environmental Audit (ERM 2022)	Blasting ceased prior to the audit period. The last blast was conducted on 5 July 2019. No blasting was conducted during the audit period.	NT	N/A
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>(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>	Independent Environmental Audit (ERM 2022)	Blasting ceased prior to the audit period. The last blast was conducted on 5 July 2019. No blasting was conducted during the audit period.	NT	N/A

Blast Management Plan

17B.	<p>The Proponent shall prepare and implement a Blast Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with the EPA, and be submitted to the Secretary for approval prior to recommencement of ROM coal mining operations on site;</p> <p>(b) describe the measures that would be implemented to ensure compliance with the blast criteria and operating conditions of this approval; and</p> <p>(c) include a monitoring programme for evaluation and reporting on compliance with the blasting criteria and operating conditions of this approval."</p>	<p>Independent Environmental Audit (ERM 2022)</p> <p>Blast Management Plan 2017</p>	<p>Blasting ceased prior to the audit period. The last blast was conducted on 5 July 2019.</p> <p>Blast Management Plan is in place but has not been amended during the audit period.</p>	NT	N/A
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AIR QUALITY

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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Air Quality Impact Assessment Criteria

18. 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.

Table 7: Long term impact assessment criteria for particulate matter

Pollutant	Averaging Period	^d Criterion
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³
Particulate matter < 10 µm (PM10)	Annual	^a 30 µg/m ³

Table 8: Short term impact assessment criterion for particulate matter

Pollutant	Averaging Period	^d Criterion
Particulate matter < 10 µm (PM10)	24 hour	^a 50 µg/m ³

Table 9: Long term impact assessment criteria for deposited dust

Pollutant	Averaging Period	Maximum increase ² in deposited dust level	Maximum total ¹ deposited dust level
^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month

Notes to Tables 7-9

- ^a Total impact (ie. incremental increase in concentrations due to the development plus background concentrations due to all other sources);
- ^b Incremental impact (ie. incremental increase in concentrations due to the development on its own);
- ^c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air – Determination of Particulate Matter – Deposited Matter – Gravimetric Method; and
- ^d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Secretary.

Annual Reviews 2022, 2023, 2024

EPL Monthly monitoring summaries for 2022 and 2023

Complaint Register 2022, 2023, 2024, 2025

Community Consultative Committee meeting reports February 2023, April 2024, June 2025

Letter from EPA dated 13 June 2023 stating Approval of the Surrender of a Licence 12957

Portal correspondence from WCL to Department of Planning, Industry and Environment (DPIE) dated 13 January 2023 stating 12 month depositional dust results at SD3 exceeded yearly average threshold.

Email from DPIE to WCL dated 13 January 2023 confirming receipt of above notification.

Exceedances of criteria in Table 7, 8 and 9 during the audit period was as follows:

2022:

Deposited dust exceedance > 4 g/m²/month occurred in Monitoring Location SD 1 in March, April, September, October and November 2022 and in Monitoring Location SD3 in August 2022. The exceedance in SD3 caused the annual average to exceed the criterion. According to the 2022 Annual Review, the exceedances were due to agricultural activities.

Of the 61 PM10 Dust measurements undertaken during the year, none exceeded the 24hr 50 µg/m³ limit.

2023:

Deposited dust exceedance > 4 g/m²/month occurred in Monitoring Location SD 1 in April, June, and July 2023 causing the half-yearly average criterion to be exceeded. As monitoring ceased with the Approval to Surrender the license (13 July 2023) (see below), the annual average could not be calculated. According to the 2023 Annual Review, the exceedance was due to heavy grazing in the monitoring area.

Of the 38 PM10 Dust measurements undertaken during the year, none exceeded the 24hr 50 µg/m³ limit.

No air quality complaints registered for the reporting period.

Approval to no longer carry out attended air quality monitoring was received from the EPA, and Approval of the Surrender of the EPA licence was dated 13 June 2023, after which air quality monitoring was reduced to monthly visual inspections

C

Exceedances were associated with agricultural aspects. EPA licence approved for surrender. No recommendation required.

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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Operating Conditions

19.	<p>The Proponent shall:</p> <p>(a) implement best practice management, including all reasonable and feasible measures, to minimise odour, fume and dust emissions of the project;</p> <p>(b) implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site;</p> <p>(c) minimise any visible air pollution;</p> <p>(d) minimise the surface disturbance on the site;</p> <p>(e) operate an air quality management system on site to guide the day-to-day planning of mining operations and with the relevant conditions of this approval; and</p> <p>(f) minimise the air quality impacts of the project during adverse meteorological conditions.</p>	Air Quality Management Plan, July 2023	The site operates under an approved AQMP that meets the requirements of this condition. Operations for the majority of the audit period have been limited to rehabilitation activities with limited odour, fume or dust emissions.	C	N/A
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Air Quality Management Plan

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 recommending 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>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>	<p>Air Quality Management Plan, July 2023</p> <p>Letter from DPE to Namoi Mining Pty Ltd dated 10 August 2023 stating approval of Air Quality Management Plan</p> <p>Annual Reviews 2022, 2023, 2024</p> <p>EPL Monthly monitoring summaries for 2022 and 2023</p> <p>Letter from EPA dated 13 June 2023 stating Approval of the Surrender of a Licence 12957</p> <p>Monthly Environmental Inspection Checklist from CMO 13 April 2023, 22 November 2023, 26 June</p>	<p>(a) The site operates under an approved AQMP which meets the requirements of this condition.</p> <p>(b) The AQMP describes Air Quality Controls and Management Measures in Section 3.</p> <p>(c) Air Quality Management and Mitigation is discussed in Section 3.1, and Notification and Independent Review in Section 3.2 of the AQMP.</p> <p>(d) Monitoring and Reporting is discussed in Section 4 of the AQMP, which includes details of the monitoring program and monitoring locations.</p> <p>While previous version of AQMP contained provisions as per condition (and monitoring data are contained in monthly monitoring summaries), the monitoring program in the July 2023 version of the AQMP was modified based on the EPA approval to surrender Licence 12957 and no longer carry out</p>	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		2024, 30 October 2024, 29 August 2025	<p>attended air quality monitoring was received from the EPA. The current AQMP states that site AQ monitoring will be electronically recorded monthly by visual inspection that includes photographs.</p> <p>A selectin of CMO Monthly Environmental Inspection Checklists observed indicate visual inspections undertaken.</p>		

METEOROLOGICAL MONITORING

Note: This condition must be read in conjunction with Section 11 of the Statement of Commitments

20.	During the project, the Proponent shall ensure there is a suitable continuously operating meteorological station on site that complies with the requirements in Approved Methods for Sampling of Air Pollutants in New South Wales (DECC, 2007), or its latest version.	<p>Weather data spreadsheets 7 September 2022 to 19 September 2025</p> <p>Sentinex Weather Station Calibration Reports 7 September 2022, 26 July 2023, 24 January 2024, 9 November 2024, 30 April 2025</p> <p>Acoem Calibration Reports 20 October 2022, Customer Service Report 21 October 2022</p>	<p>Weather monitoring data was sighted covering the entirety of the audit period.</p> <p>The equipment maintenance reports provided to the auditor indicate that equipment was maintained consistently</p>	C	N/A
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WATER MANAGEMENT

Discharge

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.	<p>Annual Reviews 2022, 2023, 2024</p> <p>Monthly monitoring reports September 2022 to July 2023</p>	No wet weather discharges have occurred during the audit period.	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		Interview with WCL Rehabilitation and Closed Mines Officer			
Water Management Plan					
22.	<p>The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Secretary. This plan must be 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 Secretary and DoI Lands & 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;</p> <p>(c) Surface Water Monitoring Plan;</p> <p>(d) Groundwater Monitoring Program; and</p> <p>(e) Groundwater Contingency Plan; and</p>	<p>Water Management Plan, February 2023</p> <p>Correspondence from the DPE to WCL dated 17 February 2023 stating approval of the Water Management Plan.</p>	The approved Water Management Plan meets the requirements of this condition.	C	N/A
Site Water Balance					
23.	<p>The Site Water Balance must:</p> <p>include details of:</p> <ul style="list-style-type: none"> • sources and security of water supply; • water use on site; • water management on site; • off-site water transfers; • reporting procedures; <p>(b) describe measures to minimise water use by the project; and</p> <p>(c) be reviewed and recalculated each year using the most recent water monitoring data.</p>	Water Management Plan, February 2023	The water balance is provided as Section 2 in the Water Management Plan.	C	N/A
Erosion and Sediment Control					

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
24.	<p>The Erosion and Sediment Control Plan must:</p> <p>(a) be consistent with the requirements of Managing Urban Stormwater: Soils and Construction manual (Landcom, 2004), or its latest version;</p> <p>(b) identify activities that could cause soil erosion and generate sediment;</p> <p>(c) describe measures to minimise soil erosion and the potential for transport of sediment to downstream waters;</p> <p>(d) describe the location, function, and capacity of erosion and sediment control structures; and</p> <p>(e) describe what measures would be implemented to monitor and maintain the structures over time.</p>	<p>Water Management Plan, February 2023</p> <p>Monthly Environmental Inspection Checklist from CMO 13 April 2023, 22 November 2023, 26 June 2024, 30 October 2024, 29 August 2025</p> <p>Site visit</p>	<p>The Erosion and Sediment Control Plan (ESCP) is outlined in Section 3 of the Water Management Plan.</p> <p>The Water Management Plan states that the ESCP is consistent with the requirements of the Department of Housing's <i>Managing Urban Stormwater: Soils and Construction Manual</i> (Landcom, 2004).</p> <p>The ESCP:</p> <ul style="list-style-type: none"> a) Identifies sources of erosion and sedimentation; b) Describes erosion and sediment control measures and the potential for transport of sediment to downstream waters; c) Describes the location, function, and capacity of erosion and sediment control structures (Section 3.3 and 3.4); and d) Describes the measures that will be implemented to monitor and maintain the structures over time. <p>The auditor sighted evidence of monthly site inspection reports including completed checklists for erosion and sediment control.</p> <p>Field inspection undertaken for this audit confirmed the presence of a drain on top of the highwall, installed in 2023 to divert water away from the highwall.</p> <p>No significant erosion was observed during the site inspection undertaken for this audit.</p>	C	N/A

Surface Water Monitoring Program

25.	<p>The Surface Water Monitoring Program must include:</p> <p>(a) detailed baseline data on surface water flows and quality in creeks and other waterbodies that could be affected by the 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>Water Management Plan, February 2023</p> <p>Environmental Assessment, 2008</p>	<p>The Surface Water Monitoring Program in Section 4 of the Water Management Plan (WMP), includes:</p> <ul style="list-style-type: none"> (a) Baseline surface water quality information (Section 4.2) (additional detailed baseline data is presented in 	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	(d) procedures for reporting the results of this monitoring.		<p>the Environmental Assessment from 2008);</p> <p>(b) Surface Water Impact Assessment Criteria (Section 4.3);</p> <p>(c) Surface Water Monitoring program (Section 4.4); and</p> <p>(d) Procedures for reporting of monitoring results – noted as to be reported in the Annual Review (Section 4.5).</p>		

Groundwater Monitoring Program

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>	Water Management Plan, February 2023	<p>The Groundwater Monitoring Program in Section 5 of the WMP includes:</p> <p>(a) Groundwater model (Section 5.2);</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) – including information on groundwater chemistry and flow;</p> <p>(c) Groundwater impact assessment criteria (Section 5.5.1) detailing what parameters are measured with bore water and groundwater sampling. Bores are measured for Standing Water Level (SWL), field pH and electrical conductivity (EC) on a quarterly basis. Groundwater samples are collected on a six monthly basis and analysed for major ions (TDS, Na, K, Ca, Mg, Cl, HCO₃, NO₃, SO₄ and hardness) and selected filtered (0.45µm) metals including Iron (Fe), Copper (Cu), Zinc (Zn), Lead (Pb), Arsenic (As), Cadmium (Cd), Aluminium (Al), Mercury (Hg), Manganese (Mn), Boron (B), Barium (Ba), Beryllium (Be), Cobalt (Co), Chromium (Cr), Nickel (Ni), Selenium (Se), Vanadium (V), at a NATA registered laboratory;</p> <p>(d) Procedures for reporting the results of this monitoring – results of water</p>	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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quality analysis is reported in the Annual Reviews.

Groundwater Contingency Plan

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>Water Management Plan, February 2023 (Section 6)</p> <p>Annual Reviews 2022, 2023, 2024</p> <p>EPL Monthly monitoring summaries for 2022 and 2023</p> <p>ALS Field Sampling Sheets Surface and Groundwaters June 2023, June 2024, December 2024, June 2025</p> <p>ALS Certificates of Analysis for bore water 27 October 2022, 4 and 5 April 2023, 29 September 2023, 12 October 2023, 18 April 2024, 2 and 14 October 2024</p> <p>Interview with WCL</p> <p>Rehabilitation and Closed Mines Officer</p>	<p>A groundwater contingency plan is captured within the WMP (Section 6). It includes:</p> <p>Measures to mitigate any impacts of the mine on the quality or quantity of groundwater supplies available on privately-owned land.</p> <p>Table 12 in the plan establishes trigger levels for quantity and quality.</p> <p>Groundwater quality is monitored and samples are analysed against the Australia and New Zealand Guidelines for Fresh and Marine Water Quality (2000) (ANZECC) and reported in the Annual Review. No issues with groundwater quality have been identified over the audit period.</p>	C	N/A
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LANDSCAPE MANAGEMENT

Koala Habitat

Note: This condition must be read in conjunction with Sections 2, 9 and 18 of the Statement of Commitments.

28.	<p>The Proponent shall implement the Koala habitat management and enhancement actions described in the EA (shown conceptually in Figure 5 in Appendix 2) in consultation with the BCS 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>Koala Management Plan, October 2017</p> <p>Annual Reviews 2022, 2023, 2024</p> <p>Koala spotting register</p>	<p>The Koala Management Plan (KMP) was approved by the Secretary in October 2017. No revisions of the Plan were undertaken during the current audit period.</p>	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		Sunnyside Management Plan Reviews spreadsheet	<p>The KMP is being implemented to meet the intention of the condition.</p> <p>The koala fence anti-climbing strip is planned to be removed as part of the closure of the site.</p> <p>During the audit period, a single Koala was detected using infra-red drone technology at the Sunnyside Hill Offset in May 2024.</p>		

Rehabilitation

29. The Applicant must rehabilitate the site to the satisfaction of the Resources Regulator. This rehabilitation must comply with the objectives in Table 10.

Table 10: Rehabilitation Objectives

Feature	Objective
Mine site (as a whole)	<ul style="list-style-type: none"> • Safe, stable and non-polluting • Final landforms maximise geotechnical performance, stability and hydrological function • Constructed landforms maximise surface water drainage to the natural environment • Minimise long term groundwater seepage from the site to ensure negligible environmental consequences beyond those predicted for the project • Minimise visual impact of final landforms as far as is reasonable and feasible
Surface infrastructure	To be decommissioned and removed, unless the Resources Regulator agrees otherwise
Final Voids	No final void and free-draining to the natural drainage system

Rehabilitation Management Plan (RMP) V3 Jan 2025.

Annual Reviews 2022, 2023, 2024.

Annual Rehabilitation Reports 2022, 2023, 2024.

Rehabilitation Objectives Statement Approved Nov 2023

Site Inspection.

Aspect Ecology Rehabilitation Monitoring Reports – 2022, 2023, 2024.

The site is currently in Ecosystem and Land use Establishment Phase. Active rehabilitation works are complete with works now comprising aftercare and maintenance of rehabilitation areas.

The rehabilitation objectives in Table 10 have been captured in the development and approval (Nov 2023) of the Rehabilitation Objectives Statement and proposed completion criteria provided in Table 10 of the RMP.

Rehabilitation monitoring reports are prepared on an annual basis and report on the progress towards the rehabilitation objectives. Summaries of the Rehabilitation Monitoring reports are provided in the Annual Rehabilitation Reports and Annual Reviews submitted to the Regulator.

Rehabilitation of the site is generally progressing towards achieving rehabilitation completion criteria and objectives. Pasture Domain is achieving phase-specific completion criteria targets. Woodland domain requires continued aftercare and maintenance to achieve phase specific targets for areas 2010-2013.

The highwall drain constructed in 2023 contributes towards geotechnical stability and hydrological function of the highwall.

C (Obs)

Minor erosion was observed at the inflow points of retained dams SD4 and SB2. The erosion appeared localised at the time. It is recommended monitoring of these areas continues. If these areas do not self-stabilise or consistently continue to erode, consider engineering controls such as rock lining prior to commencing rehabilitation sign off processes.

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			Free-draining void maximises surface water drainage to the natural environment. All surface infrastructure has been removed from the site.		

Rehabilitation Management Plan

30.	The Proponent must prepare a Rehabilitation Management Plan for the development, in accordance with the conditions imposed on the mining lease(s) associated with the development under the <i>Mining Act 1992</i> .	Rehabilitation Management Plan July 2022, Issue 1; Version 3 (last updated in January 2025)	The Rehabilitation Management Plan commenced July 2022 and was prepared in accordance with the clause 10 of Division 3 Part 2 of Schedule 8A of the Mining Amendment (Standard Conditions of Mining Leases—Rehabilitation) Regulation 2021 under the Mining Act 1992	C	N/A
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HERITAGE

Note: These conditions must be read in conjunction with Section 12 of the Statement of Commitments.

Aboriginal Cultural Heritage Management Plan

32.	The Proponent shall not destroy any known Aboriginal objects (as defined in the National Parks and Wildlife Act 1974) without the written approval of the Secretary.	Interview with WCL Rehabilitation and Closed Mines Officer	No Aboriginal cultural Heritage sites have been identified during the audit period as per interview with WCL personnel.	C	N/A
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 Coocooboonah Lane); (b) be prepared in consultation with the BCS 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.	Aboriginal Culture Heritage Management Plan, October 2017 Sunnyside Management Plan Reviews spreadsheet	The ACHMP has not been amended in the audit period.	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
TRANSPORT					
Monitoring of Coal Transport					
34.	The Proponent shall keep records of the amount of coal transported from the site each year, and include these records in the AEMR.	Annual Reviews 2022, 2023, 2024	No coal was extracted or transported over the audit period	NT	N/A
Traffic Management					
35.	<p>Prior to transporting any coal off-site, the Proponent shall:</p> <p>(a) construct a realignment of Coocooboonah Lane to the satisfaction of the landowner and Council;</p> <p>(b) upgrade the intersection of Coocooboonah Lane and the Oxley Highway to the satisfaction of the RMS and Council;</p> <p>(c) upgrade the intersection of the Oxley Highway and Blackjack Road to the satisfaction of the RMS and Council;</p> <p>(d) upgrade the section of Blackjack Road to be used for coal transport to the satisfaction of Council;</p> <p>(e) upgrade the intersection of Blackjack Road and Quia Road to the satisfaction of Council;</p> <p>(f) upgrade the section of Quia Road to be used for coal transport to the satisfaction of Council;</p> <p>(g) upgrade the intersection of Quia Road and Farrar Road to the satisfaction of Council;</p> <p>(h) upgrade the intersection of Quia Road and Torrens Road to the satisfaction of Council; and</p> <p>(i) upgrade Torrens Road to the satisfaction of Council.</p>	N/A	This condition relates to activities undertaken prior to the current audit period and is therefore not applicable to this audit.	NT	N/A
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.	Note	This condition relates to activities undertaken prior to the current IEA audit period and is therefore not applicable to this audit.	NT	N/A
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 Coocooboonah Lane and Blackjack Road.	Note	This condition relates to activities undertaken prior to the current IEA audit period and is therefore not applicable to this audit.	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
38.	Prior to transporting coal from the site the Proponent shall construct 2 bus stops on the Oxley Highway to the satisfaction of Council.	Note	This condition relates to activities undertaken prior to the current IEA audit period and is therefore not applicable to this audit.	NT	N/A
38A.	Prior to recommencing any coal haulage from the site, the Proponent shall undertake the road safety improvement recommendations identified.	Note	This condition relates to activities undertaken prior to the current IEA audit period and is therefore not applicable to this audit.	NT	N/A
29.	The Proponent shall only dispatch coal from the site by road or receive coarse and/or fine rejects on the site between the hours of: (a) 7 am to 9.15 pm, Monday to Friday; (b) 7 am to 5.15 pm Saturday; and (c) at no time on Sundays and public holidays.	Annual Reviews 2022, 2023, 2024 Interview with WCL Rehabilitation and Closed Mines Officer	No coal was extracted or transported over the audit period	NT	N/A
39.	Notwithstanding condition 10 of Schedule 2, the Proponent shall ensure no coal is transported from the site during AgQuip.	Annual Reviews 2022, 2023, 2024 Interview with WCL Rehabilitation and Closed Mines Officer	No coal was extracted or transported over the audit period	NT	N/A

VISUAL IMPACT

Visual Amenity

40.	The Proponent shall minimise the visual impacts of the project to the satisfaction of the Secretary.	Complaint Register 2022, 2023, 2024, 2025	No complaints or issues have been raised related to visual impact.	C	N/A
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Lighting Emissions

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 Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting.	Interview with WCL Rehabilitation and Closed Mines Officer	No lighting is used on site as per interview with WCL personnel	NT	N/A
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GREENHOUSE GAS

Energy Savings Action Plan

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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 Guidelines for Energy Savings Action Plans (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 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>	<p>Energy Savings Action Plan, October, 2017</p> <p>Sunnyside Management Plan Reviews spreadsheet</p>	<p>An Energy Savings Action Plan which meets the requirements of this condition was approved prior to the audit period.</p>	C	N/A

WASTE

Waste Minimisation

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;</p> <p>(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 Environmental Guidelines: Use of Effluent by Irrigation (DEC, 2004), or its latest version; and</p> <p>(e) include a program to monitor the effectiveness of these measures.</p>	<p>Waste Management Plan, October 2017</p> <p>Sunnyside Management Plan Reviews spreadsheet</p> <p>Annual Reviews 2022, 2023, 2024</p> <p>Interview with WCL Rehabilitation and Closed Mines Officer</p>	<p>A Waste Management Plan that meets the requirements of this condition was approved prior to the audit period.</p> <p>According to the Annual Reports, waste was removed from the site by 2022. Some light vehicle tyres were removed in 2023, as per interview with site personnel.</p> <p>No waste was observed by the auditor during the site inspection undertaken for this audit.</p>	C	N/A
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SCHEDULE 4 – ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS

1.	<p>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.</p>	N/A	<p>This condition relates to activities undertaken prior to the current IEA audit period.</p>	NT	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
2.	<p>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</p>	<p>Portal correspondence from WCL to Department of Planning, Industry and Environment (DPIE) dated 13 January 2023 stating 12 month depositional dust results at SD3 exceeded yearly average threshold.</p> <p>Email from DPIE to WCL dated 13 January 2023 confirming receipt of above notification.</p>	<p>Deposited dust exceedance > 4 g/m²/year recorded in Monitoring Location SD 1 for 2022 was reported to DPIE as shown by observed correspondence.</p> <p>Any impacts would have been on land owned by WCL.</p> <p>No air quality complaints were registered for the reporting period.</p>	C	N/A

INDEPENDENT REVIEW

Landowners

3.	<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, 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>	<p>Interview with WCL Rehabilitation and Closed Mines Officer</p>	<p>According to site personnel, no landowners have requested any independent review of impacts over the audit period.</p>	NT	N/A
4.	<p>If the independent review determines that the project is not complying with the relevant impact assessment criteria in schedule 3, and that the project is primarily responsible for this non-compliance, then the Proponent shall:</p>	<p>Interview with WCL Rehabilitation and Closed Mines Officer</p>	<p>According to site personnel, no landowners have requested any independent review of impacts over the audit period.</p>	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>(a) take all reasonable and feasible measures, in consultation with the landowner, to ensure that the project complies with the relevant criteria; and</p> <p>(b) conduct further monitoring to determine whether these measures ensure compliance; or</p> <p>(c) secure a written agreement with the landowner to allow exceedances of the relevant criteria,</p> <p>to the satisfaction of the Secretary.</p> <p>If further monitoring under paragraph (b) determines that the project is complying with the relevant criteria, then the Proponent may discontinue the independent review with the approval of the Secretary.</p>				
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 with WCL Rehabilitation and Closed Mines Officer</p> <p>Independent Environmental Audit (ERM 2022)</p>	<p>According to site personnel, no landowners have requested any independent review of impacts over the audit period.</p> <p>No issues were determined during the previous IEA that required further monitoring</p>	NT	N/A
6.	<p>If:</p> <p>(a) the landowner disputes the results of the 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>	<p>Interview with WCL Rehabilitation and Closed Mines Officer</p>	<p>According to site personnel, no landowners have requested any independent review of impacts over the audit period.</p>	NT	N/A
LAND ACQUISITION					
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> <ul style="list-style-type: none"> existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and 	<p>Interview with WCL Rehabilitation and Closed Mines Officer</p>	<p>No written requests have been received by the site for the audit period</p>	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> • presence of improvements on the property and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date, 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>(b) the reasonable costs associated with:</p> <ul style="list-style-type: none"> • relocating within the Gunnedah local government area, or to any other local government area determined by the Secretary; • obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is required; and <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>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> <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>				
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 with WCL Rehabilitation and Closed Mines Officer	No written requests have been received by the site for the audit period	NT	N/A
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 with WCL Rehabilitation and Closed Mines Officer	No written requests have been received by the site for the audit period	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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SCHEDULE 5 - ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING AND REPORTING

ENVIRONMENTAL MANAGEMENT STRATEGY

1.	<p>The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Secretary. This strategy must 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 <p>(e) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project.</p>	<p>Environmental Management Strategy, October 2017</p> <p>Sunnyside Management Plan Reviews spreadsheet</p>	<p>The Environmental Management Strategy complies with the requirements of this condition.</p> <p>No revision of the Environmental Management Strategy was undertaken over the audit period.</p>	C	N/A
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ENVIRONMENTAL MONITORING PROGRAM

2.	<p>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.</p>	<p>Environmental Monitoring Program, October 2017</p> <p>Sunnyside Management Plan Reviews spreadsheet</p> <p>Annual Reviews 2022, 2023, 2024</p>	<p>The Environmental Monitoring Program (EMP) was revised in October 2017 and was not amended during the audit period.</p> <p>It is implemented as per, for example, the groundwater sampling results reported in the Annual Reviews.</p>	C	N/A
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REPORTING

Incident Reporting

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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.	<p>Portal correspondence from WCL to Department of Planning, Industry and Environment (DPIE) dated 13 January 2023 stating 12 month depositional dust results at SD3 exceeded yearly average threshold.</p> <p>Email from DPIE to WCL dated 13 January 2023 confirming receipt of above notification.</p>	Deposited dust annual exceedance of an average of 4 g/m ² /month recorded in Monitoring Location SD 1 for 2022 was reported to DPIE on 13 January 2023 in preparation for the 2022 Annual Review (due in March 2023) as shown by observed correspondence.	C	N/A
4.	<p>Within 6 days of notifying the Department and other relevant agencies of an exceedance/incident, the Proponent shall provide the Department and these agencies with a written report that:</p> <p>(a) describes the date, time, and nature of the exceedance/incident;</p> <p>(b) identifies the cause (or likely cause) of the exceedance/incident;</p> <p>(c) describes what action has been taken to date; and</p> <p>(d) describes the proposed measures to address the exceedance/incident.</p>	<p>Portal correspondence from WCL to Department of Planning, Industry and Environment (DPIE) dated 13 January 2023 stating 12 month depositional dust results at SD3 exceeded yearly average threshold.</p> <p>Email from DPIE to WCL dated 13 January 2023 confirming receipt of above notification.</p>	Written report of the exceedance on 13 January 2023 in preparation for the 2022 Annual Review (due in March 2023) contained the requested information.	C	N/A

Annual Review

5.	<p>By the end of March each year, the Proponent must submit a review of the environmental performance of the project for the previous calendar year to the satisfaction of the Secretary. This review must:</p> <p>(a) describe the development (including any rehabilitation) that was carried out in the past year, and the development that is proposed to be carried out over the next year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records of the project over the past year, which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> • relevant statutory requirements, limits or performance measures/criteria; • monitoring results of previous years; and • relevant predictions in the EIS; 	<p>Annual Reviews 2022, 2023, 2024</p> <p>Email correspondence from DPE to Sunnyside Environmental Approvals dated 30 March 2023, 26 March 2024, 26 March 2025 confirming lodgement of Annual Reviews</p>	Annual Reviews conform to the requirements and are provided to the Secretary by the end of March each year as shown by email confirmations. The reviews in this audit period provide details as per the condition.	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>(c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(d) identify any trends in the monitoring data over the life of the project;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p> <p>(f) describe what measures will be implemented over the next year to improve the environmental performance of the project.</p> <p>Note: The "Post Approval Requirements for State Significant Developments - Annual Review Guideline 2015, NSW Government, October 2015" (or its latest version) provides a reporting framework to integrate the reporting requirements of the Annual Review required by the Department under the project approval and the Annual Environment Management Report (AEMR) required by the Resources Regulator under the Mining Lease.</p>				

Revision of Strategies, Plans and Programs

5A.	<p>Within 3 months of the submission of an:</p> <p>(a) AEMR under condition 5 of schedule 5 above;</p> <p>(b) incident report under condition 4 of schedule 5 above;</p> <p>(c) audit under condition 6 below; or</p> <p>(d) any modification to the conditions of this approval,</p> <p>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.</p> <p>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."</p>	Sunnyside Management Plan Review.xlsx	Sunnyside Management Plan Review.xlsx sets out when management plans have been reviewed and which 5.5A condition ((a) to (d)) has triggered the review.	C	N/A
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INDEPENDENT ENVIRONMENTAL AUDIT

6.	<p>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:</p> <p>(a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</p> <p>(b) include consultation with the relevant agencies;</p>	Independent Environmental Audit (ERM 2022) This audit	This audit	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<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> <p>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.</p>				
7.	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.	Letter from Whitehaven Coal to NSW Department of Planning and Environment, dated 13 October 2022	The previous IEA was submitted to the Department along with an Audit Action Plan within 6 weeks of the audit (7 September 2022).	C	N/A
8.	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.	Sunnyside Management Plan Review.xlsx	The strategies, plans and programs have been reviewed in accordance with this condition.	C	N/A
COMMUNITY CONSULTATIVE COMMITTEE					
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 <i>the 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 Secretary.	Community Consultative Committee meeting reports February 2023, April 2024, June 2025	Community Consultative Committee meetings were held as required during the audit period.	C	N/A
ACCESS TO INFORMATION					
10.	<p>The Proponent shall:</p> <p>(a) make the following information publicly available on its website:</p> <ul style="list-style-type: none"> • the EA; • all current statutory approvals for the project; 	<p>Whitehaven Website</p> <p>https://whitehavencoal.com.au/our-business/documentation/</p>	The Whitehaven website quoted provides all the documentation listed under this condition	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> • approved strategies, plans and programs required under the conditions of this approval; • a comprehensive summary of the monitoring results of the project, which have been reported in accordance with the various plans and programs approved under the conditions of this approval; • a complaints register, updated on a monthly basis; • any independent environmental audit, and the Applicant's response to the recommendations in any audit; and • any other matter required by the Secretary; and <p>(b) keep this information up to date, to the satisfaction of the Secretary.</p>				

ENVIRONMENT PROTECTION LICENCE 12957

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
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1. Administrative Conditions

A1 What the licence authorises and regulates

A1.1	<p>This licence authorises the carrying out of the scheduled development work listed below at the premises listed in A2:</p> <p>Construction of surface infrastructure including but not limited to access roads, intersection and surface facilities prior to mining.</p>	N/A	Noted	Note	N/A												
A1.2	<p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.</p> <p>Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.</p> <table border="1"> <thead> <tr> <th>Scheduled Activity</th> <th>Fee Based Activity</th> <th>Scale</th> </tr> </thead> <tbody> <tr> <td>Coal works</td> <td>Coal works</td> <td>0 - 2000000 T annual handing capacity</td> </tr> <tr> <td>Mining for coal</td> <td>Mining for coal</td> <td>0 - 500000 T annual production capacity</td> </tr> <tr> <td>Mining for coal - Previous licence variation (in force up until 19 April 2021)</td> <td>Mining for coal</td> <td>>500000-2000000 T annual production capacity'</td> </tr> </tbody> </table>	Scheduled Activity	Fee Based Activity	Scale	Coal works	Coal works	0 - 2000000 T annual handing capacity	Mining for coal	Mining for coal	0 - 500000 T annual production capacity	Mining for coal - Previous licence variation (in force up until 19 April 2021)	Mining for coal	>500000-2000000 T annual production capacity'	Annual Review 2022, 2023	<p>The Annual Review indicated ROM volumes of:</p> <p>2022: 0 t</p> <p>2023: 0 t</p> <p>The site completed coal mining operations in August 2019, with coal crushing and transporting activities ceasing on the 27th of October 2019.</p> <p>As per the tonnage values above, the Proponent is compliant with this condition.</p>	C	N/A
Scheduled Activity	Fee Based Activity	Scale															
Coal works	Coal works	0 - 2000000 T annual handing capacity															
Mining for coal	Mining for coal	0 - 500000 T annual production capacity															
Mining for coal - Previous licence variation (in force up until 19 April 2021)	Mining for coal	>500000-2000000 T annual production capacity'															

A2 Premises or plant to which this licence applies

A2.1	<p>The licence applies to the following premises:</p> <p>SUNNYSIDE COAL PROJECT 259 COOCOBOONAH LANE GUNNEDAH NSW 2380</p>	N/A	Site is at the approved location.	C	N/A
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Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
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THE LAND WITHIN THE PREMISES BOUNDARY AS SHOWN ON THE MAP ENTITLED 'FIGURE 1 - SUNNYSIDE EPL MONITORING SITES' RECEIVED BY THE EPA 4 AUGUST 2017 (DOC17/402715-01).

A3 Information supplied to the EPA

A3.1	<p>Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.</p> <p>In this condition the reference to "the licence application" includes a reference to:</p> <p>a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998;</p> <p>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>	Refer to this audit table	Refer to this audit table	Note	N/A
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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> <p style="text-align: center;"><i>Air</i></p> <table border="1"> <thead> <tr> <th>EPA identification no.</th> <th>Type of Monitoring Point</th> <th>Type of Discharge Point</th> <th>Location Description</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Ambient air monitoring</td> <td></td> <td>Deposited dust location labelled 'SD1' on property Ferndale identified on Figure titled 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01).</td> </tr> <tr> <td>2</td> <td>Ambient air monitoring</td> <td></td> <td>Deposited dust location labelled 'SD3' near property PlainView identified on Figure titled 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01).</td> </tr> <tr> <td>4</td> <td>Ambient air monitoring</td> <td></td> <td>Deposited dust location labelled 'SD5' located on the mine boundary and lot 118 DP75503 and lot 1 DP 1192426,</td> </tr> </tbody> </table>	EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	1	Ambient air monitoring		Deposited dust location labelled 'SD1' on property Ferndale identified on Figure titled 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01).	2	Ambient air monitoring		Deposited dust location labelled 'SD3' near property PlainView identified on Figure titled 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01).	4	Ambient air monitoring		Deposited dust location labelled 'SD5' located on the mine boundary and lot 118 DP75503 and lot 1 DP 1192426,	<p>EPL Monitoring Data:</p> <ul style="list-style-type: none"> 2022 Monthly EPL Monitoring data 2023 Monthly EPL Monitoring data <p>ALS Field Sampling Sheets Surface and Groundwaters June 2023, June 2024, December 2024, June 2025</p> <p>ALS Certificates of Analysis for bore water 27 October 2022, 4 and 5 April 2023, 29 September 2023, 12 October 2023, 18 April 2024, 2 and 14 October 2024, 25 and 31 March 2025</p> <p>INXPreserve_dataextract spreadsheet for sampling</p>	Data sheets observed indicate that monitoring has been undertaken at the approved locations for the duration of the audit period until the licence was surrendered.	C	N/A
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description																		
1	Ambient air monitoring		Deposited dust location labelled 'SD1' on property Ferndale identified on Figure titled 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01).																		
2	Ambient air monitoring		Deposited dust location labelled 'SD3' near property PlainView identified on Figure titled 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01).																		
4	Ambient air monitoring		Deposited dust location labelled 'SD5' located on the mine boundary and lot 118 DP75503 and lot 1 DP 1192426,																		

Item	Assessment Requirement			Reference/ Evidence	Comments	Compliance	Recommendations
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			identified on Figure titled 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01).
5	Ambient air monitoring		Deposited dust location labelled 'SD6' on property Illili identified on Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01).
6	Ambient air monitoring		Deposited dust location labelled 'SD7' on property Innisvale identified on Figure titled 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01).
7	Ambient air monitoring		PM10 location labelled 'SA1' on property Illili identified on Figure titled 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01).

dates 24 September 2024, 18 December 2024, and 24 March 2025 showing groundwater quality data for 7 sampling points
INXPreserve_dataextract spreadsheet for period 1 September 2022 to 15 August 2023 showing PM10 results

P1.2 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.

Annual Reviews 2022, 2023

No wet weather discharges occurred during the audit period.

Ambient water quality monitoring was recorded on 16 September 2022 and 21 October 2022 at Point 11 and 12.

C

N/A

Water and Land

EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
9	Wet weather discharge Discharge water quality monitoring	Wet weather discharge Discharge water quality monitoring	Discharge point from Storage Dam 3 located on northern side of premises labelled 'SD3' on the map entitled identified on Figure titled 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01).
10	Wet weather discharge Discharge water quality monitoring	Wet weather discharge Discharge water quality monitoring	Discharge point from Storage Dam 4 located on northern side of premises labelled 'SD4' on the map identified on Figure titled 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01).
11	Ambient water quality monitoring		Monitoring point on Coocooboonah Creek upstream of project site labelled 'CCUS' on the map identified on Figure titled 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01).

Item	Assessment Requirement			Reference/ Evidence	Comments	Compliance	Recommendations																											
	12	Ambient water quality monitoring		Monitoring point on Coocooboonah Creek downstream of project site labelled 'CCDS' on the map identified on Figure titled 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01).																														
P1.3	<p>The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.</p> <p style="text-align: center;">Noise / Weather</p> <table border="1"> <thead> <tr> <th>EPA identification no.</th> <th>Type of Monitoring Point</th> <th>Location Description</th> </tr> </thead> <tbody> <tr> <td>25</td> <td>Meteorological Station</td> <td>Identified on 'Figure 1 - Sunnyside EPL Monitoring Sites' as weather station received by the EPA on 4 August 2017 (EPA DOC17/402715-01).</td> </tr> <tr> <td colspan="3">Noise monitoring locations removed in 2021 variation</td> </tr> <tr> <td>13</td> <td>Noise monitoring</td> <td>Property known as Ferndale, identified on 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01) as noise monitoring location in key.</td> </tr> <tr> <td>14</td> <td>Noise monitoring</td> <td>Property known as Illili, identified on 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01) as noise monitoring location in key.</td> </tr> <tr> <td>15</td> <td>Noise monitoring</td> <td>Property known as Glendower, identified on 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01) as noise monitoring location in key.</td> </tr> <tr> <td>16</td> <td>Noise monitoring</td> <td>Property known as Innisvale, identified on 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01) as noise monitoring location in key.</td> </tr> <tr> <td>17</td> <td>Noise monitoring</td> <td>Property known as Plainview, identified on 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01) as noise monitoring location in key.</td> </tr> <tr> <td>19</td> <td>Air blast overpressure & ground vibration peak particle velocity monitoring</td> <td>Property known as Ferndale, identified on 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01) as blast monitoring location in key.</td> </tr> </tbody> </table>			EPA identification no.	Type of Monitoring Point	Location Description	25	Meteorological Station	Identified on 'Figure 1 - Sunnyside EPL Monitoring Sites' as weather station received by the EPA on 4 August 2017 (EPA DOC17/402715-01).	Noise monitoring locations removed in 2021 variation			13	Noise monitoring	Property known as Ferndale, identified on 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01) as noise monitoring location in key.	14	Noise monitoring	Property known as Illili, identified on 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01) as noise monitoring location in key.	15	Noise monitoring	Property known as Glendower, identified on 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01) as noise monitoring location in key.	16	Noise monitoring	Property known as Innisvale, identified on 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01) as noise monitoring location in key.	17	Noise monitoring	Property known as Plainview, identified on 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01) as noise monitoring location in key.	19	Air blast overpressure & ground vibration peak particle velocity monitoring	Property known as Ferndale, identified on 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01) as blast monitoring location in key.	<p>Independent Environmental Audit (ERM 2022)</p> <p>Interview with WCL Rehabilitation and Closed Mines Officer</p> <p>Letter from EPA dated 13 June 2023 stating Approval of the Surrender of a Licence 12957</p> <p>Weather data spreadsheets 7 September 2022 to 19 September 2025</p> <p>Sentinex Weather Station Calibration Reports 7 September 2022, 26 July 2023, 24 January 2024, 9 November 2024, 30 April 2025</p> <p>Acoem Calibration Reports 20 October 2022, Customer Service Report 21 October 2022</p>	<p>As per previous audit, noise monitoring requirements ceased September 17, 2020, with EPL amended to remove this requirement, confirmed by an email from the EPA outlining their approval for this removal of noise monitoring from the licence. The EPL was varied in April 2021. Approval to Surrender the licence was issued 13 June 2023.</p> <p>Weather monitoring data was sighted covering the entirety of the audit period.</p> <p>The equipment maintenance reports provided to the auditor indicate that equipment was maintained consistently.</p>	C	N/A
EPA identification no.	Type of Monitoring Point	Location Description																																
25	Meteorological Station	Identified on 'Figure 1 - Sunnyside EPL Monitoring Sites' as weather station received by the EPA on 4 August 2017 (EPA DOC17/402715-01).																																
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19	Air blast overpressure & ground vibration peak particle velocity monitoring	Property known as Ferndale, identified on 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01) as blast monitoring location in key.																																

Item	Assessment Requirement		Reference/ Evidence	Comments	Compliance	Recommendations
20	Air blast overpressure & ground vibration peak particle velocity monitoring	Property known as Illili, identified on 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01) as blast monitoring location in key.				
23	Air blast overpressure & ground vibration peak particle velocity monitoring	Property known as Innisvale, identified on 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01) as blast monitoring location in key.				
24	Air blast overpressure & ground vibration peak particle velocity monitoring	Air blast overpressure & ground vibration peak particle velocity monitoring				
25 (included above)						
26	Air blast overpressure & ground vibration peak particle velocity monitoring	Property known as Ivanhoe, identified on 'Figure 1 - Sunnyside EPL Monitoring Sites' received by the EPA on 4 August 2017 (EPA DOC17/402715-01) as blast monitoring location in key.				

3 LIMIT CONDITIONS

L1 Pollution of Waters

L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	Annual Returns 2022, 2023 EPL Monitoring Data 2022, 2023 Complaints Register 2022-2023	Instances of pollution were not identified in the records observed by the auditor.	C	N/A
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L2 Concentration Limits

L2.1	For each monitoring/discharge point or utilisation area specified in the table 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.	EPL Monitoring Data 2022, 2023	No discharge was recorded at Point 9 and 10 during the audit period.	NT	N/A
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.	EPL Monitoring Data 2022, 2023	No discharge was recorded at Point 9 and 10 during the audit period.	NT	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations																								
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\.	Note	Noted	Note	N/A																								
L2.4	Water and/or Land Concentration Limits POINT 9,10	EPL Monitoring Data 2022, 2023	No discharge was recorded at Point 9 and 10 during the audit period.	NT	N/A																								
	<table border="1"> <thead> <tr> <th>Pollutant</th> <th>Unit of measure</th> <th>50 percentile concentration limit</th> <th>90 percentile concentration limit</th> <th>3DGM concentration limit</th> <th>100 percentile concentration limit</th> </tr> </thead> <tbody> <tr> <td>Oil and grease</td> <td>milligrams per litre</td> <td>-</td> <td>-</td> <td>-</td> <td>10</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>-</td> <td>-</td> <td>-</td> <td>6.5 – 8.5</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td>-</td> <td>-</td> <td>-</td> <td>50</td> </tr> </tbody> </table>	Pollutant	Unit of measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit	Oil and grease	milligrams per litre	-	-	-	10	pH	pH	-	-	-	6.5 – 8.5	Total suspended solids	milligrams per litre	-	-	-	50				
Pollutant	Unit of measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit																								
Oil and grease	milligrams per litre	-	-	-	10																								
pH	pH	-	-	-	6.5 – 8.5																								
Total suspended solids	milligrams per litre	-	-	-	50																								
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> <p>Note: 38.4 mm equates to the 5 day 90%ile rainfall depth for Gunnedah sourced from Table 6.3a Managing Urban Stormwater: Soils and Construction Volume 1: 4th edition, March 2004.</p>	EPL Monitoring Data 2022, 2023	No discharge was recorded at Point 9 and 10 during the audit period.	NT	N/A																								
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.	<p>Interview with WCL Rehabilitation and Closed Mines Officer</p> <p>Site observations by auditor</p>	The site is locked outside of working hours. No waste is received at the site. No waste was observed on the site during the site inspection undertaken for this audit.	C	N/A																								

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
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.	Note	Noted	Note	N/A

L4 Noise limits

L4.1	Noise generated at the premises must not exceed the noise limits in the table below.	<p>Independent Environmental Audit (ERM 2022)</p> <p>Letter from EPA dated 13 June 2023 stating Approval of the Surrender of a Licence 12957</p> <p>Noise Management Plan 2020</p> <p>Annual Reviews 2022, 2023, 2024</p> <p>Complaint Register 2022, 2023, 2024, 2025</p> <p>Interview with WCL Rehabilitation and Closed Mines Officer</p>	<p>As per previous audit, noise monitoring requirements ceased in September 2020 (prior to the current audit period), confirmed by an email for the EPA. The EPL was varied in April 2021. Approval to Surrender the licence was issued 13 June 2023.</p> <p>As per Noise Management Plan 2020, attended noise monitoring is undertaken on an as needs basis. The monitoring program is considered adequate to evaluate and report on the effectiveness of the noise management system.</p> <p>No noise complaints registered for the audit period.</p>	NT	N/A	
	<table border="1"> <thead> <tr> <th>Locality and Location</th> <th>Day- LAeq (15 minute)</th> <th>Evening- LAeq (15 minute)</th> </tr> </thead> <tbody> <tr> <td>All surrounding residences</td> <td>35</td> <td>35</td> </tr> </tbody> </table>					Locality and Location
Locality and Location	Day- LAeq (15 minute)	Evening- LAeq (15 minute)				
All surrounding residences	35	35				
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;</p> <p>or</p> <p>b) subject to a private agreement, relating to the noise levels, between the licensee and the land owner.</p>	Note	Noted	NT	N/A	
L4.3	<p>For the purpose of the table above:</p> <p>a) Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays;</p> <p>b) Evening is defined as the period from 6pm to 10pm;</p>	Note	Noted	NT	N/A	

L4.4 Determining Compliance

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
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>Independent Environmental Audit (ERM 2022)</p> <p>Letter from EPA dated 13 June 2023 stating Approval of the Surrender of a Licence 12957</p> <p>Noise Management Plan 2020</p> <p>Annual Reviews 2022, 2023, 2024</p> <p>Complaint Register 2022, 2023, 2024, 2025</p> <p>Interview with WCL Rehabilitation and Closed Mines Officer</p>	<p>As per previous audit, noise monitoring requirements ceased in September 2020 (prior to the current audit period), confirmed by an email for the EPA. The EPL was varied in April 2021. Approval to Surrender the licence was issued 13 June 2023.</p> <p>As per Noise Management Plan 2020, attended noise monitoring is undertaken on an as needs basis. The monitoring program is considered adequate to evaluate and report on the effectiveness of the noise management system.</p> <p>No noise complaints registered for the audit period, and no attended noise monitoring was required.</p>	NT	N/A
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 weather station, marked as "weather station" on figure 1 - Sunnyside EPL Monitoring site (DOC17/402715-01) must be used to determine meteorological conditions; and</p> <p>b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.</p>	<p>Independent Environmental Audit (ERM 2022)</p> <p>Letter from EPA dated 13 June 2023 stating Approval of the Surrender of a Licence 12957</p> <p>Noise Management Plan 2020</p> <p>Annual Reviews 2022, 2023, 2024</p> <p>Complaint Register 2022, 2023, 2024, 2025</p> <p>Interview with WCL Rehabilitation and Closed Mines Officer</p>	<p>As per previous audit, noise monitoring requirements ceased in September 2020 (prior to the current audit period), confirmed by an email for the EPA. The EPL was varied in April 2021. Approval to Surrender the licence was issued 13 June 2023.</p> <p>As per Noise Management Plan 2020, attended noise monitoring is undertaken on an as needs basis. The monitoring program is considered adequate to evaluate and report on the effectiveness of the noise management system.</p> <p>No noise complaints registered for the audit period, and no attended noise monitoring was required.</p>	NT	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
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.	<p>Independent Environmental Audit (ERM 2022)</p> <p>Letter from EPA dated 13 June 2023 stating Approval of the Surrender of a Licence 12957</p> <p>Noise Management Plan 2020</p> <p>Annual Reviews 2022, 2023, 2024</p> <p>Complaint Register 2022, 2023, 2024, 2025</p> <p>Interview with WCL Rehabilitation and Closed Mines Officer</p>	<p>As per previous audit, noise monitoring requirements ceased in September 2020 (prior to the current audit period), confirmed by an email for the EPA. The EPL was varied in April 2021. Approval to Surrender the licence was issued 13 June 2023.</p> <p>As per Noise Management Plan 2020, attended noise monitoring is undertaken on an as needs basis. The monitoring program is considered adequate to evaluate and report on the effectiveness of the noise management system.</p> <p>No noise complaints registered for the audit period, and no attended noise monitoring was required.</p>	NT	N/A
L4.7	<p>The noise limits set by this licence do not apply where a current legally binding agreement exists between the licensee and the occupant of a residential property that:</p> <p>a) agrees to an alternative noise limit for that property; or</p> <p>b) provides an alternative means of compensation to address noise impacts from the premises.</p> <p>A copy of any agreement must be provided to the EPA before the licensee can take advantage of the agreement.</p>	Interview with WCL Rehabilitation and Closed Mines Officer	No binding agreement relevant to this condition exists.	NT	N/A
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.	Annual Review 2022-2023	There were no blasts reported after 5 July 2019. Blasting activities ceased prior to the audit period.	NT	N/A
L5.2	The airblast overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not	Annual Review 2022-2023	There were no blasts reported after 5 July 2019. Blasting activities ceased prior to the audit period.	NT	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	to be taken into account in determining whether or not the limit has been exceeded.				
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.	Annual Review 2022-2023	There were no blasts reported after 5 July 2019. Blasting activities ceased prior to the audit period.	NT	N/A
L5.4	Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/sec at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	Annual Review 2022-2023	There were no blasts reported after 5 July 2019. Blasting activities ceased prior to the audit period.	NT	N/A
L5.5	Offensive blast fume must not be emitted from the premises. <i>Definition:</i> <i>Offensive blast fume means post-blast gases from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances:</i> 1. are harmful to (or likely to be harmful to) a person that is outside the premises from which it is emitted, or 2. interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.	Annual Review 2022-2023	There were no blasts reported after 5 July 2019. Blasting activities ceased prior to the audit period.	NT	N/A
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 with WCL Rehabilitation and Closed Mines Officer	No construction was undertaken during audit period	NT	N/A
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.	Annual Reviews 2022, 2023 Interview with WCL Rehabilitation and Closed Mines Officer	Rehabilitation activities were undertaken within the hours specified in this criterion.	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
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.	Annual Reviews 2022, 2023 Interview with WCL Rehabilitation and Closed Mines Officer	No mining activities and no transportation of coal occurred during the audit period.	NT	N/A
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.	Annual Reviews 2022, 2023	Blasting activities ceased prior to the audit period.	NT	N/A
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.	Note	Noted	Note	N/A
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.	Note	Noted	Note	N/A

4 OPERATING CONDITIONS

O1 Activities must be carried out in a competent manner

O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	Waste Management Plan, 2017 Annual Reviews 2022, 2023 Complaints Register 2022, 2023	The Waste Management Plan outlines the waste management process at Sunnyside Mine. It was not amended over the audit period. Annual Reviews indicate that no activities onsite required additional material to be brought to site and no additional waste was produced. There was no equipment onsite requiring maintenance monitoring. No community complaints were received during the audit period. Site inspection undertaken for this audit did not encounter any waste on the site.	C	N/A
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O2 Maintenance of plant and equipment

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
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 with WCL Rehabilitation and Closed Mines Officer Sentinex Weather Station Calibration Reports 7 September 2022, 26 July 2023, 24 January 2024, 9 November 2024, 30 April 2025 Acoem Calibration Reports 20 October 2022, Customer Service Report 21 October 2022	The only equipment installed at the premises is a weather station. The equipment maintenance reports provided to the auditor indicate that equipment was maintained consistently.	C	N/A
O3 Dust					
O3.1	All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.	Air Quality Management Plan, July 2023 Complaints Register 2022, 2023	The AQMP Section 3 outlines air quality controls and management measures. Operations for the audit period have been limited to rehabilitation activities with limited odour, fume or dust emissions. No community complaints were received during the audit period.	C	N/A
O3.2	Trucks transporting coal from the premises must be covered immediately after loading to prevent wind-blown emissions and spillage. The covering must be maintained until immediately before unloading the trucks.	Annual Reviews 2022, 2023	No mining activities and no transportation of coal occurred during the audit period.	NT	N/A
O4 Other Operating Conditions					
Blast fumes					
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	Annual reviews 2022, 2023	Blasting activities ceased prior to the audit period.	NT	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	(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.				
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.	Pollution Incident Response Management Plan (PIRMP), November 2021	Sunnyside has a PIRMP in place, with last revision date on 09/11/2021. The PIRMP documents systems and procedures in place at the site to deal with incidents.	C	N/A
O4.3	The licensee must keep the PIRMP on the premises at all times.	Whitehaven Website https://whitehavencoal.com.au/our-business/documentation/	PIRMP is kept on the Sunnyside website. Therefore, any person on site is able to access the PIRMP online at any time.	C	N/A
5 MONITORING AND RECORDING CONDITIONS					
M1 Monitoring Records					
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Note	Noted	Note	N/A
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.	Annual Reviews 2022, 2023 EPL Monitoring Data 2022, 2023 Whitehaven Website https://whitehavencoal.com.au/our-business/documentation/	All records required for the licence reviewed by ERM were considered to be in compliance with this condition. Records reviewed were found to 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 c) Anyone, including EPA officer can access the records from the Sunnyside website	C	N/A
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;	Annual Reviews 2022, 2023	Groundwater testing was conducted by ALS, whereby all of the required	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	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.	ALS Field Sampling Sheets Surface and Groundwaters June 2023, June 2024, December 2024, June 2025 ALS Certificates of Analysis for bore water 27 October 2022, 4 and 5 April 2023, 29 September 2023, 12 October 2023, 18 April 2024, 2 and 14 October EPL Monthly Monitoring Data on Whitehaven Website https://whitehavencoal.com.au/our-business/documentation/	details are recorded, as noted from the ALS documents provided. EPL monitoring results are available on Sunnyside Mine website dating back to 2012.		

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:	Note	Noted	Note	N/A																
M2.2	Air Monitoring Requirements POINT 1,2,4,5,6 <table border="1" data-bbox="278 1339 1305 1507"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Particulates – Deposited Matter</td> <td>grams per square metre per month</td> <td>Continuous</td> <td>AM-19</td> </tr> </tbody> </table> POINT 7 <table border="1" data-bbox="278 1581 1305 1749"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>PM10</td> <td>micrograms per cubic metre</td> <td>Every 6 days</td> <td>AM-18</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	Particulates – Deposited Matter	grams per square metre per month	Continuous	AM-19	Pollutant	Units of measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Every 6 days	AM-18	EPL Monthly monitoring reports 2022, 2023 Interview with WCL Rehabilitation and Closed Mines Officer	ERM reviewed the monitoring data associated with air quality and found that the points identified in this condition were monitored during the audit period. The units of measurement were in accordance with this condition, and the sampling methodology was consistent with those required under this condition. While PM10 monitoring data were provided in the EPL Monthly monitoring reports, dates were missing during the periods 25/9/2022 and 31/10/2022 (six events) and between 22/2/2023 and 6/3/2023 (one event). Interviews with site personnel indicated that these were an administrative oversight and were	C	N/A
Pollutant	Units of measure	Frequency	Sampling Method																		
Particulates – Deposited Matter	grams per square metre per month	Continuous	AM-19																		
Pollutant	Units of measure	Frequency	Sampling Method																		
PM10	micrograms per cubic metre	Every 6 days	AM-18																		

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations																																																
			corrected during the audit. As the data were provided for the relevant months, these interruptions were not a result of failure to monitor and therefore Sunnyside are considered compliant with this condition.																																																		
M2.3	<p>Water and/ or Land Monitoring Requirements</p> <p>POINT 9,10</p> <table border="1" data-bbox="276 653 1305 1129"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Conductivity</td> <td>microsiemens per centimetre</td> <td>Special Frequency 1</td> <td>In situ</td> </tr> <tr> <td>Oil and Grease</td> <td>milligrams per litre</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>Special Frequency 1</td> <td>In situ</td> </tr> <tr> <td>Total organic carbon</td> <td>milligrams per litre</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> </tbody> </table> <p>POINT 11,12</p> <table border="1" data-bbox="276 1199 1305 1675"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Conductivity</td> <td>microsiemens per centimetre</td> <td>Special Frequency 2</td> <td>In situ</td> </tr> <tr> <td>Oil and Grease</td> <td>milligrams per litre</td> <td>Special Frequency 2</td> <td>Grab sample</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>Special Frequency 2</td> <td>In situ</td> </tr> <tr> <td>Total organic carbon</td> <td>milligrams per litre</td> <td>Special Frequency 2</td> <td>Grab sample</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td>Special Frequency 2</td> <td>Grab sample</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	Conductivity	microsiemens per centimetre	Special Frequency 1	In situ	Oil and Grease	milligrams per litre	Special Frequency 1	Grab sample	pH	pH	Special Frequency 1	In situ	Total organic carbon	milligrams per litre	Special Frequency 1	Grab sample	Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample	Pollutant	Units of measure	Frequency	Sampling Method	Conductivity	microsiemens per centimetre	Special Frequency 2	In situ	Oil and Grease	milligrams per litre	Special Frequency 2	Grab sample	pH	pH	Special Frequency 2	In situ	Total organic carbon	milligrams per litre	Special Frequency 2	Grab sample	Total suspended solids	milligrams per litre	Special Frequency 2	Grab sample	EPL Monthly monitoring reports 2022, 2023	<p>No wet weather discharges occurred during the audit period.</p> <p>Ambient water quality monitoring was recorded on 16 September 2022 and 21 October 2022 at Point 11 and 12.</p>	C	N/A
Pollutant	Units of measure	Frequency	Sampling Method																																																		
Conductivity	microsiemens per centimetre	Special Frequency 1	In situ																																																		
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M2.4	For the purposes of the table(s) above Special Frequency 1 means the collection of samples as soon as practicable after each discharge commences and in any case not more than 12 hours after each discharge commences.	N/A	Noted	Note	N/A																																																
M2.5	For the purposes of the table(s) above Special Frequency 2 means the collection of samples quarterly (in the event of a flow during the quarter) at a time when	N/A	Noted	Note	N/A																																																

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	<p>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.</p> <p>Note: Groundwater monitoring points have not been formally included in the licence. However, the licensee is required to undertake groundwater monitoring in accordance with the premises currently approved Water Management Plan required under Project Approval 06_0308 as modified. The results of this monitoring are required to be reported in the premises Annual Review.</p>				

M3 Testing methods – concentration limits

M3.1	<p>Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:</p> <p>a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or</p> <p>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</p> <p>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.</p> <p>Note: The Protection of the Environment Operations (Clean Air) Regulation 2010 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".</p>	<p>Monthly ALS analysis reports observed during the audit</p>	<p>ALS data sheets indicate that, in accordance with the requirements of "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW", dust deposition is undertaken in accordance with AS3580.10.1-2003.</p> <p>High volume sampler analysis is undertaken by ALS in house: Referenced to AS 3580.9.3-2015, AS 3580.9.6-2015 and AS 3580.9.14-2013: A gravimetric method for the determination of suspended particulate matter in ambient air from High Volume sampler.</p>	C	N/A
M3.2	<p>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.</p>	<p>Annual Report 2022, 2023</p>	<p>No wet weather discharges occurred during the audit period.</p>	NT	N/A

M4 Weather monitoring

M4.1	<p>At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.</p> <p>POINT 25</p> <table border="1"> <thead> <tr> <th>Parameter</th> <th>Sampling method</th> <th>Units of measure</th> <th>Averaging period</th> <th>Frequency</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Parameter	Sampling method	Units of measure	Averaging period	Frequency						<p>Weather data spreadsheets 7 September 2022 to 19 September 2025</p> <p>Site observations</p>	<p>Weather station was sighted on-site.</p> <p>Continuous measurement data for all parameters were observed. Sampling methods were reportedly in accordance with the methods described in the condition.</p>	C	N/A
Parameter	Sampling method	Units of measure	Averaging period	Frequency											

Item	Assessment Requirement					Reference/ Evidence	Comments	Compliance	Recommendations
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Rainfall	AM-4	mm/h	1 hour	Continuous
Wind Speed @ 10 metres	AM-2 & AM-4	m/s	15 minutes	Continuous
Wind Direction @ 10 metres	AM-2 & AM-4	°	15 minutes	Continuous
Temperature @ 2 metres	AM-4	°C	15 minutes	Continuous
Temperature @ 10 metres	AM-4	°C	15 minutes	Continuous
Sigma theta @ 10 metres	AM-2 & AM-4	°	15 minutes	Continuous
Total Solar Radiation	AM-4	W/m2	15 minutes	Continuous
Siting	AM-1 & AM-4	-	-	-

Note: Sigma theta must be measured at 10 metres.

M4.2	The meteorological weather station must be maintained so as to be capable of continuously monitoring the parameters specified in this section.	Sentinex Weather Station Calibration Reports 7 September 2022, 26 July 2023, 24 January 2024, 9 November 2024, 30 April 2025 Acoem Calibration Reports 20 October 2022, Customer Service Report 21 October 2022	The equipment maintenance reports provided to the auditor indicate that equipment was maintained consistently.	C	N/A
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M5 Recording of Pollution Complaints

M5.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	Whitehaven Website: https://whitehavencoal.com.au/our-business/documentation/ Community Complaints Register	No complaints were received during the audit period. The Community Complaints Register is available on the Sunnyside website.	C	N/A
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Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
M5.2	<p>The record must include details of the following:</p> <p>a) the date and time of the complaint;</p> <p>b) the method by which the complaint was made;</p> <p>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;</p> <p>d) the nature of the complaint;</p> <p>e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and</p> <p>f) if no action was taken by the licensee, the reasons why no action was taken.</p>	<p>Whitehaven Website: https://whitehavencoal.com.au/our-business/documentation/</p> <p>Community Complaints Register</p>	<p>The Community Complaints Register available on the Sunnyside website includes provision for all of the required data excluding personal data.</p> <p>No complaints were received during the audit period.</p>	C	N/A
M5.3	<p>The record of a complaint must be kept for at least 4 years after the complaint was made.</p>	<p>Whitehaven Website: https://whitehavencoal.com.au/our-business/documentation/</p> <p>Community Complaints Registers 2009-2025</p>	<p>The Community Complaints Registers are available on the Sunnyside website from 2009 to 2025. Complaint records are kept for at least 4 years after complaint made.</p>	C	N/A
M5.4	<p>The record must be produced to any authorised officer of the EPA who asks to see them.</p>	<p>Whitehaven Website: https://whitehavencoal.com.au/our-business/documentation/</p>	<p>Anyone, including EPA officer, can access the records from the Sunnyside website.</p>	C	N/A
M6 Telephone complaints Line					
M6.1	<p>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.</p>	<p>Whitehaven Website: https://whitehavencoal.com.au/our-business/our-assets/sunnyside-mine/</p>	<p>The telephone complaints line and email address are listed on the Sunnyside, with a preface of 'Contact us for more information, to provide feedback or to lodge a complaint.'</p>	C	N/A
M6.2	<p>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.</p>	<p>Whitehaven Website: https://whitehavencoal.com.au/our-business/our-assets/sunnyside-mine/</p>	<p>The telephone complaints line and email address are listed on the Sunnyside, with a preface of 'Contact us for more information, to provide feedback or to lodge a complaint.'</p>	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Approval of the Surrender of a Licence, June 2023	The licence was issued prior to 3 months prior to the current audit period. It was surrendered in June 2023.	NT	N/A

M7 Blasting

M7.1	<p>To determine compliance with condition(s) L5.1, L5.2, L5.3 and L5.4:</p> <p>For each monitoring point specified below, the Licensee must monitor the noise or vibration parameter specified in Column 1. The Licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns.</p> <p>POINT: 19, 20, 23, 24, 26</p> <table border="1"> <thead> <tr> <th>Parameter</th> <th>Units of Measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Blast Noise</td> <td>dB (Lin Peak)</td> <td>Every Blast</td> <td>Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard AS 2187.2-2006.</td> </tr> <tr> <td>Blast Vibration</td> <td>mm/s</td> <td>Every Blast</td> <td>Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard AS 2187.2-2006.</td> </tr> </tbody> </table> <p>Note: A breach of the licence will still occur where airblast overpressure or ground vibration levels from the blasting operations at the premises exceeds the limit specified in this licence at any "noise sensitive locations" other than the locations identified in the above condition.</p>	Parameter	Units of Measure	Frequency	Sampling Method	Blast Noise	dB (Lin Peak)	Every Blast	Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard AS 2187.2-2006.	Blast Vibration	mm/s	Every Blast	Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard AS 2187.2-2006.	Annual Reviews – 2022, 2023	Blasting activities ceased prior to the audit period.	NT	N/A
Parameter	Units of Measure	Frequency	Sampling Method														
Blast Noise	dB (Lin Peak)	Every Blast	Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard AS 2187.2-2006.														
Blast Vibration	mm/s	Every Blast	Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard AS 2187.2-2006.														

6 Reporting Conditions

R1	Annual return documents
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Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
R.1.1	<p>The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:</p> <ol style="list-style-type: none"> 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices. <p>At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.</p>	<p>Annual Return for the periods 15 December 2021 to 14 December 2022 and 15 December 2022 to 13 June 2023</p> <p>eConnect emails from EPA to Namoi Mining Pty Ltd dated 1 February 2023 and 9 July 2023</p>	<p>eConnect emails showed submissions of the 2022 and 2023 Annual Returns before due dates.</p> <p>The Annual Returns were in the approved form.</p>	C	N/A
R1.2	<p>An Annual Return must be prepared in respect of each reporting period, except as provided below.</p> <p>Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.</p>	<p>Annual Return for the periods 15 December 2021 to 14 December 2022 and 15 December 2022 to 13 June 2023</p> <p>eConnect emails from EPA to Namoi Mining Pty Ltd dated 1 February 2023 and 9 July 2023</p>	<p>eConnect emails showed submissions of the 2022 and 2023 Annual Returns before due dates.</p> <p>The Annual Returns were in the approved form.</p>	C	N/A
R1.3	<p>Where this licence is transferred from the licensee to a new licensee:</p> <ol style="list-style-type: none"> 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. <p>Note: An application to transfer a licence must be made in the approved form for this purpose.</p>	N/A Interview with WCL Rehabilitation and Closed Mines Officer	The licence has not been transferred.	NT	N/A
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:	Approval of the Surrender of a Licence, 13 June 2023	The Annual Return for 2023 covers the period up to the Approval of the Surrender (13 June 2023)	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	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.	Annual Return for the period 15 December 2022 to 13 June 2023			
R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	eConnect emails from EPA to Namoi Mining Pty Ltd dated 1 February 2023 and 9 July 2023	eConnect emails showed submissions of the 2022 and 2023 Annual Returns before due dates.	C	N/A
R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	2021, 2022, 2023 Annual Returns	Annual Returns observed by auditor dating back four years indicate retention for four years.	C	N/A
R1.7	Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: <ul style="list-style-type: none"> a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder. 	eConnect emails from EPA to Namoi Mining Pty Ltd dated 1 February 2023 and 9 July 2023	Annual Returns are submitted digitally via the EPA eConnect portal which includes a statement of certification but are not physically signed.	C	N/A
R2	Notification of environmental harm				
	Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.	Annual Reviews 2022, 2023	No incidents causing or threatening material harm occurred over the audit period	NT	N/A
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Annual Reviews 2022, 2023	No incidents causing or threatening material harm occurred over the audit period	NT	N/A
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident.	Annual Reviews 2022, 2023	No incidents causing or threatening material harm occurred over the audit period	NT	N/A
R3	Written report				

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
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), the authorised officer may request a written report of the event.</p>	Interview with WCL Rehabilitation and Closed Mines Officer	No requests for any written reports were received over the audit period	NT	N/A
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	Interview with WCL Rehabilitation and Closed Mines Officer	No requests for any written reports were received over the audit period	NT	N/A
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>	Interview with WCL Rehabilitation and Closed Mines Officer	No requests for any written reports were received over the audit period	NT	N/A
R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.	Interview with WCL Rehabilitation and Closed Mines Officer	No requests for any written reports were received over the audit period	NT	N/A
R4	Other reporting conditions				

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
R4.1	The licensee must report any exceedance of the licence blasting limits to the regional office of the EPA as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents.	Annual Reviews 2022, 2023	Blasting activities ceased prior to the audit period.	NT	N/A
7 GENERAL CONDITIONS					
G1	Copy of licence kept at the premises or plant				
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Approval of the Surrender of a Licence, June 2023 Whitehaven Website: https://whitehavencoal.com.au/our-business/documentation/	The surrendered Licence is kept on the Sunnyside website at the time of the audit, which is accessible via the internet by anyone on site.	C	N/A
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Approval of the Surrender of a Licence, June 2023 Whitehaven Website: https://whitehavencoal.com.au/our-business/documentation/	The surrendered Licence is kept on the Sunnyside website at the time of the audit, which is accessible to any EPA officer	C	N/A
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Approval of the Surrender of a Licence, June 2023 Whitehaven Website: https://whitehavencoal.com.au/our-business/documentation/	The surrendered Licence is kept on the Sunnyside website at the time of the audit, which is accessible via the internet by anyone on site.	C	N/A

ML 1624 FOR THE PERIOD 8 September 2022 to 17 October 2022

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Mining Lease Conditions 2010					
Notice to Landholders					
1.	<p>Within a period of three months from the date of grant/renewal of this lease or within such further time as the Minister may allow, the lease holder must serve on each landholder of the land a notice in writing indicating that this lease has been granted/renewed and whether the lease includes the surface. An adequate plan and description of the lease area must accompany the notice.</p> <p>If there are ten or more landholders affected, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease is situated. The notice must indicate that this lease has been granted/renewed; state whether the lease includes the surface and must contain an adequate plan and description of the lease area.</p>		Outside audit period.	NT	N/A
Environmental Harm					
2.	The proponent shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or rehabilitation of the development.	Note	Noted	Note	N/A
Mining Operations Plan					
3.	<p>(a) Mining operations must not be carried out otherwise than in accordance with:</p> <p>a Mining Operations Plan (MOP) which has been approved by the Director-General of the Department of Primary Industries.</p> <p>(b) The MOP must:</p> <ol style="list-style-type: none"> 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 under: <ul style="list-style-type: none"> - the <i>Environmental Planning and Assessment Act 1979</i> - the <i>Protection of the Environment Operations Act 1997</i> 	<p>Interview with WCL Rehabilitation and Closed Mines Officer</p> <p>Annual Reviews 2022, 2023, 2024</p> <p>Independent Environmental Audit (ERM 2022)</p>	<p>No mining was undertaken over the audit period.</p> <p>The Closure Mining Operations Plan 2020 was not amended over the audit period.</p>	NT	N/A

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. <p>(c) The titleholder may apply to the Director-General to amend an approved MOP at any time.</p> <p>(d) It is not a breach of this condition if:</p> <ul style="list-style-type: none"> i. the operations constituting the breach were necessary to comply with a lawful order or direction given under the <i>Mining Act 1992</i>, the <i>Environmental Planning and Assessment Act 1979</i>, <i>Protection of the Environment Operations Act 1997</i> or the <i>Occupational Health and Safety Act 2000</i>; and 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>(e) A MOP ceases to have affect 7 years after date of approval of other such period as identified by the Director-General. An approved amendment to the MOP under condition 5 does not constitute an approval for the purpose of this paragraph unless otherwise identified by the Director General.</p>				

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.	Schedule A of the Instrument of Variation Mining Lease 1624 (1992)	This condition was omitted by Schedule A. No lodgement of EMR was required during the audit period up to the date on which the variation took effect (17 October 2022)	NT	N/A
5.	<p>The EMR must:</p> <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; 	Schedule A of the Instrument of Variation Mining Lease 1624 (1992)	This condition was omitted by Schedule A. No lodgement of EMR was required during the audit period up to the date on which the variation took effect (17 October 2022)	NT	N/A

Additional Environmental Reports

6.	Additional environmental reports may be required on specific surface disturbing operations or environmental incidents from time to time as directed in writing by the Director-General and must be lodged as instructed.	Note	Noted	NT	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
Rehabilitation					
7.	Disturbed land must be rehabilitated to a sustainable/agreed end land use to the satisfaction of the Director-General.	Independent Environmental Audit (ERM 2022) Annual Review 2022 Aspect Ecology Rehabilitation Monitoring Report – 2022 Rehabilitation Management Plan July 2022, Issue 1; Version 3 (last updated in January 2025)	The site was rehabilitated to final landform, topsoiled, and seeded to final land use during the previous audit period in 2020. The Annual Review 2022 reports on the current status of the rehabilitation including outstanding rehabilitation works. The Annual Review draws on data collected in the Aspect Ecology Rehabilitation Monitoring Report 2022. The lease conditions were amended to take effect on 17 October 2022 from which time the Standard Conditions applied. A Rehabilitation Management Plan commenced in July 2022 and is being implemented.	C	N/A
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.	Note	N/A	NT	N/A
8. (b)	Underground mining operations which will potentially lead to subsidence include secondary extraction panels such as longwalls or miniwalls, associated first workings (gateroads, installation roads and associated main headings, etc.), and pillar extractions, and are otherwise defined by the <i>Applications for Subsidence Management Approvals guidelines (EDG17)</i>	Note	N/A	NT	N/A
8. (c)	The lease holder must not commence or undertake underground mining operations that will potentially lead to subsidence other than in accordance with a Subsidence Management Plan approved by the Director-General, an approval under the <i>Coal Mine Health and Safety Act 2002</i> , or the document <i>New Subsidence Management Plan Approval Process - Transitional Provisions (EDP09)</i> .	Note	N/A	NT	N/A
8. (d)	Subsidence Management Plans are to be prepared in accordance with <i>the Guideline for Applications for Subsidence Management Approvals</i> .	Note	N/A	NT	N/A
8. (e)	Subsidence Management Plans as approved shall form part of the Mining Operations Plan required under Condition 3 and will be subject to the Annual Environmental Management Report process as set out under Condition 4. The	Note	N/A	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	SMP is also subject to the requirements for subsidence monitoring and reporting set out in the document <i>New Approval Process for Management of Coal Mining Subsidence - Policy</i> .				
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>	<p>Interview with WCL Rehabilitation and Closed Mines Officer</p> <p>Independent Environmental Audit (ERM 2022)</p>	<p>Resources Regulator was notified of the Site closure prior to audit period.</p> <p>This condition is not applicable after mining activities cease.</p>	NT	N/A
Control of Operations					
10.	<p>(a) If an Environmental Officer of the Department believes that the lease holder is not complying with any provision of the Act or any condition of this lease relating to the working of the lease, he may direct the lease holder to: -</p> <p>cease working the lease; or</p> <p>cease that part of the operation not complying with the Act or conditions; until in the opinion of the Environmental Officer the situation is rectified.</p> <p>(b) The lease holder must comply with any direction given. The Director-General may confirm, vary or revoke any such direction.</p> <p>(c) A direction referred to in this condition may be served on the Mine Manager.</p>	Note	Noted	Note	N/A
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>Full particulars, including results, interpretation and conclusions, of all exploration conducted during the twelve months period;</p> <p>Details of expenditure incurred in conducting that exploration;</p>	Note	Not relevant to this audit period	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>A summary of all geological findings acquired through mining or development evaluation activities;</p> <p>Particulars of exploration proposed to be conducted in the next twelve months period;</p> <p>All plans, maps, sections and other data necessary to satisfactorily interpret the report.</p>				
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>	Note	Noted	Note	N/A
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>The lease holder has agreed that specified reports may be made non-confidential.</p> <p>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 of any subsequent flow-on title, has terminated.</p> <p>(c) The Director-General may extend the period of confidentiality.</p>	Note	Not relevant to this audit period	NT	N/A
Terms of the non-exclusive licence					
14.	<p>The terms of the non-exclusive copyright licence granted under condition 12 are:</p> <p>the Minister may sub-licence others to publish, print, adapt and reproduce but not on-licence reports.</p> <p>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>	Note	Noted	Note	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>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>there is no royalty payable by the Minister for the licence.</p> <p>if the lease holder has reasonable grounds to believe that the Minister has exercised his rights under the non-exclusive copyright licence in a manner which adversely affects the operations of the lease holder, that licence is revocable on the giving of a period of not less than three months notice.</p>				
Blasting					
Ground Vibration					
15. (a)	The lease holder must ensure that the ground vibration peak particle velocity generated by any blasting within the lease area does not exceed 10 mm/second and does not exceed 5 mm/second in more than 5% of the total number of blasts over a period of 12 months at any dwelling or occupied premises as the case may be, unless determined otherwise by the Department of Environment and Climate Change.	N/A	Blasting activities ceased prior to audit period	NT	N/A
Blast Overpressure					
15. (b)	The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 dB (linear) and does not exceed 115 dB (linear) in more than 5% of the total number of blasts over a period of 12 months, at any dwelling or occupied premises, as the case may be, unless determined otherwise by the Department of Environment and Climate Change.	N/A	Blasting activities ceased prior to audit period	NT	N/A
Safety					
16.	Operations must be carried out in a manner that ensures the safety of persons or stock in the vicinity of the operations. All drill holes shafts and excavations must be appropriately protected, to the satisfaction of the Director-General, to ensure that access to them by persons and stock is restricted. Abandoned shafts and excavations opened up or used by the lease holder must be filled in or otherwise rendered safe to a standard acceptable to the Director-General.	Interview with WCL Rehabilitation and Closed Mines Officer	No shafts are present on site. The site is fenced and locked. No drilling was conducted during the audit period.	C	N/A
Exploratory Drilling					
17.	(a) At least twenty eight days prior to commencement of drilling operations the lease holder must notify the relevant Department of Water and Energy Regional	N/A	No drilling was conducted during the audit period.	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>Hydrologist of the intention to drill exploratory drill holes together with information on the location of the proposed holes.</p> <p>(b) If the lease holder drills exploratory drill holes he must satisfy the Director-General that:-</p> <ul style="list-style-type: none"> i. all cored holes are accurately surveyed and permanently marked in accordance with Departmental guidelines so that their location can be easily established; 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 groundwaters; 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 as clean, tidy and stable condition. 				
Prevention of soil erosion and pollution					
18.	<p>Operations must be carried out in a manner that does not cause or aggravate air pollution, water pollution (including sedimentation) or soil contamination or erosion, unless otherwise authorised by a relevant approval, and in accordance with an accepted Mining Operations Plan. For the purpose of this condition, water shall be taken to include any watercourse, waterbody or groundwaters. The lease holder must observe and perform any instructions given by the Director-General in this regard.</p>	<p>Annual Review 2022 EPL monthly monitoring reports 2022</p>	<p>No evidence of pollution has been identified during monitoring and site inspections.</p>	<p>C (Obs)</p>	<p>Minor erosion was observed at the inflow points of two of the retained dams. The erosion appeared localised at the time. It is recommended monitoring of these areas continues. If these areas do not self-stabilise or consistently continue to erode, consider engineering controls such as rock lining prior to commencing rehabilitation sign off processes.</p>

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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.	Note	Noted	Note	N/A
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.	Monthly Environmental Inspection Checklist from CMO 13 April 2023, 22 November 2023, 26 June 2024, 30 October 2024, 29 August 2025 Fence repair record November 2023 observed by auditor Interview with WCL Rehabilitation and Closed Mines Officer Audit site inspection	The Site is fully fenced and always locked and is inspected on a monthly basis. Fence is repaired when required as evident from fence repair record in November 2023. There was no broken fence during relevant audit period (September-October 2022). Gate was locked during the site inspection undertaken for this audit.	C	N/A
Roads and Tracks					
21.	a) Operations must not affect any road unless in accordance with an accepted Mining Operations Plan or with the prior written approval of the Director-General and subject to any conditions he may stipulate. b) The lease holder must pay to the designated authority in control of the road (generally the local council or the Roads and Traffic Authority) the cost incurred in fixing any damage to roads caused by operations carried out under the lease, less any amount paid or payable from the Mine Subsidence Compensation Fund.	Independent Environmental Audit (ERM 2022) Audit site inspection	As per previous audit, Sunnyside Mine had agreed with Gunnedah Shire Council to rehabilitate the original Cooconabah Lane and re-establish the realignment as a single lane road. That road was observed to be rehabilitated during the audit site inspection.	C	N/A
22.	Access tracks must be kept to a minimum and be positioned so that they do not cause any unnecessary damage to the land. Temporary access tracks must be ripped, topsoiled and revegetated as soon as possible after they are no longer required for mining operations. The design and construction of access tracks must be in accordance with specifications fixed by the Department of Environment and Climate Change.	Audit site inspection	Access tracks were observed to be in good order during the audit site inspection.	C	N/A
Trees and Timber					

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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.	Interview with WCL Rehabilitation and Closed Mines Officer Audit site inspection	No tree removal has been conducted during the audit period. No stumps or other evidence of tree removal was observed during the site inspection undertaken for this audit.	C	N/A
23. (b)	The lease holder must not cut, destroy, ringbark or remove any timber or other vegetative cover on the lease area except such as directly obstructs or prevents the carrying on of operations. Ant clearing not authorised under the Mining Act 1992 must comply with the provisions of the <i>Native Vegetation Act 2003</i> .	Interview with WCL Rehabilitation and Closed Mines Officer Audit site inspection	Site personnel confirmed that timber has not been impacted on the site during the audit period. No evidence of any impacts was observed during the audit site inspection.	NT	N/A
23. (c)	The lease holder must obtain all necessary approvals or licences before using timber from any Crown land within the lease area.	Note	Noted	NT	N/A

Resource Recovery

25.	<p>(a) Notwithstanding any description of mining methods and their sequence or of proposed resource recovery contained within the Mining Operations Plan, if at any time the Director-General is of the opinion that minerals which the lease entitles the lease holder to mine and which are economically recoverable at the time are not being recovered from the lease area, or that any such minerals which are being recovered are not being recovered to the extent which should be economically possible or which for environmental reasons are necessary to be recovered, he may give notice in writing to the lease holder requiring the holder to recover such minerals.</p> <p>(b) The notice shall specify the minerals to be recovered and the extent to which they are to be recovered, or the objectives in regard to resource recovery, but shall not specify the processes the lease holder shall use to achieve the specified recovery.</p> <p>(c) The lease holder must, when requested by the Director-General, provide such information as the Director-General may specify about the recovery of the mineral resources of the lease area.</p> <p>(d) The Director-General shall issue no such notice unless the matter has firstly been thoroughly discussed with and a report to the Director-General has incorporated the views of the lease holder.</p> <p>(e) The lease holder may object to the requirements of any notice issued under this condition and on receipt of such an objection the Minister shall refer it to a Warden for inquiry and report under Section 334 of the <i>Mining Act, 1992</i>.</p> <p>(f) After considering the Warden's report the Minister shall decide whether to withdraw, modify or maintain the requirements specified in the original notice</p>	Interview with WCL Rehabilitation and Closed Mines Officer	No notice has been received from the Regulator in this respect.	NT	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	and shall give the lease holder written notice of the decision. The lease holder must comply with the requirements of this notice.				
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	N/A
Security					
27.	<p>(a) 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 obligations of this lease if the lease holder fails to comply with any condition or provision hereof, any provision of the Act or regulations made thereunder or any condition or direction imposed or given pursuant to a condition or provision hereof or of any provision of the Act or regulations made thereunder.</p> <p>(b) The lease holder must provide the security required by sub-clause (a) in one of the following forms:</p> <p>(i) cash,</p> <p>(ii) a security certificate in a form approved by the Minister and issued by an authorise deposit-taking institution.</p>	<p>Interview with WCL Rehabilitation and Closed Mines Officer</p> <p>Independent Environmental Audit (ERM 2022)</p> <p>NSW Resources Title Summary Report (29 September 2025)</p>	<p>Security was reduced after completion of the rehabilitation works prior to the current audit period.</p> <p>Current security required and held for ML1624 is \$1,420,000</p>	C	N/A
Cooperation Agreement					
31.	<p>The lease holder must make every reasonable attempt, and be able to demonstrate their attempts, to enter into a cooperation agreement with the holder(s) of any overlapping petroleum title(s). The cooperation agreement should address but not be limited to issues such as:</p> <ul style="list-style-type: none"> - access arrangements - operational interaction procedures - dispute resolution 	Interview with WCL Rehabilitation and Closed Mines Officer	No communication has occurred with Santos on the petroleum lease overlap. WHC owns the surface rights	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none">- information exchange- well location- timing of drilling- potential resource extraction conflicts and- rehabilitation issues.				



APPENDIX E SITE INSPECTION PHOTOGRAPHS

PHOTOGRAPH 1 RECENT REHABILITATION ALONG THE EASTERN CONSERVATION CORRIDOR



PHOTOGRAPH 2: RECENTLY REHABILITATED SEDIMENT DAM



PHOTOGRAPH 3: DRAIN ABOVE THE HIGHWALL



PHOTOGRAPH 4: REPAIRED HIGHWALL RUN-OFF FLOW PATH ACROSS (IN CENTRE OF PHOTOGRAPH)



PHOTOGRAPH 5: WOODLAND REHABILITATED IN 2012



PHOTOGRAPH 6: MINOR EROSION AT INFLOW TO SB2 DAM



PHOTOGRAPH 7: WEATHER STATION



PHOTOGRAPH 8: SD4 DAM CONTAINING WATER WELL BELOW CAPACITY





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